

JOURNAL OF THE MEETING OF THE SHEBOYGAN COUNTY BOARD OF SUPERVISORS

November 3, 2015

Pursuant to Wis. Stat. § 59.11, the November 3, 2015 session of the Sheboygan County Board was called to order by Chairperson Roger L. Te Stroete at 6:00 p.m. Chairperson Te Stroete noted that the notice of meeting was posted on October 30, 2015 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, Conrardy, and Damp.

Supervisor Winkel moved for approval of the October 20, 2015 and October 27, 2015 Journals, which were 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.

APPOINTMENT

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

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

PRESENTATIONS - NONE

PUBLIC ADDRESS

John VanDerMale, 1803 Arrowhead Court, Sheboygan—Providing services for the mentally ill.

Lisa Stengel, 820 Pennsylvania Avenue, Sheboygan—Providing services for the mentally ill.

LETTERS AND COMMUNICATIONS

The Clerk presented resolutions from the Langlade, Oconto, Washburn and Waushara County Boards of Supervisors supporting the repeal of statutory provisions enacted in the States 2015-2017 budget concerning shoreland zoning standards. By Chairperson received for information.

The Clerk presented a resolution from the Kewaunee County Board of Supervisors urging the legislature to amend Wis. Stat. §43.12 regarding library payments. By Chairperson referred to the Finance Committee.

The Clerk presented a resolution from the St. Croix County Board of Supervisors opposing Senate Bill 294 which would dismantle the Government Accountability Board. By Chairperson referred to the Executive Committee.

The Clerk presented a resolution from the Wood County Board of Supervisors encouraging the state legislature to update public records law regarding employee personnel records. By Chairperson referred to the Human Resources Committee.

The Clerk presented a resolution from the Lincoln County Board of Supervisors supporting local control of law enforcement. By Chairperson referred to the Law Committee.

The Clerk presented a resolution from the Lincoln County Board of Supervisors supporting proposed legislation for passage of the Social Work Safety Act. By Chairperson received for information.

The Clerk presented a resolution from the Outagamie County Board of Supervisors opposing any legislation expanding the subpoena process. By Chairperson referred to the Law Committee.

COUNTY ADMINISTRATOR'S REPORT - NONE

COMMITTEE REPORTS

The Clerk read the report of the Executive Committee regarding **Resolution No. 15 (2015/16) Approving Revisions to Farmland Preservation Plan** recommending adoption.

Supervisor Marthenze moved 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. 16 (2015/16) Approving 2015 Sheboygan County Land and Water Resource Management Plan Update** recommending adoption.

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

The Clerk read the report of the Finance Committee regarding **Resolution No. 14 (2015/16) Authorizing Sale of Surplus Portions of Amsterdam Dunes Acquisition** recommending adoption.

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

The Clerk read the report of the Human Resources Committee regarding **Ordinance No. 09 (2015/16) Restructuring Information Technology Services to Sheboygan County** recommending enactment.

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

(Vice-Chairperson Wegner 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. 17 (2015/16) Re: Approving 2016 Budget. Vice-Chairperson Wegner announced that pursuant to County Ordinance 5.06(a)(6) this document is before the board for immediate action.

Supervisor Uraynar moved to adopt the resolution. The motion was seconded by Supervisor Glavan.

Supervisor Uraynar moved to amend the Sheriff's Department Budget on page 329 #465300-eliminate \$90,000, page 326 reduce #411000 by \$145,000, and page 339 #567000 deduct \$235,000 (Removing Bearcat from budget). Supervisor Baumgart seconded the motion which was defeated on roll call vote of the board of Ayes: 3, Supervisors Baumgart, Otten, and Uraynar; Noes: 19; Absent: 3, Supervisors Abler, Conrardy, and Damp.

Resolution No. 17 was adopted on roll call vote of the board of Ayes: 20; Noes: 2, Supervisors Baumgart, and Uraynar; Absent: 3, Supervisors Abler, Conrardy, and Damp.

Resolution No. 18 (2015/16) Re: Levying and Apportioning the Tax. Vice-Chairperson Wegner announced that pursuant to County Ordinance 5.06(a)(6) this document is before the board for immediate action.

Supervisor Marthenze moved to adopt the resolution. The motion was seconded by Supervisor Glavan and carried on roll call vote of the board of Ayes: 20; Noes: 2, Supervisors Procek, and Uraynar; Absent: 3, Supervisors Abler, Conrardy, and Damp.

Resolution No. 19 (2015/16) Re: Authorizing the Issuance and Sale of \$9,500,000 General Obligation Promissory Notes referred to the Executive Committee.

Resolution No. 20 (2015/16) Re: Request for Waiver from State Mandate for Auditing Care and Service Contracts Required by Wis. Stat. §§ 46.036(4)(c) and 49.34(4)(c) referred to the Finance Committee.

Resolution No. 21 (2015/16) Re: Approving WCA Group Health Trust as Mechanism for Sheboygan County Self-insurance referred to the Finance Committee.

Resolution No. 22 (2015/16) Re: Petitioning the Secretary of Transportation for Airport Improvement Aid referred to the Executive Committee.

Ordinance No. 10 (2015/16) Re: Lifting Cap on Daily Supervisor Payments referred to the Finance Committee.

