

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

**September 23, 2014**

Pursuant to Wis. Stat. § 59.11, the September 23, 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 September 19, 2014 at 12:45 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 24 Supervisors present; Absent: 1, Supervisor Weggeman.

**Supervisor Winkel moved for approval of the August 19, 2014 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 reappointments by the Chairperson of **James Glavan and Mark Winkel** to the Airport Advisory Committee.

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

The Chairperson announced that the next order of business was the consideration of the following reappointments by the County Administrator.

**Steven Bauer and Thomas Trester** - Airport Advisory Committee

**James Glavan and Nancy DesJardins** – Land Information Council Committee

**Supervisor Winkel moved to concur with the reappointments from the County Administrator.** Supervisor Glavan seconded the motion which carried on unanimous roll call vote of the board.

## **PRESENTATIONS**

Dave Maccoux, Schenck SC – Reported on the firm's audit of the County's 2013 Financial Statements.

## **LETTERS AND COMMUNICATIONS**

The Clerk advised there was a letter from Chairperson Te Stroete regarding the 2014 Sheboygan County United Way Campaign.

The Clerk presented a resolution from the Jackson County Board of Supervisors in support of endorsing legislative action regarding funding of 911 services. By Chairperson received for information.

The Clerk presented resolutions from the Jackson and Jefferson County Boards of Supervisors in opposition to proposed lapse in state funding to circuit court system in the biennial budget. By Chairperson received for information.

The Clerk presented a resolution from the Outagamie County Board of Supervisors in support of proposed legislation allowing escrow accounts and irrevocable trusts used by landfill owners to demonstrate proof of financial responsibility to include securities issued by an instrumentality of the federal government, as well as securities issued by the federal government. By Chairperson referred to the Planning, Resources, Agriculture and Extension Committee.

The Clerk presented a resolution from the Jefferson County Board of Supervisors in support of state funding for county 911 services/one designated public service answering point per county. By Chairperson referred to the Law Committee.

The Clerk presented a resolution from the Jefferson County Board of Supervisors opposing actions by the Wisconsin State Legislature which abrogate or significantly modify local control in matters related to the health, safety and well-being of county residents. By Chairperson received for information.

#### **COUNTY ADMINISTRATOR'S REPORT**

County Administrator Adam Payne reported on the 333 acre Amsterdam Dunes purchase and thanked and acknowledged Aaron Brault, Carl Buesing and Mike Bauer for their key assistance. Mr. Payne discussed the WCA annual conference that he and twelve supervisors recently attended and topics of discussion. Mr. Payne also provided a status report on the Sheboygan County compensation study, and the 2015 county budget development.

#### **COMMITTEE REPORTS**

The Clerk read the report of the Executive Committee regarding **Resolution No. 14 (2014/15) 2015 Five-Year Capital Plan** recommending adoption.

**Supervisor Goehring 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 Executive Committee regarding **Ordinance No. 05 (2014/15) Transferring Chapter 47 Classification Change Duties to Human Resources Committee** recommending filing with the clerk.

**Supervisor Marthenze moved to file the ordinance with the clerk.** Supervisor Goehring seconded the motion which carried on roll call vote of the board of Ayes: 23; Noes: 1, Supervisor LeMahieu; Absent: 1, Supervisor Weggeman.

The Clerk read the report of the Finance Committee regarding **Resolution No. 15 (2014/15) Approving Lease Agreement Between Sheboygan County and Sheboygan County Historical Society** 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 Finance Committee regarding **Resolution No. 16 (2014/15) Authorizing County Aid for Bridge/Culvert Construction in the Towns of Lima, Sheboygan Falls, and Wilson** recommending amending the resolution by striking "County Line Road Bridge" in table and replacing with "Miley Road" and as so amended recommend adoption.

**Supervisor Winkel moved to adopt the resolution as amended per the committee report.** Supervisor Goehring seconded the motion which carried on unanimous roll call vote of the board.

The Clerk read the report of the Planning, Resources, Agriculture, and Extension Committee regarding **Resolution No. 13 (2014/15) Creating Amsterdam Dunes Advisory Committee** recommending amending the resolution by adding on line #52 after Clear Vue residents "Cedar Grove Raptor Research Station members" and as so amended recommend adoption.

**Supervisor Baumgart moved to adopt the resolution as amended per the committee report.** 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 (2014/15)** Re: Honoring the Life of Fred H. Henckel, Chairperson of the County Veterans' Service Commission.

**Supervisor Hoffmann moved to adopt the resolution.** The motion was seconded by Supervisor Glavan which was unanimously adopted by the Board on a rising vote and a pause in its deliberations.

