

**REGULAR SESSION  
SEPTEMBER 19, 2011**

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, September 19, 2011 at 7:00 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 September 19, 2011 in the County Board Room. All County Board Members' Claims are due in the County Clerk's Office by noon on September 6, 2011 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 Michael Nelson to accept the Call as read; this was unanimously carried by acclamation.

Roll was called. A quorum was met with 16 supervisors in attendance. Olin Fimreite was absent.

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 Robert Duellman and seconded by Ernest Vold to adopt the 12 item amended agenda. Arild Engeliem made a motion to move items 5D and 6C after the Sheriff's report. Motion carried unanimously by vote of acclamation to approve the amended agenda with the changes.

MINUTES APPROVED: It was moved by John Aasen and seconded by Michael Nelson to adopt the August minutes. Motion carried unanimously by a vote of acclamation to adopt the minutes.

Chair Geske declared the public hearing on the proposed final redistricting plan now open.

APPEARANCES: SHERIFF DEPARTMENT MONTHLY REPORT: Sheriff Richard Anderson reported the monthly figures for August. There were 90 bookings with 72 being male and 18 female. They consisted of 77 White, 2 Black, 10 Hispanic and 1 Asian. The average daily in county population was 32.67 and the out of county average was 11.71. There were 8.26 people on electronic monitoring for a total of 52.64. There were 19 car/deer crashes, 5 crashes with property damage and 13 crashes with personal injury. There were no fatalities.

APPEARANCES: ANN WYGEL – SAND MINE MORATORIUM: Ann said all the supervisors should have received a letter from her regarding this issue. She is asking for a moratorium on all future sand mines. She presented a map of her property and the locations of all current and potential sand mines within a small area around her home. Rian Radtke recommended that moratoriums should not be entered into lightly and the county should use extreme caution when considering doing this. The County already has a plan in place and you would need to show that the current plan is inadequate. Ann's concern is that there are too many mines too close together. Kevin Lien explained how the ordinance originally took place. Mark Smick is concerned that we are opening the door to hear say, as speakers should have all the facts before presenting their information and that the appropriate place to actually do this is at her town board meeting. Chair Geske reminded the board that they all agreed to allow public input at county board meetings when they changed the board rules in April 2010. George Brandt addressed some of the concerns brought up. Ann thanked the board for their time.

**2011-09-04  
RESOLUTION**

**ORDINANCE FOR THE REZONE OF LAND IN TOWN OF ARCADIA**

WHEREAS Arcadia Cooperative Association, property owner in the Town of Arcadia has requested the rezone of a parcel of land, and

WHEREAS the purpose of the rezone is for a cattle loading facility on approximately 1.85 acres, and

WHEREAS a public hearing was held pursuant to Section 59.69 (5) of Wisconsin Statutes, and

WHEREAS the Town of Arcadia supports the rezone request, and

WHEREAS the Environment and Land Use Committee moved to rezone this parcel from Commercial (C) to Transitional Agriculture (TA) and it appears that the zoning change request is appropriate under the circumstances,

THEREFORE BE IT RESOLVED that the County adopt the attached Ordinance amending the zoning district boundaries as indicated.

Dated this 19<sup>th</sup> day of September, 2011, at Whitehall, Wisconsin.

Respectfully submitted,

/s/ George Brandt

/s/ Mark Smick

/s/ Tom Bice

/s/ Michael Nelson

/s/ Hensel Vold

ENVIRONMENT AND LAND USE COMMITTEE

It was moved by Rodney Severson and seconded by John Aasen to adopt the resolution. Kevin Lien said the Town of Arcadia Board supported this request. Roll call vote taken; motion carried with 16 yes votes, resolution adopted.

**2011-09-05  
RESOLUTION**

**ORDINANCE FOR THE REZONE OF LAND IN TOWN OF DODGE**

WHEREAS Todd J. and Melissa M. Neitzel, property owners in the Town of Dodge has requested the rezone of a parcel of land, and

WHEREAS the purpose of the rezone is for a poultry barn on approximately 13 acres, and

WHEREAS a public hearing was held pursuant to Section 59.69 (5) of Wisconsin Statutes, and

WHEREAS the Town of Dodge supports the rezone request, and

WHEREAS the Environment and Land Use Committee moved to rezone this parcel from Residential 20 (R-20) to Rural Residential (RR) and it appears that the zoning change request is appropriate under the circumstances,

THEREFORE BE IT RESOLVED that the County adopt the attached Ordinance amending the zoning district boundaries as indicated.

