

**REGULAR SESSION  
JULY 19, 2010**

The Trempealeau County Board of Supervisors met in Regular Session at the Government Center in the City of Whitehall, County of Trempealeau and State of Wisconsin on Monday, July 19, 2010 at 7:01 p.m. with Chair Wally Geske presiding. The Pledge of Allegiance to the Flag of the United States of America was recited led by Chair Geske.

CALL

Dear Supervisor,

Please be advised that the Trempealeau County Board of Supervisors will meet at 7:00 p.m. on July 19, 2010 in the County Board Room. All County Board Members' Claims are due in the County Clerk's Office by noon on July 6, 2010 so they can be prepared for Audit Committee approval.

Sincerely,  
/s/ Paul L. Syverson  
County Clerk

It was moved by Hensel Vold and seconded by Robert Duellman to accept the Call as read; this was unanimously carried by acclamation.

Roll was called. A quorum was met with all 17 supervisors in attendance.

Chair Geske announced the open meeting law requirements have been complied with by postings and notifications to the members and media.

ADOPTION OF THE AGENDA: It was moved by Michael Nelson and seconded by Rodney Severson to adopt the 12 item agenda. Motion carried unanimously by vote of acclamation to approve the agenda.

MINUTES APPROVED: It was moved by Rodney Severson and seconded by Hensel Vold to adopt the June minutes. Motion carried unanimously by a vote of acclamation to adopt the minutes.

APPEARANCES: SHERIFF DEPARTMENT MONTHLY REPORT: Sheriff Anderson reported the monthly figures for June. There were 112 bookings of which 100 were White, 2 Black, 7 Hispanic and 3 Asian. There were 2 INS holds. The average daily in county population was 27.50 and the out of county average was 10.07. There were 1.43 people on electronic monitoring for a total of 39, compared to 49.61 last year in June. There were 4.93 on Huber. In June there were 26 car/deer crashes. There were 7 crashes with reported property damage and 11 with personal injury. There were no fatalities. Sheriff Anderson briefly talked about a four wheel drive truck purchased by the department. He said it replaced a squad car that was totaled in a car/deer crash last year and the county only paid about \$4,000 out of pocket, (plus add-ons like the light bar, etc.) after insurance, for the difference of replacing a new squad car. It was purchased for \$27,754 at a government rate. He

also pointed out that the Crown Victoria car it replaced was getting about 13 mpg whereas the truck will get about 18 mpg, plus at trade in time, the value between the car to the truck will be more substantial.

HEALTH AND HUMAN SERVICES – QUARTERLY UPDATE: Jeff McIntyre presented a power point regarding how things have gone since the merger with Senior Services and the Health Department. He went over positions that were eliminated and created since the merger. He discussed the vehicle situation of new, used and sold ones. He showed the current administrative/organizational structure of the department after the merger. He explained projected savings and pointed out the benefits of merging. He discussed his plans for going forward and why a Public Health Supervisor position was necessary to fill, which he urged the board to vote yes on in a later resolution.

SENATOR KATHLEEN VINEHOUT & REPRESENTATIVE CHRIS DANOU: Kathleen and Chris were invited by Chair Geske to do a question and answer session with the entire board. It was proposed to them to do some type of taxation on the type of mining that could start in the county shortly. Kathleen said if they can get the backing from the WCA on this, it would be very beneficial to getting it passed, as some other counties are facing the same mining issues. Regarding unfunded mandates, Kathleen and Chris said they need to hear from the County to know the issues we are dealing with. Dave Suchla is concerned with the Department of Corrections mandating what each county must have for the number of people employed for the number of people in jail and splitting the jail and the 911 dispatch area, which required more staff. Tom Bice said in the Zoning/Land Management Department they have mandates but their budgets have been cut and then cut again and sometimes eliminated but they still need to keep up with these programs with little or no funding. He said he will start creating a list of all of the unfunded mandates. Dick Miller talked about property assessment. Kathleen Vinehout said a bill was presented but not well written, so no one would sponsor it. She acknowledged this as a problem across the state though. Mark Smick talked about departments being required to list mandates on their 2011 budgets this fall. He is frustrated about the new state mandate that we spend as much on law enforcement in 2010 as we did in 2009, so no cutting that budget, even though numbers are showing a decrease. Kathleen and Chris both said that the more numbers we can provide to them to pass along at the state level to back this information up the easier it is to change a mandate. Olin Fimreite said we need to look at other states regarding prison lock up. We lock up about 23,000 compared to Minnesota with about 8,000 a year. Kathleen and Chris said this has to do with the “Truth in Sentencing” rule. George Brandt is concerned about keeping Wisconsin’s water clean. Developers want to weaken the pollution laws. He also said our hands are tied when it comes to manure spreading. As long as a person fills out the form properly, they aren’t monitored. It took DNR literally years to stop one violator in the county. Robert Duellman added not only animal waste but human waste be monitored as well. He is also concerned about the amount of phosphorus in the state’s water systems. Jeff McIntyre voiced concerns about some juvenile issues. Phil Borreson said he has had the good fortune of working with these two representatives on the adult family care program. Kathleen said the family care program is a \$300 million budget with only one person in charge of investigating fraud. Because of action taken, they were able to save \$45 million in one year in that program. Stephen Doerr said the Department of Corrections told this County 10 years ago to build a jail or else, but we are still doing okay. Vinehout and Danou said they would like to be contacted when a state department puts demands on the County. Dave Suchla is concerned about the woodland set aside tax. Chair Geske agreed and said that tax breaks for certain groups puts more of a burden on all other tax payers. The supervisors thanked Kathleen and Chris for their time to come to the meeting tonight.