**Chairperson Te Stroete and Vice Chairperson Wegner presented a signed copy of the resolution to Richard Henckel.**

**Resolution No. 18 (2014/15)** Re: Supporting District Attorney's Request for Additional Assistants referred to the Executive Committee.

**Resolution No. 19 (2014/15)** Re: Approving Revisions to Farmland Preservation Plan referred to the Finance Committee.

**Ordinance No. 06 (2014/15)** Re: Updating Chapter 47 – Salary Grade Classifications referred to the Executive Committee.

#### **ADJOURNMENT**

**Supervisor Bemis moved to adjourn to 6:00 p.m. on Tuesday, October 21, 2014.** Supervisor Winkel seconded the motion which carried on unanimous roll call vote of the board. The meeting was adjourned at 6:48 p.m.

RESOLUTION NO. 47-8-2014

**TO: HONORABLE COUNTY BOARD OF SUPERVISORS**

**RE: ENDORSEMENT OF LEGISLATIVE ACTION REGARDING FUNDING OF 911 SERVICES**

**WHEREAS**, County-wide emergency ("911") dispatch services are among the most vital services that counties provide. Wisconsin residents and visitors alike expect the same level of excellent service throughout the state, regardless of where their emergency occurs; and

**WHEREAS**, In 2003 the State of Wisconsin established a fee on all wireless phones to fund grants to counties to pay for enhanced 911 services, such as wireless call-locating software and equipment; and

**WHEREAS**, In 2009 the enhanced 911 grant program expired and, in its place, the Wisconsin Counties Association and the state's telecommunications providers advocated establishing a permanent grant program to fund equipment purchases and training for employees of county-designated Public Safety Answering Points (PSAPs), each county to designate one PSAP per county by resolution, to be funded with a monthly fee of up to 75-cents on all devices capable of dialing 911; and

**WHEREAS**, Instead of funding grants to county Public Safety Answering Points, in 2009 the Wisconsin Legislature and the Governor re-designated the funding as a 75-cent monthly Police and Fire Protection Fee for all such devices and directed the revenue from the fee to fund the county and municipal aid (shared revenue) account to meet other state financial obligations; and

**WHEREAS**, Without the intended state funding counties must rely almost entirely on property taxes to pay for equipment, training, and consolidation of municipal and county 911 services with many counties unable to upgrade needed equipment to receive texts, video, and still photographs, to provide needed training to 911 system operators, and to foster further consolidation of services; and

**WHEREAS**, Eliminating the Police and Fire Protection Fee and restoring the funding for 911 without replacing the lost revenue would result in roughly \$50 million annual reduction in shared revenue payments to municipalities and counties; and

**WHEREAS**, Under current law each county must individually contract with a telecommunications provider for telephone lines running into each county 911 center and counties must depend on a maximum 40-cent monthly fee on only landline telephones to pay telecommunications providers for the cost of this service; and

**WHEREAS**, Revenues from the 40 cent landline fee are declining due to increased use of cellular telephones and the fee is often insufficient to cover the cost of these services, thereby requiring any difference to be paid for with property taxes;

**NOW, THEREFORE BE IT RESOLVED**, that the Jackson County Board of Supervisors shall and hereby does urge the Wisconsin Legislature and Governor to support legislation and state budget action that accomplishes all of the following goals:

- Fully funds the County and Municipal Aid Program (shared revenue) with state General Purpose Revenue, rather than the Police and Fire Protection Fee; and
- Establishes a technology-neutral fee on all cell phones, landline phones, and other devices capable of dialing 911; and
- Uses the revenue from this fee to fund a grant program to pay for equipment purchases and training for one Public Safety Answering Point (911 center) per county, as designated by the county board of each county, and to develop financial incentives to encourage consolidation of "911" services; and
- Provides a sustainable source of funding for costs associated with providing all telephone lines (landline and cellular) into county Public Safety Answering Points; and
- Provides a sustainable source of funding for costs associated with providing all telephone lines (landline and cellular) into county Public Safety Answering Points; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be sent to the Wisconsin Counties Association ("WCA") for consideration at the WCA's 2014 Annual Business meeting, all counties, all municipalities within Jackson County, the Jackson County Board of Supervisors, and Governor Walker...urging their support for this resolution and restoration of State funding for this vital public safety services.

