

JOURNAL OF THE MEETING OF THE SHEBOYGAN COUNTY BOARD OF SUPERVISORS

March 16, 2010

Pursuant to Section 59.11 of the Wisconsin Statutes, the March 16, 2010 session of the Sheboygan County Board was called to order by Chairperson Michael J. Vandersteen at 6:00 p.m. Chairperson Vandersteen noted that the notice of meeting was posted on March 10, 2010 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 34 Supervisors present.

Supervisor Winkel made a motion for approval of the February 16, 2010 Journal, which was distributed to all supervisors prior to the meeting. The motion was seconded by Supervisor Glavan 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 following re-appointments by the County Administrator.

Robert Fenner – Marsh Management Advisory Committee

Carol Zoran and Marsha Vollbrecht – Aging Unit Advisory Committee

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

PRESENTATION

Todd Berry, President-Wisconsin Taxpayers Alliance gave a State of the State powerpoint presentation.

PUBLIC ADDRESSES

Patrick Drinan, 1236 South Wilson Avenue, Hartford – Sheboygan County Economic Development

Dan Jones, W4399 Lake Drive, Waldo – Proposed Sales Tax

Kip Ertel, N6406 Woodland Road, Sheboygan – Proposed Sales Tax

Brad Viegut, 777 East Wisconsin Avenue, Milwaukee – County Bond Rating

Glen Markus, 723 Old County Road PP, Sheboygan Falls – Proposed Sales Tax

LETTERS AND COMMUNICATIONS

The Clerk presented a thank you note from Supervisor Conrardy thanking the board for the plant and their expressions of sympathy for the death of his wife. By Chairperson received for information.

The Clerk presented a resolution from the Dodge County Board of Supervisors in opposition to Assembly Bill 634 regarding protective status for correction officers under the Wisconsin Retirement System. By Chairperson received for information.

The Clerk presented a resolution from the Racine County Board of Supervisors in support of pursuing remedies to stop Asian carp species from entering Lake Michigan. By Chairperson received for information.

The Clerk presented a resolution from the Ozaukee County Board of Supervisors requesting a change in state law allowing counties the use of the design-build construction method. By Chairperson received for information.

The Clerk presented resolutions from the Langlade and Portage County Boards of Supervisors in support of federal funding for welfare fraud investigation. By Chairperson received for information.

The Clerk presented a resolution from the Portage County Board of Supervisors in opposition to Assembly Bill 644 establishing a presumption for infectious diseases in proceedings regarding protective status employees. By Chairperson received for information.

The Clerk presented a resolution from the Barron County Board of Supervisors in support of delayed implementation of the farmland preservation rezoning conversion fees. By Chairperson received for information.

The Clerk presented a resolution from the Ozaukee County Board of Supervisors in support of Senate Bill 430 allowing municipal employers to change health care coverage plan providers. By Chairperson referred to the Human Resources Committee.

The Clerk presented a resolution from the Dodge County Board of Supervisors encouraging the State Legislature to act upon the final report of the Northeast Wisconsin Karst Task Force. By Chairperson received for information.

The Clerk presented a resolution from the Walworth County Board of Supervisors in opposition to the decision of the DNR to eliminate the review of wetland delineation reports and concurrence letter for individual wetland boundary determinations. By Chairperson referred to the Planning, Resources, Agriculture and Extension Committee.

The Clerk presented resolutions from the Eau Claire and Langlade County Boards of Supervisors in support of Assembly Bill 392 and 447 restricting predatory lending practices in Wisconsin. By Chairperson received for information.

The Clerk presented resolutions from the Florence and Outagamie County Boards of Supervisors in opposition to the Department of Revenue's proposal for county assessment. By Chairperson received for information.

The Clerk presented a resolution from the Langlade County Board of Supervisors in opposition to Assembly Bill 349 regarding the prohibition of searches for property taxes by name to the general public. By Chairperson received for information.

The Clerk presented a resolution from the Langlade County Board of Supervisors in opposition to legislation requiring custody study reports prior to being introduced into evidence. By Chairperson received for information.

The Clerk presented a resolution from the Outagamie County Board of Supervisors in support of legislation prohibiting a business entity from placing a sign within the highway right of way. By Chairperson referred to the Transportation Committee.

The Clerk presented resolutions from the Langlade, Oneida, Ozaukee, Portage, and Price County Boards of Supervisors in opposition to Senate Bill 466 regulating all government sponsored self-insured health plans by the Office of the Commissioner of Insurance. By Chairperson referred to the Human Resources Committee.

