

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

August 21, 2018

Pursuant to Wis. Stat. § 59.11, the August 21, 2018 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 August 17, 2018 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 22 Supervisors present; Absent: 3, Supervisors Epping, Hilbelink and Weggeman.

MEMORIAL RESOLUTION

Resolution No. 11 (2018/19) Re: Honoring the Life of Former County Board Supervisor Vernon (Vern) Swoboda.

Pursuant to County Board Rule 2.13, this Resolution was on the floor for immediate action and was unanimously adopted by the Board on a rising vote and a pause in its deliberations.

County Clerk Jon Dolson presented a signed copy of the resolution to future son-in-law, George Limbeck.

Supervisor Glavan moved for approval of the July 17, 2018 Journal, which was distributed to all supervisors prior to the meeting. The motion was seconded by Supervisor Abler 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 appointments by the County Administrator.

Board of Adjustments Committee

Pete Scheuerman – *(Regular Member – Town of Greenbush)*

Ken Moehring – *(First Alternate Member – Town of Mosel)*

Emergency Medical Services (EMS) Council

Kristy De Blaey

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

PRESENTATION

Bryan Grunewald, Schenck & Associates – 2017 Comprehensive Annual Financial Report.

LETTERS AND COMMUNICATIONS

The Clerk presented resolutions from the Adams and Sawyer County Boards of Supervisors urging the state to increase access and pay for public defenders. By Chairperson received for information.

The Clerk presented a resolution from the Barron County Board of Supervisors supporting a dark store loophole referendum. By Chairperson referred to the Executive Committee.

The Clerk presented a resolution from the Winnebago County Board of Supervisors regarding requiring an audit of the Veterans Trust Fund. By Chairperson referred to the Health & Human Services Committee.

COUNTY ADMINISTRATOR'S REPORT

County Administrator Adam Payne reviewed the high end budget development report that was distributed prior to the meeting and complimented everyone for their hard work on the budget. Mr. Payne provided an update on the sales tax revenue and reviewed the report that was on their desks. Mr. Payne, along with Chairperson Wegner, Vice Chairperson Koch, Sheriff Roeseler, Inspector Risseeuw and Lieutenant De Blaey recognized Wendy Jones for her 45 years of dedicated service to the people of Sheboygan County.

COMMITTEE REPORTS

The Clerk read the report of the Executive Committee regarding Resolution No. 10 (2018/19) Urging Governor and Legislature to "Just Fix It" and Agree to Sustainable Solutions for Transportation Costs 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 Executive Committee regarding Ordinance No. 06 (2018/19) Changing Supervisory District Boundaries (15 and 17) to Reflect Annexation (Plymouth Annexations - .86 acre parcel) recommending enactment.

Supervisor Damp moved to enact the enactment. 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 (2018/19) Creating Permanent Amsterdam Dunes Advisory Committee recommending enactment.

Supervisor Te Stroete moved to enact the enactment. The motion was seconded by Supervisor Baumgart and carried on unanimous roll call vote of the board.

(Vice-Chairperson Koch presiding)

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

Resolution No. 12 (2018/19) Re: Authorizing Application for Fiscal Year 2018 Justice Assistance Grant Program Award (Local Solicitation) and Entering into Memorandum of Understanding with City of Sheboygan.

Supervisor Ziegelbauer moved to pull Resolution No. 12 from committee for immediate action. Supervisor Glavan seconded the motion and carried on unanimous roll call vote of the board.

Supervisor Hoffmann moved to adopt the resolution. The motion was seconded by Supervisor Ziegelbauer and carried on unanimous roll call vote of the board.

Resolution No. 13 (2018/19) Re: 2019 Five-Year Capital Plan referred to the Executive Committee.

Resolution No. 14 (2018/19) Re: Authorizing Planning and Conservation Department to Apply for Fiscal Year 2018 Tree Planting Grant referred to the Finance Committee.

Ordinance No. 08 (2018/19) Re: Amending Maintenance and Board Charges for County Jail Prisoners to include Pretrial Detainees.

