

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

February 16, 2016

Pursuant to Wis. Stat. § 59.11, the February 16, 2016 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 February 12, 2016 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 23 Supervisors present; Absent: 2, Supervisors Abler, and Ogea.

Supervisor Winkel moved for approval of the January 19, 2016 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.

PRESENTATION-NONE

LETTERS AND COMMUNICATIONS

The Clerk presented a resolution from the Outagamie County Board of Supervisors opposing any legislation allowing a dairy farmer to sell raw milk. By Chairperson received for information.

COUNTY ADMINISTRATOR'S REPORT

County Administrator Adam Payne gave a presentation on the 2015 State of the County reviewing the county's overall financial track record. Mr. Payne reported the state of the county is strong and that we have healthy fiscal reserves, an excellent bond rating, and hard-working, caring staff providing quality services. Mr. Payne also reviewed the top 10 list of 2015 accomplishments including the wellness initiative, planning for a drug treatment court, land purchase for a transportation complex, completion of Plastics Engineering Building at UW-Sheboygan, a five star quality rating for Rocky Knoll, fiber optic network partnership with the City of Sheboygan and School District, radio upgrade and combined dispatch project, new compensation system, and Amsterdam Dunes Wetland Mitigation Bank and Preservation Area. Mr. Payne also discussed upcoming fiscal challenges and the escalating cost of maintaining our transportation system. Mr. Payne, along with Chairperson Te Stroete and Vice Chairperson Wegner presented Julie Jekenewicz with a plaque for 35-1/2 years of dedicated service to Sheboygan County.

COMMITTEE REPORTS

The Clerk read the report of the Executive Committee regarding **Resolution No. 28 (2015/16) Carryover of Unexpended 2015 Appropriations to 2016** recommending adoption.

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

The Clerk read the report of the Executive Committee regarding **Resolution No. 29 (2015/16) Amending 2016 Budget Based on Health Insurance** recommending adoption.

Supervisor Marthenze moved 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 Law Committee regarding Ordinance No. 13 (2015/16) **Establishing Speed Zone on County Road "KK" (Town of Wilson)** recommending enactment.

Supervisor Winkel moved to enact the ordinance. The motion was seconded by Supervisor Glavan and carried on roll call vote of the board of Ayes: 22; Noes: 1, Supervisor Bemis; Absent: 2, Supervisors Abler, and Ogea.

The Clerk read the report of the Law Committee regarding Ordinance No. 14 (2015/16) **Prohibiting Parking on Portion of County Road "O", City and Town of Sheboygan** recommending enactment.

Supervisor Winkel moved to enact the ordinance. Supervisor Koch 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. 30 (2015/16) Re: Authorizing Funding for Final Phase of Health and Human Services Building Remodeling Project referred to the Finance Committee.

Resolution No. 31 (2015/16) Re: Merging Aging Unit Advisory Committee and Aging & Disability Resource Center (ADRC) Governing Committee referred to the Executive Committee.

Resolution No. 32 (2015/16) Re: Authorizing Expenditure of Not More than \$20,000 from the County Jail Fund referred to the Finance Committee.

Resolution No. 33 (2015/16) Re: Approving Use of Fund Balance for Radio Replacement Program referred to the Finance Committee.

Resolution No. 34 (2015/16) Re: Approving Sale of .44-acre Parcel from Taylor Park Complex to Adjacent Property Owners referred to the Executive Committee.

Ordinance No. 15 (2015/16) Re: Repealing and Re-creating Chapter 71 – Subdivision Ordinance referred to the Executive Committee.

ADJOURNMENT

Supervisor Bemis moved to adjourn to 6:00 p.m. on Tuesday, March 15, 2016. Supervisor Winkel seconded the motion which carried on unanimous roll call vote of the board. The meeting was adjourned at 6:44 p.m.

RESOLUTION NO.: 120—2015-16

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

1 Legislation has been proposed which will allow a dairy farmer to sell unpasteurized (raw)
2 milk and raw milk products such as butter and cheese directly to consumers on the farm
3 where the milk products are produced. Currently law generally prohibits the sale of raw
4 milk and raw milk products. Raw milk can carry harmful bacteria and other germs that can
5 cause serious sickness. This resolution opposes any legislation allowing the sale of
6 unpasteurized milk and raw milk products.
7

8 NOW THEREFORE, the undersigned members of the Health and Human Services Committee
9 recommend adoption of the following resolution.

