

This meeting of the Vilas County Board of Supervisors was held in the conference rooms located in the Vilas County Courthouse, 330 Court Street, Eagle River, WI.

County Board Chairman Stephen Favorite called the assembly to order at 9:00 A.M. and instructed the Clerk to read aloud and insert into the minutes the following: A Public meeting notice was given to the public by posting on the bulletin boards in the hall by the main entrance to the Vilas County Courthouse, Olson Memorial Library and Eagle River City Hall. The Vilas County News-Review; the Rhinelander Daily News; the Lakeland Times; the Ironwood Daily Globe; W.E.R.L. Radio; W.R.J.O. Radio; W.L.S.L Radio; W.H.D.G. Radio; and Channel 12 TV were notified on January 15, 2009 more than twenty-four hours prior to the meeting. The Clerk then requested that all present silence their cell phones and pagers for the duration of the meeting.

The Chairman asked all in attendance to stand for the Pledge of Allegiance.

Roll call found the following members present: Emil Bakka, Alden Bauman, Maynard Bedish, James Behling, Edward Bluthardt, Jr., Gene Ciszek, Ronald De Bruyne, Bob Egan, Jack Harrison, Sig Hjemvick, Leon Kukanich, Christopher Mayer, Mary Platner, Fred Radtke, Charles Rayala, Jr., Kathleen Rushlow, Ralph J. Sitzberger, Erv Teichmiller, Linda Thorpe and Stephen Favorite. Dennis Nielsen was previously excused. The Clerk reported 20 Supervisors, constituting a quorum of the County Board, in attendance.

The Chairman then called for the following motions:

Motion by C. Rayala, seconded by A. Bauman to approve the agenda to be discussed in any order at the Chair=s discretion. All voted aye. Carried.

Motion by L. Thorpe, seconded by K. Rushlow to approve the minutes of the January 20, 2009 meeting as presented. All voted aye. Carried.

Motion by C. Rayala, seconded by L. Thorpe to omit the reading of all resolutions and ordinances by the Clerk, unless requested from the floor. All voted aye. Carried.

Motion by G. Ciszek, seconded by R. Sitzberger to suspend the rules to act on any resolution or ordinance received after the 10 day deadline, but received in time to list to the press and post. All voted aye. Carried.

Vilas County Musky Marathon Presentation - At 9:06 A.M., Cindy Burzinski, Vilas County Tourism & Promotion Department Director, began the annual Vilas County Musky Marathon awards presentation. A power point slide show was followed by awards given to the participants in attendance. This presentation concluded at 9:30 A.M.

AIS /TIS Program Report b Ted Ritter - Aquatic Invasive Species Coordinator Ted Ritter gave a report detailing actions taken to mitigate AIS and TIS infestations in Vilas County. This report concluded at 9:52 A.M.

Presentation of Employee Recognition Certificates - Public Health Director Gina Egan and County Board Chairman Stephen Favorite began the annual Employee Recognition Award presentation, where county employees with 5 to 35 years of service were recognized for their service to Vilas County. This presentation concluded at 10:07 A.M.

EPCRA Computer / Hazmat Grant - This agenda item was postponed until a future meeting.

The Board then acted on all resolutions and ordinances in the order as posted.

ALL RESOLUTIONS AND ORDINANCES, IN THEIR ENTIRETY, ARE ON FILE IN THE COUNTY CLERK=S OFFICE.

RESOLUTION 2009 - 11

RE: Vilas County Outdoor Recreation Plan

WHEREAS, Vilas County along with the Towns of Arbor Vitae, Boulder Junction, Cloverland, Conover, Lac du Flambeau, Land O=Lakes, Lincoln, Manitowish Waters, Phelps, Plum Lake, Presque Isle, St. Germain, Washington, Winchester, and the City of Eagle River, all located in Vilas County, have invested considerable time and resources through the years to develop outdoor recreation facilities for the residents and visitors; and

WHEREAS, the demand for a variety of outdoor recreation activities is increasing; and

WHEREAS, the Vilas County Forestry, Recreation, & Land Committee directs the development and maintenance of the County Forest, Parks, & recreation facilities; and

WHEREAS, numerous individuals and organizations utilize these facilities for a wide range of outdoor recreation programs and activities; and

WHEREAS, outdoor recreation facilities are important amenities supporting the tourism industry; and

WHEREAS, an approved Five Year Outdoor Recreation Plan is essential for the County and Towns to be eligible to apply for the Wisconsin Department of Natural Resources Land & Water Conservation Fund, Stewardship Programs and other competitive grant in aid programs; and

WHEREAS, Vilas County=s Five Year Outdoor Recreation Plan was developed for Vilas County and the Townships of Arbor Vitae, Boulder Junction, Cloverland, Conover, Lac du Flambeau, Land O=Lakes, Lincoln, Manitowish Waters, Phelps, Plum Lake, Presque Isle, St. Germain, Washington, and Winchester, by the Vilas County Forestry, Recreation, & Land Department with input from local citizens, organizations, and town and county officials and has been reviewed by the Wisconsin Department of Natural Resources.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March, 2009 that the Vilas County Five Year Outdoor Recreation Plan for the years 2008-2012 is hereby approved and shall be submitted with this resolution to the Wisconsin Department of Natural Resources.