Supervisor Ziegelbauer moved to pull Ordinance No. 08 from committee for immediate action. Supervisor Hoffmann seconded the motion and carried on unanimous roll call vote of the board.

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

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 6:47 p.m. The next scheduled meeting is Tuesday, September 18, 2018 at 6:00 p.m.

RESOLUTION 31 -2018
Resolution In Support of Increased Public Defender Access and Pay

1 **INTRODUCED BY:** Public Safety and Judiciary Committee

2
3 **INTENT & SYNOPSIS:** To urge the State of Wisconsin to increase public
4 defender access and pay.

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6 **FISCAL NOTE:** None.

7
8 **WHEREAS,** criminal cases continue to rise due to a variety of factors including
9 increased drug crimes; and

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11 **WHEREAS,** both the United States Constitution the Constitution of the State of
12 Wisconsin provide that persons accused have the right to counsel; and

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14 **WHEREAS,** in Wisconsin the Office of the Public Defender provides counsel to
15 those persons meeting income eligibility guidelines for services; and

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17 **WHEREAS,** judges are being forced to appoint counsel at county expense for
18 persons for whom the public defender cannot find representation due to a lack of
19 available counsel as a result of the low compensation rate; and

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21 **WHEREAS,** this results in costs to counties to appoint counsel, increased costs
22 to jail persons held pretrial pending appointment of counsel, inefficiency for
23 courts and law enforcement and a delay in obtaining justice for victims; and

24
25 **WHEREAS,** the rate of compensation for private bar attorneys has not been
26 increased since 1995 and currently is the lowest hourly rate in the nation; and

27
28 **WHEREAS,** this has created a burden on the courts and Wisconsin counties.

29
30 **NOW, THEREFORE BE IT RESOLVED,** that the Adams County Board of
31 Supervisors does hereby urge the State of Wisconsin to provide sufficient
32 resources to the Office of the Public Defender to ensure that the criminal justice
33 system operates effectively and efficiently; and

34
35 **BE IT FURTHER RESOLVED,** that the State of Wisconsin is urged to increase
36 the rate of reimbursement for assigned counsel to a market rate that will ensure
37 the prompt appointment of counsel and that cases are handled in a timely and
38 efficient manner; and

39
40 **BE IT FURTHER RESOLVED,** that the County Clerk is directed to send a copy
41 of this Resolution to the Governor of the State of Wisconsin, the Wisconsin
42 Counties Association, the Wisconsin Towns Association, the Wisconsin League of
43 Municipalities, all members of the state legislature, and to each Wisconsin
44 county.

45

RESOLUTION 31-2018
Resolution In Support of Increased Public Defender Access and Pay

46 Recommended for adoption by the Public Safety and Judiciary Committee this
47 13 day of June, 2018.

48 [Signature]
49 [Signature]
50 [Signature]
51 [Signature]
52 [Signature]
53 [Signature]

[Signature]
[Signature]
[Signature]

54
55 Adopted X
56 Defeated by the Adams County Board of Supervisors this
57 Tabled day of July, 2018.

58 [Signature]
59 [Signature]
60 County Board Chair

[Signature]
County Clerk

- 61
62 Reviewed by Corporation Counsel
63 Reviewed by County Manager/Administrative Coordinator

State of Wisconsin
County of Adams
This document is a full, true and correct copy
of the original on file and of record in my
office and has been compared by me
Attest: July 18, 2018
[Signature]
County Clerk

Resolution 2018-28

Urging the State of Wisconsin to Increase Compensation for
Defense Counsel Assigned by the State Public Defender

WHEREAS, there is a severe shortage of Criminal Defense Attorneys in Sawyer County; and,

WHEREAS, State Public Defender Appointed Private Bar Attorneys regularly travel over 100 miles, one way, to represent Sawyer County clients; and

WHEREAS, Sawyer County has the fifth (5th) highest percentage of people living in poverty in the State of Wisconsin; and

