

**LANGLADE COUNTY BOARD OF SUPERVISORS
MONTHLY MEETING – MARCH 20, 2012**

These Board proceedings are published as prescribed by Section 59.14(2) of the Wisconsin Statutes at County Government expense.

The Langlade County Board of Supervisors met in the Langlade County Board Room. Chairman David Solin called the meeting to order at 9:00 a.m.

On call of the roll, all Supervisors reported present, except Supervisor Benishek, who had asked to be excused and Supervisor Morse. Motion was made by Supervisor Jansen, seconded by Supervisor Kamps, to excuse them. All ayes, the motion carried. The Board recited the Pledge of Allegiance and observed a moment of silence.

Motion was made by Supervisor Jansen, seconded by Supervisor Cahak, to approve the minutes of the February 21, 2012 meeting as printed and published. All ayes, the motion carried.

Approve or amend the agenda as printed:

Motion was made by Supervisor Kamps, seconded by Supervisor Schultz, to approve the agenda as printed. All ayes, the motion carried.

Old Business:

Supervisor Klimoski questioned the Cattle Barn project costs. Corporation Counsel Robin Stowe explained with Resolution #98-2011 Langlade County will not allocate any more than the \$244,827 to fund the project.

CONSENT AGENDA:

Motion was made by Supervisor Bornemann to approve the Consent Agenda, seconded by Supervisor Jansen. All ayes, the motion carried. The Consent Agenda is adopted.

CONSENT AGENDA:

1. Letters, Petitions and Communications:
2. **APPOINTMENTS :**
 - a. Approve List of Fire Wardens which was submitted by the DNR
 - b. Confirm the re-appointment of James R. Jansen to serve on the Board of the Community Care of Central Wisconsin for a two year term which will then expire in April 2014.
3. **ZONING ORDINANCE:**
Report of Water and Land Use Planning Committee
Intent: Amend the Langlade County Zoning Maps Petition #917

ORDINANCE # 2-2012Z

The Langlade County Board of Supervisors do hereby ordain as follows:

- SECTION 1 That the lands described as Being SE NE of Section 11, T32N, R11E, and the SW NW of Section 12, T32N, R11E (Parcels # 014-0157 and 014-0176) Town of Neva.
Now comprising a part of the Forestry District is hereby rezoned into the A-1, Exclusive Agriculture District.
- SECTION 2 This change in zoning shall be designated on the official county zoning map for the Town of Neva.
- SECTION 3 All ordinances or parts of ordinances in conflict herewith are hereby repealed.
- SECTION 4 This ordinance shall be in full force and effect from and after its date of adoption.

APPROVED: David J. Solin
County Board Chairman
ATTEST: Kathryn Jacob
County Clerk

RESOLUTIONS:

RESOLUTION #14-2012

**INTRODUCED BY: AGRICULTURE AND EXTENSION EDUCATION COMMITTEE
INTENT: ADOPT CONTRACT BETWEEN LANGLADE COUNTY AND THE WISCONSIN
POTATO INDUSTRY BOARD**

WHEREAS, Langlade County contracts with the Wisconsin Potato Industry Board for the operation of the Langlade County Agricultural Experiment Station; and

WHEREAS, it is agreed between the parties that the Wisconsin Potato Industry Board shall pay Langlade County the sum of \$12,000 to be used for the purchase of supplies for the Experiment Station.

NOW THEREFORE, BE IT RESOLVED, that the Langlade County Board of Supervisors hereby adopts the contract between Langlade County and the Wisconsin Potato Industry Board for the contract period of March 15, 2012 to June 30, 2013.

AG AND EXTENSION EDUCATION COMMITTEE

Thomas A. Schultz
Eugene Kamps
Arlene C. Bonacci
Rick Bina
William Bostwick

Fiscal Note: By entering into this contract, the Wisconsin Potato Industry Board will give the County a \$12,000 Grant to be used at the Research Station.