COUNTY ADMINISTRATOR'S REPORT

County Administrator Adam Payne thanked the board for their support and thoughtful notes on the passing of his grandmother. Mr. Payne emphasized the importance of being fiscally responsible and recapped challenges Sheboygan County is faced with, including unfunded state mandates, state shared revenue reductions, and decreases in property values and our interest revenue. In order to continue to be fiscally responsible, Mr. Payne emphasized the need to both diversify our revenue streams and reduce expenditures.

Mr. Payne thanked Wisconsin Taxpayer's Alliance Executive Directory Todd Berry for his presentation and stated that he doesn't want to see Sheboygan County go down the same irresponsible fiscal path as the state. Mr. Payne complimented Supervisor Schramm for his leadership and suggesting a compromise on the ½% sale tax proposal, as well as Chairman Vandersteen, the Finance Committee and the elected department heads for their support.

COMMITTEE REPORTS

The Clerk read the report of the Executive Committee regarding **Resolution No. 39 (2009-2010) Renewing Corporation Counsel Contract** recommending adoption.

Supervisor Dunton made a motion to table the resolution. Supervisor Epping seconded the motion which was defeated on roll call vote of the board of Ayes: 4, Supervisors Dunton, Hoffmann, Koch, and Winkel; Noes: 30; Absent: 0.

Supervisor Goehring made a motion to adopt the resolution. The motion was seconded by Supervisor Marthenze and carried on roll call vote of the board of Ayes: 33; Noes: 1, Supervisor Dunton; Absent: 0.

The Clerk read the report of the Executive Committee regarding **Resolution No. 40 (2009-2010) Approving February 2010 Sheboygan County Land and Water Resource Management Plan** recommending adoption.

Supervisor Baumgart made a motion to adopt the resolution. Supervisor Marthenze seconded the motion which carried on unanimous roll call vote of the board.

The Clerk read the report of the Executive Committee regarding **Resolution No. 43 (2009-2010) Authorizing the Issuance and Sale of \$3,815,000 Taxable General Obligation Promissory Notes, Series 2010A (Build America Bonds – Direct Payment)** recommending adoption.

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

The Clerk read the report of the Executive Committee regarding **Resolution No. 44 (2009-2010) Authorizing the Issuance and Sale of \$4,185,000 Taxable General Obligation Promissory Notes, Series 2010B (Recovery Zone Economic Development Bonds)** recommending adoption.

Supervisor Te Stroete made a motion to adopt the resolution. 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. 22 (2009-2010) Enacting One-half Percent County Sales Tax** recommending filing the ordinance with the Clerk. Concurring with the report were Supervisors Holub, Schramm, Goehring and Marthenze; opposed was Supervisor Vandersteen.

Supervisor Jacob Van Dixhorn made a motion to enact the ordinance. The motion was seconded by Supervisor Ziegelbauer.

Supervisor Schramm made a motion to amend the ordinance by commencing the sales tax in 2012 and affirm that no portion of the revenue derived shall be used for County employees wages and benefits. Supervisor Ziegelbauer seconded the motion which was defeated on roll call vote of the board of Ayes: 11, Supervisors Abler, Baumgart, Dunton, Epping, Hoffmann, Koch, Procek, Schramm, Jacob Van Dixhorn, Vandersteen, and Ziegelbauer; Noes: 23; Absent: 0.

Chairperson Vandersteen passed the gavel to Vice Chairperson Holub so he could speak on the sales tax ordinance. After his comments he resumed chair of the meeting.

Ordinance No. 22 was defeated on roll call vote of the board of Ayes: 12, Supervisors Abler, Baumgart, Dunton, Koch, Medina, Procek, Riemer, Schramm, Schultz, Jacob Van Dixhorn, Vandersteen, and Ziegelbauer; Noes: 22; Absent: 0.

The Clerk read the report of the Finance Committee regarding **Resolution No. 42 (2009-2010) Appropriating Funds for Participation in East Wisconsin Counties Railroad Consortium – 2010** recommending adoption.

Supervisor Ziegelbauer made a motion to table the resolution. The motion was seconded by Supervisor Abler which was defeated on roll call vote of the board of Ayes: 8, Supervisors Abler, Anic, Baumgart, Damp, Otten, Jacob Van Dixhorn, Vandersteen and Ziegelbauer; Noes: 26; Absent: 0.

Supervisor Goehring made a motion to adopt the resolution. Supervisor Winkel seconded the motion which carried on roll call vote of the board of Ayes: 32; Noes: 2, Supervisors Baumgart and Damp; Absent: 0.