WHEREAS, the lack of Defense Attorneys is causing excessive delays and inefficiencies for the Sawyer County Criminal Justice System, including but not limited to excessive pretrial confinement in the Sawyer County Jail; and

WHEREAS, in an effort to protect the Constitutional Rights of the citizens of Sawyer County, the Sawyer County Circuit Court Judge is being forced to appoint private attorneys to represent individuals at the expense of the citizens of Sawyer County; and,

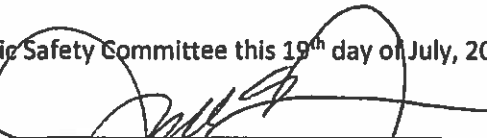
THEREFORE, BE IT RESOLVED, that the Sawyer County Board of Supervisors does hereby urge the State of Wisconsin to provide sufficient resources to the Office of the Public Defender ensuring the criminal justice system is operated effectively and efficiently thereby protecting the constitutional rights of its citizens, including increasing the rate of reimbursement for private attorneys appointed by the Public Defender to a market rate that will ensure the prompt appointment of counsel and that cases are handled in a timely, efficient and competent manner; and

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 Supreme Court, the Wisconsin State Public Defender, the Wisconsin Counties Association, the Wisconsin Towns Association, the League of Wisconsin Municipalities, all members of the state legislature, and to each Wisconsin county.

FISCAL IMPACT: None

Recommended for adoption by the Sawyer County Public Safety Committee this 19th day of July, 2018.


Bill Voight, Chairman


James Schlender, Vice-Chairman


Helen Dennis, Member


Ron Buckholtz, Member


Dale Schleeter, Member

BARRON COUNTY RESOLUTION NO. 2018 - 23

Resolution Supporting Dark Store Loophole Referendum

TO THE BARRON COUNTY BOARD OF SUPERVISORS:

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WHEREAS, each time a big box retailer gets a Dark Store tax break, homeowners, small businesses and other property owners have to pick up a greater share of the property tax levy; and

WHEREAS, over the past several months, municipal, county, city, and town officials have been in contact with state legislators testifying against the Dark Store tax loophole in order to avoid a property tax burden shifting to other tax pay entities such as residential homeowners and other businesses and/or cuts in essential services provided by an affected municipality; and

WHEREAS, unless the Dark Store loopholes are closed, residents will realize the impact when they receive their property tax bills in the mail in December; and

WHEREAS, Wisconsin State Statute 59.52(25) allows for a county board to conduct a county-wide referendum for advisory purposes; and

WHEREAS, a county-wide advisory referendum on the issue of Dark Stores would provide guidance to the state legislature as to the will of the Barron County electorate on this issue; and

WHEREAS, this resolution seeks authorization to conduct such a county-wide advisory referendum; and

WHEREAS, this resolution was approved by the Executive Committee on June 29, 2018 on a vote of 9 - 0, with Okey, Buchanan, Bartlett, Hanson, Horstman, McRoberts, Heinecke, Heller and Rindsig (alternate for Thompson) voting in favor and no members voting against. Thompson was absent.

NOW, THEREFORE, BE IT RESOLVED, that the Barron County Board of Supervisors does hereby recommend adoption of the following resolution, and that Barron County Board of Supervisors does resolve to conduct a county-wide advisory referendum, to be held with the November 2018 general election; that a concise statement of the question is given and that the question will state as follows:

Question: Should the state legislature enact proposed legislation that closes the Dark Store loopholes, which currently allow commercial retail properties to significantly reduce the assessed valuation and property tax of such properties, resulting in a substantial shift in taxes levied against other tax paying entities, such as residential home owners, and/or cuts in essential services provided by an affected municipality?

BARRON COUNTY RESOLUTION NO. 2018 - 23

Resolution Supporting Dark Store Loophole Referendum


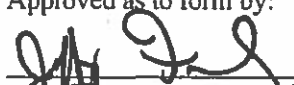
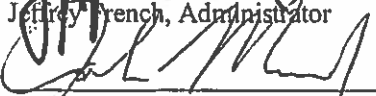
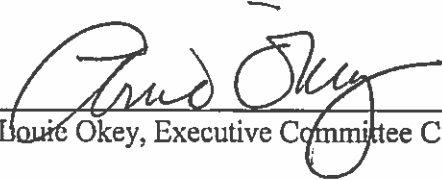
42 BE IT FURTHER RESOLVED that the Corporation Counsel prepare a Notice of
43 Referendum to be published by the Barron County Clerk in accordance with statutory
44 requirements.