Submitted by: **Forestry, Recreation & Land Committee**

s/ Stephen Favorite, Chair

s/ Bob Egan

s/ Leon Kukanich

Fred Radtke

s/ Sig Hjemvick

s/ Ralph J. Sitzberger

Motion by R. De Bruyne, seconded by S. Hjemvick to adopt. Discussion. Motion by R. De Bruyne, seconded by S. Hjemvick to amend the resolution, by instructing the Forestry Department to correct the errors and omissions contained within the Outdoor Recreation Plan pertaining to the Town of Arbor Vitae as discussed. All voted aye. Amendment carried. All voted aye on the resolution as amended. Carried.

RESOLUTION 2009 - 12

RE: Hiring One Part Time Correction Officer Due to a Vacancy

WHEREAS, the Vilas County Sheriff=s Department has fifteen Corrections Officers assigned to the Jail Division within the Department; and

WHEREAS, the Vilas County Sheriff has one vacant part-time Corrections Officer position due to one staff member filling an open Deputy Sheriff position; and

WHEREAS, this position needs to be filled, as it is critical to the operation of the Sheriff=s Department to meet the agency=s statutory obligations in the protection of persons and property and maintaining jail operations; and

WHEREAS, the Vilas County Sheriff requests authorization to hire one Corrections Officer for this vacant position; and

WHEREAS, the starting wage for a Corrections Officer position is \$14.50 in wages, with a work schedule of approximately 15 hours per week, all of which is included in the

current Sheriff=s Department CY2009 Budget; and

WHEREAS, a three-fourths (3/4) majority vote of the Board of Supervisors is necessary for filling a vacancy in a department.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March, 2009, that the Vilas County Sheriff is authorized to fill the vacant Corrections Officer position within the Department as outlined above.

Submitted by: **Law Enforcement & Emergency Management Committee**

s/ Robert Egan, Chair
s/ Sigurd Hjemvick
s/ Jack Harrison
s/ Alden Bauman
s/ Edward Bluthardt

Motion by E. Bluthardt, seconded by R. De Bruyne to adopt. Discussion. A : positive majority vote is required for adoption. Motion by R. De Bruyne, seconded by C. Rayala to amend the resolution as follows:

Line #8) add part time before the job title - Corrections Officer.

Line #10) add part time before the job title - Corrections Officer.

Line #17) add part time before the job title - Corrections Officer.

Discussion. 16 voted aye on the amendment. 4 voted nay: A. Bauman, E. Bluthardt, B. Egan and S. Hjemvick. Amendment carried. 19 voted aye on the resolution as amended. 1 voted nay: B. Egan. Carried.

RESOLUTION 2009 - 13

RE: Transfer from General Fund for Courthouse Entrances Safety Study

WHEREAS, the Public Property Committee desires to conduct an engineering study of the 1936 Courthouse building front main and west end entrances regarding safety concerns and ADA compliance standards; and

WHEREAS, the Public Property Committee has accepted a proposal from Hunter Engineering & Design, Inc. of Eagle River, Wisconsin, in the amount of \$2,250.00 to conduct said study; and

WHEREAS, there are no funds currently budgeted to cover this expense; and

WHEREAS, a 2/3 majority vote by the County Board is required to transfer funds from the General Fund.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March, 2009 that \$2,250.00 be transferred from the General Fund and deposited into an Outlay Expense Account for the purpose of funding the proposed study .

Submitted by: **Public Property Committee**

s/ Ron De Bruyne, Chair
s/ Maynard Bedish
s/ Charles Rayala, Jr.
s/ Kathleen Rushlow
s/ Linda Thorpe

Motion by R. De Bruyne, seconded by L. Thorpe to adopt. Discussion. A b majority positive vote is required for adoption. 16 voted aye. 4 voted nay: A. Bauman, J. Behling, S. Hjemvick and E. Teichmiller. Carried.

RESOLUTION 2009 - 14

RE: Economic Support Worker Position Vacancies

WHEREAS, due to a resignation and an anticipated retirement in 2009 in Social Service=s, there will be two vacancies in the Economic Support Worker position; and

WHEREAS, due to the six month state economic support training period associated

with these positions, it is requested that the Social Services Board post and hire two candidates for the economic support worker for up to six months prior to the retirement date in order to allow an adequate training period for the new economic support worker; and

WHEREAS, the duties of these positions include but are not limited to determining eligibility for a variety of economic support programs, such as Medical Assistance, Food Share and Energy Assistance (see attached job description); and

WHEREAS, those positions are paid for with 81.25% State/Federal funds and 18.75% County funds; and

WHEREAS, these positions need to be filled, as it is critical to the operation of Social Services to meet the agency=s statutory obligations in economic support and to provide valuable services to Vilas County citizens; and

WHEREAS, the annual compensation for each position is \$26,764.43 in wages and \$26,973.62 in benefits, including family health insurance coverage, for a total of \$53,803.09 for each position; all of which is in the Department=s 2009 budget; and

WHEREAS, the additional cost of hiring an economic support worker for six months is \$12,142.13 in wages and \$13,207.05 in benefits, for a total of \$25,349.18 for each position and these amounts are also included in 2009 Social Services budget: and,

WHEREAS, a three-quarters (3/4) majority vote of the Board of Supervisors is necessary for filling a vacancy in a department.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March, 2009 that the Social Services Board is authorized to hire two new Economic Support Workers as described above, in accordance with the County=s applicable hiring policies.

