

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

August 15, 2017

Pursuant to Wis. Stat. § 59.11, the August 15, 2017 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 10, 2017 at 2:00 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 Abler, Brauer, and Ogea.

Supervisor Winkel moved for approval of the July 18, 2017 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 appointments by the County Administrator.

Aging & Disability Advisory Committee *(Re-Appointments)*

Gerald DuMonthier, 2807 South 12th Street, Sheboygan
Carol Zoran, 5528 South Business Drive, Sheboygan

Transportation Coordinating Committee *(Re-Appointment)*

Derek Muench, 608 Commerce Street, Sheboygan *(Citizen Member)*

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

PRESENTATIONS-NONE

LETTERS AND COMMUNICATIONS

The Clerk presented a resolution from the Outagamie County Board of Supervisors in support of the proposed legislation to reduce fines for marijuana crimes. By Chairperson referred to the Law Committee.

The Clerk presented a resolution from the Door County Board of Supervisors opposing the Aquila Resources Back Forty Mine Project in Michigan. By Chairperson referred to the Planning, Resources, Agriculture, and Extension Committee.

The Clerk presented a resolution from the Wood County Board of Supervisors regarding legislative redistricting. By Chairperson received for information.

The Clerk presented a resolution from the Wood County Board of Supervisors opposing the repeal of Wisconsin prevailing wage law. By Chairperson received for information.

COUNTY ADMINISTRATOR'S REPORT

County Administrator Adam Payne gave an update on the Transportation Complex and had a slide presentation. Mr. Payne also provided a status report on the one half percent sales tax revenue received to date and shared a bar graph with comparisons to other counties. Mr. Payne also reviewed the 2018 budget development process and distributed a hand-out that

summarized the department budget targets, property tax levy and tax rate. At present, the County is poised to have a total levy increase of 1.38%, and a tax rate reduction of 3.57%. The final 2018 budget will be approved by the Board in November.

COMMITTEE REPORTS

The Clerk read the report of the Executive Committee regarding **Ordinance No. 03 (2017/18) Amending County Operational Provisions Relating to Office Hours** recommending enactment.

Supervisor Goehring moved to enact the ordinance. 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 **Ordinance No. 01 (2017/18) Repealing and Re-creating Chapter 3 and Repealing Chapter 55** recommending enactment.

Supervisor Weggeman 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 Finance Committee regarding **Ordinance No. 02 (2017/18) Amending Chapter 50 of the County Code Establishing County Purchasing Procedures** recommending enactment.

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

(Vice-Chairperson Marthenze presiding)

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

Resolution No. 09 (2017/18) Re: 2018 Five-Year Capital Plan referred to the Executive Committee.

Ordinance No. 04 (2017/18) Re: Changing Supervisory District Boundaries (15, 16, and 17) to Reflect Annexation (Plymouth Annexation) referred to the Executive Committee.

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 6:20 p.m. **The next scheduled meeting is Tuesday, September 19, 2017 at 6:00 p.m.**

RESOLUTION NO.: 34—2017-18

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 Current law prohibits a person from possessing or attempting to possess marijuana. A
2 person who is convicted of violating the prohibition may be fined not more than \$1,000
3 or imprisoned for not more than six months, or both, for a first conviction and is guilty
4 of a Class I felony for a second or subsequent conviction. Proposed legislation reduces
5 the forfeiture to \$100 for possessing or attempting to possess not more than 10 grams of
6 marijuana and eliminates the increase in penalty if second or subsequent violations
7 involve not more than 10 grams of marijuana. This resolution supports reducing the
8 forfeiture to \$100 for possessing or attempting to possess not more than 10 grams of
9 marijuana and eliminating the increase in penalty if second or subsequent violations
10 involve not more than 10 grams of marijuana.

11
12 NOW THEREFORE, the undersigned members of the Public Safety Committee recommend
13 adoption of the following resolution.