Dated this day 18 <sup>August</sup> ~~July~~, 2014

Respectfully submitted,

LAW ENFORCEMENT

~~PERSONNEL/BARGAINING~~

EXECUTIVE & FINANCE

*[Signatures]*  
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*[Signatures]*  
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I HEREBY CERTIFY

RESOLUTION # 47-8-2014

WAS ADOPTED ON 8-18-2014

BY JACKSON COUNTY BOARD OF SUPERVISORS

*[Signature]*  
 \_\_\_\_\_  
 KYLE DENO, JACKSON COUNTY CLERK

YES 19 NO 0

RESOLUTION NO. 48-8-2014

TO: THE HONORABLE COUNTY BOARD OF SUPERVISORS

**RE: OPPOSITION TO PROPOSED LAPSE IN STATE FUNDING TO CIRCUIT COURT SYSTEM**

**WHEREAS**, the 2013-15 State Biennial Budget requires the Wisconsin court system to return a total of \$11.8 million to the state general fund over the next two-year period, resulting in budget cuts affecting the Jackson County circuit court system; and,

**WHEREAS**, if said budget cuts are made, the Jackson County circuit court system will no longer receive State funding at its previous level in the form of circuit court payments; interpreter assistance; and guardian ad litem assistance; and,

**WHEREAS**, the proposed reduction of funding and resulting budget cuts would create an enormous financial challenge to Jackson County, potentially resulting in an increased tax levy, while striving to meet the challenge of the state levy cap; and,

**WHEREAS**, it is in the best interests of Jackson County to oppose this proposed budget reduction.

**NOW THEREFORE BE IT RESOLVED** that the Jackson County Board hereby states its opposition to the lapse of Wisconsin judicial branch funding to the State general fund over the next two-year period; and,

**BE IT FURTHER RESOLVED**, that the Jackson County Clerk shall forward a copy of this resolution to Jackson County's State Legislators, Governor Scott Walker, the Director of State Courts, and all other Wisconsin Counties.

*Respectfully Submitted:*

Executive & Finance

*Dennis M. Elschardt*      *Rogers*  
*Ron Carney*      *[Signature]*  
*[Signature]*

I HEREBY CERTIFY  
RESOLUTION # 48-8-2014  
ADOPTED ON Aug 18, 2014  
BY [Signature] JACSON COUNTY BOARD OF SUPERVISORS  
JENO, JACKSON COUNTY CLERK  
19 NO. 0

## RESOLUTION NO.: 26—2014-15

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

**MAJORITY**

1 Current law requires the owner of a landfill to maintain proof of financial responsibility  
2 to ensure the availability of funds to cover the costs of closing the landfill and  
3 maintaining the property after the landfill is closed. The Department of Natural  
4 Resources (DNR) must approve the proof of financial responsibility. Under current law,  
5 one method of providing proof of financial responsibility is an established escrow  
6 account, which under DNR rules, may include securities issued by the federal  
7 government. Proposed legislation states escrow accounts and irrevocable trusts used by  
8 landfill owners to demonstrate proof of financial responsibility may include securities  
9 issued by an instrumentality of the federal government, as well as securities issued by the  
10 federal government.

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

14 BE IT RESOLVED, that the Outagamie County Board of Supervisors does support proposed  
15 legislation which would allow escrow accounts and irrevocable trusts used by landfill owners to  
16 demonstrate proof of financial responsibility to include securities issued by an instrumentality of the  
17 federal government, as well as securities issued by the federal government, and

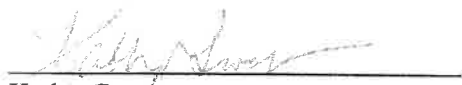
18 BE IT FINALLY RESOLVED, that the Outagamie County Clerk be directed to forward a copy  
19 of this resolution to the Outagamie County Lobbyist for distribution to the Legislature, all other  
20 Wisconsin counties, the Outagamie County Treasurer and the Outagamie County Executive.

21 Dated this 12<sup>th</sup> day of August, 2014

22 Respectfully Submitted,  
23

24 FINANCE COMMITTEE  
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26  
27  
28  
29   
Peter Stueck

  
Kathy Groat

1 Kevin Stum  
2 Kevin Stum

Norman Austin  
Norman Austin

3 Jeff Nooyen  
4 Jeff Nooyen

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

6  
7 Signed: Debra Hagler  
8 Board Chairperson

Lois O'Brien  
County Clerk

9  
10 Approved: 8 13 14

Vetoed: \_\_\_\_\_

11  
12  
13 Signed: Mike  
14 County Executive



## RESOLUTION NO. 2014-34

### **Supporting state funding for county 911 services/one designated Public Service Answering Point per county**

#### Executive Summary

In 2009, the State of Wisconsin reduced state funding to counties for their 911 emergency dispatch services. Without this state funding, counties must rely almost entirely on property taxes to pay for equipment, training, and consolidation of municipal and county 911 services. This resolution encourages the State of Wisconsin to fund the County and Municipal Aid Program with state General Purpose Revenue, rather than the Police and Fire Protection Fee, thereby providing a sustainable source of funding for costs associated with county Public Safety Answering Points.