Dated this 19<sup>th</sup> day of September, 2011, at Whitehall, Wisconsin.

Respectfully submitted,

/s/ George Brandt

/s/ Mark Smick

/s/ Tom Bice

/s/ Hensel Vold

/s/ Michael Nelson

ENVIRONMENT AND LAND USE COMMITTEE

It was moved by Tom Bice and seconded by John Aasen to adopt the resolution. Kevin Lien said the Town of Dodge sent a letter of support for this request. Roll call vote taken; motion carried with 16 yes votes, resolution adopted.

2010 AUDIT REPORT – JIM MURRAY, BAKER TILLY-VIRCHOW KRAUSE: Jim Murray explained to the board their accounting process and how they performed testing and sampling to come to the conclusion that they believe the financial statements in front of everyone tonight are true as presented. He described all the standards they used to complete the audit. The overall picture shows that Trempealeau County is very sound financially. Mark Smick would like to have the Executive/Finance Committee be made aware ahead of time as to when the auditors are here working, so they could ask questions and Jim thought an email would probably suffice for notice.

TOM BICE – SMALL CLAIMS MEDIATION: Tom spoke about the mediation program. They are currently short of mediators and he is asking anyone to consider volunteering for this, as it is a rewarding program to be a part of. This is strictly a volunteer program with no mileage reimbursement. If you are a calm person who is interested in helping people come to a common agreement, this might be for you. Contact Court Services if you are interested.

**2011-09-01  
RESOLUTION**

**A RESOLUTION AUTHORIZING TRANSFER OF FUNDS FROM THE GENERAL FUND  
FOR THE PURPOSE OF THE DATA ROOM COOLING PROJECT**

WHEREAS the data room located in the basement of the Trempealeau County Courthouse must maintain cool temperatures in order to keep certain electronic equipment in the data room functional and safe from damage, and

WHEREAS the data room currently requires repairs and remodeling in order to maintain the necessary cool temperatures in the data room, and

WHEREAS the Property Committee of the Trempealeau County Board of Supervisors has retained HSR Associates, Inc. to provide engineering plans for the data room repair/remodel project, and

WHEREAS HSR Associates, Inc. has provided the Property Committee with a project cost estimate of \$39,715.00 to complete the data room cooling project, and

WHEREAS \$7000.00 has been budgeted for data room cooling and will be applied to completion of the project, and

WHEREAS the entire cost of data room cooling project is not a budgeted item and will require a transfer of funds from the General Fund to pay for the project, and

WHEREAS the County desires to competitively bid out the data room cooling project as required by law, but requires the approval of the transfer of funds from the General Fund before bidding out said project.

THEREFORE BE IT RESOLVED that the Trempealeau County Board of Supervisors authorizes the transfer of funds from the General Fund in the amount of the lowest responsible bid accepted by the County to pay for the data room cooling project costs.

BE IT FURTHER RESOLVED that the amount transferred from the General Fund shall not exceed the sum of \$38,000.00.

Dated at Whitehall, Wisconsin this 19th day of September, 2011.

Respectfully submitted,

/s/ Hensel Vold

/s/ Michelle Haines

/s/ Robert Reichwein

/s/ Dick Miller

Michael Nelson

PROPERTY COMMITTEE

/s/ Ernest Vold

/s/ Wally Geske

/s/ Douglas Winters

/s/ Mark Smick

EXECUTIVE/FINANCE COMMITTEE

It was moved by Dick Miller and seconded by Robert Duellman to adopt the resolution. On September 15<sup>th</sup> David Suchla met with someone from Apex Engineering to come gather information. Dave presented the supervisors with a proposal for a 2<sup>nd</sup> A/C unit and labor costs for \$12,000.