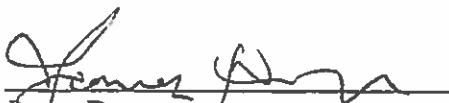
14 BE IT RESOLVED, that the Outagamie County Board of Supervisors does support any
15 legislation reducing the forfeiture to \$100 for possessing or attempting to possess not more than 10
16 grams of marijuana and eliminating the increase in penalty if second or subsequent violations involve
17 not more than 10 grams of marijuana, and

18 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy
19 of this resolution to the Outagamie County Executive, all Wisconsin counties, and the Outagamie
20 County Lobbyist for distribution to the Governor and the Legislature.

21 Dated this 11th day of July 2017

22 Respectfully Submitted,

23 PUBLIC SAFETY COMMITTEE
24
25
26
27

28
29 
30 James Duncan
31


Lee W. Hammen

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Katrin Patience
Katrin Patience

Tony Krueger
Tony Krueger

Mike Thomas
Mike Thomas

Duly and officially adopted by the County Board on: July 11, 2017

Signed: [Signature]
Board Chairperson

[Signature]
County Clerk

Approved: 7.12.17

Vetoed: _____

Signed: [Signature]
County Executive



DOOR COUNTY

Resolution No. 2017-49

**IN OPPOSITION TO THE AQUILA RESOURCES, INC.
PROPOSED BACK FORTY MINE PROJECT**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

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

1 **WHEREAS**, Aquila Resources, Inc. Back Forty Project, a proposed open
2 pit metallic sulfide mine, would be located on the banks of the Menominee
3 River, which empties into Lake Michigan and is one of the largest watersheds
4 in Northern Wisconsin and Michigan's Upper Peninsula and;

6 **WHEREAS**, the Menominee River provides a unique habitat for species of
7 special concern such as lake sturgeon and freshwater mussels, which would
8 be negatively impacted by discharges into the water and;

10 **WHEREAS**, the potential impacts of the mine include long term leaching of
11 acid-producing wastes into the groundwater and the river and;

13 **WHEREAS**, the hazardous wastes generated by the mine would potentially
14 degrade water quality and present risks to human health and the environment
15 in Wisconsin as well as Michigan and;

17 **WHEREAS**, potential economic losses including reduction in property
18 values and loss of tourism revenue are not factored into the permitting review
19 process and;

21 **WHEREAS**, the approval of this mine will result in the irreversible loss of
22 significant cultural resources of the Menominee Tribe of Indians of Wisconsin,
23 including Native American gravesites and other areas of historical significance.

25 **NOW, THEREFORE, BE IT RESOLVED**, that the Door County Board of
26 Supervisors opposes Aquila Resources, Inc. Back Forty Mine Project and
27 urges the Michigan Department of Environmental Quality to deny any further
28 permitting for the project.

30 **BE IT FURTHER RESOLVED**, that the County Clerk is hereby directed to
31 transmit a copy of this Resolution to the Governor of the State of Wisconsin,
32 to the Department of Natural Resources Secretary Cathy Stepp, to legislators
33 representing Door County constituents, to the Wisconsin Counties Association
34 and all Wisconsin Counties, to the Governor of Michigan Rick Snyder, to the
35 Michigan Department of Environmental Quality and to the Michigan
36 Department of Natural Resources.

BOARD ACTION
Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted
1st Kohout Defeated
2nd Sohns

Yes: _____ No: _____ Exc: _____

Reviewed by: _____, Corp. Counsel
Reviewed by: _____, Administrator

FISCAL IMPACT: There is no fiscal impact to County of Door or its annual budget associated with the adoption of this resolution.
MEJ

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 July, 2017 by the Door County Board of Supervisors.

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

SUBMITTED BY: LEGISLATIVE COMMITTEE

Susan Kohout David Enigl
Susan Kohout, Chairman David Enigl

Helen Bacon Steve Sohns
Helen Bacon Steve Sohns

Roy Englebert
Roy Englebert

(15)

RESOLUTION# 17-7-7

Introduced by Judicial & Legislative Committee
Page 1 of 1

Motion:	Adopted: <input checked="" type="checkbox"/>
1 st <u>Hamilton</u>	Lost: <input type="checkbox"/>
2 nd <u>LaFontaine</u>	Tabled: <input type="checkbox"/>
No: <u>1</u> Yes: <u>18</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

LAD

INTENT & SYNOPSIS: To support the creation of a bipartisan procedure at the state level for the preparation of legislative and congressional redistricting plans.