Submitted by: **Social Services Board**

s/ Alden Bauman, Chair

s/ Leon Kukanich

s/ Emil Bakka

s/ Christopher Mayer

s/ Erv Teichmiller

Motion by A. Bauman, seconded by L. Kukanich to adopt. Discussion. A : majority positive vote is required for adoption. All voted aye. Carried.

RESOLUTION 2009 - 15

RE: Economic Support Worker Fifth Position Vacancy

WHEREAS, the economic support unit=s workload has increased due to changes in eligibility and the economic recession; and

WHEREAS, a fifth Economic Support worker position has been held open by Resolution 1999-4; and

WHEREAS, the duties of this position include but are not limited to determining eligibility for a variety of economic support programs, such as Medical Assistance, Food Share and Energy Assistance (see attached job description); and

WHEREAS, the position is paid for with 81.25% State/Federal funds and 18.75% County funds; and

WHEREAS, this position needs to be filled, as it is critical to the operation of Social Services to meet the agency=s statutory obligations in economic support and to provide valuable services to Vilas County citizens; and

WHEREAS, the annual compensation for this position is \$26,764.43 in wages and \$26,973.62 in benefits, including family health insurance coverage, for a total of \$53,803.09, half of which is in the Department=s 2009 budget; and

WHEREAS, a three-quarters (3/4) majority vote of the Board of Supervisors is necessary for filling a vacancy in a department.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March, 2009 that the Social Services Board is authorized to hire one new Economic Support Worker as described above, in accordance with the County=s applicable hiring policies, with a start date of July 1, 2009.

Submitted by: **Social Services Board**

March 24, 2009

s/ Alden Bauman, Chair
s/ Leon Kukanich
s/ Emil Bakka
s/ Christopher Mayer
s/ Erv Teichmiller

Motion by S. Hjenvick, seconded by M. Platner to adopt. Discussion. A : majority positive vote is required for adoption. All voted aye. Carried.

RESOLUTION NO. 2009 - 16

RE: Adding Safety Management to Emergency Management Director Duties/Salary Increase

WHEREAS, it has been determined that it is in the best interests of Vilas County to add safety program duties to the Emergency Management Director=s job description; and

WHEREAS, the Vilas County Board of Supervisors considers safety the number one priority in the working environment of its employees; and

WHEREAS, currently all safety matters are handled individually by each department head under the umbrella of the Loss Control Committee; and

WHEREAS, the Emergency Management Director will be able to implement more comprehensive safety programming for Vilas County to comply with local, state and federal rules and regulations (see attached job description); and

WHEREAS, the Personnel and Finance & Budget Committees recommend that an additional \$5,000.00 be added to the Emergency Management Director=s 2009 salary, effective April 1, 2009, along with applicable benefits (see attached) for the additional duties of implementing and managing a comprehensive safety program for Vilas County government; and

WHEREAS, 50% (\$2,500.00) of this salary increase will be reimbursed to the County through the Emergency Management Performance Grant and the EPCRA Planning Grant; and

WHEREAS, a two-thirds vote of the County Board of Supervisors is required for a transfer of money from the General Fund.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March, 2009 that effective April 1, 2009, the Emergency Management Director=s 2009 salary shall be increased by \$5,000.00 along with applicable benefits as outlined on the attachment in order to compensate that position for additional safety program duties, resulting in a salary of \$48,709.00 for the remainder of 2009 for said position.

BE IT FURTHER RESOLVED that \$4,801.72 be transferred from the General Fund into the Emergency Management Director=s 2009 salary line item.

BE IT FURTHER RESOLVED that the Personnel Committee will review the Vilas County Safety Program on a monthly basis and report its findings to the full County Board at the September 2009 meeting.

Submitted by:
Personnel Committee

s/ Kathleen Rushlow, Chair
s/ Linda L. Thorpe
s/ James Behling
s/ Bob Egan
s/ Sig Hjenvick

Submitted by:
Finance & Budget Committee

s/ Kathleen Rushlow, Chair
s/ Christopher Mayer
s/ Charles Rayala, Jr.
s/ Linda L. Thorpe
s/ Steve Favorite

Motion by K. Rushlow, seconded by L. Thorpe to adopt. Discussion. A b majority positive vote is required for adoption. Motion by K. Rushlow, seconded by L. Thorpe to amend the resolution to read as follows:

Line # 25) into the Emergency Management Directors 2009 salary and benefit line items. Discussion. All voted aye. Amendment carried.

Motion by F. Radtke, seconded by L. Kukanich to amend the resolution by removing all language pertinent to granting an increase of salary and benefits regarding the Safety Management position. Discussion. 4 voted aye on the amendment: A. Bauman, M. Bedish, L. Kukanich and F. Radtke. 16 voted nay. Amendment defeated. Roll call vote requested. 14 voted aye to adopt the resolution as amended: E. Bakka, J. Behling, E. Bluthardt, G. Cizek, R. De Bruyne, B. Egan, S. Hjenvick, M. Platner, C. Rayala, K. Rushlow, R. Sitzberger, E. Teichmiller, L. Thorpe and S. Favorite. 6 voted nay: A. Bauman, M. Bedish, J. Harrison, L. Kukanich, C. Mayer and F. Radtke. Carried.

At 11:00 A.M. the Chairman called for a five minute recess. The meeting resumed at 11:05 A.M.

RESOLUTION 2009 - 29

RE: CodeRED (Emergency Communications Network, Inc.