Ordinance No. 11 (2015/16) Re: Designating Correctional Officers as Protective Occupation Participants referred to the Human Resources Committee.

ADJOURNMENT

Supervisor Bemis moved to adjourn to 6:00 p.m. on Tuesday, December 15, 2015. Supervisor Winkel seconded the motion which carried on unanimous roll call vote of the board. The meeting was adjourned at 7:08 p.m.

LANGLADE COUNTY



RESOLUTION # 62-2015

INTRODUCED BY: EXECUTIVE/LEGISLATIVE COMMITTEE

INTENT: SUPPORT EFFORTS TO REPEAL OR AMEND CHANGES TO SHORELAND ZONING STANDARDS AS CONTAINED IN THE 2015-2017 STATE BUDGET (ACT 55)

WHEREAS, with the passage of the 2015-2017 State Budget (Act 55), the manner in which counties can regulate shoreland zoning changed dramatically and these changes were made without the opportunity of public comment; and

WHEREAS, now in addition to other restrictions, counties cannot enact or enforce shoreland zoning provisions stricter than the state standards, or require approval, fees, or mitigation for many aspects of repairing, replacing, or reconstructing non-conforming structures close to the water; and

WHEREAS, the Committee supports the call to action for the State Legislature to either repeal or amend this new law before the end of this year, as set forth in the "Action Alert" from the Polk County Association of Lakes and Rivers (PCALR) and Wisconsin Lakes (a statewide nonprofit organization dedicated to conserving, enhancing and restoring Wisconsin's lakes by fostering responsible lake stewardship and by promoting effective, beneficial environmental public policy); and

WHEREAS, the major changes to the Shoreland Zoning Law in Act 55 – *eliminating county local control to be stricter than the state minimum standards and reducing oversight on non-conforming structures* – prevent local property owners and citizens of that county from determining for themselves what, if any, protections beyond the state minimums are needed to protect their lake; and

WHEREAS, Langlade County has had a waterways classification system in effect since 1998 and these new rules take away this system and our local control of the county's waterways, with no input from the general public; and

WHEREAS, neighboring property owners and the general public may be negatively impacted, specifically as it relates to property values, erosion and runoff from the site, substandard sanitary impacts, increased flooding issues, aesthetics and overall enjoyment of the County's waterways; and

WHEREAS, the Committee supports a call to action by: contacting our legislators to request legislative action before the end of this year (the legislature only scheduled to be on the floor this fall from October 20 – November 5); letting local media know this is an issue that needs comprehensive coverage and reporting, and educating the public about how the County's shoreland zoning has protected and enhanced our lakes, rivers and streams; and

WHEREAS, the Committee supports the “Action Alert” message and talking points, as follows:

- Not all lakes in all parts of the state are the same, and counties deserve the “local control” to go beyond the state standards in their shoreland zoning ordinances if they see fit.
- The shoreland zoning regimen of county local control to go beyond the state’s reasonable minimum standards has been effective and fairly balance lake health with development for over four decades.
- The state’s standards for shoreland zoning were designed to be minimums – it says so right in the purpose – and won’t adequately protect all lakes in the state.
- Shoreland zoning keeps property values up by keeping water quality high.
- Ask yourself – what is the value of high quality lake to you and your family?
- Changes to decades old law should be made in the light of day with opportunity for public comment – not shoved through a budget process at the last minute.

WHEREAS, State organizations including the Wisconsin Counties Association, Wisconsin County Code Administrators, Wisconsin Land and Water Conservation Association, and Wisconsin County Planning and Zoning Directors (attached hereto) have gone on record supporting the repeal of Paragraph 23 of Motion Number 520 of the 2015-2015 budget bill, and request that these issues be addressed through the normal legislative process to allow for important input from the general public regarding managing development activity around our state waterways.

NOW, THEREFORE, BE IT HEREBY RESOLVED, by the Langlade County Board of Supervisors to support the call to action for the State Legislature to either repeal or amend the changes made to shoreland zoning as contained in the 2015-2017 State Budget (Act 55) before the end of this year; and

BE IT FURTHER RESOLVED, that the Langlade County Clerk is directed to send a copy of this Resolution to members of the State’s Joint Finance Committee, Governor of the State of Wisconsin, State Senators and Representatives serving Langlade County constituents, the Wisconsin Counties Association, and each County in the State of Wisconsin.

EXECUTIVE COMMITTEE:

David J. Solin, Chairman

Ronald M. Nye

Michael P. Klimoski

Douglas Nonnenmacher

Holly Matucheski

FISCAL NOTE: No fiscal impact.

ADOPTED BY THE COUNTY BOARD OF LANGLADE
COUNTY THIS 27th DAY OF October, 2015.