10 BE IT RESOLVED, that the Outagamie County Board of Supervisors does oppose any
11 legislation which would allow a dairy farmer to sell unpasteurized (raw) milk and raw milk products,
12 and

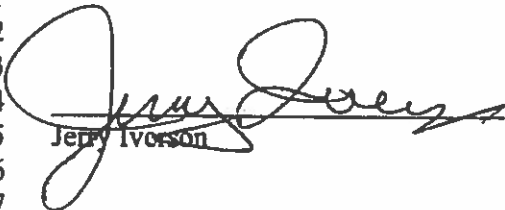
13 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy
14 of this resolution to the Outagamie County Health and Human Services Director, the Outagamie County
15 Executive, all Wisconsin counties, and the Outagamie County Lobbyist who will distribute to the
16 Legislature and Governor.

17 Dated this 12th day of January 2016

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Respectfully Submitted,

HEALTH & HUMAN SERVICES COMMITTEE

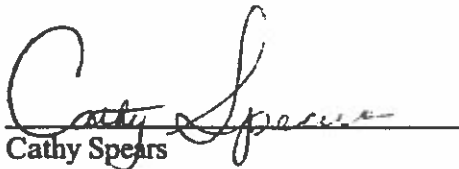

Jerry Iverson

Barney Lemanski


Patrick Meyer

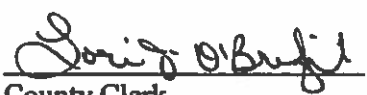
Kevin Behnke

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Cathy Spears

Duly and officially adopted by the County Board on: January 12, 2014

Signed: 
Board Chairperson


County Clerk

Approved: 1-13-16

Vetoed: _____

Signed: 
County Executive



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-2821/1
MCP-klm

2015 BILL

1 **AN ACT** *to renumber 97.24 (3); to renumber and amend 97.22 (8); to amend*
2 *97.20 (2) (e) 1., 97.22 (2) (a), 97.24 (2) (a) and 97.24 (2) (b); and to create 97.22*
3 *(2) (d), 97.22 (8) (bm), 97.24 (2m), 97.24 (3) (b) and 97.29 (1) (g) 1m. of the*
4 *statutes; relating to: the sale of unpasteurized milk and unpasteurized milk*
5 *products and an exemption from requirements for certain dairy farms.*

Analysis by the Legislative Reference Bureau

This bill allows a dairy farmer to sell unpasteurized (raw) milk and raw milk products such as butter and cheese directly to consumers on the farm where the milk and milk products are produced. Current law generally prohibits the sale of raw milk and raw milk products.

This bill also exempts certain dairy farmers from licensing requirements under current law. Current law requires a dairy farmer to have a milk producer license from the Department of Agriculture, Trade and Consumer Protection (DATCP) and requires a facility that processes or manufactures dairy products such as butter or cheese to have a dairy plant license from DATCP. Current law also requires a facility engaging in food processing to have a food processing license from DATCP, but provides an exception for dairy plants that have a dairy plant license. Under the bill, a dairy farmer does not need to have a milk producer license if the only milk sold by the dairy farmer is raw milk that is sold to consumers on the farm where the milk is produced. The bill also exempts dairy farmers from needing a dairy plant or food processing license if the only milk products that the dairy farmer processes or

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MCP:klm**BILL**

manufactures are raw milk products for sale to consumers on the farm where the milk is produced.

In addition, this bill exempts certain dairy farmers from the grade A permitting requirements under current law. Current law prohibits the sale to consumers of milk or fluid milk products that are not grade A milk or fluid milk products. A dairy farmer or dairy plant operator selling grade A milk or grade A fluid milk products must have a grade A permit. The standards for producing grade A milk and milk products are more stringent than for non-grade A milk and milk products. Under the bill, a dairy farmer may sell non-grade A raw milk or raw milk products directly to consumers on the farm where the milk and milk products are produced.

Finally, this bill creates exemptions to DATCP rules relating to the operation of dairy farms and dairy plants and the testing and quality of milk and milk products. Under the bill, these DATCP rules do not apply to raw milk or raw milk products sold directly to consumers on the farm or to the operation of a dairy farm or dairy plant that does not sell or distribute milk or milk products other than raw milk or raw milk products.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 97.20 (2) (c) 1. of the statutes is amended to read:

2 97.20 (2) (e) 1. A farm manufacturing or processing dairy products solely for
3 consumption by the owner or operator of the farm, ~~or~~ members of the household, or
4 nonpaying guests or employees, or sale as authorized under s. 97.24 (2m).