WHEREAS, the Vilas County Sheriff and Emergency Management Director have identified a system that will allow Vilas County to provide high-speed emergency alert system; and

WHEREAS, the Emergency Communications Network, Inc., CodeRED system allows subscribers to provide their emergency broadcast via a secure Internet Portal 24/7. CodeRED maintains its own infrastructure, with no third party involvement, and is completely independent. CodeRED maintains a national calling database, that will integrate the data (like 911) and make it very easy to add additional cell phone and unlisted calling data; and

WHEREAS, the CodeRED System will provide Vilas County a very effective communications tool during weather events, road closings, fires, and other emergency situations. CodeRED allows a client to communicate a pre-recorded emergency message at a rate of 1,000 calls per minute. Calling populations can be selected via a map interface and/or from a preselected calling list; and

WHEREAS, the total annual cost to subscribe to the CodeRED system is \$10,000.00. The prorated cost for the remaining nine months of 2009 will be \$7,500.00, which is not included in the Emergency Management=s 2009 budget; and

WHEREAS, a 2/3rds majority vote of the Board of Supervisors is required for a transfer of funds from the General Fund.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March, 2009 that the Vilas County Emergency Management Director is authorized to purchase the CodeRED System, provided by Emergency Communications Network, Inc.

BE IT FURTHER RESOLVED that \$7,500.00 be transferred from the General Fund into the appropriate Emergency Management Department line item for the purpose of funding the CodeRED system for the remainder of 2009.

Submitted by: **Law Enforcement & Emergency Management Committee**

s/ Robert Egan, Chair
s/ Sigurd Hjenvick
s/ Alden Bauman
s/ Edward Bluthardt, Jr.
s/ Jack Harrison

Motion by E. Bluthardt, seconded by L. Thorpe to adopt. Discussion. A b majority positive vote is required for adoption. All voted aye. Carried.

RESOLUTION 2009 - 17

RE: Report for Denial-Resort of the Woods Petition for Map Amendment to Shoreland-Wetland District

WHEREAS, a petition was submitted by Resort of the Woods, Joseph Keyzers, President and received by the Vilas County Zoning Office on June 19, 2008 to amend the official Vilas County Shoreland-Wetland District Map for a portion of wetland in Section 17, Town 42 North, Range 7 East, Town of Boulder Junction, Vilas County, Wisconsin from wetland to non-wetland status; and

WHEREAS, publication of a Class 2 notice was made as required by Chapter 985 of the Wisconsin Statutes, and a copy the notice was mailed by registered mail to the Town Clerk of Boulder Junction at least 10 days prior to the hearing, proof of which is attached hereto; and

WHEREAS, the Vilas County Zoning Committee held a public hearing as required by Wis. Stat. ' 59.69(5)(e)(2) at the Boulder Junction Town Hall, Boulder Junction, Wisconsin on September 5, 2008 at 9:00 a.m., at which time the public was invited to attend and be

heard; and

WHEREAS, a copy of the Town Board minutes received on August 11, 2008 from the Boulder Junction Town Clerk was read into the record indicated that the Town Board had no objection to granting the request contingent upon neighbor input; and

WHEREAS, the Vilas County Zoning Committee, after hearing public opinion at the public hearing, recommended approval of the petition for map amendment contingent upon the Department of Natural Resource=s (DNR) approval of the wetland certification process; and

WHEREAS, on February 11, 2009, the Department of Natural Resource=s water quality certification was reversed by Order of a State Administrative Law Judge; and

WHEREAS, the Vilas County Zoning Committee hereby recommends denial of the petition for rezoning of said parcel out of wetland status for the following reason: The DNR has determined that the proposed map amendment may result in a significant adverse impact upon the wetland at issue and the water quality certification has been denied.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March, 2009 that the Resort of the Wood=s petition for map amendment to the shoreland-wetland district is denied.

Submitted by: **Zoning Committee**

s/ Christopher Mayer, Chair

s/ Jack Harrison

s/ Bob Egan

Fred Radtke

s/ Maynard Bedish

Motion by C. Rayala, seconded by C. Mayer to adopt. Discussion. 18 voted aye. 2 nay votes: R. De Bruyne and C. Rayala. Carried.

RESOLUTION 2009 - 30

RE: Clerk of Court Administrative Secretary A Positions

WHEREAS, the Clerk of Circuit Court has two vacancies in the Administrative Secretary A positions; and

WHEREAS, these positions provide essential clerical, secretarial and administrative support to the Clerk of Circuit Court (see attached job description); and

WHEREAS, the Finance Committee has approved and recommends that these two positions be filled; and

WHEREAS, the hourly starting wage for each position is \$12.36 and the total annual cost for wages and benefits is \$52,027.52 (salary of \$26,328.38 and \$25,699.14 in fringe benefits), for each position, all of which is included in the approved 2009 Department Budget; and

WHEREAS, a three-fourths (3/4) majority vote of the Board of Supervisors is necessary for filling a vacancy in the department.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March, 2009, that the Personnel Committee is authorized to hire two individuals for the Clerk of Court Administrative Secretary A positions.

Submitted by: **Finance & Budget Committee**

s/ Kathleen Rushlow, Chair

s/ Christopher Mayer

s/ Charles Rayala, Jr.

s/ Linda L. Thorpe

s/ Stephen Favorite

Motion by C. Rayala, seconded by K. Rushlow to adopt. Discussion. All voted aye. Carried.