Discussion was held on if Dave was given permission to bring someone into the building that day. There was also concern about privacy and HIPPA laws and if anything was compromised from that visit. Rodney Severson made a motion to send this back to committee and John Aasen seconded it. Dick Miller said the problem continues to be air movement in that space. Mark Smick felt the new figures were worth looking into. He said he voted in committee to bring this to the full board with an understanding that if new information was presented, he would be open to that as well. Cindy Currier questioned what Dave and the Apex representative all looked at when gathering information. She is concerned about different electronic devices continually burning out from being overheated. Tom Bice said he has a pretty good idea of what it takes to cool that room. He said we were given name plate numbers instead of actual numbers and it appears we can accomplish goals in that room for considerably less than the \$38,000 proposed. Tom said he is in favor of a compromise of the two proposals. Cindy reminded the board that not all the equipment to keep cool was in the room yet and that whatever vendor is hired to work on this, she needs to work with them as she was hired as the expert to work with all this equipment. She needs to be involved in the process completely. Roll call vote taken on the sending this back to committee; motion failed with 8 yes votes and 8 no votes. The no votes were George Brandt, Rob Reichwein, Michelle Haines, Dick Miller, Dave Suchla, Hensel Vold, Ernest Vold, and Douglas Winters. Chair Geske reminded everyone that 12 yes votes are needed to pass this since the general fund is involved. Roll call vote taken on original resolution; motion failed with 7 yes votes and 9 no votes, resolution failed. The no votes were: Wally Geske, John Aasen, Dave Suchla, Rodney Severson, Michael Nelson, Arild Engeliem, Tom Bice, Robert Duellman and Mark Smick. Rian Radtke was asked for clarification on signatures of support on resolutions and if they need to support it again at the full board. Rian will look into this and get back to everyone.

**2011-09-02  
RESOLUTION**

**County Recruitment Policy**

WHEREAS the County's Recruitment Policy was originally adopted by the County Board on March 16, 2004, and

WHEREAS multiple resolutions have been adopted since that time that relate to the procedure, changing the process over time, and

WHEREAS this policy and recent proposed changes were presented to several standing committees, soliciting input from committee members as to how to improve the process, and

WHEREAS the Personnel/Bargaining Committee has reviewed the Policy and proposed modifications to the County's Recruitment policy, unanimously supporting and recommending changes, and

WHEREAS these changes would improve the efficiency of County government, standing committee responsibility and accountability, while reducing the loss or decrease of services to the citizens of Trempealeau County and negative effects on staff during long vacancies, and

WHEREAS adopting this policy will help to advance understanding and consistent administration of standard recruitment practices,

NOW THEREFORE BE IT RESOLVED that the attached revised Recruitment policy be adopted effective September 19, 2011.

Dated at Whitehall, Wisconsin this 19<sup>th</sup> day of September, 2011.

Respectfully submitted,  
/s/ Tom Bice  
/s/ Robert Duellman  
/s/ Douglas Winters  
/s/ Wally Geske  
/s/ Dick Miller  
PERSONNEL/BARGAINING COMMITTEE

It was moved by Robert Duellman and seconded by Tom Bice to adopt the resolution. Rodney Severson made a motion to amend it as “final candidate requires final approval from standing committee” and Michelle Haines seconded it. Roll call vote on the amendment failed with 1 yes vote and 15 no votes. The no votes were: George Brandt, Rob Reichwein, Michelle Haines, Dick Miller, Wally Geske, John Aasen, Dave Suchla, Hensel Vold, Michael Nelson, Ernest Vold, Arild Engeliem, Douglas Winters, Tom Bice, Robert Duellman, and Mark Smick. Dave Suchla made a motion that the committee rubber stamp the selection at the beginning of the process, but the motion failed for lack of a second. Roll call vote taken on original resolution; motion carried with 15 yes votes and 1 no vote, resolution adopted. The no vote was Rodney Severson.