RESOLUTION #17-2012

Introduced By: Forestry & Recreation Committee

Intent: Adopt the Langlade County Five-Year Outdoor Recreation Plan 2012-2016

WHEREAS, Langlade County participates in various state and federal cost-sharing programs, including the Land and Water Conservation Fund (LAWCON); and

WHEREAS, pursuant to Section 23.30, Wis. Stats, this Outdoor Recreation Plan was prepared to “promote, encourage, coordinate, and implement a comprehensive long-range plan to acquire, maintain, and develop for public use, those areas of the state best adapted to the development of a comprehensive system of state and local outdoor recreation facilities and services...”; and

WHEREAS, a comprehensive five-year recreation plan has been prepared to provide direction towards meeting the future recreation needs in Langlade County for the next five years by holding a public hearing and receiving surveys from townships and user groups; and

WHEREAS, adoption of this plan will continue eligibility of Langlade County and the county’s local units of government for state and federal cost-sharing funds (Chapter NR 50.06(4), Wis. Admin. Code).

NOW THEREFORE, BE IT RESOLVED, that Langlade County Board of Supervisors adopt the document entitled, “Langlade County Outdoor Recreation Plan 2012-2016.”

FISCAL NOTE: This plan allows the Forestry Department to continue to apply for State grants and Federal cost-sharing grants.

FORESTRY & RECREATION COMMITTEE

Ronald M. Nye
Thomas A. Schultz
Richard Olsen
David J. Solin
George Bornemann

RESOLUTION #18-2012

INTRODUCED BY: FORESTRY & RECREATION COMMITTEE

INTENT: TO APPROVE SENDING A LETTER TO PRESIDENT BARACK OBAMA IN SUPPORT OF THE SILVICULTURE REGULATORY CONSISTENCY ACT

WHEREAS, the Environmental Protection Agency’s Silvicultural Rule 40 C.F.R. §122.27(b) specifically defines harvesting operations, surface drainage, or road construction and maintenance from which there is natural runoff to be non-point source silvicultural activities and therefore exempt from the National Pollution Discharge Elimination System (NPDES) permit requirement; and

WHEREAS, the Clean Water Act requires NPDES permits for point source discharges of pollutants into waters of the United States; and

WHEREAS, an August 2010 ruling by the United States Court of Appeals for the Ninth Circuit disagreed with the 1976 Silvicultural Rule by holding that a NPDES Permit is required for storm water runoff from logging roads; and

WHEREAS, the State of Wisconsin has been delegated NPDES authority to issue its own Wisconsin Pollution Discharge Elimination System (WPDES) permits, based on the same underlying federal requirements, including the 1976 Silvicultural Rule; and

WHEREAS, if the Ninth Circuit decision is applied broadly by either the United States Supreme Court or United States Environmental Protection Agency; and

WHEREAS, this decision has potentially devastating implications for the forest industry which employs over 65,000 people and contributes over 20 billion to Wisconsin’s economy; and

WHEREAS, in Wisconsin our forestry practices are governed by Forestry Best Management Practices for Water Quality (BMP’s); and

WHEREAS, BMP’s have been in place since 1995 and when applied correctly during silviculture activities, it has shown that over 99% of the time there are no impacts to water quality; and

WHEREAS, if rural County owned roads such as logging or forest roads, were required to obtain WPDES permits, this will be an unfunded mandate and pre-emption on County governments, add unnecessary red tape, and have no increase in environmental protection; and

WHEREAS, the United States Court of Appeals for the Ninth Circuit consists primarily of Western Mountain States where forestry activities often occur on steep slopes and highly erodible soils quite dissimilar to Wisconsin and other Midwest and Eastern States with significant forest resources;

WHEREAS, Silviculture Regulatory Consistency Act (S.1369 and H.R. 2541) amends the Federal Water Pollution Control Act (commonly known as the Clean Water Act) to prohibit the Administrator of the Environmental Protection Agency (EPA) from requiring a permit under national pollutant discharge elimination system permitting requirements for a discharge resulting from the conduct of any silvicultural activity, such as nursery operations, site preparation, reforestation, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, or road use, construction, and maintenance, from which there is runoff; and specifies that nothing in this Act exempts silvicultural activity from permit requirements for the discharge of dredged or fill material into navigable waters.