RESOLUTION 2009 - 18

RE: Project Lifesaver Fiscal Agent

WHEREAS, pursuant to Resolution 2008-85, the Vilas County Board of Supervisors approved the Sheriff to partner with the Project Lifesaver Steering Committee to solicit funds for Project Lifesaver; and

WHEREAS, the Vilas County Project Lifesaver Steering Committee has been awarded funds from the Helen Bader Foundation, Inc. and the Howard Young Foundation for equipment acquisition and personnel training necessary to provide Project Lifesaver capabilities to the citizens of Vilas County; and

WHEREAS, the Project Lifesaver Steering Committee provides project oversight, pursuing grant opportunities as well as soliciting funds from community based service organizations and the community at large, and the Selection Committee interviews prospective candidates for the services offered by the project and selects those who will participate (see attached Project chart); and

WHEREAS, the Vilas County Sheriff and Project Lifesaver Steering Committee request Vilas County, through the County Finance Committee, to act as the fiscal agent for Project Lifesaver; and

WHEREAS, the fiscal agent would be responsible for holding all project funds and processing payment accordingly; and

WHEREAS, the Vilas County Project Lifesaver Steering Committee has requested to have a Vilas County Board Supervisor appointed to serve on the steering committee.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March, 2009 that Vilas County, through the County Board Finance Committee, will act as fiscal agent for Vilas County Project Lifesaver.

BE IT FURTHER RESOLVED that the County Clerk is authorized to create a revenue and expense line item for Project Lifesaver within the Emergency Management Department=s budget.

BE IT FURTHER RESOLVED that the County Board Chair is authorized to appoint a County Board Supervisor to the Project Lifesaver Steering Committee.

Submitted by: **Local Emergency Planning Committee**

s/ Kathleen Rushlow, Chair

Motion by E. Bluthardt, seconded by L. Kukanich. Discussion. All voted aye. Carried.

RESOLUTION 2009 - 19

RE: An Act to create 94.643 of the Wisconsin Statutes; relating to: restrictions on the use and sale of fertilizer containing phosphorus and other turf fertilizer and providing a penalty. (2009 AB3 and SB5)

WHEREAS, Vilas County=s lakes and rivers are important natural resources used by the public for recreation and enjoyment of natural beauty; and

WHEREAS, Vilas County is known for the high quality of its lakes, rivers, and streams; and

WHEREAS, a large portion of Vilas County=s economy is based on taxes collected from riparian landowners, water-based recreation, and tourism; and

WHEREAS, the majority of the soils found throughout Wisconsin contain adequate amounts of available phosphorus to grow a healthy lawn; and

WHEREAS, runoff from a lawn can carry up to eight times more phosphorus than from a similarly sized wooded area; and

WHEREAS, a single pound of phosphorus in runoff can cause 500 pounds of algae growth, and the accelerated growth of aquatic vegetation and algae causes deterioration of water quality; and

WHEREAS, lawn fertilizers without phosphorus have been shown to be effective in maintaining healthy lawns and are readily available at most local retail stores at a comparable price; and

WHEREAS, two of the primary goals listed in Vilas County=s current Land and Water Resource Management Plan are to *protect and enhance Vilas County=s lakes, rivers, and other natural resources* and *protect surface and groundwater from pollutant and nutrient inputs*; and

WHEREAS, the Wisconsin Assembly approved 2009 AB3 (see attached) on

March 24, 2009

February 24, 2009 by a vote of 96 to 0 and the Senate Environment committee has already held a public hearing on Companion Bill S5; and

WHEREAS, two counties already have a county-wide ordinance banning phosphorus in lawn fertilizers; 32 cities/villages/towns have passed phosphorus law fertilizer ordinances; 11 counties, 7 local governments and 27 state-wide and local groups have passed resolutions supporting a state-wide ban.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March, 2009, that we support the passage of the proposed statewide law as set forth in 2009 AB 3 for the reasons stated above.

BE IT FURTHER RESOLVED that copies of this resolution be provided to Governor Jim Doyle, Wisconsin DNR Secretary Matt Frank, Wisconsin DATCP Secretary Rod Nilsestuen, Senator Jim Holperin and State Representative Dan Meyer.

Submitted by: **Land and Water Conservation Committee**

s/ Kathleen Rushlow, Chair

s/ Gene Ciszek, Vice Chair

s/ Mary Platner

s/ Erv Teichmiller

Ralph Sitzberger

Motion by C. Rayala, seconded by E. Bluthardt to adopt. Discussion. All voted aye. Carried.

RESOLUTION NO. 2009 - 20

RE: Public Participation Plan (PPP)

WHEREAS, Vilas County is required to prepare and adopt a Comprehensive Plan as outlined in Wis. Stat. ' 66.1001; and

WHEREAS, public participation is critical for the development of a sound plan; and

WHEREAS, it is necessary for the County Board of Supervisors to approve a process to involve the public in the planning process; and

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March 2009, that we approve and authorize the Public Participation Plan as attached to this resolution.

Submitted by:

s/ Stephen Favorite,
County Board Chair

Motion by L. Thorpe, seconded by R. Sitzberger to adopt. Discussion. All voted aye. Carried.