FISCAL NOTE: None.

		NO	YES	A
1	LaFontaine, D		<input checked="" type="checkbox"/>	
2	Rozar, D			
3	Feirer, M			
4	Wagner, E			
5	Fischer, A			
6	Breu, A	<input checked="" type="checkbox"/>		
7	Ashbeck, R			
8	Kremer, B			
9	Winch, W			
10	Henkel, H			
11	Curry, K			
12	Machon, D			
13	Hokamp, M			
14	Polach, D			
15	Clendenning, B			
16	Pliiml, L			
17	Zurfluh, J			
18	Hamilton, B			
19	Leichtnam, B			

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 desire 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, THE WOOD COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES to support the creation of a bipartisan procedure at the state level for the preparation of legislative and congressional redistricting plans, and

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 League of Wisconsin Municipalities, all members of the state legislature, and to each Wisconsin County.

BILL CLEDDENNING (Chairman)
 ED WAGNER
 BILL LEICHTNAM
 KEN CURRY
 DAVE LAFONTAINE

Adopted by the County Board of Wood County, this 18th day of July, 2017

Cynthia Capress County Clerk
David LaFontaine County Board Chairman

14

RESOLUTION# 17-7-6

Introduced by Judicial & Legislative Committee
Page 1 of 1

Motion: _____ Adopted:

1st Hamilton Lost:

2nd LaFontaine Tabled:

No: 6 Yes: 13 Absent: 0

Number of votes required:
 Majority Two-thirds

Reviewed by: PAK Corp Counsel

Reviewed by: _____ Finance Dir.

LAD

INTENT & SYNOPSIS: To oppose legislation to repeal Wisconsin's prevailing wage law.

FISCAL NOTE: none

	NO	YES	A
1 LaFontaine, D		✓	
2 Rozar, D	✓		
3 Feirer, M		✓	
4 Wagner, E		✓	
5 Fischer, A	✓		
6 Breu, A		✓	
7 Ashbeck, R		✓	
8 Kremer, B	✓		
9 Winch, W	✓		
10 Henkel, H	✓		
11 Curry, K		✓	
12 Machon, D		✓	
13 Hokamp, M		✓	
14 Polach, D		✓	
15 Clendenning, B		✓	
16 Pluml, L	✓		
17 Zurfluh, J		✓	
18 Hamilton, B		✓	
19 Leichtnam, B		✓	

WHEREAS, Wisconsin's prevailing wage law was enacted in 1931 and required employers to pay workers what local workers were being paid in the area. Changes were made to the law in 1996 and significant changes were made in the 2015-17 State Budget. Beginning January 1, 2017, prevailing wage was eliminated for all but state projects, state agencies, and state highway projects if they are \$48,000 or more for single trade and \$100,000 or more for multi-trade. Federal prevailing wage laws are still effective on any public building or works project that receives \$2,000 or more of federal funds; and

WHEREAS, Governor Walker's 2017-19 Biennial Executive Budget includes language repealing Wisconsin's prevailing wage requirement. Both the Senate and Assembly have also proposed legislation eliminating Wisconsin's prevailing wage law; and

WHEREAS, this resolution urges the Legislature to support Wisconsin workers by opposing the repeal of Wisconsin's prevailing wage law because the skilled construction tradesmen and women working on our public infrastructure deserve to be paid a fair minimum wage. Wisconsin is already experiencing a worker shortage and a skills gap. Repealing prevailing wage will only make the problem worse.

NOW, THEREFORE, THE WOOD COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES to urge the Governor and State Legislature to protect Wisconsin workers by opposing legislation to repeal Wisconsin's prevailing wage law.

BE IT FURTHER RESOLVED that the Wood County Clerk be directed to forward a copy of this resolution to all Wisconsin counties, and to the Governor and Legislature.

Bill Clendenning
 BILL CLENDENNING (Chairman)
Ed Wagner
 ED WAGNER
Bill Leichtnam
 BILL LEICHTNAM
Ken Curry
 KEN CURRY
Dave LaFontaine
 DAVE LAFONTAINE

Adopted by the County Board of Wood County, this 18th

day of July 20 17

Cynthia Copres
 County Clerk

David R. Blin
 County Board Chairman