NOW THEREFORE BE IT RESOLVED BY THE LANGLADE COUNTY BOARD OF SUPERVISORS, to support enacting “The Silviculture Regulatory Consistency Act” introduced as S.1369 and H.R. 2541 into law.

BE IT FURTHER RESOLVED to authorize the County Clerk to forward this resolution and the attached letter to President Barack Obama, Lisa Perez Jackson, Administrator of the Environmental Protection Agency, Jon Carlson, White House Staff, Senator Ron Johnson, Senator Herb Kohl, Representative Sean Duffy, Representative Reid Ribble, Representative Paul Ryan, Representative Tammy Baldwin, Representative Ron Kind, Representative Gwendolynne Moore, Representative Tom Petri, Representative James Sensenbrenner, Jr., Wisconsin Counties Association and the Wisconsin County Forests Association.

Fiscal Note: No fiscal impact on county levy.

FORESTRY & RECREATION COMMITTEE

Ronald M. Nye
Thomas A. Schultz
Richard Olsen
George Bornemann
David J. Solin

RESOLUTION #21-2012

INTRODUCED BY: WATER AND LAND USE PLANNING COMMITTEE

INTENT: RECOGNITION OF MARY LU LEWIS FOR DEDICATED SERVICE TO THE LANGLADE COUNTY BOARD OF ADJUSTMENT

WHEREAS, Mary Lu Lewis has resigned her position on the Langlade County Board of Adjustment; and
WHEREAS, Mary Lu Lewis has been a conscientious, dedicated and valuable member of the Board of Adjustment for over 25 years including a number of years as chairman; and

WHEREAS, it is fitting that Mary Lu Lewis be recognized for her years of service to county government;

NOW THEREFORE, BE IT RESOLVED, by the Langlade County Board of Supervisors, that the Board as a whole wishes to commend Mary Lu Lewis for her many years of dedicated service to Langlade County and wish her the best in the future; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to her at her home address.

David J. Solin	Douglas Nonnenmacher	Patricia McKinney-Rice
Richard H. Hurlbert	Jeffrey J. Zalewski	Richard Olsen
Eugene Kamps	Judy Karpf	William Bostwick
George Bornemann	Michael P. Klimoski	James R. Jansen
Ron Nye	Arlene C. Bonacci	Vernon Cahak
Dale A. Dahms	Rick Bina	
Jerrold L. Burns	Thomas A. Schultz	

RESOLUTIONS:

RESOLUTION # 15-2012

INTRODUCED BY: FINANCE COMMITTEE

INTENT: CARRY UNEXPENDED 2011 ACCOUNTS INTO 2012 BUDGET

WHEREAS, the unused portion of the attached 2011 accounts (on file in the Finance Department) will remain unexpended; and

WHEREAS, the intended purpose of the attached appropriations have not been completed or are non-lapsing accounts.

WHEREAS, also attached is an updated listing of all fund balance amounts that have been designated for specific purposes.

NOW THEREFORE, BE IT RESOLVED, by a majority vote of the Langlade County Board of Supervisors that the remaining amounts in the attached 2011 accounts be carried forward into the 2012 budget, and to reaffirm the designated fund balance amounts.

FINANCE COMMITTEE

George Bornemann
Jerrold L. Burns
Judy Karpf
Ronald Nye
David J. Solin

FISCAL NOTE: Total funds to be carried forward amount to \$184,348.93. Total amount of fund balance that is designated for specific purposes total \$2,155,618.57.

Motion was made by Supervisor Bornemann, seconded by Supervisor Schultz, to adopt.

On call of the roll to adopt Resolution #15-2012, all Supervisors present voted aye. Resolution #15-2012 is adopted.