**2011-09-03  
RESOLUTION**

**RESOLUTION ADOPTING A GRIEVANCE PROCEDURE TO ADDRESS  
EMPLOYEE TERMINATIONS, EMPLOYEE DISCIPLINE  
AND WORKPLACE SAFETY AS REQUIRED BY WIS. STAT. § 66.0509(1m)**

WHEREAS 2011 Wisconsin Act 10 created Wis. Stat. § 66.0509(1m), which requires local units of government to establish a civil service system or grievance procedure that addresses employee terminations, employee discipline and workplace safety no later than October 1, 2011; and

WHEREAS the Personnel/Bargaining Committee believes that it is in the best interests of all stakeholders in Trempealeau County government to create a fair and equitable system for resolving employee grievances surrounding terminations, discipline and workplace safety issues; and

WHEREAS following lengthy study and deliberations, the Trempealeau County Board has been presented with a final draft of a grievance procedure that addresses employee terminations, employee discipline and workplace safety as required by Wis. Stat. § 66.0509(1m); and

WHEREAS it is the intent of this Resolution to establish the attached Grievance Procedure as the official Grievance Procedure of Trempealeau County pursuant to Wis. Stat. § 66.0509(1m);

NOW THEREFORE BE IT RESOLVED that the Trempealeau County Board adopts and establishes the Grievance Procedure attached hereto as Exhibit A as its grievance procedure required by Wis. Stat. § 66.0509(1m).

Dated at Whitehall, Wisconsin this 19<sup>th</sup> day of September, 2011.

Respectfully submitted,  
/s/ Tom Bice  
/s/ Douglas Winters  
/s/ Dick Miller  
/s/ Robert Duellman  
/s/ Wally Geske  
PERSONNEL/BARGAINING COMMITTEE

It was moved by Tom Bice and seconded by John Aasen to adopt the resolution. Jami Kabus, Rian Radtke put this together with some guidance from WCA. George Brandt made a motion that the person grieving something as well as the county representative agree on the impartial hearing judge. Dick Miller seconded it. George asked who decides the pool of qualified people to be the impartial hearing judge. Rian Radtke said it needs to be more specific. Voice vote taken on the amendment failed. Roll call vote taken on original resolution; motion carried with 15 yes votes and 1 no vote, resolution adopted. The no vote was George Brandt.

PUBLIC HEARING – REDISTRICTING PLAN: Clerk Syverson read a letter from the City of Arcadia who is concerned about eliminating a County Board Supervisor in the city limits. The redistricting committee explained how and why they picked the district lines as presented. Rian also spoke that according to state statutes, they have not done anything wrong. At 9:39 p.m. Chair Geske closed the public hearing.

**2011-09-06  
RESOLUTION**

**Ordinance to Establish Supervisory Districts for Trempealeau County**

WHEREAS Section 59.10(3)(b), Wisconsin Statutes, requires Wisconsin counties to establish the boundaries of county supervisory districts based on the population figures provided from the Federal Census, and

WHEREAS the Redistricting Committee of the County Board has met on several occasions to develop a redistricting plan to provide for districts with nearly equal populations, and

WHEREAS the Committee reached an agreement on a plan which has 17 districts that would be in compliance with statutory requirements, and

WHEREAS county municipalities have reviewed ward boundaries developed by the county's committee.

THEREFORE BE IT RESOLVED that the attached ordinance be adopted, which redistricts the county's 17 County Board Supervisory districts.

Dated at Whitehall, Wisconsin this 19<sup>th</sup> day of September, 2011.

Respectfully submitted,  
/s/ Wally Geske  
/s/ Douglas Winters  
/s/ Mark Smick  
/s/ Ernest Vold  
/s/ David Suchla  
REDISTRICTING COMMITTEE

(Ordinance is on file in the County Clerk's Office)

It was moved by Dick Miller and seconded by Tom Bice to adopt the resolution. Dick Miller made a motion to amend the resolution to read "District 7 shall consist of Ward 1 in the Town of Arcadia and Ward 2 in the City of Arcadia and District 9 shall consist of Ward 3 in the Town of Arcadia and Ward 3 in the City of Arcadia. George Brandt seconded it. Mark Smick said that Rian told us it was permissible to double up a supervisory district. Dick Miller said his amendment is a small change and he commended the redistricting committee for all their hard work on this. Roll call vote taken on amendment; motion carried with 11 yes votes and 5 no votes, amendment passed. The no votes were: Rodney Severson, Tom Bice, Mark Smick, Wally Geske and John Aasen. Roll call vote taken on the resolution as amended; motion carried with 16 yes votes, resolution adopted.