The Clerk read the report of the Human Resources Committee regarding **Ordinance No. 21 (2009-2010) Amending Sheriff's Department Table of Organization** recommending enactment.

Supervisor Schultz made a motion to enact the ordinance. The motion was seconded by Supervisor Hoffmann and carried on unanimous roll call vote of the board.

The Clerk read the report of the Law Committee regarding **Ordinance No. 23 (2009-2010) Establishing Speed Zone on County Road "OO" (Town of Lima)** recommending enactment.

Supervisor Winkel made a motion to enact the ordinance. Supervisor Hoffmann seconded the motion which carried on roll call vote of the board of Ayes: 33; Noes: 1, Supervisor Bemis; Absent: 0.

The Clerk read the report of the Law Committee regarding **Ordinance No. 24 (2009-2010) Establishing Speed Zone on County Road "KK" (Town of Wilson)** recommending enactment.

Supervisor Hoffmann made a motion to enact the ordinance. The motion was seconded by Supervisor Winkel and carried on roll call vote of the board of Ayes: 33; Noes: 1, Supervisor Bemis; Absent: 0.

The Clerk read the report of the Law Committee regarding **Ordinance No. 25 (2009-2010) Establishing Speed Zone on County Road "W" (Town of Lima)** recommending enactment.

Supervisor Hoffmann made a motion to enact the ordinance. Supervisor Dunton seconded the motion which carried on roll call vote of the board of Ayes: 33; Noes: 1, Supervisor Bemis; Absent: 0.

The Clerk read the report of the Planning, Resources, Agriculture and Extension Committee regarding **Ordinance No. 20 (2009-2010) Repealing and Re-creating Chapter 36, Uniform Rural Numbering System** recommending additional time be granted until the April 13, 2010 County Board meeting to consider the matter.

Supervisor Jacob Van Dixhorn made a motion to grant additional time until the April 13, 2010 County Board meeting. Supervisor Marthenze seconded the motion which carried on unanimous roll call vote of the board.

The Clerk read the report of the Property Committee regarding **Resolution No. 41 (2009-2010) Authorizing Sale of "Meta Bock" Property** recommending amending the resolution by deleting the verbiage starting on line 58 – "a separate, segregated account to be invested with other County property, and that any income attributable thereto be allocated to the Planning Department for annual budgeting purposes." And replacing it with, "the General Fund for property tax relief." and as amended recommend adoption.

Supervisor Glavan made a motion to adopt the resolution. Supervisor Procek seconded the motion.

Supervisor Baumgart made a motion to amend the resolution per the committee report. Supervisor Marthenze seconded the motion which carried on roll call vote of the board of Ayes: 30; Noes: 4, Supervisors Cary, Hoffmann, Koch, and Ogea; Absent: 0.

Resolution No. 41 was adopted as amended on roll call vote of the board of Ayes: 29; Noes: 5, Supervisors Baumgart, Koch, Ogea, Riemer, and Schultz; Absent: 0.

(Vice-Chairperson Holub presiding)

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

Resolution No. 45 (2009-2010) Re: Authorizing Sale of Sunny Ridge North Based on Purchase Agreement referred to the Finance Committee.

Resolution No. 46 (2009-2010) Re: Designating April 19 – 23, 2010, as Work Zone Safety Awareness Week referred to the Executive Committee.

Resolution No. 47 (2009-2010) Re: Authorizing Sheboygan County to Enter into a Contract for the Purchase of a Replacement Computer-Aided Dispatch/Records Management System (CAD/RMS) and to Enter into an Agreement with the City of Sheboygan for Shared Use and Payment of the Purchase of the System referred to the Finance Committee.

Resolution No. 48 (2009-2010) Re: Authorizing the Finance Committee and Finance Director to Balance Over Budget Departmental Accounts referred to the Executive Committee.

Resolution No. 49 (2009-2010) Re: Authorizing Expenditure of \$315,119.40 from the County Jail Fund referred to the Finance Committee.

Resolution No. 50 (2009-2010) Re: Supporting the Attorney General and Governor of Wisconsin to Pursue Remedies to Stop Asian Carp Species from Entering Lake Michigan and to Protect Wisconsin Interests referred to the Executive Committee.

ADJOURNMENT

Supervisor Bemis made a motion to adjourn to 6:00 p.m. on Tuesday, April 13, 2010. Supervisor Glavan seconded the motion which carried on unanimous roll call vote of the board. The meeting was adjourned at 9:30 p.m.