

NOTICE OF MEETING

SHEBOYGAN COUNTY BOARD OF SUPERVISORS

Sheboygan County Courthouse
615 North 6th Street, 5th Floor
Sheboygan WI

TUESDAY, July 15, 2014 at 6:00 P.M.

In compliance with Rule V under the Rules of Order of the Sheboygan County Board of Supervisors, as County Clerk of Sheboygan County, I herewith submit the following AGENDA.

AGENDA

CALL TO ORDER – Chairperson Roger L. Te Stroete

CERTIFICATION OF COMPLIANCE WITH OPEN MEETING LAW

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF JUNE 17, 2014 JOURNAL

PRESENTATIONS – NONE

PUBLIC ADDRESSES

As of the preparation of this Agenda no one has requested to speak. County Board rules allow interested persons to register to speak until 5:00 pm on the Monday before the County Board Meeting.

LETTERS, COMMUNICATIONS AND ANNOUNCEMENTS

Items introduced under this heading are either referred to a Committee for action, or received for information. No action is taken at this meeting.

COUNTY ADMINISTRATOR'S REPORT

The County Administrator's Report is a summary of County activities for the previous month and planned for upcoming months.

CONSIDERATION OF COMMITTEE REPORTS - EXECUTIVE COMMITTEE

Resolution No. 05 (2014/15)

Re: Disallowance of Zschetsche and McGrath Claims
Against Sheboygan County

Committee Recommendation: Adopt

Signed in Opposition: None

CONSIDERATION OF COMMITTEE REPORTS - EXECUTIVE COMMITTEE (CONTINUED)

Ordinance No. 02 (2014/15)

Re: Changing Supervisory District Boundaries to Reflect Annexation

Committee Recommendation: Enact

Signed in Opposition: None

CONSIDERATION OF COMMITTEE REPORTS - FINANCE COMMITTEE

Resolution No. 06 (2014/15)

Re: Authorizing Funding and Purchase of Amsterdam Dunes Property to Establish a Wetland Mitigation Bank and Preservation Area

Committee Recommendation: Adopt

Signed in Opposition: None

RESOLUTIONS INTRODUCED

Items introduced under this heading are referred to a Committee for recommendation. No formal action is taken at this meeting unless noted.

Resolution No. 07 (2014/15)

Re: Authorizing Purchase of Property at 520 Pennsylvania Avenue, Sheboygan

***CONTEMPLATED ACTION:**

Pursuant to Rule XIII it is anticipated that a motion to withdraw (pull) this resolution will be made. If by a majority, the board votes to pull the resolution it will be subject to immediate action.

Resolution No. 08 (2014/15)

Re: Authorizing the Issuance and Sale of \$2,275,000 General Obligation Refunding Bonds

Resolution No. 09 (2014/15)

Re: Opposing Proposed Lapse in State Funding to Circuit Court System

Resolution No. 10 (2014/15)

Re: Supporting National Marine Sanctuary in Wisconsin's Mid-Lake Michigan Maritime Trails Region

Resolution No. 11 (2014/15)

Re: Authorizing Relocation Order for Property Adjacent to Taylor Drive

Resolution No. 12 (2014/15)

Re: Sale of Excess Land in Town of Greenbush to the Wisconsin Department of Transportation

ORDINANCES INTRODUCED

Items introduced under this heading are referred to a Committee for recommendation. No formal action is taken at this meeting unless noted.

Ordinance No. 03 (2014/15) Re: Adding Officers' Election Procedure to the County Board Rules

Ordinance No. 04 (2014/15) Re: Modifying Employee Grievance Procedure

ADJOURNMENT

Respectfully submitted this 9th day of July, 2014.



JON DOLSON, COUNTY CLERK

NOTES:

Reminder: Expense sheets for the period ending July 15, 2014 are due in the County Clerk's Office no later than Friday, July 18, 2014.

Persons with disabilities needing assistance to attend or participate are asked to notify the County Clerk's Office at 920.459.3003 prior to the meeting so that accommodations may be arranged.