Judy Nagel, Langlade County Clerk

RESOLUTION # 98 - 15

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

RE: Resolution Supporting the Repeal of Statutory Provisions Enacted in the State of Wisconsin 2015-2017 Budget Sections 1922B-1922L, 2015 Act 55 Concerning the Zoning of Shorelands on Navigable Waters

WHEREAS, the Wisconsin legislature approved the Water Resources Act in 1966 which created Wisconsin Statutes 59.692 concerning the zoning of shorelands on navigable waters; thereby requiring the Department of Natural Resources to promulgate minimum statewide standards and obligating Counties to administer those standards on behalf of the State as required by Article IX, section 1 of the Wisconsin Constitution; and

WHEREAS, during the debate over the Water Resources Act in 1966 Wisconsin Counties asked for, and were granted, the obligation of protecting their jurisdictional waters to a standard befitting local resource needs and local development patterns all the while maintaining a bare minimum standard, designed primarily for already developed lakes and rivers, over the State as a whole. This regulatory scheme, allowing for Counties to potentially regulate above and beyond bare minimum standards, recognized that not all waters of the State were the same and struck a balance between conservation of finite resources and growth of a community; and

WHEREAS, section 1922d of 2015 Act 55 reverses a regulatory scheme, which has been in place and has been largely effective for more than 45 years, by requiring the bare minimum standard as the only standard which can be utilized by a County and preventing a County with greater resource protection needs to customize local regulations based on those local needs. The amendment in section 1922d ignores that navigable waters vary across the State as does resource protection needs; and

WHEREAS, section 1922e of 2015 Act 55 takes away a County's ability to establish a vegetative buffer on previously developed properties. This amendment removes a proven effective standard for protecting waterways from the known detriments of developing along the shoreline. It is the only standard which effectively maintained one of the primary purposes of the rules; to protect natural scenic beauty. Protecting and establishing the vegetative buffer allowed for development along the shoreline but mitigated its impacts. Without the vegetative buffer that balance between allowing growth and conservation of a finite resource is disturbed; and

WHEREAS, section 1922f of 2015 Act 55 prevents a County from requiring an approval, or a fee, or mitigating any impacts when repairing, rebuilding, or even vertically expanding a nonconforming structure. This amendment seemingly disallows a County from following typical review and permitting procedures followed for almost all other types of development in the County. It creates a dichotomy where a County is obligated to regulate shoreland development but can't perform its obligations in these very common development scenarios. This amendment prevents a County from mitigating the impacts of development which usually takes place at close proximity to the water's edge where the potential for negative impacts is greatest; and

WHEREAS, section 1922k of 2015 Act 55 removes an essential oversight role of the Wisconsin Department of Natural Resources as a check in our system of checks and balances. This amendment disallows the Wisconsin Department of Natural Resources to appeal a variance decision of a County Board of Adjustment.

WHEREAS, draft bill LRB 2389 as currently proposed has the effect of repealing changes made by 2015 Act 55 to shoreland zoning standards.

NOW, THEREFORE, BE IT RESOLVED, that the Oconto County Board of Supervisors hereby approves this resolution requesting the State Legislature repeal statutory provisions enacted in the State of Wisconsin 2015-2017 Budget sections 1922b-1922l, 2015 Act 55, concerning the Zoning of Shorelands on Navigable Waters and supports the adoption of draft bill LRB 2389 or similar legislation designed to

59 restore the County's ability to regulate above and beyond bare minimum standards and allow for Counties
60 with greater protection needs to customize local regulations based on those local needs; and
61

62 BE IT FURTHER RESOLVED, that the County Clerk is directed to send a copy of this resolution to the
63 Governor of the State of Wisconsin, the Wisconsin Counties Association, all members of the state
64 legislature, and to each Wisconsin County.
65

66 Submitted this 22nd day of October, 2015
67

68 BY: Planning & Zoning Subcommittee
69

70 Ron Korzeniewski, Chairman,
71 Terry Brazeau, Vice-Chairman
72 Darrell Page!
73 Ken Linzmeyer
74 David Christianson
75

76 Reviewed by Corporation Counsel:
77

Vote: 27
Ayes: 27 Nays: 2 Absent: 2

78 Cam 10.06.2015
79 Initials of Date Approved
80 Corporation
81 Counsel

STATE OF WISCONSIN } I, Kim Pytleski
County Oconto do hereby certify
that the above is a true and correct copy of the
original now on file in the office of the County Clerk and
that it was adopted by the Oconto County Board of
Supervisors on this date.
Date: 10/26/15 Kim Pytleski
(Seal) County Clerk

A resolution to Repeal the requirements of Act 55 related to Shore land Zoning

Whereas, Washburn County has been very proactive in Shore land Zoning issues in order to protect the future of our lakes, rivers, and streams and,

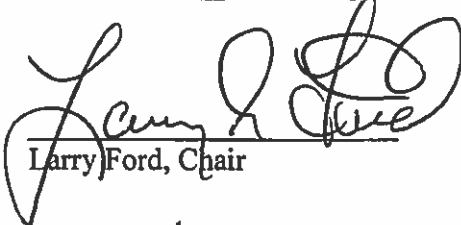
Whereas, Act 55 of the Wisconsin Legislature (the Budget Bill) took away local authority to create more restrictive zoning ordinances related to shore lands and,

Whereas, the Zoning Committee, The AG/LCC Committee and the Washburn County Board believe the concept of "one size fits all" is detrimental to our waters and way of life.