5 **SECTION 2.** 97.22 (2) (a) of the statutes is amended to read:

6 97.22 (2) (a) *License required.* ~~No Except as provided in par. (d). no~~ person may
7 operate a dairy farm as a milk producer without a valid license issued by the
8 department for that dairy farm. A license expires on April 30 annually and is not
9 transferable between persons or dairy farms. ~~Every Except as provided in par. (d).~~
10 every milk producer shall comply with standards applicable to the production of milk
11 and fluid milk products under this chapter and rules promulgated under this
12 chapter.

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SECTION 3

BILL

1 **SECTION 3.** 97.22 (2) (d) of the statutes is created to read:

2 97.22 (2) (d) *Exemptions.* A milk producer license under this section is not
3 required for a milk producer that does not sell or distribute milk or milk products
4 other than unpasteurized milk or unpasteurized milk products as authorized under
5 s. 97.24 (2m). The standards applicable to the production of milk and fluid milk
6 products under this chapter and rules promulgated under this chapter do not apply
7 to unpasteurized milk or unpasteurized milk products that are sold or distributed
8 as authorized under s. 97.24 (2m), or to the operation of a dairy farm by a milk
9 producer that does not sell or distribute milk or milk products other than
10 unpasteurized milk or unpasteurized milk products as authorized under s. 97.24
11 (2m).

12 **SECTION 4.** 97.22 (8) of the statutes is renumbered 97.22 (8) (am), and 97.22 (8)
13 (am) (intro.), as renumbered, is amended to read:

14 97.22 (8) (am) (intro.) The department may promulgate rules to establish the
15 fees required under sub. (2) (b) or (4) (a) or to govern the operation of dairy farms by
16 milk producers, subject to par. (bm). The rules may include standards for any of the
17 following:

18 **SECTION 5.** 97.22 (8) (bm) of the statutes is created to read:

19 97.22 (8) (bm) The rules promulgated under par. (am) do not apply to
20 unpasteurized milk or unpasteurized milk products that are sold or distributed as
21 authorized under s. 97.24 (2m) or to the operation of a dairy farm by a milk producer
22 that does not sell or distribute milk or milk products other than unpasteurized milk
23 or unpasteurized milk products as authorized under s. 97.24 (2m).

24 **SECTION 6.** 97.24 (2) (a) of the statutes is amended to read:

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BILL

SECTION 6

1 97.24 (2) (a) No person may sell or distribute any milk, other than
2 unpasteurized milk as authorized under s. 97.24 (2m), unless that milk is produced,
3 processed and distributed in compliance with standards established by the
4 department by rule under this chapter.

5 **SECTION 7.** 97.24 (2) (b) of the statutes is amended to read:

6 97.24 (2) (b) No person may sell or distribute any milk or fluid milk products,
7 other than unpasteurized milk or unpasteurized milk products as authorized under
8 s. 97.24 (2m), which are not grade A milk or grade A milk products to consumers, or
9 to any restaurant, institution or retailer for consumption or resale to consumers.
10 Grade A milk and grade A milk products shall be effectively pasteurized, and shall
11 be produced, processed and distributed in compliance with standards established by
12 the department by rule under this chapter.

13 **SECTION 8.** 97.24 (2m) of the statutes is created to read:

14 97.24 (2m) **SALE OF UNPASTEURIZED MILK AND UNPASTEURIZED MILK PRODUCTS.** (a)
15 In this subsection, "milk products" means cultured buttermilk, kefir, yogurt, whey,
16 ice cream, butter, and cheese.

17 (b) A milk producer may sell unpasteurized milk and unpasteurized milk
18 products directly to a consumer on the milk producer's dairy farm where the milk and
19 milk products are produced.

20 **SECTION 9.** 97.24 (3) of the statutes is renumbered 97.24 (3) (a).

21 **SECTION 10.** 97.24 (3) (b) of the statutes is created to read:

22 97.24 (3) (b) The rules promulgated under par. (a) do not apply to
23 unpasteurized milk or unpasteurized milk products that are sold or distributed as
24 authorized under s. 97.24 (2m) or to the operation of a dairy farm by a milk producer

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SECTION 10

BILL

1 that does not sell or distribute milk or milk products other than unpasteurized milk
2 or unpasteurized milk products as authorized under s. 97.24 (2m).

3 **SECTION 11.** 97.29 (1) (g) 1m. of the statutes is created to read:

4 97.29 (1) (g) 1m. Activities at a dairy farm that is not required to have a dairy
5 plant license under s. 97.20 (2) (e) 1.

6 (END)