JOURNAL OF THE MEETING OF THE SHEBOYGAN COUNTY BOARD OF SUPERVISORS

June 17, 2014

Pursuant to Wis. Stat. § 59.11, the June 17, 2014 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 June 11, 2014 at 11:45 a.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 25 Supervisors present.

Supervisor Winkel moved for approval of the May 20, 2014 Journal, which was distributed to all supervisors prior to the meeting. The motion was seconded by Supervisor LeMahieu 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 – Re-appointments

David Gartman (Regular Member-Town of Wilson)
Ken Moehring (Regular Member-Town of Mosel)
Scott Miller (Second Alternate-Town of Greenbush)

Emergency Medical Services (EMS) Council

Steve Cobb (City Law Enforcement)

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

PRESENTATIONS

Richard Heath, Director-Bay-Lake Regional Planning Commission showed a power point presentation on the Planning Commission.

Supervisor Mark Winkel–Updated the Board on the East Wisconsin Railroad Consortium.

PUBLIC ADDRESS - NONE

LETTERS AND COMMUNICATIONS

The Clerk presented a resolution from the City of Sheboygan Common Council regarding an Office of Healthy Homes and Lead Hazard Control Grant and a Memorandum of Understanding between the City of Sheboygan, Sheboygan County and the Sheboygan Housing Authority. By Chairperson referred to the Health and Human Services Committee.

COUNTY ADMINISTRATOR'S REPORT - NONE

COMMITTEE REPORTS

The Clerk read the report of the Executive Committee regarding **2013-2014 Per Diem Payments.**

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

The Clerk read the report of the Executive Committee regarding Resolution No. 04 **(2014/15) Authorizing Wetland Mitigation Site and Wetland Mitigation Bank Sponsorship** recommending adoption.

Supervisor Marthenze moved to adopt the resolution. Supervisor Abler 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. 02 **(2014/15) Sale of Additional Excess Former Union Pacific Land in City of Sheboygan (East Side of Tracks)** recommending adoption.

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

The Clerk read the report of the Finance Committee regarding Resolution No. 03 **(2014/15) Authorizing Funding and Purchase of Storage Facility** recommending adoption.

Supervisor Marthenze moved to adopt the resolution. Supervisor Goehring seconded the motion which carried on roll call vote of the board of Ayes: 23; Noes: 2, Supervisors Otten, and Uraynar.

(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. 05 (2014/15) Re: Disallowance of Zschetsche and McGrath Claims Against Sheboygan County referred to the Executive Committee.

Resolution No. 06 (2014/15) Re: Authorizing Funding and Purchase of Amsterdam Dunes Property to Establish a Wetland Mitigation Bank and Preservation Area referred to the Finance Committee.

Ordinance No. 01 (2014/15) Re: Amending Shoreland Ordinance in Section 3 and Part of Section 10, Town of Mosel (.41 Acres of Property-County Road "LS" Relocation) referred to the Executive Committee.

Supervisor Winkel moved to pull Ordinance No. 01 from committee for immediate action. Supervisor Abler seconded the motion which carried on unanimous roll call vote of the board.

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

Ordinance No. 02 (2014/15) Re: Changing Supervisory District Boundaries to Reflect Annexation referred to the Executive Committee.

ADJOURNMENT

Supervisor Bemis moved to adjourn to 6:00 p.m. on Tuesday, July 15, 2014. Supervisor Winkel seconded the motion which carried on unanimous roll call vote of the board. The meeting was adjourned at 6:41 p.m.

SHEBOYGAN COUNTY RESOLUTION NO. 05 (2014/15)

Re: **Disallowance of Zschetsche and McGrath Claims Against Sheboygan County**

WHEREAS, Sheboygan County contracts with Wisconsin County Mutual Insurance Company and other insurers to investigate and adjust certain types of claims made against Sheboygan County, and

WHEREAS, claims representatives employed by the County's insurers make a recommendation whether each claim should be honored, compromised, or disallowed, and

WHEREAS, based on the investigation by our claims representatives, the undersigned Committee recommends the following claims be disallowed because there appears to be no legal liability against Sheboygan County in these claims:

Claimant	Date of Incident	Amount of Claim
Zschetsche Sr. Estate, William	October 15, 2012	\$500,000.00
McGrath, Cheryl	October 15, 2012	\$350,000.00

NOW, THEREFORE, BE IT RESOLVED that by the adoption of this Resolution the claims listed above are disallowed pursuant to Wis. Stat. § 893.80, and the County Clerk is directed to prepare and serve upon the claimants a Notice of Disallowance in accordance with statutory provisions.