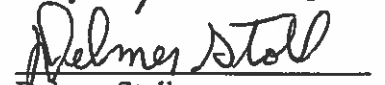
Therefore, be it resolved that Washburn County Board petition our Governor, our State Legislators and other counties in our State to repeal the requirements listed in Act 55 related to Shore Land Zoning;

Be it further resolved that, this request be sent to our Governor, our local legislators, and all counties in the State.

Respectfully submitted by the Washburn County Zoning and AG/LCC committees, dated this 22 day of September 2015.


Larry Ford, Chair


Nell Lee


Terry Leckel Jr.

Delmer Stoll



Michael Bobin


Susan Hansen


Thomas Ricci

Motion: Bobin Second: Esser
(voice) (Roll) vote: Yes 14 No 6

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: October 20, 2015


Lolita Olson

RESOLUTION NO. 30-10-15
RESOLUTION TO REPEAL STATUTORY PROVISIONS IN THE STATE OF WISCONSIN
2015-2017 BUDGET RELATING TO SHORELAND ZONING STANDARDS
(Sections 1922AM-1922L of 2015 Wisconsin Act 55)

WHEREAS, the State of Wisconsin has adopted NR 115 of the Wisconsin Administrative Code relating to shoreland zoning standards, and Waushara County has adopted and administered the minimum requirements of said standards since 1969; and

WHEREAS, Waushara County has considerable experience with the implementation of NR 115 in its various incarnations, including the 2010 version that was incorporated into the County Code in April of 2011; and

WHEREAS, Waushara County's water resources include a wide range from Exceptional Resource Waters to Impaired Waters, and the previous regulations were in place to protect the Exceptional and Outstanding Resource Waters while providing provisions to restore those resources listed as Impaired; and

WHEREAS, Waushara County has administered these codes with the support of its citizens and local governmental units, and has done so by enforcing state and county regulations adopted after public review, and has educated the public and shoreland property owners in best management practices, as well as stormwater and erosion control measures, and proven environmentally protective development standards; and

WHEREAS, the adoption of Sections 1922AM-1922L of 2015 Wisconsin Act 55 resulted in significant changes of the standards for regulation of existing non-conforming structures in shoreland areas, in direct contradiction of the previously adopted standards of NR 115; and

WHEREAS, Waushara County has a significant number of existing non-conforming structures existing on its waterways, currently listed from Impaired to Exceptional or Outstanding Resources, that will no longer be subject to oversight with the goal of improving or preserving water quality; and

WHEREAS, Waushara County foresees that neighboring property owners, the general public, and the water resources will be negatively impacted as it relates to property values, erosion and stormwater runoff issues, and overall enjoyment of the natural scenic beauty, recreational value, and habitat of the County's waterways; and

WHEREAS, the adoption of Sections 1922AM-1922L of 2015 Wisconsin Act 55 resulted in significant changes in the ability of Waushara County to protect its Outstanding and Exceptional Resource Waters, many of which are trout streams that are more directly impacted by development pressure and associated stormwater runoff, which bring sediments and raise water temperature in the streams; and

WHEREAS, the statutory provisions of Act 55 also removes the ability of the DNR to appeal any action of a County Board of Adjustment decision, which diminishes state support for the shoreland program and its goal of protecting waterways of the state, as well as protection of the public trust doctrine, and providing support for citizen's rights and investment in our waterways; and

WHEREAS, many citizens and organizations, including the Wisconsin Counties Association, Wisconsin County Code Administrators, Wisconsin Land and Water Conservation Association, and Wisconsin County Planning and Zoning Directors have gone on record supporting the repeal of the statutory provisions created in the 2015-2017 budget bill that concern the regulation of shorelands as noted above, and this support was echoed by the County Board of Supervisors of Waushara County in a previous resolution (copy attached).

NOW, THEREFORE, BE IT RESOLVED by the Waushara County Board of Supervisors that it hereby requests that the State of Wisconsin repeal the statutory provisions of Wisconsin Statute Sections 59.69 and 59.692 created or amended pursuant to Sections 1922AM through 1922L of 2015 Wisconsin Act 55, commonly known as the 2015-2017 State Budget Bill (SB-21 and AB-21), and requests that the State of Wisconsin legislative body discuss any changes to shoreland zoning provisions of Wisconsin Statutes through the normal legislative process, to allow for open public discussions and input on the issue.

BE IT FURTHER RESOLVED that the Waushara County Clerk is directed to send a copy of this resolution to all members of the Wisconsin Legislature, each county clerk in the State of Wisconsin, the Wisconsin Counties Association, the Wisconsin County Code Administrators, the Wisconsin Land and Water Association, the Wisconsin County Planning and Zoning Directors, the Secretary of the DNR of the State of Wisconsin, and to the Governor of our great state.

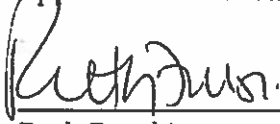
Resolution No. 30-10-15

Ayes ____ Nays ____ Abstain ____ Absent ____ ☒ Voice Vote

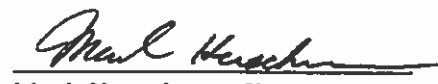
☒ Approved and adopted this 20th day of October 2015.

☐ Denied this 20th day of October 2015.