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WHEREAS, 911 emergency dispatch services are among the most vital services that counties provide, and Wisconsin residents expect the same level of excellent service throughout the state, regardless of where their emergency occurs; and

WHEREAS, in 2003, the State of Wisconsin established a fee on all wireless phones to fund grants to counties to pay for enhanced 911 services such as wireless call-locating software and equipment; and

WHEREAS, in 2009, the enhanced 911 grant program expired and, in its place, the Wisconsin Counties Association and the state's telecommunications providers advocated to establish a permanent grant program to fund equipment purchases and training for employees of county-designated Public Safety Answering Points (PSAPs), with each county designating one PSAP per county by resolution, to be funded with a monthly fee of up to 75-cents on all devices capable of dialing 911; and

WHEREAS, instead of funding grants to county Public Safety Answering Points, in 2009, the Wisconsin Legislature and the Governor re-designated the funding as a 75-cent monthly Police and Fire Protection Fee for all such devices and directed the revenue from the fee to fund the county and municipal aid (shared revenue) account to meet other state financial obligations; and

WHEREAS, without the intended state funding, counties must rely almost entirely on property taxes to pay for equipment, training, and consolidation of municipal and county 911 services with many counties unable to upgrade needed equipment to receive texts, video and still photographs, to provide needed training to 911 system operators, and to foster further consolidation of services; and

WHEREAS, eliminating the Police and Fire Protection Fee and restoring the funding for 911 without replacing the lost revenue would result in a roughly \$50 million annual reduction in shared revenue payments to municipalities and counties; and

WHEREAS, under current law, each county must individually contract with a telecommunications provider for telephone lines running into each county 911 center and counties must depend on a maximum 40-cent monthly fee on only landline telephones to pay telecommunications providers for the cost of this service; and

WHEREAS, revenues from the 29-cent landline telephone fee that Jefferson County is receiving are declining due to the increased use of cellular telephones and the resulting decreased use of landline telephones, and the fee is often insufficient to cover the cost of these services, thereby requiring any difference to be paid for with property taxes.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby urges the Wisconsin Legislature and Governor to support legislation and state budget action that accomplishes all of the following goals:

1. Fully funds the County and Municipal Aid Program (shared revenue) with state General Purpose Revenue, rather than the Police and Fire Protection Fee; and
2. Establishes a technology-neutral fee on all cellular telephones, landline telephones and other devices capable of dialing 911; and
3. Uses the revenue from this fee to fund a grant program to pay for equipment purchases and training for one Public Safety Answering Point (911 center) per county, as designated by the county board of each county, and to develop financial incentives to encourage consolidation of 911 services; and
4. Provides a sustainable source of funding for costs associated with providing all telephone lines (landline and cellular) into county Public Safety Answering Points.

BE IT FURTHER RESOLVED that the Jefferson County Clerk is hereby authorized and directed to send a copy of this resolution to:

1. The Board of Directors of the Wisconsin Counties Association for consideration at the Wisconsin Counties Association Annual Business meeting;
2. The County Clerks of all of the other 71 counties within the State of Wisconsin, urging that all county officials support the resolution and request their legislative representatives and the Governor to restore the funding for this vital public safety service; and
3. The Governor of the State of Wisconsin and all Wisconsin State Legislators with a constituency within Jefferson County.

*Fiscal Note: Passage of this resolution has no fiscal impact on Jefferson County.*

STATE OF WISCONSIN                    )  
  ) ss  
COUNTY OF JEFFERSON                )

I, Barbara A. Frank, County Clerk of Jefferson County, Jefferson, Wisconsin, do hereby certify that the attached is a true and correct copy of Resolution No. 2014-34, adopted at the September 9, 2014, Session of the County Board of Supervisors at the County Courthouse in the City of Jefferson.

WITNESS MY HAND AND SEAL this 10<sup>th</sup> day of September 2014.