Respectfully submitted this 17th day of June, 2014.

FINANCE COMMITTEE



Greg Weggeman, Chairperson



Thomas Wegner, Secretary



George Marthenze, Vice-Chairperson



William C. Goehring



Devin LeMahieu

Opposed to Introduction:

SHEBOYGAN COUNTY ORDINANCE NO. 02 (2014/15)

Re: **Changing Supervisory District Boundaries to Reflect Annexation**

WHEREAS, the Sheboygan County Board established its current supervisory district boundaries by enactment of Ordinance 3 (2011/2012) on September 20, 2011, and

WHEREAS, the boundaries provided that the entire Village of Oostburg as it existed on September 20, 2012, is to be in Supervisory District No. 21 and that the entire Town of Holland is to be in Supervisory District No. 25, and

WHEREAS, on July 29, 2013, the Village of Oostburg enacted Ordinance 1-2013 in which it annexed certain territory from the Town of Holland into the Village of Oostburg, and

WHEREAS, on May 14, 2014, the Village of Oostburg President, on behalf of the Village, requested that the newly-annexed territory be included into Supervisory District No. 21 and excluded from Supervisory District No. 25, and

WHEREAS, Wis. Stat. § 59.10(3)(c) authorizes county boards to amend their supervisory district plans to reflect municipal annexations, and such an amendment to address the Village of Oostburg annexation would be in the best interests of Sheboygan County;

NOW, THEREFORE, the County Board of Supervisors of the County of Sheboygan does ordain as follows:

Section 1. **Amending Supervisory District No. 21.** Section 1.02 of the Sheboygan County Code of Ordinances is hereby amended as follows:

SUPERVISORY DISTRICT NO. 21:

Town of Wilson Wards 1 and 2 – That portion of the Town of Wilson South of the line commencing at the Western boundary of the Town of Wilson at Stahl Road, East on Stahl Road, also known as County Road KK, to South 12th Street, also known as County Road KK, North on South 12th Street to Indian Mound Road, East on Indian Mound Road to Evergreen Drive, North on Evergreen Drive to Wahgouly Road, East on Wahgouly Road to Curtiss Drive, North on Curtiss Drive to Pioneer Road, East on Pioneer Road to Lake Michigan. The entire Village of Oostburg, **including that portion annexed by Village Ordinance 1-2013.**

Section 2. **Amending Supervisory District No. 25.** Section 1.02 of the Sheboygan County Code of Ordinances is hereby amended as follows:

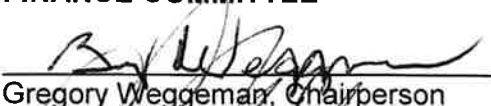
SUPERVISORY DISTRICT NO. 25:

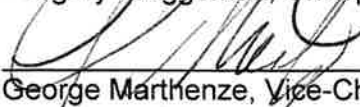
The entire Town of Holland, **less that portion annexed to the Village of Oostburg by Village Ordinance 1-2012**, and the entire Village of Cedar Grove.


49 Section 3. Effective Date. The herein Ordinance shall take effect upon
50 enactment.
51

52
53 Respectfully submitted this 17th day of June, 2014.
54

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56 **FINANCE COMMITTEE**

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58 
59 _____
60 Gregory Weggeman, Chairperson

61 
62 _____
63 George Marthenze, Vice-Chairperson

64 
65 _____
66 Thomas Wegner, Secretary

67 
68 _____
69 William C. Goehring

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71 _____
72 Devin LeMahieu

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74 Opposed to Introduction:
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83 Countersigned by:

84
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86 _____
87 Roger Te Stroete, Chairperson
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MUNICIPAL OFFICE

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JEFFREY GABRIELSE
Director of Public Works
(920) 946-4270 CELL

JEFFREY GABRIELSE
Building Inspector
(920) 946-4270 CELL

May 14, 2014

Mr. Roger L. Te Stroete
Chairperson, Sheboygan County Board
508 New York Avenue
Sheboygan, WI 53081-4126

Dear Mr. Te Stroete:

On July 29, 2013 the Village of Oostburg enacted an Ordinance Annexing Territory from the Town of Holland to the Village of Oostburg. The Ordinance included language making the territory a part of the Second Election Ward of the Village of Oostburg.

