

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

December 17, 2019

Pursuant to Wis. Stat. § 59.11, the December 17, 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 December 13, 2019 at 3:30 p.m. in compliance with the open meeting law. The meeting opened with the Pledge of Allegiance by all present led by Ty Feldner from Boy Scout Troop 851.

The roll call was taken and recorded with 24 Supervisors present; Absent: 1, Supervisor Hilbelink.

Supervisor Glavan moved for approval of the November 5, 2019 Journal, which was distributed to all supervisors prior to the meeting. The motion was seconded by Supervisor Ziegelbauer and carried on unanimous roll call vote of the board.

APPOINTMENTS

The Chairperson announced that the next order of business was the consideration of the appointments by the Chairperson.

Airport Advisory Committee

Roger Te Stroete (*Representing – Member of the Transportation Committee*)

Monarch Library System Board (Re-appointments)

Tom Doane (*Representing – Participating Library Board*)

Wendy Schobert (*Representing – Member at Large*)

Supervisor Goehring moved to concur with the appointments from the Chairperson. The motion was seconded by Supervisor Ziegelbauer and carried on unanimous roll call vote of the board.

The Chairperson announced that the next order of business was the consideration of the following appointments by the County Administrator.

Airport Advisory Committee

Matthew Grenoble (*County Airport Non-Voting Member*)

Edward Ward III (*Kohler Company*)

Emergency Medical Services (EMS) Council

Cassandra Limberg (*Hospital Administration*)

Douglas Scherpereel (*Private Industry*)

Supervisor Glavan moved to concur with the appointments from the County Administrator. The motion was seconded by Supervisor Abler and carried on unanimous roll call vote of the board.

PRESENTATIONS - NONE

LETTERS AND COMMUNICATIONS

The Clerk presented resolutions from the Eau Claire and Washburn County Boards of Supervisors in support of revising and amending statutes related to court fees and costs in Probate and Juvenile Court. By Chairperson received for information.

The Clerk presented a resolution from the Sawyer County Board of Supervisors in support of non-partisan procedure for redistricting. By Chairperson received for information.

The Clerk presented a resolution from the Racine County Board of Supervisors in support of expungement of criminal and civil conviction and non-conviction records. By Chairperson referred to the Law Committee.

The Clerk presented a resolution from the Wood County Board of Supervisors in support of proposed revisions to Ch. NR151 Runoff Management, setting newer Targeted Performance Standards and Prohibitions. By Chairperson referred to the Planning, Resources, Agriculture and Extension Committee.

COUNTY ADMINISTRATOR'S REPORT

County Administrator Adam Payne referenced the final 2020 adopted budget and 5-year capital plan on the Supervisors desks, and acknowledged the Finance Director and her staff for their good work. Mr. Payne also referenced a memo from Chairman Tom Wegner, and said that a photo ID badge that is fob-enabled that will be provided to each Supervisor to allow utilization of the front employee entrance. In addition, updated policies and procedures for the secured entrance were provided. Mr. Payne advised that the new U.S. Customs Facility Terminal construction is now underway, and, he reviewed Resolution No. 19 - Responding to Executive Order 13888 - Refugee Resettlement in Sheboygan County, that was introduced by the Executive Committee. Mr. Payne, along with Chairperson Wegner and Vice Chairperson Koch presented service pins to Ryan O'Rourke, Family Court Commissioner for 5 years; Supervisors Steve Bauer and Robert Ziegelbauer for 5 years; Jim Baumgart for 15 years; Charlie Conrardy for 25 years; and Roger Te Stroete for 35 years of dedicated service to Sheboygan County. Mr. Payne shared a number of collective accomplishments that the Board and staff can take pride in, and wished everyone a Merry Christmas and Happy New Year.

COMMITTEE REPORTS

The Clerk read the report of the Executive Committee regarding **Ordinance No. 05 (2019/20) Amending Provisions of Section 73.05(2)(b) – Official Maps – of the Floodplain Zoning Ordinance** recommending enactment.

Supervisor Goehring moved to enact the ordinance. The motion was seconded by Supervisor Damp and carried on unanimous roll call vote of the board.