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46 BE IT FURTHER RESOLVED that this resolution and the referendum shall be
47 filed with the Barron County Clerk no later than 70 days prior to the election at which the
48 question will appear on the ballot.

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50 BE IT FURTHER RESOLVED That this resolution, upon passage, be forwarded
51 to Barron County's elected State Representatives, Representative Quinn, and Senator
52 Bewley, Governor Scott Walker, and all other Wisconsin Counties, and
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54 BE IT FURTHER RESOLVED that publication of this resolution may occur
55 through posting in accordance with Section 985.02 of the Wisconsin Statutes.
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OFFERED THIS 16th day of July, 2018.

<p>Number of readings required: One (X) Two ()</p> <p>Vote required for passage: Majority (X) 2/3 Entire Board (20) ()</p> <p>Source of funding: Budgeted () General Fund () Grant () Contingency () Other (X) Details: N / A</p> <p>Fiscal impact: - Current year total amount: \$ - 0 - - Future years total amount: \$ - 0 - - Effect on tax levy – current year - \$ - 0 - - Effect on tax levy – future years - \$ - 0 -</p> <p>Fiscal impact reviewed by County Finance Department</p> <p> Jodi Busch, Finance Director</p> <p>Approved as to form by:  Jeffrey French, Administrator</p> <p> John Muench, Corporation Counsel</p>	<p> Louie Okey, Executive Committee Chair</p> <p>(The Committee Chair signature verifies the action taken by the Committee.)</p> <p>Board Action: Adopted (X) Failed () Tabled ()</p> <p>Administrator French gave an overview of the Dark Store Loophole Referendum, discussed the information included in the packet and the reason for adding it as a referendum for the November 2018 Election. French also answered questions from the Board. Motion: (Hanson/Mosentine) to approve. Carried.</p>
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CARRIED BY VOICE VOTE

2 **RESOLUTION: Request the Wisconsin State Legislature to Require an Audit of the**
3 **Veterans Trust Fund, Detailing the Revenues Received, All**
4 **Disbursements from the Veterans Trust Fund, and the Amount of Direct**
5 **Benefits Paid to Veterans for Each Year Since 2014**

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

9 **WHEREAS**, the Wisconsin Department of Veterans Affairs (WDVA) paid a significant amount of benefits
10 directly to individual veterans from the Veterans Trust Fund prior to 2009; and

11 **WHEREAS**, the Veterans Trust Fund was funded primarily by interest income from loans made to Veterans,
12 and the WDVA discontinued the loan programs between 2010 and 2013; and

13 **WHEREAS**, in recent years the Veterans Trust Fund has been funded largely by transfers of reserves from
14 King Veterans Home, including nine (9) million dollars in December 2016 and 13 million dollars scheduled in each
15 year of this biennium; and

16 **WHEREAS**, direct benefits to the Veterans have been reduced to very small amounts and the detail of these
17 benefits is no longer readily available to the public.

18
19 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
20 requests the State Legislature to require an audit of the Veterans Trust Fund, detailing the revenues received by and
21 all disbursements from the Veterans Trust Fund and the amount of direct benefits paid to veterans for each year
22 since 2014.

23
24 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that a copy of this Resolution
25 be forwarded to all Wisconsin Legislators.

26
27 Respectfully submitted by:
28 **LEGISLATIVE COMMITTEE**

29 Committee Vote: **14-0**
30 Vote Required for Passage: **Majority of Those Present**

31
32 Approved by the Winnebago County Executive this 23rd day of July, 2018.

33
34 Mark L. Harris
35 Mark L Harris
36 Winnebago County Executive