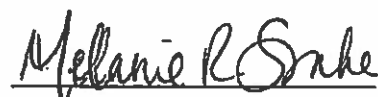
Approved as to Form:


Ruth Zouski
Corporation Counsel


Submitted by:


Mark Kerschner, Chair
Planning & Zoning Committee

Attest:


Melanie R. Stake
Waushara County Clerk

Signed by:


Donna R. Kalata, Chair
Waushara County Board of Supervisors

RESOLUTION NO. 23-06-15
RESOLUTION TO REPEAL PARAGRAPH 23 of MOTION #520
TO THE STATE OF WISCONSIN 2015-2017 BUDGET BILL

WHEREAS, the Waushara County Land Conservation and Zoning Director has advised that the Joint Committee on Finance has passed Motion #520 as part of its discussion and deliberation on the Budget Bill; and

WHEREAS, Paragraph 23 of Motion #520 changes the standards for regulation of existing structures in the shoreland area contrary to adopted standards in NR 115 and to the detriment of environmental quality and the orderly economic development of Waushara County; and

WHEREAS, the State of Wisconsin and Wisconsin Department of Natural Resources has adopted NR 115 and updated it periodically after public input and review; and

WHEREAS, Waushara County has 98 named lakes and 150 miles of trout streams that are pressured with both new development and re-development of existing structures; and

WHEREAS, Waushara County has been enforcing the minimum standards of NR 115 since its inception in the late 1960s, and has accumulated considerable experience while working with the various incarnations of NR 115 over many years, and furthermore has noted during these many years that the current laws have protected the water quality in Waushara County, and at the same time have protected property values, the County's wildlife and fisheries habitat, and the natural scenic beauty of Waushara County's shorelands, and at the same time provided flexibility to property owners in development of their property; and

WHEREAS, Waushara County has enacted most portions of NR 115 as it is currently written for 4 plus years, and has garnered experience with the current code requirements and has noted a significant reduction in variance requests; and

WHEREAS, Waushara County Board members conclude that the water quality of those water bodies within our County would suffer if development is not regulated to the benefit of both the property owner and the water body whose shorelines are proposed for development as it currently is in NR 115; and

WHEREAS, Waushara County has had good protection of landowner rights, property values, and the environment, including water quality, when following the current minimum standards; and

WHEREAS, Waushara County has provided some additional protections of our endangered trout streams by having a regulatory structure tailored to that unique resource that is slightly more restrictive than the minimums in NR 115, and feels strongly that counties should be able to enforce more than the minimum standards to protect their unique resources; and

WHEREAS, Waushara County feels that the minimum standards should not be changed without due consideration by the entire legislature, the Natural Resources Board, and the public; and

WHEREAS, Waushara County strongly objects to paragraph 23 of Motion #520 amending the 2015-2017 State of Wisconsin Budget (SB 21 and AB 21), because it weakens regulation of non-conforming structures and does not provide adequate protection of our valuable water resources; and

WHEREAS, the amendment as written will prevent the local governmental units charged by the State of Wisconsin with overseeing development within its shorelands from protecting the rights of the property owner, the citizens of the area, and the environment in a fair and equitable manner; and

WHEREAS, Paragraph #23 of Motion # 520 as written will result in unchecked development along our shorelines which will cause irreparable harm to the water quality of our County; result in a drop in property values which in turn will damage the economy of our County; and promote harm to the environment by contributing to the degradation of our surface waters and ultimately the ground water of our County and the state.

NOW, THEREFORE BE IT RESOLVED, by the Waushara County Board of Supervisors that it hereby requests that the State of Wisconsin, repeal paragraph 23 of Motion #520 to the 2015-2017 Budget Bill (SB 21 and AB 21), and retain the current provisions of NR 115, Wisconsin Administrative Code, and thereby protect the citizens and environment of our County and great state.


Resolution No. 23-06-15

Ayes ____ Nays ____ Abstain ____ Absent ____ {X} Voice Vote

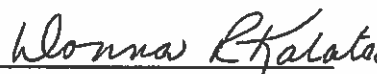
☒ Approved and adopted this 16th day of June 2015.

☐ Denied this 16th day of June 2015.

Approved as to Form:


Ruth Zouski
Corporation Counsel

Submitted by:


Donna R. Kalata, Chair
Executive Committee

Attest:


Melanie R. Stake
Waushara County Clerk

Signed by:


Donna R. Kalata, Chair
Waushara County Board of Supervisors



RESOLUTION NO. 10-10-15

A RESOLUTION URGING AMENDMENT TO §43.12 COUNTY
PAYMENT FOR LIBRARY SERVICES

TO THE HONORABLE KEWAUNEE COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, Kewaunee County recognizes the importance of public libraries and the knowledge,
2 information and resources public libraries provide; and
3

4 **WHEREAS**, Kewaunee County is committed to and does provide substantial financial support to
5 the public libraries located within Kewaunee County; and
6

7 **WHEREAS**, under the provisions of Wis. Stat. §43.12, Kewaunee County is required to make
8 payment to adjoining counties for materials loaned from adjoining county libraries to residents of
9 Kewaunee County; and
10

11 **WHEREAS**, Kewaunee County made payments totaling \$70,578 in 2013, \$63,956 in 2014,
12 \$54,946 in 2015 and Kewaunee County expects to pay \$55,955 in 2016 for library services of
13 which approximately 97% went to Brown County and the remaining to Manitowoc County; and
14