RESOLUTION #16-2012

Introduced By: Forestry & Recreation Committee

Intent: Approve Sale of County Forest Land Parcel #030-0368.005 to Corey R. Carter

WHEREAS, when the Langlade County Board of Supervisors agreed to the forest land purchase in the Township of West Elcho from the Plum Creek Land Company (Res. 93-11), it was agreed that the Langlade County Forestry Department would sell some county forest land that was not within the designated forest boundary and not enrolled in the County Forest Crop Law Program to aid in financing this purchase; and

WHEREAS, the Langlade County Forestry Department advertised a tract located in the South ½ of the Southeast of the Southwest in Section 26; T33N-R10E in the Township of West Upham, which is approximately 20 acres for a minimum bid of \$38,500.00; and

WHEREAS, at the February 23, 2012 Forestry and Recreation Committee meeting sealed bids were received and opened and were as follows:

Corey R. Carter \$39,501.00
Douglas Goebel \$38,500.00

and;

NOW THEREFORE, BE IT RESOLVED, that Langlade County Board of Supervisors approve the sale of the South ½ of the Southeast of the Southwest in Section 26; T33N-R10E in the Township of West Upham to Corey R. Carter, W349 N9210 Norwegian Road, Oconomowoc, WI 53066 for \$39,501.00 and that the county issue a quit claim deed upon receipt of said funds.

FISCAL NOTE: \$39,501.00 will go back into the General Fund to replenish funding that was utilized for the forest land purchase per Resolution #93-2011.

FORESTRY & RECREATION COMMITTEE

Ronald M. Nye
Thomas A. Schultz
Richard Olsen
David J. Solin
George Bornemann

Motion was made by Supervisor Schultz, seconded by Supervisor Nye, to adopt.

On call of the roll to adopt Resolution #16-2012, all Supervisors present voted aye. Resolution #16-2012 is adopted.

RESOLUTION # 19-2012

INTRODUCED BY: FINANCE COMMITTEE

INTENT: TO APPROVE THE PURCHASE OF A REPLACEMENT VIDEO CONFERENCING UNIT IN THE COURTROOM.

WHEREAS, for several years the Langlade County Circuit Court has utilized a video conferencing system which allows individuals to appear in court proceedings from remote locations; and

WHEREAS, recently the video conferencing system has become inoperable and is in need of replacement; and

WHEREAS, the use of a video conferencing system greatly reduces the costs to the County of transporting defendants and prisoners (incarcerated in the Langlade County Jail and other correctional facilities) to and from court hearings; and

WHEREAS, the use of a video conferencing system also allows Judges and other court personnel to preside over and participate in hearings held in the Langlade County Circuit Court from other locations; and

WHEREAS, if the video conferencing system meets the technical and operational standards set forth in Section 885.54, Wis. Stats., then the Circuit Court can require that the system be used in a variety of civil and criminal proceedings; and

WHEREAS, the County has consulted with the District Court Administrator to determine the type of video conferencing equipment recommended by the State; and

WHEREAS, the costs to replace the video conferencing equipment in the large courtroom of the Circuit Court with the equipment recommended by the State is \$7,239.

NOW THEREFORE, BE IT RESOLVED, by a majority vote of the Langlade County Board of Supervisors to authorize the purchase of the video conferencing equipment for the courtroom, with the funds coming from the Contingency Account.

FINANCE COMMITTEE

George Bornemann
Jerrold L. Burns
Judy Karpf
Ronald Nye
David J. Solin

FISCAL NOTE: Total purchase price of the video conferencing system will be \$7,239, and will come from the Contingency Account (100.00.511001.0000.0000).

Motion was made by Supervisor Bornemann, seconded by Supervisor Nye, to adopt.

On call of the roll to adopt Resolution #19-2012, all Supervisors present voted aye. Resolution #19-2012 is adopted.

