

**REGULAR SESSION  
SEPTEMBER 17, 2012**

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 17, 2012 at 7:00 p.m. with Chair Ernest Vold presiding. The Pledge of Allegiance to the Flag of the United States of America was recited.

CALL

Dear Supervisor,

Please be advised that the Trempealeau County Board of Supervisors will meet at 7:00 p.m. on September 17, 2012 in the County Board Room. All County Board Members' Claims are due in the County Clerk's Office by noon on September 5, 2012 so they can be prepared for Audit Committee approval.

Sincerely,  
/s/ Paul L. Syverson  
County Clerk

Clerk Syverson read the call.

It was moved by Hensel Vold and seconded by Olin Fimreite to accept the Call as read; it was unanimously carried by acclamation.

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

Chair Vold 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 David Suchla and seconded by George Brandt to adopt the 11 item agenda and move item #9 – Towns Resolution Regarding LiDAR Technology Funding right after the Sheriff's Report. Motion carried unanimously by vote of acclamation to approve the agenda with the order change.

APPROVAL OF MINUTES: It was moved by John Aasen and seconded by Michael Nelson to approve the August minutes. Sally Miller made a spelling correction on a name. Motion carried unanimously by a vote of acclamation to approve the minutes with the correction.

APPEARANCES: SHERIFF DEPARTMENT MONTHLY REPORT: Sheriff Anderson reported the statistics for August. There were 81 bookings consisting of 65 males and 16 females. There were 66 White, 2 Black, 2 Asian and 11 Hispanic. The average daily in county population was 32.52 and the out of county average was 12.10. There were 4.03 people on electronic monitoring for a total of 48.65. There were 22 car/deer crashes, 8 crashes with personal injury and 14 with property damage and no fatalities. There were also 2.32 people on Huber.

CORRESPONDENCE – Towns Resolution Regarding LiDAR Technology Funding: Clerk Syverson read a resolution that was adopted on July 17, 2012 at a County Unit meeting. Land Records Director, Ann Hempel answered questions. After much discussion, Chair Vold referred it back to Environment & Land Use Committee to consider and bring back to County Board.

**2012-09-01  
RESOLUTION**

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

WHEREAS Donald J. and Karen J. Andre, property owners in the Town of Dodge have requested the rezone of parcels of land, and

WHEREAS the rezone is on approximately 120 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 Rural Residential (RR) to Exclusive Agriculture 2 (EA2) 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 17th day of September, 2012, at Whitehall, Wisconsin

Respectfully submitted,

/s/ Tom Bice

/s/ Jay Low

/s/ Hensel Vold

/s/ Michael Nelson

/s/ George Brandt

/s/ Roland Thompson

ENVIRONMENT AND LAND USE COMMITTEE

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

It was moved by Hensel Vold and seconded by Michael Nelson to adopt the resolution. The Board asked Roger Osegard from the Kraemer Company to speak on the rezone. He explained that the quarry in question has been operating on and off since the 1950's on the property which was zoned as Rural Residential and now they want to zone it as Exclusive Ag. He said there could be future plans for digging deeper, referring to frac sand mining. Roll call vote taken; motion carried with 16 yes votes and 1 abstained; resolution adopted. The abstained vote was David Suchla.

**ORDINANCE**  
**REZONE OF A PARCEL IN THE TOWN OF DODGE**

*The County Board of Supervisors of the County of Trempealeau does ordain as follows:  
The zoning districts for Trempealeau County and zoning map shall be amended to show that the following described real estate is rezoned from Rural Residential (RR) to Exclusive Agriculture 2 (EA2): The W 1/2 of the SW 1/4 of Section 20, Township 19 North, Range 9 West. The SW 1/4 of the NW 1/4 of Section 20, Township 19 North, Range 9 West.  
Rezone land contains approximately 120 acres.*

**2012-09-02**  
**RESOLUTION**

**CREATE ASSIGNED NON-LAPSING RETIREMENT PAYOUT FUND**

WHEREAS the budget process involves planning for expenditures in the ensuing year, and

WHEREAS budgeting for unknown expenditures can be difficult, and

WHEREAS when known retirements occur, County Departments budget for the payout of accrued vacation and sick leave, and

WHEREAS when unforeseen retirements occur, payouts for accrued vacation and sick leave, which are not budgeted for, put a strain on departmental budgets, and

WHEREAS it would be in the best interests of Trempealeau County to establish an account as an Assigned, Non-Lapsing fund for when unbudgeted retirements occur.

NOW THEREFORE BE IT RESOLVED that Account 101.51680 be established as an Assigned Non-Lapsing account for unbudgeted Retirement payouts at the rate of fifty per cent (50%) of the payout

BE IT FURTHER RESOLVED that \$50,000 be transferred from the Unassigned General Fund to start the fund.

AND BE IT FURTHER RESOLVED that this account be effective September 18, 2012.

Dated at Whitehall, Wisconsin this 17<sup>th</sup> day of September, 2012

Respectfully submitted,  
/s/ Michael Nelson  
/s/ John Aasen  
/s/ Tom Bice  
/s/ David Suchla  
/s/ Ernest Vold  
EXECUTIVE/FINANCE COMMITTEE

It was moved by David Suchla and seconded by Tom Bice to adopt the resolution. Discussion was held. Rob Reichwein made a motion to amend the resolution to be effective September 18, 2012 and George Brandt seconded it. Roll call vote taken on amendment; amendment passed with 17 yes votes. Roll call vote taken on resolution as amended; motion carried with 17 yes votes; resolution adopted.