15 **WHEREAS**, virtually all materials loaned to Kewaunee County residents at the adjoining county
16 libraries are available to Kewaunee County residents if those same materials are requested
17 directly from Kewaunee County libraries; and
18

19 **WHEREAS**, Kewaunee County has made efforts to communicate to its residents the costs
20 incurred by Kewaunee County when residents choose to loan materials directly from adjacent
21 county libraries resulting in only a modest impact on the payments due to adjoining counties;
22 and
23

24 **WHEREAS**, In an effort to remedy the current statutory scheme, Kewaunee County proposes
25 Wis. Stat. 43.12(8) be created to read:
26

27 (8) To avoid any payments due under sub. (1), a county that does not maintain a
28 consolidated public library may, by resolution, direct the county clerk to notify the
29 county clerk of each adjacent county that the adjacent county libraries are to
30 invoice out-of-county residents directly for any materials loaned.
31

32 **NOW, THEREFORE, BE IT RESOLVED**, by the Kewaunee County Board of Supervisors duly
33 assembled this 20th day of October 2015, that the Board urges the Legislature to amend Wis.
34 Stat. §43.12 with the proposed language described above; and
35

- 1 **BE IT FURTHER RESOLVED**, the Clerk shall forward a copy of this Resolution to Sen. Frank
 2 Lasee, Rep. Joel Kitchens and Gov. Scott Walker; and
 3
 4 **BE IT FURTHER RESOLVED**, the Clerk shall forward a copy of this Resolution to the county
 5 clerk of each county of this state and to the Wisconsin Counties Association.

Respectfully Submitted,

FINANCE AND PUBLIC PROPERTY COMMITTEE

Ken Tobas

R. Romdenne

Ken T. Zup

V. Haske

J. E. Marlowe

APPROVED AS TO FORM

Jeffrey R. Wisnicky
 Corporation Counsel

FISCAL IMPACT STATEMENT:

	Y E S	N O	A B S E N T	A B S T A I N
Benes, P.	✓			
Cravillion, D.	✓			
Doell, D.	✓			
Garfinkel, R.	✓			
Haske, V.	✓			
Heidmann, B.	✓			
Heuer, R.	✓			
Jahnke, S.	✓			
Kirchman, L.	✓			
Luft, L.	✓			
Mastalir, J.	✓			
Paape, G.	✓			
Pagel, J.	✓			
Paider, R.	✓			
Romdenne, T.	✓			
Shillin, K.	✓			
Sinkula, L.	✓			
Tebon, K.	✓			
Wagner, C.	✓			
Weidner, R.	✓			
TOTALS	20	0	0	0



Emergency Resolution
RESOLUTION OPPOSING 2015 SENATE BILL 294,
DISMANTLING THE GOVERNMENT ACCOUNTABILITY
BOARD

1 WHEREAS, the Government Accountability Board was established in the State of
2 Wisconsin in 2007; and

3
4 WHEREAS, the Government Accountability Board is a non-partisan body that
5 administers and supervises elections, ethics, campaign financing, and lobbying regulation; and

6
7 WHEREAS, currently the Government Accountability Board is under the direction and
8 supervision of a board of six members who are former judges who serve staggered, six year
9 terms; and

10
11 WHEREAS, 2015 Senate Bill 294 proposes to eliminate the Government Accountability
12 Board and replace it with an Elections Commission, which would administer and supervise
13 elections, and an Ethics Commission, which would administer and supervise ethics, campaign
14 financing, and lobbying regulation; and

15
16 WHEREAS, the proposed Elections Commission would consist of partisan leaders from
17 the senate and assembly in addition to former municipal or county clerks; and

18
19 WHEREAS, the proposed Ethics Commission would consist of partisan leaders from the
20 senate and assembly; and

21
22 WHEREAS, the dismantling of the Government Accountability Board could lead to
23 corruption in elections, ethics, campaign financing, and lobby regulation based on the partisan
24 make-up of the proposed Elections Commission and Ethics Commission.


25
26 THEREFORE, be it resolved that the Administration Committee of the St. Croix County
27 Board of Supervisors opposes 2015 Senate Bill 294, which would dismantle the Government
28 Accountability Board.


29
30 FURTHER be it resolved that a copy of this resolution be sent to all area legislators and
31 all county clerks in Wisconsin.

Legal – Fiscal – Administrative Approvals:

Legal Note: None

Fiscal Impact: None.


Scott L. Cox, Corporation Counsel 10/16/2015

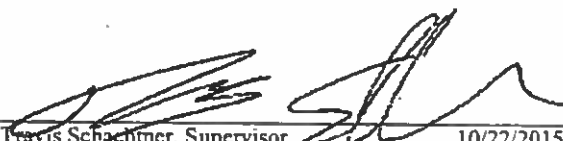

Robert Mittet, Interim Finance Director 10/16/2015


Patrick Thompson, County Administrator 10/16/2015

10/21/15


Administrative Committee Approved

Vote Confirmation.