The Clerk read the report of the Executive Committee regarding **Ordinance No. 06 (2019/20) Approving Amendment (10 year Update/Addendum) to the Comprehensive Plan (Chapter 79)** recommending enactment.

Supervisor Damp moved to enact the ordinance. Supervisor Goehring seconded the motion which carried on unanimous roll call vote of the board.

The Clerk read the report of the Executive Committee regarding **Ordinance No. 07 (2019/20) Amending Shoreland Ordinance in NW 1/4 of the SW 1/4 of Section 31, Township 14 North, Range 22 East, Town of Lima (Construction of a Driveway to Serve Two Proposed Residential Properties-Huibregtse Estate)** recommending enactment.

Supervisor Goehring moved to enact the ordinance. The motion was seconded by Supervisor Abler and carried on unanimous roll call vote of the board.

The County Board received for information from the Human Resources Committee a revised annual report on Health Insurance.

(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. 19 (2019/20) Re: Responding to Executive Order 13888 – Refugee Resettlement in Sheboygan County.

Supervisor Nelson moved to pull Resolution No. 19 from committee for immediate action. Supervisor Glavan seconded the motion and carried on roll call vote of the board Ayes: 23; Noes: 1, Supervisor Epping; Absent: 1, Supervisor Hilbelink.

Supervisor Goehring moved to adopt the resolution. The motion was seconded by Supervisor Conrardy and carried on roll call vote of the board of Ayes: 23; Noes: 1, Supervisor Epping; Absent: 1, Supervisor Hilbelink.

Ordinance No. 08 (2019/20) Re: Amending Section 47.03 of the Sheboygan County Code Regarding Salaries referred to the Finance Committee.

Ordinance No. 09 (2019/20) Re: Reducing Airport Advisory Committee Membership referred to the Executive Committee.

ADJOURNMENT

Supervisor Te Stroete moved to adjourn. Supervisor Glavan seconded the motion which carried on unanimous roll call vote of the board. The meeting was adjourned at 6:39 p.m. **The next scheduled meeting is Tuesday, January 21, 2020 at 6:00 p.m.**

REQUESTING THE WISCONSIN LEGISLATURE REVISE CHAPTER 814 TO MAKE FILING FEES CONSISTENT BETWEEN THE CLERK OF COURT AND REGISTER IN PROBATE

WHEREAS, Wisconsin Statutes Chapter 814 relates to court costs, fees and surcharges. Wisconsin Statutes section 814.66 applies to the fees charged by the Register in Probate. The Probate Court and Juvenile Court are responsible for case types that are not listed in Section 814.66 or other statutes, with the result being that there are cases filed with Register in Probate for which there is no filing fee; and,

WHEREAS, under the statutes there are fees and costs that are collected by the Register in Probate that are different from the fees collected by the Clerk of Court for the same type of service. This often causes confusion to the public; and,

WHEREAS, the office of the Register in Probate and the Clerk of Court serve similar functions for the court, both offices are staffed with county employees, both offices utilize CCAP-provided computers and printers as well as county-provided copiers. There is no discernable difference in these two offices when it comes to copying and providing certificates; and,

WHEREAS, it would benefit the public and the county for the State Legislature to revise the statutes so that fees charged for similar services in the Clerk of Court and the Register in Probate are consistent in both offices; and,

WHEREAS, the Wisconsin Register in Probate Association has commenced efforts to encourage the State Legislature to amend and revise the statutes to create consistency with the fees charged by the Clerk of Court and the Register in Probate.

NOW THEREFORE BE IT RESOLVED; the Eau Claire County Board of Supervisors supports the efforts of the Wisconsin Register in Probate Association in their efforts to encourage the Wisconsin Legislature Statutes to amend the related statutes to further consistency between the fee structures for these offices.

BE IT FURTHER RESOLVED, 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 all Wisconsin Counties.

ADOPTED: December 3, 2019

Janet K. Loomis
County Clerk

CLERK OF COURTS AND REGISTER IN PROBATE OFFICES CHARGE FOR COURT COSTS, FEES AND SURCHARGES

INTENT & SYNOPSIS: To encourage the Wisconsin legislature to revise the statutes for a consistent charge for court costs, fees, and surcharges in the offices of the Clerk of Courts and Register in Probate.