RESOLUTION 2009 - 21

RE: Board of Adjustment Appeal Fee Increase

WHEREAS, the Vilas County Board of Adjustment, in accordance with section 59.69 of the Wisconsin Statutes, is requesting to revise the Vilas County Zoning Fee Schedule by increasing the Board of Adjustment Appeal fee from \$550.00 to \$775.00; and

WHEREAS, a public hearing was called to receive input on the proposed revision, and a Class II notice was published pursuant to state law, at least 10 days prior to the public hearing; and

WHEREAS, on February 26, 2009 the Vilas County Board of Adjustment held a public hearing at the St. Germain Community Center at 12:00 p.m. on the proposed revision, at which time the public had an opportunity to attend and be heard; and

WHEREAS, after the public hearing and further consideration, the Board of Adjustment recommends that the Board of Supervisors approve the proposed revision to the Board of Adjustment Appeal fee, which is attached hereto and incorporated by reference; and

WHEREAS, the proposed revision to the Vilas County Zoning Fee Schedule shall

become effective upon passage and publication as provided by law.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March, 2009 that the attached revision to the Vilas County General Zoning Ordinance Fee Schedule is approved.

Submitted by:

s/ Stephen Favorite

Motion by R. Sitzberger, seconded by E. Bakka to adopt. Discussion. Motion by S. Favorite, seconded by C. Rayala to amend the motion as follows:

Line #3) √Board of Adjustment Appeal fee from \$550.00 to ~~\$775.00~~ \$750.00.

18 voted aye on the amendment. 2 voted nay: R. De Bruyne and E. Teichmiller. Amendment carried. 14 voted aye on the resolution as amended. 6 voted no: A. Bauman, J. Behling, E. Bluthardt, R. De Bruyne, S. Hjemvick and E. Teichmiller. Carried.

RESOLUTION 2009 - 22

RE: 2009 County Veterans Service Officer Grant

WHEREAS, Vilas County is eligible to receive grant monies through the Wisconsin Department of Veterans Affairs to improve services to Vilas County veterans (see attached letter of explanation); and

WHEREAS, this grant will allow the Vilas County Veterans office to provide a vital and efficient system of services and advocacy for veterans, their dependents and their survivors, and to be the primary point of contact for veterans who seek assistance with local, state and federal veteran benefits ; and

WHEREAS, Vilas County is eligible to receive up to \$10,000.00 through this grant.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March, 2009 that the Vilas County Veterans office is authorized to file an application for a 2009 County Veterans Service Officer Grant in order to improve services to Vilas County veterans.

BE IT FURTHER RESOLVED that the Veterans Service Officer through the Legislative & Judicial Committee, is authorized to apply for the County Veterans Service Officers Grant on an annual basis without further County Board approval, as long as the terms and conditions of the grant remain unchanged, and no matching funds are required.

Submitted by: **Legislative & Judicial Committee**

s/ Christopher Mayer, Chair

s/ Gene Ciszek

s/ James Behling

s/ Stephen Favorite

s/ Sig Hjemvick

Motion by C. Rayala, seconded by C. Mayer to adopt. Discussion. All voted aye. Carried.

RESOLUTION 2009 - 23

RE: Amendment of Standing Rules for Vilas County

WHEREAS, the Legislative and Judicial Committee has re-evaluated the Standing Rules and Committee Duties of the Vilas County Board of Supervisors in force at the present and deems it necessary to further update them to increase efficiency and service to the citizens of the County.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March, 2009 that the attached changes to the Standing Rules and Committee Duties for the Local Emergency Planning Committee be adopted effective immediately.

BE IT FURTHER RESOLVED, that any resolutions adopted by the County Board in the past governing the subject matter of this resolution are hereby rescinded and repealed.

Submitted by: **Legislative & Judicial Committee**

s/ Christopher Mayer, Chair
s/ Gene Ciszek
s/ James Behling
Stephen Favorite
s/ Sig Hjemvick

Motion by J. Harrison, seconded by L. Kukanich to adopt. Discussion. Motion by C. Mayer, seconded by E. Bluthardt to postpone consideration of this resolution until the next County Board meeting. All voting aye to postpone. Carried.

RESOLUTION 2009 -24

RE: Vilas County Commission on Aging, Nutrition Program Boulder Junction Meal Site Manager Position Vacancy

WHEREAS, the Vilas County Commission on Aging has a vacancy in the Boulder Junction Meal Site Manager position; and

WHEREAS, this position provides for duties and responsibilities as set forth in the attached job description; and

WHEREAS, the Vilas County Commission on Aging has approved and recommends that this position be filled; and

WHEREAS, the hourly starting wage is \$9.82 and the total annual cost for wages and benefits is \$5,613.27 (wages \$4,595.76 and \$1,017.51 benefits), all of which is included in the approved 2009 Department Budget, and derives from Federal Funds; and

WHEREAS, a three-fourths (3/4) majority vote of the Board of Supervisors is necessary for filling a vacancy in the department.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March, 2009, that the Personnel Committee is authorized to hire an individual for the Boulder Junction Meal Site Manager position.

Submitted by: **Commission on Aging**

s/ Erwin G. Teichmiller, Chair	s/ Loyd Black
s/ Dennis Nielsen	s/ Shirley Haws
s/ Mary Platner	Donna Rollmann
s/ Betty Hansen	Chris Wise
s/ Betty Gussick	s/ June Wedell
Danielle Montgomery	

Motion by F. Radtke, seconded by L. Thorpe to adopt. Discussion. All voted aye. Carried.

RESOLUTION 2009 - 25

RE: Charge on Returned Checks for Non-Sufficient Funds

WHEREAS, the Finance Committee has reviewed the non-sufficient funds serve fee of \$25.00 set pursuant to Resolution No. 99-48 and recommends that said fee be revised to \$20.00 to offset costs incurred by the County in processing and re-processing these types of transactions.