Travis Schachtner, Supervisor 10/22/2015

STATE OF WISCONSIN
COUNTY OF ST. CROIX

I, Cindy Campbell, St. Croix County Clerk, do hereby certify that the foregoing is a true and correct copy of the Emergency Resolution Opposing 2015 Senate Bill 294, Dismantling the Government Accountability Board, adopted by the Administration Committee of the St. Croix County Board of Supervisors at the meeting held on October 21, 2015.


Cindy Campbell, St. Croix County Clerk

WOOD COUNTY

15

RESOLUTION# 15-10-7

Introduced by Judicial & Legislative Committee
Page 1 of 1

ITEM# 5-1

DATE October 20, 2015

Effective Date October 20, 2015

Motion: Adopted: ☒
 1st: Zurfluh Lost: ☐
 2nd: Wagner Tabled: ☐
 No: 9 Yes: 11 Absent: 0
 Number of votes required:
☒ Majority ☐ Two-thirds
 Reviewed by: PAK, Corp Counsel
 Reviewed by: , Finance Dir.

LAD

INTENT & SYNOPSIS: To encourage the legislature to fix an oversight in the application of the public records law that allows the public to have access to certain data including the social security numbers and performance evaluations of local government division and department heads.

FISCAL NOTE: None.

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

WHEREAS, the Wisconsin Public Records law makes clear that it is to be broadly construed in favor of the release of records and that exemptions to the law are to be narrowly construed (Wis. Stat. s. 19.31), and

WHEREAS, the Wisconsin Public Records law at s. 19.36(10) exempts from coverage under the law certain employee personnel records, such as an employee's: home address, home electronic mail address, home telephone number, social security number, performance evaluations, the employer's thoughts on future salary adjustments, promotions, job assignments, and so on, and

WHEREAS, pursuant to the definitions used in the Wisconsin Public Records law the term employee does not include the holder of a "local public office" which is defined to include the head of a department, agency or division of a local governmental unit, consequently, the social security number, performance evaluations and other data that is exempt from release under the law for an "employee" of a local governmental unit is not exempt for division and department heads [Wis. Stats. ss. 19.32(1bg) and (1dm)], and

WHEREAS, the legislature probably thought it meant what it said in providing that social security numbers and performance evaluations of local government employees are generally exempt from release under the law and did not mean for the term employee to be used in its defined way and thereby allowing such records to be released for division and department heads and others who don't constitute an "employee" as defined under the law.

NOW, THEREFORE, THE WOOD COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES to encourage the Wisconsin Legislature to update the Public Records law by amending section 19.36 Limitations upon access and withholding, at section (10) Employee Personnel Records, by adding the following language: "Within this section, the term "employee" includes individuals holding local public office."

BE IT FURTHER RESOLVED that the Wood County Clerk forward a copy of this resolution to all state legislators representing any part of Wood County, to the Wisconsin Counties Association and to the county clerk of each county in the state requesting their county board to approve a similar resolution.

Bill Clendenning
Gerald Nelson
Ed Wagner
Bill Leichtnam
Joseph Zurfluh
 Adopted by the County Board of Wood County, this 20th day of October 2015.
Cynthia Cepress
 County Clerk

BILL CLENDENNING (Chairman)

GERALD NELSON

ED WAGNER

BILL LEICHTNAM

JOSEPH ZURFLUH

Adopted by the County Board of Wood County, this 20th day of October 2015.

Ramon A. Pliml

County Board Chairman

Motion by: Zeitz

Second by: Lee

Dist.	Supervisor	Y	N	Abs
13	Alber		X	
19	Allen		X	
10	Baughan	X		
11	Breitenmoser		X	
1	Caylor	X		
12	Gilk		X	
4	Hetfeld			
17	Koth		X	
15	Lee	X		
16	Loka	X		
14	Lussow		X	
21	Pike		X	
8	Plant		X	
18	Powell		X	
22	Reichelt	X		
7	Rusch			
3	Schwartzman	X		
5	Swanson	X		
20	Vander Sanden	X		
2	Weaver			
6	Woller	X		
9	Zeitz	X		
Totals		10	9	

Carried

Defeated

Amended

Voice vote

Roll call

Resolution 2015-09-40

Resolution In Support of Local Control of Law Enforcement

WHEREAS, the founders of the American Republic feared the centralized power of government and its historical abuse of individual rights and liberties (the Federalist and Anti-Federalist papers); and

WHEREAS, this distrust of centralized power was codified in the U.S. Constitution with its system of checks and balances, particularly in the Bill of Rights and in the 10th Amendment; and

WHEREAS, the Founders of our Republic specifically warned against the abuse of police power and "standing armies" by the national government; and

WHEREAS, throughout U.S. History it has been necessary for Americans to provide "eternal vigilance" to safeguard their rights; and

WHEREAS, there now exists an incremental and insidious drive by some in the national government, organizations and media to discredit local law enforcement with the goal of federalizing police power in this country; and

WHEREAS, ample precedents exist in both ancient and modern history of the destructive nature of national police power: Rome; England vs. the Colonies; National Socialist Germany; the Soviet Union; Communist China and Cuba; and