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Barbara A. Frank  
Jefferson County Clerk  
Jefferson, Wisconsin

## RESOLUTION NO. 2014-35

### **Opposing actions by the Wisconsin State Legislature which abrogate or significantly modify local control in matters related to the health, safety and well-being of county residents**

#### Executive Summary

The Wisconsin legislature has proposed bills and enacted laws which abrogate or significantly modify and decrease local control by counties, towns and municipalities over matters related to the health, safety and well-being of residents. Some examples include taking away a municipality's ability to regulate school districts, sand mining, bow hunting, and wind energy systems.

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WHEREAS, in recent actions, the state legislature has proposed bills and enacted laws which abrogate or significantly modify and decrease local control by counties, towns and municipalities over matters related to the health, safety and well-being of residents; and

WHEREAS, the general intent of these bills and laws is to decrease local authority over matters which are of central interest and importance to counties, towns and municipalities in their efforts to protect and enhance the health, safety and well-being of their residents; and

WHEREAS, such removal of local authority is not in the best interests of local authorities, the citizens or the State of Wisconsin and is in fact, to their detriment; and

WHEREAS, the mission of Jefferson County is to "provide quality, innovative and cost effective services that safeguard and enhance the well-being of residents and resources."

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board opposes any action by the Wisconsin State Government, specifically the Assembly, the Senate and the Governor, to remove, limit or otherwise impede the current authority of counties, towns, or municipalities to safeguard and enhance the health, safety and well-being of residents, including the actions listed above or any similar actions begun or taken after the passage this resolution.

BE IT FURTHER RESOLVED, that the Jefferson County Clerk is hereby authorized and directed to send a copy of this resolution to:

1. The Board of Directors of the Wisconsin Counties Association for consideration at the Wisconsin Counties Association Annual Business meeting;
2. The County Clerks of all of the other 71 counties within the State of Wisconsin, urging that all county officials support the resolution and request their legislative representatives and the Governor to restore the funding for this vital public safety service; and
3. The Governor of the State of Wisconsin and all Wisconsin State Legislators with a constituency within Jefferson County.

*Fiscal Note: Passage of this resolution has no fiscal impact on Jefferson County.*

STATE OF WISCONSIN                    )  
  ) ss  
COUNTY OF JEFFERSON                )

I, Barbara A. Frank, County Clerk of Jefferson County, Jefferson, Wisconsin, do hereby certify that the attached is a true and correct copy of Resolution No. 2014-35, adopted at the September 9, 2014, Session of the County Board of Supervisors at the County Courthouse in the City of Jefferson.

WITNESS MY HAND AND SEAL this \_\_\_\_\_ day of September 2014.

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Barbara A. Frank  
Jefferson County Clerk  
Jefferson, Wisconsin

## **RESOLUTION NO. 2014-36**

### **Opposition to proposed lapse in state funding to Circuit Court System**

#### Executive Summary

The 2013-15 State Biennial Budget requires the Wisconsin court system to return a total of \$11.8 million to the state general fund over the next two-year period resulting in budget cuts affecting the Jefferson County circuit court system. Because of this, state funding will be reduced for necessary court services such as interpreter assistance and guardian ad litem appointments. This resolution states Jefferson County's opposition to the lapse of Wisconsin judicial branch funding.

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WHEREAS, the 2013-15 State Biennial Budget requires the Wisconsin court system to return a total of \$11.8 million to the state general fund over the next two-year period, resulting in budget cuts affecting the Jefferson County circuit court system; and

WHEREAS, if said budget cuts are made, the Jefferson County circuit court system will no longer receive State funding at its previous level in the form of circuit court payments, interpreter assistance, and guardian ad litem assistance; and

WHEREAS, the proposed reduction of funding and resulting budget cuts would create an enormous financial challenge to Jefferson County, potentially resulting in an increased tax levy, while striving to meet the challenge of the state levy cap; and

WHEREAS, it is in the best interests of Jefferson County to oppose this proposed budget reduction.

NOW, THEREFORE, BE IT RESOLVED that the Jefferson County Board of Supervisors hereby states its opposition to the lapse of Wisconsin judicial branch funding over the next two-year period; and

BE IT FURTHER RESOLVED, that the Jefferson County Clerk is hereby authorized and directed to send a copy of this resolution to:

1. The Board of Directors of the Wisconsin Counties Association for consideration at the Wisconsin Counties Association Annual Business meeting;
2. The County Clerks of all of the other 71 counties within the State of Wisconsin, urging that all county officials support the resolution and request their legislative representatives and the Governor to oppose the lapse of Wisconsin judicial branch funding; and
3. The Governor of the State of Wisconsin and all Wisconsin State Legislators with a constituency within Jefferson County.

*Fiscal Note: Passage of this resolution has no fiscal impact on Jefferson County.*