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March, 2009 that the Vilas County Treasurer is authorized to charge a service fee of \$20.00 for all checked returned by financial institutions due to insufficient funds, effective immediately.

Submitted by: **Finance & Budget Committee**

s/ Kathleen Rushlow, Chair
s/ Christopher Mayer
s/ Charles Rayala, Jr.

s/ Linda L. Thorpe
s/ Stephen Favorite

Motion by C. Rayala, seconded by J. Harrison to adopt. Discussion. All voted aye. Carried

RESOLUTION 2009 - 26

RE: Cancel 2005 Taxes in the Town of Lac du Flambeau

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March, 2009 that the following 2005 taxes are hereby canceled and the Vilas County Clerk is instructed to charge the same back to the town:

TOWN OF LAC DU FLAMBEAU

SW SE, Sec. 9, T41N, R5E \$420.55
Reason: Assessor states this land had been treated as taxable lands in previous assessment years. However, it should be removed from the tax roll pending title search and conclusive findings relating to trust land status.
Computer Number: 010-2465

Submitted by: **Finance & Budget Committee**

s/ Kathleen Rushlow, Chair
s/ Christopher Mayer
s/ Charles Rayala, Jr.
s/ Linda L. Thorpe
s/ Stephen Favorite

Motion by L. Thorpe, seconded by C. Mayer to adopt. Discussion. All voted aye. Carried

RESOLUTION 2009 - 27

RE: Cancel 2008 Taxes in the Town of St. Germain

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March, 2009 that the following 2008 taxes are hereby canceled and the Vilas County Clerk is instructed to charge the same back to the town:

TOWN OF ST. GERMAIN

Parcel: Lot 1, 13CS273 \$898.74
Pt. Govt Lot 4, S35, T40N, R8E
Reason: Assessor was not informed that the structure on this property was destroyed by fire in 2007 and should have been removed from the 2008 assessment roll.
Computer Number: 024-2441-905

Submitted by: **Finance & Budget Committee**

s/ Kathleen Rushlow, Chair
s/ Christopher Mayer
s/ Charles Rayala, Jr.
s/ Linda L. Thorpe
s/ Stephen Favorite

Motion by C. Rayala, seconded by L. Kukanich to adopt. Discussion. All voted aye. Carried.

RESOLUTION 2009 - 28

Re: Cancel 2005, 2006 and 2007 Taxes in the Town of Land O=Lakes

NOW, THEREFORE, BE IT RESOLVED by the Vilas County Board of Supervisors in session this 24th day of March, 2009 that the following 2005, 2006 and 2007 taxes are hereby canceled and the Vilas County Clerk is instructed to charge the same back to the town:

TOWN OF LAND O=LAKES

Pt NE SE, Sec. 29, T43N, R9E 2005 B \$363.51
2006 - \$298.94

2007 - \$384.98

Reason: Assessor states there was an illegal assessment for the years 2005, 2006 and 2007 and said description was corrected for the 2008 tax year and was removed from the tax roll but assessor failed to notify the Vilas County Treasurer=s office.

Computer Number: 012-1288-01

Submitted by: **Finance & Budget Committee**

s/ Kathleen Rushlow, Chair
s/ Christopher Mayer
s/ Charles Rayala, Jr.
s/ Linda L. Thorpe
s/ Stephen Favorite

Motion by C. Rayala, seconded by E. Bakka to adopt. Discussion. All voted aye. Carried.

**General Code of Vilas County
ORDINANCE 2009 - 1A**

RE: Chapter 9 B Truancy Ordinance Amendment

WHEREAS, proposed amendments to Chapter 9 relating to truancy have been completed for review by County Board; and

WHEREAS, the Legislative and Judicial Committee recommends that Chapter 9 of the Vilas County General Code be amended as set forth on the attached pages.

NOW, THEREFORE, THE VILAS COUNTY BOARD OF SUPERVISORS IN SESSION THIS 24th DAY OF MARCH, 2009 DOES ORDAIN AS FOLLOWS:

Section 1: Any existing ordinances, codes, resolutions, or portions thereof that are in conflict with this ordinance shall be and are hereby repealed as far as any conflict exists.

Section 2: This ordinance shall take effect upon passage and publication as provided by law.

Section 3: If any claims, provisions, or portions of this ordinance are adjudged invalid or unconstitutional by a court of competent jurisdiction, then the remainder of this ordinance shall not be affected thereby.

Section 4: Chapter 9, Public Peace and Order, is hereby amended as set forth in the attached pages.

Submitted by: **Legislative & Judicial Committee**

s/ Chris Mayer, Chair
s/ Gene Ciszek
s/ Jim Behling
s/ Steve Favorite
s/ Sig Hjemvick

Motion by S. Hjemvick, seconded by C. Mayer to adopt. Discussion. All voted aye. Carried.

**General Code of Vilas County
ORDINANCE 2009 - 2A**

RE: Vilas County Smoke-Free Air Ordinance

WHEREAS, Vilas County government is committed to providing a safe, healthy, comfortable and productive environment for its employees and the public; and

WHEREAS, reports from the Surgeon General and the Environmental Protection Agency demonstrate that smoking contributes to the health problems of employees and members of the public exposed to smoke, both directly through deliberate use of smoking materials and indirectly to non-smokers through exposure to second-hand smoke; and

WHEREAS, the Legislative & Judicial Committee and Public Property Committee recommend creating a smoke-free air ordinance as set forth in the attached document to prohibit smoking at any time in all County-owned buildings and the majority of the grounds, with the exception of the Vilas County fairgrounds; and

WHEREAS, Wis. Stat. ' 101.123(2)(c) authorizes any county, city, village or town to

enact ordinances prohibiting smoking on county property.