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 indicated below:

Probate Copy Fees increase from \$1.00 to \$1.25 per page

Probate Certification of Document Fees increase from \$3.00 to \$5.00 per document; and


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

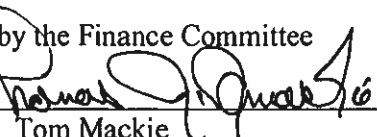
NOW, THEREFORE, THE WASHBURN COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES to support the Wisconsin Register in Probate Association in its efforts to revise Wisconsin Statutes consistent with the resolution and further urges the Legislature to revise and amend the related statutes to further consistency 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.

Fiscal Impact: Minimal increase in fees collected

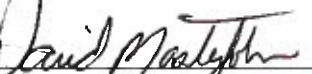
Recommended for Adoption on this 7th day of November by the Finance Committee


David Haessig, Chairman


Tom Mackie


Chris Thompson, Vice Chair

Motion: Haessig Second: Quinn
(Voice) (Roll) vote: Yes X No _____


David Masterjohn

I, Lolita Olson, as County Clerk, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the County of Washburn at the meeting held on: 11-12-19


Linda Featherly


Lolita Olson

RESOLUTION BY THE SAWYER COUNTY BOARD OF SUPERVISORS

Nonpartisan Procedure for Preparation of Legislative and Congressional Redistricting Plans Supported.

WHEREAS, currently under the state constitution, the legislature is directed to redistrict legislative districts according to the number of inhabitants at its next session following the decennial federal census by the majority party; and at the same intervals, the legislature also reapportions congressional districts pursuant to federal law, and

WHEREAS, legislative and congressional redistricting plans enacted pursuant to this procedure are used to elect members of the legislature and members of congress in the fall of the second year following the year of the census, and

WHEREAS, historically, legislative and congressional plans in Wisconsin have been subject to partisan influence that put the desires of politicians ahead of the electoral prerogative of the people, and

WHEREAS, the 2011 process to draw the maps and fight litigation contesting those maps cost taxpayers nearly \$1.9 million and

WHEREAS, a panel of federal district court judges has ruled that the redistricting that was done in Wisconsin in 2011 was unconstitutional, and

WHEREAS, redistricting to achieve partisan gains is improper, whether it is done by Republicans or Democrats.

NOW, THEREFORE, BE IT RESOLVED that the Sawyer County Board of Supervisors insists upon the creation of a nonpartisan procedure for the preparation of legislative and congressional redistricting plans.

BE IT FURTHER RESOLVED that the process promotes more accountability and transparency and prohibits the consideration of voting patterns, party information, and incumbents' residence information or demographic information in drawing the maps, except as necessary to ensure minority participation as required by the U.S. Constitution.

BE IT FURTHER RESOLVED that the County Clerk is 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.

Recommended for adoption by the Sawyer County Board of Supervisors at its meeting on November 12, 2019 by the Sawyer County Administration Committee this 7th day of November, 2019.

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Tweed Shuman, Chairman


Dale Schleeter, Vice Chair

Brian Bisonette, Member


Ron Kinsley, Member


Kathy McCoy, Member

This Resolution is hereby adopted by the Sawyer County Board of Supervisors this 12th day of November, 2019.


Tweed Shuman, Sawyer County Board of Supervisors Chairman

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September 10, 2019

RESOLUTION NO. 2019-57S

RESOLUTION BY INDIVIDUAL SUPERVISORS IN SUPPORT OF 2019 ASSEMBLY BILL 33 AND 2019 SENATE BILL 39 RELATING TO THE EXPUNGEMENT OF CRIMINAL AND CIVIL CONVICTION AND NON-CONVICTION RECORDS

To the Honorable Members of the Racine County Board of Supervisors:

WHEREAS, Wisconsin law allows a conviction to be removed from an offender's circuit court case record under certain circumstances through a process known as expungement; and

WHEREAS, under current law related to adult criminal court records, a person under the age of 25 at the time he or she commits an offense eligible for expungement, the court may order, at the time of sentencing, that the person's court record be expunged upon successful completion of the sentencing the court determines the person will benefit and not be harmed by expungement; and