RESOLUTION # 20-2012

INTRODUCED BY: PERSONNEL AND EXECUTIVE COMMITTEES

INTENT: ADOPT EMPLOYEE HANDBOOK

WHEREAS, effective January 1, 2013, the Budget Repair Bill (2011 Acts 10 and 32) will apply to four of the five unions representing Langlade County employees; and

WHEREAS, with the exception of protective occupation participant status (POPS) employees, the County is prohibited from collective bargaining with unions on any matters other than wages; and

WHEREAS, with the implementation of the Budget Repair Bill, the terms and conditions of employment previously addressed in the union contracts will now be set forth within an Employee Handbook; and

WHEREAS, the task of drafting a new Employee Handbook that covers all applicable union employees, in addition to non-union employees, was assigned to a work group consisting of department heads along with the Chairman of the Personnel Committee; and

WHEREAS, during the drafting process, the work group considered input from many sources, including but not limited to: County Board Supervisors, the Wisconsin Counties Mutual Insurance Corporation Budget Repair Bill Consortium, Wisconsin Counties Association legal counsel (Phillips Borowski law firm), handbooks used in both the private and public sector, and County employees and management staff; and

WHEREAS, rather than simply copy an existing handbook, the work group tailored a handbook to fit the terms and conditions of employment with Langlade County and the goals and objectives of the work group, including but not limited to: reducing the cost of delivering government services and enhancing the efficiency of County government operations; and

WHEREAS, the implementation of the new Employee Handbook will reduce costs while enhancing efficiency because the Handbook provides management with the ability to determine work schedules, assign work as needed, and limit compensation to amounts required by law (i.e., Fair Labor Standards Act); and

WHEREAS, the Committees recommend adopting the Employee Handbook* at this time since provisions of this Handbook will be used in preparation of the 2013 budget and will establish "internal comparables" for collective bargaining with the Langlade County Law Enforcement Association; and

WHEREAS, after its adoption, the Employee Handbook may be further revised by action of the Personnel Committee or the County Board.

NOW THEREFORE, BE IT RESOLVED, by the Langlade County Board of Supervisors to adopt a new Employee Handbook* for implementation on January 1, 2013.

(*Note: Copies of the Employee Handbook were previously made available to County Board members and additional copies are available by contacting the Finance Department.)

PERSONNEL COMMITTEE

James R. Jansen
George Bornemann

EXECUTIVE COMMITTEE

David J. Solin
Eugene Kamps
Douglas Nonnenmacher
Ronald M. Nye

FISCAL NOTE: The implementation of the new Employee Handbook, will allow the County to save costs based upon the ability of management to determine work schedules, assign work as needed, and limit compensation to amounts required by law (i.e., Fair Labor Standards Act). The implementation of the terms and conditions of employment set forth in the new Handbook will reduce personnel costs, including but not limited to, overtime payments and employee payouts for accrued benefits at the time of retirement. Overall, this new Handbook will generate savings to the County.

Motion was made by Supervisor Bornemann, seconded by Supervisor Schultz, to adopt.

Motion was made by Supervisor Dahms to send this back to Committee for 30 days for more study and discussion, seconded by Supervisor Hurlbert. All ayes, except one no, the motion carried. Resolution #20-2012 is sent back to Committee.

Administrative Coordinator’s Report:

Corporation Counsel Robin Stowe explained some of the updates to the Employee Handbook and the Work Policies.

Committee Reports:

Supervisor Karpf reported for the Humane Society. They appreciate any volunteer help that is available.

Supervisors McKinney-Rice and Burns have attended the recent ADRC-CW meeting. The cap has been lifted on the Family Care enrollment cap. The Senior Citizens Craft Shop is open for business.

Supervisor Schultz reported the 4-H Youth Development Agent position will be reposted and advertised. Dawn Doperalski agreed to come back part time in the interim.

Motion was made by Supervisor Klimoski to adjourn the meeting at 9:30 a.m., seconded by Supervisor Hurlbert. All ayes, the motion carried.

I, Kathryn Jacob, Langlade County Clerk, Antigo, Wisconsin, do hereby certify that the foregoing is a true and correct copy of the proceedings of the Langlade County Board of Supervisors Monthly Meeting of March 20, 2012.

Kathryn Jacob
Langlade County Clerk

Dated this 23rd day of March, 2012.