The property is located at the corner of North 12th Street and Holland/Lima Road. The Village of Oostburg Building Inspector assigned the address of 720 North 12th Street, Oostburg, Wisconsin, to the property. This property was formerly N2490 N 12th Street in the Town of Holland.

The Village of Oostburg is requesting that the line for Sheboygan County Supervisory District 21 be adjusted to include this new territory.

Respectfully submitted,

VILLAGE OF OOSTBURG

COPY

Allen Wrubbel
President

Enclosure

cc: Mr. Carl Buesing, Sheboygan County Corporation Counsel
Mr. Jon Dolson, Sheboygan County Clerk
Mr. Adam N. Payne, Sheboygan County Administrator

VILLAGE OF OOSTBURG

www.oostburg.org

1 **SHEBOYGAN COUNTY RESOLUTION NO. 060 (2014/15)**

2
3 **Re: Authorizing Funding and Purchase of Amsterdam Dunes Property to**
4 **Establish a Wetland Mitigation Bank and Preservation Area**
5

6
7 **WHEREAS**, since 2005, Sheboygan County has been interested in acquiring certain
8 parcels of undeveloped land in the Town of Holland known as "Amsterdam Dunes" comprised of
9 approximately 333 acres of land with more than 1,900 feet of lakeshore which is one of the last
10 remaining dune and interdunal wetland complexes in Wisconsin that has not been developed or
11 destroyed, and which is shown on the map on file with the County Clerk, and
12

13 **WHEREAS**, the owners of the parcels have recently contacted Sheboygan County and
14 have expressed an interest in selling the parcels to Sheboygan County, and
15

16 **WHEREAS**, the acquisition of the Amsterdam Dunes parcels, in addition to providing
17 significant environmental, recreational, and tourism benefits to Sheboygan County, could also
18 be a valuable and self-sustaining resource if developed into a wetland mitigation bank in a
19 matter consistent with its other benefits, and
20

21 **WHEREAS**, the County Administrator and the County Planning Director have made
22 inquiries to third parties about providing funding to assist with the purchase of the property, and
23 although the third-party funding is not yet committed, letters of support on file with the County
24 Clerk indicate that such third-party funding may be available to finance the project over time,
25 even if initially financed by County funding; and
26

27 **WHEREAS**, the County Administrator has negotiated an Offer to Purchase with the
28 owner of the property, a copy of which is on file with the County Clerk, which has been accepted
29 by the owner, subject to the approval of the Sheboygan County Board, and
30

31 **WHEREAS**, it is in the best interests of Sheboygan County to acquire the Amsterdam
32 Dunes parcels under the terms and provisions of the Offer to Purchase;
33

34 **NOW, THEREFORE, BE IT RESOLVED** that the Sheboygan County Board approves
35 the terms and conditions of the Offer to Purchase, directs the County Administrator to undertake
36 the steps necessary for closing consistent with the Offer to Purchase terms, authorizes the
37 expenditure of sums from the General Unassigned Fund Balance reserves, and authorizes the
38 Chairperson and County Clerk to sign any additional documents required to close the
39 transaction.
40

41 **BE IT FURTHER RESOLVED**, that if the property is acquired as provided for hereunder,
42 the County Administrator is authorized and directed to continue to undertake such steps as may
43 be necessary to secure third-party funding of the purchase, and that any funds so procured shall
44 be restored to the General Unassigned Fund Balance reserves equal to the amount of the
45 original outlay.
46

47 **BE IT FURTHER RESOLVED** that if the property is acquired as provided for herein, the
48 County Administrator is authorized and directed to undertake such steps as are necessary to

49 obtain designation of the parcel or any portion thereof as a wetland mitigation bank pursuant to
50 Wis. Stat. § 281.36.