WHEREAS, if a court orders expungement, upon successful completion of the sentence, the clerk of court must do all of the following pursuant to Wisconsin Supreme Court Rule 72.06: (1) remove any paper index and nonfinancial court record and place them in the case file; (2) electronically remove any automated nonfinancial record except the case number; (3) seal the entire case file; and (4) destroy expunged court records in accordance with the court's retention schedule; and

WHEREAS, 2019 Assembly Bill 33 ("AB 33") and 2019 Senate Bill 39 ("SB 39") eliminate the condition that a person must have been under the age of 25 years old at the time he or she committed an offense to be eligible for expungement; and

WHEREAS, AB 33 and SB 39 also provide that a record of a conviction for a violation of chs. 341 to 348 Stats. – offenses primarily consisting of traffic violations – is not eligible for expungement; and

WHEREAS, AB 33 and SB 39 also create a new process for a person to seek expungement of his or her criminal court record in the county of conviction if at least one year has passed since the person successfully completed his or her sentence and there are no criminal charges pending against the person; and

WHEREAS, AB 33 and SB 39 provide that a person has successfully completed the sentence if the person has completed any period of incarceration, parole, or extended supervision to which he or she was sentenced; the person has paid all fines, costs, fees, surcharges, and restitution assessed and has completed any court-ordered community service; the person has not been convicted of a subsequent crime; and, if probation was imposed, the probation has not been revoked; and

4 **WHEREAS**, AB 33 and SB 39 provide a process for notification to be made to
5 the victim of a petition for expungement; and

6 **WHEREAS**, AB 33 and SB 39 has a delayed effective date of approximately one
7 year and first applies to any conviction for which sentencing has occurred, but for which
8 the record has not been ordered expunged on the effective date; and

9 **WHEREAS**, the Racine County Board of Supervisors recognizes that passage of
10 AB 33 and SB 39 is likely to have a positive economic impact in Racine County by
11 allowing people to move beyond their criminal record and assist in meeting area
12 workforce demands.

13 **NOW THEREFORE BE IT RESOLVED** that the Racine County Board of
14 Supervisors supports 2019 Assembly Bill 33 and 2019 Senate Bill 39 relating to the
15 expungement of criminal and civil conviction and non-conviction records and urges the
16 Wisconsin legislature to pass, and urges Governor Tony Evers to sign, these bills; and

17 **BE IT FURTHER RESOLVED** by the Racine County Board of Supervisors that
18 the Racine County Clerk shall send copies of this resolution to Governor Evers, all
19 Wisconsin legislators, and the Clerks of the counties of Wisconsin.
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21 Respectfully submitted,

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23 1st Reading 9-10-19

INDIVIDUAL SPONSORS

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25 2nd Reading 12.3.19

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27 **BOARD ACTION**

28 Adopted yes
29 For _____
30 Against _____
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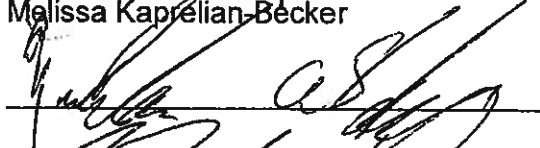

33 **VOTE REQUIRED:** Majority
34 Prepared by Corporation Counsel

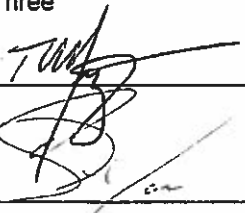
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37 Don Trottier

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40 Melissa Kaprelian-Becker

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43 Fabi Maldonado


Janet Bernberg

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25 The foregoing legislation adopted by the County Board of Supervisors of
26 Racine County, Wisconsin, is hereby:

27 Approved: _____
28 Vetoed: _____

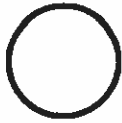
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30 Date: 12-05-19

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33 _____
34 Jonathan Delagrave, County Executive

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37 **INFORMATIONAL ONLY**

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39 **WHEREAS, 2019 SB 39 has been successfully voted out of committee.**