**2010-06-01  
RESOLUTION**

**Create Public Health Supervisor/Health Officer Position**

WHEREAS with the adopted 2010 budget, the Public Health Director position was eliminated and a Public Health Supervisor/Health Officer position was created, and

WHEREAS the Health Officer position is statutorily required under WI Stat. 251, and

WHEREAS the role of this position is to serve as the County Health Officer, provide direct supervision of county-wide Public Health initiatives and Health Unit staff members,

NOW THEREFORE BE IT RESOLVED that a Public Health Supervisor/Health Officer position be created, with the position reporting to the Director of Health & Human Services, and placed at Grade 15 in the non-union classification and compensation plan, and

BE IT FURTHER RESOLVED that the Public Health Supervisor/Health Officer position be classified as exempt under the Fair Labor Standards Act for overtime purposes.

Dated at Whitehall, Wisconsin this 21<sup>st</sup> day of June, 2010.

Respectfully submitted,

/s/ Michelle Haines

/s/ Hensel Vold

/s/ Robert Reichwein

/s/ Arild Engelién

/s/ Rodney Severson

HEALTH & HUMAN

SERVICES COMMITTEE

/s/ Tom Bice

/s/ Douglas Winters

/s/ Wally Geske

/s/ Dick Miller

/s/ PERSONNEL/BARGAINING

/s/ Ernest Vold

/s/ Douglas Winters

/s/ Mark Smick

/s/ David Suchla

/s/ Wally Geske

EXECUTIVE/FINANCE

COMMITTEE

It was moved by Arild Engelién and seconded by Michelle Haines to adopt the resolution. Rodney Severson discussed a multi jurisdictional plan with Buffalo County. He talked with someone at the state and we are not under any penalty if we continue to show progress in deciding to fill this position or not. Rodney said the state is heading towards this eventually. He would like to table this until September until someone from the state can come and talk to the full board. Robert Duellman said that less than a year ago we abolished this position. We need to table this and think about it. Dave Suchla asked what more are we getting if we add this position? Olin Fimreite suggested leaving that position in the union and giving that person, already doing the work, a pay raise. We already have Jeff McIntyre as the director. Jeff McIntyre said he floated the idea to Buffalo County about working towards a multi jurisdictional health department and creating a separate Board of Health. He said they have a supervisor but are having a hard time keeping public health nurses. Tom Bice said to be fiscally responsible, every month we can save \$6,000 to \$7,000 by not filling this position. It seems like a reasonable thing to do to combine. Jami Kabus said the position needs to be negotiated to be in the union and placed on the pay scale accordingly, which would mean adding levels to the scale to accommodate the higher pay. Dave Suchla feels the union probably wouldn't have an issue accepting this position, it sounds like a County Board problem. Pam Nelson was invited to speak on the issue. She worked in the Health Department for 9 years and in the school for 27 years. She said the Health Department is working short staffed. She said their workload has not decreased and they

have been working with one less nurse since December. She is concerned because she knows Jeff is interested in establishing more programs in that department as well. She works in the department as a limited term nurse during the school year with immunizations. Pam feels strongly that we need to fill the position if we want to keep our standard of care we are accustomed to. Roll call vote taken; motion failed with 8 yes votes and 9 no votes. The no votes were John Aasen, Dave Suchla, Rodney Severson, Michael Nelson, Tom Bice, Robert Duellman, Mark Smick, George Brandt and Olin Fimreite.