**2011-09-07  
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	\$70.00	\$13.32	\$83.32
Tom Bice	\$175.00	\$118.77	\$293.77
George Brandt	\$210.00	\$75.48	\$285.48
Robert Duellman	\$105.00	\$83.25	\$188.25
Arild Engelién	\$210.00	\$213.12	\$423.12
Olin Fimreite	\$140.00	\$0.00	\$140.00
Wally Geske	\$140.00	\$42.16	\$182.16
Michelle Haines	\$70.00	\$27.76	\$97.76

Dick Miller	\$140.00	\$39.96	\$179.96
Michael Nelson	\$280.00	\$74.37	\$354.37
Rob Reichwein	\$140.00	\$53.28	\$193.28
Rodney Severson	\$35.00	\$8.88	\$43.88
Mark Smick	\$210.00	\$73.26	\$283.26
Dave Suchla	\$70.00	\$15.54	\$85.54
Ernest Vold	\$140.00	\$63.27	\$203.27
Hensel Vold	\$35.00	\$24.42	\$59.42
Douglas Winters	\$105.00	\$126.54	\$231.54
<b>TOTALS</b>	<b>\$2,275.00</b>	<b>\$1,053.38</b>	<b>\$3,328.38</b>
YTD Totals	\$25,795.00	\$10,350.26	\$36,145.26

Dated at Whitehall, Wisconsin, this 19<sup>th</sup> day of September, 2011.

Respectfully submitted,  
/s/ Wally Geske  
/s/ Tom Bice  
/s/ Douglas Winters  
AUDIT COMMITTEE

It was moved by David Suchla and seconded by Rodney Severson to adopt the resolution. Roll call vote taken; motion carried with 15 yes votes and 1 no vote, resolution adopted. No vote was John Aasen.

ANNOUNCEMENT/APPOINTMENTS/ELECTIONS: Clerk Syverson read a letter from Kathy Gauger ADRC/Senior Services Supervisor to appoint Virginia Sparling-Cisewski to the Aging Advisory Council. Arild Engeliien made a motion to approve the appointment and David Suchla seconded it. Motion carried unanimously to approve the appointment.

George Brandt reminded everyone that TCCTV is hosting two fundraisers in October, an auction on channel 18, October 12th and a dance on October 16<sup>th</sup> featuring the Orange Blossom Special in Galesville.

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: There was none for September.

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

It was moved by Ernest Vold and seconded by Michael Nelson to instruct the Clerk to pay mileage and per diem; roll call vote; motion carried with 16 yes votes.

ADJOURNMENT: Chair Geske declared the meeting adjourned until Monday, October 17, 2011 at 7:00 pm. The meeting was adjourned at 10:04 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	\$35.52
2	DOUGLAS WINTERS	\$70.00	60	\$33.30
3	TOM BICE	\$70.00	54	\$29.97
4	ROBERT DUELLMAN	\$70.00	50	\$27.75
5	MARK SMICK	\$70.00	44	\$24.42
6	GEORGE BRANDT	\$70.00	34	\$18.87
7	ROBERT REICHWEIN	\$70.00	32	\$17.76
8	MICHELLE HAINES	\$70.00	25	\$13.88
9	DICK MILLER	\$70.00	24	\$13.32
10	WALLY GESKE	\$70.00	19	\$10.55
11	OLIN FIMREITE	\$0.00	0	\$0.00
12	JOHN AASEN	\$70.00	10	\$5.55
13	DAVE SUCHLA	\$70.00	14	\$7.77
14	RODNEY SEVERSON	\$70.00	16	\$8.88
15	HENSEL VOLD	\$70.00	44	\$24.42
16	MICHAEL NELSON	\$70.00	22	\$12.21
17	ERNEST VOLD	\$70.00	38	\$21.09
	<b>TOTALS</b>	<b>\$1,120.00</b>	<b>550</b>	<b>\$ 305.26</b>