NOW, THEREFORE, THE VILAS COUNTY BOARD OF SUPERVISORS IN SESSION THIS 24th DAY OF MARCH, 2009, DOES ORDAIN AS FOLLOWS:

Section 1: Any existing ordinances, codes, resolutions, or portions thereof that are in conflict with this ordinance shall be and are hereby repealed as far as any conflict exists.

Section 2: This ordinance shall take effect upon passage and publication as provided by law.

Section 3: If any claims, provisions, or portions of this ordinance are adjudged invalid or unconstitutional by a court of competent jurisdiction, then the remainder of this ordinance shall not be affected thereby.

Section 4: Chapter 2 of the Vilas County General Code, Vilas County Smoke-Free Air Ordinance, is hereby created as set forth in the attached document.

Submitted by:
Legislative & Judicial Committee

s/ Christopher Mayer, Chair
s/ Gene Ciszek
s/ Stephen Favorite
s/ James Behling
s/ Sig Hjemvick

Submitted by:
Public Property Committee

s/ Ron DeBruyne, Chair
s/ Charles Rayala, Jr.
s/ Maynard Bedish
s/ Kathleen Rushlow
s/ Linda L. Thorpe

Motion by C. Rayala, seconded by J. Harrison to adopt. Discussion. Motion by S. Favorite, seconded by L. Thorpe to correct an error on page 1 of the ordinance under 2.04 (5) as follows: The Public Property Committee may make modifications to the designated smoking areas listed in subsection ~~(4)~~ (3) above. All voted aye on the amendment. Amendment carried. Motion by S. Hjemvick, seconded by A. Bauman to postpone consideration of the ordinance as amended until the next County Board meeting for the purpose of obtaining further information. 9 voted aye to postpone. 11 voted nay. Motion to postpone defeated. Discussion. 19 voted aye on the ordinance as amended. 1 nay vote: R. Sitzberger. Carried.

Approval for 2009 List of Fire Wardens - Motion by S. Favorite, seconded by G. Ciszek to approve the list. All voted aye. Carried. C. Rayala abstained from voting on this item.

Appointments to the Human Service Center 51.42 Board **» Steve Favorite, Erv Teichmiller, Lisa Kunelius-Citizen Member** - Motion by K. Rushlow, seconded by L. Thorpe to approve the appointments. All voted aye. Carried.

Appointment to Project Lifesaver **» Linda Thorpe** - Motion by K. Rushlow, seconded by E. Bakka to approve the appointment. All voted aye. Carried.

Appointment to Restorative Justice **» Ron De Bruyne** - Motion by K. Rushlow, seconded by L. Thorpe to approve the appointment. All voted aye. Carried.

Annual Reports **» Forestry** - Motion by C. Rayala, seconded by R. Sitzberger to approve the Forestry Department report as presented. All voted aye. Carried.

Committee Reports

G. Ciszek reported on the UW-Extension Community Connection Survey, which is being conducted throughout the county. He encouraged all Board Members to fill out and turn in their survey forms.

E. Teichmiller reported on the ADRC Task Force Study Committee. Vilas County is one of several counties that will not be eligible for State funding until the 2011-2013 biennium. The study group has also recommended to Oneida County that the longstanding tri-county partnership continue into the future.

A. Bauman and J. Harrison reported that 50% funding had been secured from the B.I.A, allowing road improvements to take place on county trunk highways transecting the Lac du Flambeau reservation.

Letters and Communications

1. S. Favorite read cards of thanks sent to Vilas County regarding the recent adoption of In Memoriam resolutions for Fran Dussault and Ron Shuchart.
2. S. Favorite reported that hearings concerning the State budget would be held in various

March 24, 2009

parts of the State. He encouraged attendance by County Board members.

3. S. Favorite authorized attendance at a seminar given by Ruder & Ware that would be especially beneficial to new County Board members.

4. S. Favorite announced an upcoming meeting to be held in Rhinelander concerning public transportation issues.

5. M. Platner announced that a WCA hearing would be held in Tomahawk, WI, concerning upcoming legislative issues. The Highway Committee will attend this hearing.

Motion by C. Rayala, seconded by J. Harrison to approve payment of per diem. All voting aye. Carried.

E. Bakka \$83.00, A. Bauman \$103.35, M. Bedish \$58.25, J. Behling \$52.204 Bluthardt \$55.50, G. Ciszek \$89.60, R. De Bruyne \$83.00, B. Egan \$59.90, S. Favorite \$56.60, J. Harrison \$103.90, S. Hjermvick \$70.90, L. Kukanich \$55.505, C. Mayer \$93.34, M. Platner \$62.10, F. Radtke \$66.50, C. Rayala \$92.90, K. Rushlow \$53.85, R. Sitzberger \$77.505, E. Teichmiller \$78.05, L. Thorpe \$50.00.

Motion by C. Rayala, seconded by J. Harrison to adjourn. All voting aye. Carried.
Meeting adjourned at 12:54 P.M.

Prepared and submitted by:

David R. Alleman
Vilas County Clerk