**2010-07-01  
RESOLUTION**

**Ordinance Placing Limitations on Smoking**

WHEREAS Section 101.123 of Wisconsin Statutes, took effect on July 5, 2010 and places limits on the places where the smoking of tobacco is permitted, and

WHEREAS the adoption of a County Ordinance which incorporates the provisions of the State Statute will permit the County to retain a greater portion of any forfeitures paid for violations of the law, which will help offset the costs of enforcement,

THEREFORE BE IT RESOLVED that the attached Ordinance be adopted by the Trempealeau County Board of Supervisors.

Respectfully submitted this 19<sup>th</sup> day of July, 2010,

/s/ Robert Reichwein

/s/ Dick Miller

/s/ David Suchla

/s/ Olin Fimreite

/s/ John Aasen

LAW ENFORCEMENT/EMERGENCY  
MANAGEMENT COMMITTEE

/s/ Ernest Vold

/s/ Douglas Winters

/s/ David Suchla

/s/ Mark Smick

/s/ Wally Geske

EXECUTIVE/FINANCE COMMITTEE

Ordinance is on file in the County Clerk's Office.

It was moved by Rodney Severson and seconded by Rob Reichwein to adopt the resolution. Roll call vote taken; motion carried with 17 yes votes, resolution adopted.

**2010-07-02  
RESOLUTION**

**Change of Rules to Permit Use of Culverts**

WHEREAS government has an obligation to provide and maintain safe and effective highway crossings for streams and rivers and, while doing so, to protect the environment within reasonable limits, and

WHEREAS such stream crossing should also be done at the lowest cost to accomplish these goals, and

WHEREAS the use of modern culvert designs can accomplish these objectives at a cost of one-third to one-half the cost of a bridge, and can also reduce the time and costs involved with road closures and bypasses, and

WHEREAS bridge replacements under 20 feet in length receive no federal financial assistance and the County has 21 of these bridges to maintain (and the Towns have even more), and

WHEREAS due to budget constraints, necessary bridge replacement projects are being delayed by outdated rules of the Department of Natural Resources (DNR) and Department of Transportation (DOT) which increase costs by requiring the use of bridges, when culverts could do the job. Delays in these projects create unnecessary risks and delays for the public.

THEREFORE BE IT RESOLVED that DNR and DOT state rules regarding the use of culverts instead of bridges on small streams be reviewed and made less restrictive so local governments can meet their obligations to maintain highways.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the state and regional offices of the DNR and DOT, Governor Doyle, and the County's Legislators.

Respectfully submitted this 19<sup>th</sup> day of July, 2010,

/s/ Ernest Vold

/s/ John Aasen

/s/ Tom Bice

/s/ Rodney Severson

/s/ Michael Nelson

TREMPEALEAU COUNTY HIGHWAY COMMITTEE

It was moved by Robert Duellman and seconded by Ernest Vold to adopt the resolution. George Brandt is concerned about the stream system health and maintaining a stream bottom when putting in culverts instead of bridges. Dick Miller questioned the outdated rules. Jim Johnson said since the state rules were written many different types of culverts have been created and some streams have been reclassified. For an example Jim said a small bridge that was put in cost \$215,000, whereas in another place a bottomless culvert was put in for \$113,000 and the bridge project took 2 – 3 times longer from start to finish. Jim still plans to work very closely with the DNR. Motion carried unanimously by a vote of acclamation to adopt the resolution.

**2010-07-03  
RESOLUTION**

**REPORT - CLAIMS OF MEMBERS**

Your Audit Committee hereby respectfully reports that they have audited the following claims and recommend that they be allowed as follows:

<b>NAME</b>	<b>PER DIEM</b>	<b>EXPENSES</b>	<b>TOTAL</b>
John Aasen	\$315.00	\$138.00	\$453.00
Tom Bice	\$35.00	\$27.00	\$62.00
George Brandt	\$175.00	\$51.00	\$226.00
Robert Duellman	\$105.00	\$75.00	\$180.00
Arild Engelen	\$105.00	\$96.00	\$201.00
Olin Fimreite	\$175.00	\$5.00	\$180.00
Wally Geske	\$280.00	\$120.50	\$400.50
Michelle Haines	\$140.00	\$92.00	\$232.00
Dick Miller	\$70.00	\$36.00	\$106.00
Michael Nelson	\$245.00	\$67.00	\$312.00
Rob Reichwein	\$0.00	\$0.00	\$0.00
Rodney Severson	\$0.00	\$0.00	\$0.00
Mark Smick	\$280.00	\$148.50	\$428.50
Dave Suchla	\$105.00	\$21.00	\$126.00
Ernest Vold	\$245.00	\$117.00	\$362.00
Hensel Vold	\$245.00	\$109.00	\$354.00
Douglas Winters	\$175.00	\$144.00	\$319.00
<b>TOTALS</b>	<b>\$2,695.00</b>	<b>\$1,247.00</b>	<b>\$3,942.00</b>