WOOD COUNTY



RESOLUTION# 19-12-20

Introduced by CEED
Page 1 of 1

ITEM# 4-1
DATE December 17, 2019
Effective Date December 17, 2019

Motion:	Adopted: <input checked="" type="checkbox"/>
1 st <u>Clendenning</u>	Lost: <input type="checkbox"/>
2 nd <u>Rozar</u>	Tabled: <input type="checkbox"/>
No: <u>2</u> Yes: <u>17</u>	Absent: <u>0</u>
Number of votes required:	
<input checked="" type="checkbox"/> Majority	<input type="checkbox"/> Two-thirds
Reviewed by: <u>PAK</u> , Corp Counsel	
Reviewed by: _____, Finance Dir.	

SAW

INTENT & SYNOPSIS: To encourage the Wood County Board of Supervisors to support the proposed revisions to Ch. NR 151, Wis. Adm. Code, which will set newer Targeted Performance Standards and Prohibitions to abate pollution of groundwater by nitrate in areas of the state with highly permeable soils that are susceptible to groundwater contamination.

FISCAL NOTE: There are no fiscal obligations for the County associated with this resolution.

		NO	YES	A
1	LaFontaine, D		X	
2	Rozar, D		X	
3	Feirer, M		X	
4	Urban, D		X	
5	Fischer, A		X	
6	Breu, A		X	
7	Ashbeck, R	X		
8	Hahn, J		X	
9	Winch, W	X		
10	Holbrook, M		X	
11	Curry, K		X	
12	Machon, D		X	
13	Hokamp, M		X	
14	Polach, D		X	
15	Clendenning, B		X	
16	Pliml, L		X	
17	Zurfluh, J		X	
18	Hamilton, B		X	
19	Leichtnam, B		X	

WHEREAS, good quality groundwater in sufficient quantity is a basic resource that all citizens and businesses in the State of Wisconsin, as well as Wood County, rely upon. The citizens and businesses of our great state and county expect state government to monitor and protect the groundwater in our state in such a way that we may all prosper; and

WHEREAS, nitrate is the most widespread groundwater contaminant in Wisconsin and is especially prevalent in areas with highly permeable soils. Evidence suggests that the statewide standards are insufficient to achieve surface water quality and groundwater standards in areas with highly permeable soils; and

WHEREAS, the NR 151 revision process will allow for local input and give local stakeholders the opportunity to be part of the rule making and develop a rule that is designed to protect both surface and groundwater; and

WHEREAS, for some time now in an effort to work together and share resources across county lines the County Land and Water Conservation Departments (being the lead agency), Public Health Departments, UW Madison-Extension Departments, and County Board Supervisors in the central sands area of Adams, Juneau, Marquette, Portage, Waushara, Wood and Sauk County have joined together to form the Central Sands Groundwater County Collaborative (CSGCC); and

WHEREAS, because of the unique geographic features found throughout the State of Wisconsin this six county collaborative feels that it is necessary to assess the environmental impacts and draft water quality standards that are based on a county-by-county or a regional basis, recognizing the vulnerability of some geographic features which are highly susceptibility to contamination.

THEREFORE, BE IT RESOLVED, that the Wood County Board of Supervisors supports performance standards that must include modifications to nutrient management plans; application rates of manure and or commercial fertilizers; timing of nutrient management application; no spreading on already saturated soils; crop rotations, and implementation of growing crops year round as cover crops which store unused nitrogen in the soil.

BE IT FURTHER RESOLVED, that a copy of this resolution be directed to the attention of the Governor of the State of Wisconsin, Wisconsin Counties Association, Wisconsin Towns Association, State Legislators, and to each Wisconsin County.

Kenneth Curry *Kenneth Curry*

Mark Holbrook *Mark Holbrook*

Robert Ashbeck *Robert Ashbeck*

Dave LaFontaine *Dave LaFontaine*

Bill Leichtnam *Bill Leichtnam*

Harvey Petersen - Citizen Member *Harvey Petersen*

Adopted by the County Board of Wood County, this *17th*

Grent A
County Clerk

day of *December* 20 *19*

[Signature]
County Board Chairman