51
52 **BE IT FURTHER RESOLVED** that any additional funds garnered above the original
53 outlay be deposited into an account for the maintenance and development of the wetland
54 mitigation bank or development of recreational aspects of the property.

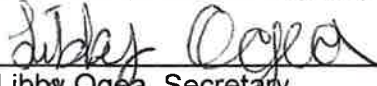
55
56 **BE IT FURTHER RESOLVED**, that the Finance Department is authorized and directed
57 to publish any Class 1 Notice which may be required pursuant to Wis. Stat. § 65.90(5) as a
58 result of this Resolution.

59
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61 Respectfully submitted this 17th day of June, 2014.

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63
64 **PLANNING, RESOURCES, AGRICULTURE,
65 AND EXTENSION COMMITTEE***

66
67 
68 Keith Adler, Chairperson

69
70 
71 Fran Damp, Vice-Chairperson

72
73 
74 Libby Ogea, Secretary

75
76 
77 James Baumgart

78
79 
80 Edward J. Procek

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83 Opposed to Introduction:
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89 *County Board Members signing only
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1/10/2014
 Sheboygan County
 © Copyright 2014 Sheboygan County. All Rights Reserved. This map is for informational purposes only. It is not intended to be used for legal purposes.

Amsterdam Dunes Property Sections 30 & 31 Town of Holland East Sheboygan County

0 300 600'



FISCAL NOTE

Re: Authorizing Funding and Purchase of Amsterdam Dunes Parcel

The resolution, if adopted, authorizes the acquisition of the Amsterdam Dunes property with unassigned general fund balance.

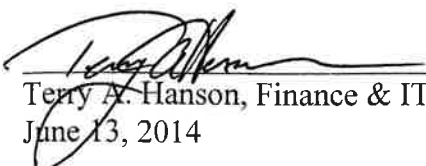
In addition, the resolution authorizes the County Administrator to seek and secure third-party reimbursements and the establishment of a wetland mitigation site located on the property.

Funding:

The offer to purchase is \$4.2 million, payable in 2014. A budget adjustment and utilization of unassigned general fund balance is needed for the full \$4.2 million plus any associated closing costs.

The County is actively pursuing grant funding from the State Stewardship Program and the US Fish and Wildlife Service. There is potential to receive private contributions toward the project as well. The dates for receiving any potential grants and/or contributions are subject to the respective grant application cycles and third-party discussions, and will likely be in late 2014 or early 2015. Any revenues received from third-party funding would restore the unassigned general fund balance for the original outlay. Any additional funds received above the original outlay would be used to further enhance the property by developing and maintaining the wetland mitigation bank and developing recreational aspects of the property.

In addition, there is the potential to receive funds from selling wetland mitigation credits from the wetland mitigation bank that would be established, the potential sale of 2 lakeshore lots and other land associated with the property. The potential revenue could potentially exceed the acquisition price of the property.



Terry A. Hanson, Finance & IT Director
June 13, 2014



SHEBOYGAN COUNTY

James A TeBeest
Building Services Director

WISCONSIN

July 8, 2014

Sheboygan County Board of Supervisors
Administration Building
508 New York Avenue
Sheboygan, WI 53081

County Board of Supervisors,

RE: Request to Pull for Immediate Action

It is respectfully requested the Resolution, "Authorizing Purchase of Property at 520 Pennsylvania Avenue, Sheboygan", be pulled for immediate action at the July 15, 2014 County Board meeting.

The reason for the requested action is due to two circumstances that regularly occur in residential real estate transactions. The first circumstance gives the County the ability to thwart a competing offer to purchase the property. The second is to accommodate the seller in the successful completion of the purchase of a new residence.

The acquisition of the property allows the County to acquire land immediately adjacent to the Law Enforcement Center and maintain a proactive approach to our campus development, whether the need for additional parking, or future building expansion, it is more cost effective to purchase these houses today with motivated and willing sellers. The property may also provide benefit to other departments to provide needed housing at a reduced cost. An appraisal was completed and the purchase price is below the appraised value of the property.

At the June 17, 2014 meeting, the Property Committee unanimously endorsed the resolution. In addition, the Finance Committee unanimously supported this initiative during their meeting on June 25, 2014.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Jim TeBeest".