WHEREAS, the U.S. national government has a poor track record in the solution of law enforcement problems; fence jumper entering the White House; postal worker flying a gyrocopter onto Capitol grounds; EPA polluting the Animus River with toxic metals; Department of Justice providing firearms for Mexican drug cartels; Columbian drug lords providing prostitutes for the DEA; TSA stealing personal items from luggage while violating the 4th amendment by invasively searching citizens but overlooking firearms and explosives snuck on board aircraft; Department of Defense missing two billion dollars on September 10, 2001; SEC fining the big banks for fraud but Justice failing to indict those responsible; CIA protecting opium production in Afghanistan which can be linked to heroin epidemic in the U.S.; VA and other medical institutions over drugging veterans and other Americans resulting in addiction and death; U.S. government arming of Syrian rebels creating ISIS, and finally a U.S. foreign policy failing in Iraq, Libya, Yemen, Afghanistan, Africa and Ukraine; and

WHEREAS, in Lincoln County local law enforcement maintains its independence from federal encroachment based on the Constitutional office of Sheriff, the 10th Amendment protection of local police power, and the State of Wisconsin legislative constitutional home rule provisions

THEREFORE BE IT RESOLVED, that the Lincoln County Law Enforcement Committee and Board of Supervisors wishes to have this statement sent to the President of the United States, the Governor of Wisconsin, the Wisconsin delegation in the U.S. Senate and House of Representatives, the Lincoln County State Senate and Assembly representatives, all Wisconsin Counties and the Wisconsin Counties Association.

Dated: September 15, 2015

Introduced by: Law Enforcement Committee

Date Passed: September 9, 2015

Committee Vote: 5-0


Fiscal Impact: Minimal

Drafted by: Bill Zeitz, District 9 Supervisor

STATE OF WISCONSIN)
) SS:
COUNTY OF LINCOLN)

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by Lincoln County Board of Supervisors on

September 15, 2015


Christopher J. Nall
County Clerk

Support of Proposed Legislation for Passage of the Social Work Safety Act

Motion by: Alber

Second by: Lee

Dist.	Supervisor	Y	N	Abs
13	Alber			
19	Allen			
10	Baughan			
11	Breitenmoser			
1	Caylor			
12	Gilk			
4	Hetfeld			
17	Koth			
15	Lee			
16	Loka			
14	Lussow			
21	Pike			
8	Plant			
18	Powell			
22	Reichelt			
7	Rusch			
3	Schwartzman			
5	Swanson			
20	Vander Sanden			
2	Weaver			
6	Woller			
9	Zeitz			
Totals				

Carried

Defeated

Amended

Voice vote

Roll call

WHEREAS, Wisconsin Act 94 Castle Doctrine declares an individual may "use force that is intended or likely to cause death or great bodily harm if the actor reasonably believes that the force was necessary to prevent imminent death or bodily harm to himself or herself or to another person" and;

WHEREAS, Act 94 exempts public safety employees such as police officers, firefighters, and EMT workers and;

WHEREAS, it is recognized that social work professionals' responsibilities involves home site visits on behalf of the State of Wisconsin for purposes of protecting elderly, children, and disabled persons and that these site visits include times when personal safety threats exist and;

THEREFORE BE IT RESOLVED, that the Lincoln County Board of Supervisors supports proposed legislative changes through the Social Work Safety Act which will add certified and licensed social workers and staff aides as exempt from the Castle Doctrine, such that if social workers are killed or injured by residents during a home site visit, the residents may not use Castle Doctrine as legal defense and;

BE IT FURTHER RESOLVED, that the Lincoln County Clerk be directed to forward copies of this resolution to the Governor of the State of Wisconsin, to all Wisconsin Counties, to all Legislators representing Lincoln County, and to the Wisconsin Counties Association.

Fiscal Impact:

None

Dated this day of September 15th, 2015

Introduced by the Social Services Committee

Date Passed: September 4th, 2015

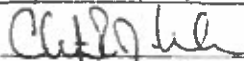
Committee Vote: 4-0 with one member absent

Drafted by: Renee Krueger Social Services - Director

STATE OF WISCONSIN)
) SS:
 COUNTY OF LINCOLN)

I hereby certify that this
 resolution/ordinance
 is a true and correct copy of a
 resolution/ordinance adopted
 by Lincoln County Board of
 Supervisors on:

September 15, 2015


 Christopher J. Marlowe
 County Clerk

SEAL

RESOLUTION NO.: 62—2015-16

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

AB 90 reorganizes each chapter of the criminal code procedure. The attorney general has expressed concern regarding the expedited discovery provisions that remain in the bill, the lack of adopting technology innovations such as electronic signatures, electronic filing and electronic discovery, and changes to the subpoena process that expand the ability to obtain private documents from crime victims and third parties, which could include victim service agencies. The expansion to the subpoena process could subject victims to uncontrolled access into their private records, such as treatment and health care records. The burden would be on the victim or other third parties to take legal action to protect their privacy. This resolution opposes expansion to the subpoena process as proposed in AB 90.

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


BE IT RESOLVED, that the Outagamie County Board of Supervisors does oppose any legislation expanding the subpoena process, and

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

Dated this 24th day of October 2015


Respectfully Submitted,

PUBLIC SAFETY COMMITTEE


James Duncan


Katrin Patience


Eric Hammen


Mike Thomas