Dated at Whitehall, Wisconsin, this 19<sup>th</sup> day of July, 2010.

/s/ George Brandt  
/s/ David Suchla  
/s/ Wally Geske  
AUDIT COMMITTEE

It was moved by Rodney Severson and seconded by George Brandt to adopt the resolution. Roll call vote taken; motion carried with 15 yes votes, 1 no vote and 1 pass, resolution adopted. The no vote was Dave Suchla and the pass was Olin Fimreite.

APPOINTMENTS TO LAND INFORMATION COUNCIL: Clerk Syverson read a letter from Wally Geske recommending the following appointments to the Land Information Council: Rose Ottum from the Register of Deeds, Laurie Halama from the Treasurer's Office, Nick Gamroth from the Real Property Listers Office, Martin Goettl from the Land Information Office, Mark Smick from the County Board, Nate Trim from Prudential LoveJoy Realty, Dan Schreiner from Emergency Management, Joe Nelson from the Surveyor Office, Cindy Currier from the IT Office, Kevin Lien from the Land Management Office, Jeff McIntyre from the Health & Human Services, Jim Johnson from the Highway and Brian Puent from the Sheriff's Office. George Brandt made a motion to approve the recommended appointments and Michael Nelson seconded it. Motion carried unanimously by a vote of acclamation.

COMMITTEE REPORTS: EXECUTIVE & FINANCE COMMITTEE BUDGET UPDATE REPORT: Chair Geske said everyone has a copy of the budget on their desk and if there are any questions, contact the clerk.

CORRESPONDENCE: Clerk Syverson read a letter to the Valley Bible Church in Eau Claire thanking them for their \$500 pledge of support to TCCTV.

Chair Geske reminded everyone that the Trempealeau County Fair starts this Thursday, July 22<sup>nd</sup> and goes through July 25<sup>th</sup>. Also turn in registrations for the September conferences by Friday.

CLOSING: It was moved by John Aasen and seconded by Rodney Severson to waive the reading of the minutes and that a copy be mailed to each member. Motion carried unanimously by a vote of acclamation.

It was moved by Dick Miller and seconded by Robert Duellman to instruct the Clerk to pay mileage and per diem; roll call vote; motion carried with 16 yes votes and 1 no vote. The no vote was Dave Suchla.

ADJOURNMENT: Chair Geske declared the meeting adjourned until Monday, August 16, 2010 at 7:00 pm. The meeting was adjourned at 9:22 pm.

Recording Secretary,  
Mary Martin

<b>Dist #</b>	<b>SUPERVISOR</b>	<b>PER DIEM</b>	<b># Of MILES</b>	<b>MILEAGE</b>
1	ARILD ENGELIEN	\$70.00	64	\$32.00
2	DOUGLAS WINTERS	\$70.00	60	\$30.00
3	TOM BICE	\$70.00	54	\$27.00
4	ROBERT DUELLMAN	\$70.00	50	\$25.00
5	MARK SMICK	\$70.00	44	\$22.00
6	GEORGE BRANDT	\$70.00	34	\$17.00
7	ROBERT REICHWEIN	\$70.00	32	\$16.00
8	MICHELLE HAINES	\$70.00	25	\$12.50
9	DICK MILLER	\$70.00	24	\$12.00
10	WALLY GESKE	\$70.00	19	\$9.50
11	OLIN FIMREITE	\$70.00	2	\$1.00
12	JOHN AASEN	\$70.00	10	\$5.00
13	DAVE SUCHLA	\$70.00	14	\$7.00
14	RODNEY SEVERSON	\$70.00	16	\$8.00
15	HENSEL VOLD	\$70.00	44	\$22.00
16	MICHAEL NELSON	\$70.00	22	\$11.00
17	ERNEST VOLD	\$70.00	38	\$19.00
	<b>TOTALS</b>	<b>\$1,190.00</b>	<b>552</b>	<b>\$ 276.00</b>