Jim TeBeest
Director of Building Services

cc: Adam Payne, County Administrator
James Glavan, Property Committee Chairperson

1 SHEBOYGAN COUNTY RESOLUTION NO. 07 (2014/15)

2
3 Re: **Authorizing Purchase of Property at 520 Pennsylvania Avenue,**
4 **Sheboygan**

5
6
7 **WHEREAS**, the Property Committee has voted in support of purchasing residential
8 properties on Pennsylvania Avenue between North Fifth and North Sixth Streets to
9 accommodate future growth of the Law Enforcement Center and potential expansion of parking,
10 and

11
12 **WHEREAS**, until such time as the future growth of the Law Enforcement Center or
13 parking expansion is undertaken, any property acquired will be evaluated as to fitness for use
14 as living quarters by clientele of Sheboygan County agencies on a short- or limited-term basis,
15 including Veterans and clients of the Health and Human Services Department, and

16
17 **WHEREAS**, any property acquired would not be offered for rent to the general public
18 unless otherwise directed by the County Board, and if, following a reasonable length of time, the
19 property is not used by clients or other persons through Sheboygan County agencies, the
20 properties will be demolished and the land returned to green space,

21
22 **WHEREAS**, the Building Services Director and the Property Committee have studied the
23 circumstances and believe that it would be prudent to purchase the property at 520
24 Pennsylvania Avenue which at this time is available so that the property can be used for such
25 short-term living quarters and long-term Law Enforcement Center or parking expansion, and

26
27 **WHEREAS**, with the approval of the Property Committee, the County Purchasing Agent
28 has negotiated an accepted offer to purchase with the Buyer, a copy of which is on file with the
29 County Clerk, which includes a purchase price of \$71,000.00 subject to approval of the full
30 County Board, and

31
32 **WHEREAS**, it is in the best interests of Sheboygan County to acquire this property on
33 these terms;

34
35 **NOW, THEREFORE, BE IT RESOLVED** by the Sheboygan County Board that
36 Sheboygan County purchase the property located at 520 Pennsylvania Avenue, Sheboygan,
37 Wisconsin; that the Building Services Director, in coordination with the Health and Human
38 Services Director and Veterans Services Officer determine if the property is fit for use as living
39 quarters for clientele of Sheboygan County agencies; or in the alternative to raze the property.

40
41 **BE IT FURTHER RESOLVED** that the sum of \$71,000.00 be transferred from the
42 Unassigned General Fund Balance to the Building Services Department for the purchase of the
43 site.

44
45 **BE IT FURTHER RESOLVED** that the County Board Chairperson and the County Clerk
46 are authorized and directed to sign any documents necessary to close this transaction.
47

48 **BE IT FURTHER RESOLVED** that the Building Services Director and Corporation
49 Counsel are directed to take such further necessary steps to purchase and develop the property
50 consistent with the terms of the accepted offer to purchase.
51

52
53 Respectfully submitted this 15th day of July, 2014.
54

55
56 **PROPERTY COMMITTEE**
57

58
59 _____
60 James P. Glavan, Chairperson
61

62 _____
63 Thomas V. Epping, Vice-Chairperson
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65 _____
66 Kris Wheeler, Secretary
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68 _____
69 Al Bosman
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71 _____
72 Robert Ziegelbauer
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74 Opposed to Introduction:
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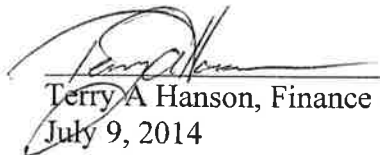
FISCAL NOTE

Re: Authorizing Purchase of Property at 520 Pennsylvania Avenue, Sheboygan

Adoption of this resolution authorizes the purchase of the property located at 520 Pennsylvania Avenue in Sheboygan for the acquisition price of \$71,000. In addition, the resolution establishes an administrative review of the property for potential use as living quarters for clientele of Sheboygan County agencies as an alternative to razing the property.

Funding:

The purchase price of \$71,000 is to come from the General Fund Unassigned Fund Balance.



Terry A Hanson, Finance & IT Director
July 9, 2014