**2012-09-03  
RESOLUTION**

**Amend “Sale of Tax Deeded Land” Ordinance**

WHEREAS Wisconsin Statutes, Section 75.69(1) requires all properties taken by tax foreclosure by Trempealeau County to be appraised either by the county board, a committee of the county board, or a certified appraiser, and

WHEREAS the appraised value acts as the minimum bid in the sealed bid sale to sell the tax foreclosed property, and

WHEREAS the Trempealeau County Board of Supervisors adopted an ordinance on September 25, 1989 requiring tax foreclosed properties to be appraised by an appraiser, and

WHEREAS the Trempealeau County Board of Supervisors amended said ordinance on September 25, 2006 to allow exceptions when the County Executive & Finance Committee may conduct the appraisals, and

WHEREAS the costs of appraisers has continued to rise and in an effort to save money Trempealeau County desires to set the appraised values for all tax foreclosed properties.

NOW THEREFORE BE IT RESOLVED, that the attached amended ordinance requiring the Executive & Finance Committee to set the appraised values for all tax foreclosed properties is hereby adopted.

Dated at Whitehall, Wisconsin this 17<sup>th</sup> day of September, 2012

Respectfully submitted,  
/s/ Michael Nelson  
/s/ John Aasen  
/s/ Ernest Vold  
/s/ Tom Bice  
/s/ David Suchla  
EXECUTIVE/FINANCE COMMITTEE

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

It was moved by Michael Nelson and seconded by John Aasen to adopt the resolution. Corporation Counsel, Rian Radtke spoke on this. He said statutes allow County Board or a County Committee to set minimum sealed bid amounts. Anyone on the committee or Rian himself can view the property to come up with a minimum bid. Roll call taken; motion carried with 17 yes votes; resolution adopted.

**ORDINANCE**

**APPRAISAL OF TAX FORECLOSED REAL ESTATE**

*THE TREMPEALEAU COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:*

*Section 3 of the ordinance adopted by the Trempealeau County Board of Supervisors on September 25, 1989 and amended on September 25, 2006, entitled “Sale of Tax Deeded Land” is hereby amended and revised as follows:*

B. ~~The Committee shall have the power to contract with such appraisers and other persons to manage such properties, repair them as determined necessary to promote their sale, and do other acts as may be necessary to preserve the properties and expedite their sale in the most cost effective manner, including the listing of each property with a licensed real estate broker if deemed necessary.~~

E. ~~The appraisal of Real Estate required by Section 75.69(1) may shall be performed by the Committee, in any of the following situation:~~

~~If the Real Estate is unimproved and lies entirely within a flood plain.~~

~~(1) If the Real Estate appeared on the tax roll within the prior five years and the last equalized value was not more than \$20,000.00.~~

~~(2) If the property had been appraised by a certified appraiser in the prior three years and had been offered for sale by the County, but was not sold.~~

**2012-09-04  
RESOLUTION**

**Supporting Legislation Requiring Online-Only Retailers to  
Collect and Remit Wisconsin Sales Tax**

WHEREAS under current law many online-only retailers are refusing to collect and remit sales taxes in states where they do not have a physical presence; and

WHEREAS this creates an unfair price advantage for online-only retailers over traditional brick-and-mortar Wisconsin businesses that provide Wisconsin-based jobs; and

WHEREAS as the amount of unpaid tax by some people grows, more revenue needs to be collected from everyone else to compensate; and

WHEREAS uncollected Wisconsin state and local sales tax revenue is estimated between \$100 and \$200 million annually; and

WHEREAS sales tax revenues are an important component of state and local government budgets; and

WHEREAS this resolution supports all Wisconsin residents, businesses and units of government

NOW THEREFORE, BE IT RESOLVED that Trempealeau County does hereby support legislation requiring online retailers with subsidiaries or affiliates located in Wisconsin to collect and remit Wisconsin state and local sales tax.

Dated at Whitehall, Wisconsin this 17<sup>th</sup> day of September, 2012

Respectfully submitted,  
/s/Ernest Vold  
COUNTY BOARD CHAIR

It was moved by Dick Miller and seconded by John Aasen to adopt the resolution. Much discussion held. David Larson made a motion to amend the last paragraph from “with” to “without” and David

Suchla seconded it. Motion carried unanimously to amend the resolution. Roll call vote taken; motion carried with 13 yes votes and 4 no votes; resolution adopted as amended. The no votes were Sally Miller, Jay Low, Tom Bice and Hensel Vold.

**2012-09-05  
RESOLUTION**

**RESOLUTION TO WITHDRAW FROM THE  
WISCONSIN PUBLIC EMPLOYERS' GROUP HEALTH INSURANCE PROGRAM**

Pursuant to the provisions of Wis. Stat. § 40.51 (7), the County Board of Trempealeau County resolves to withdraw from participation in the Wisconsin Public Employers' Group Health Insurance Program effective next January 1, 2013

I understand that coverage will terminate for all insured participants, including annuitants and any participants who are on continuation of coverage. I further understand that the employer may not reapply for participation in the Wisconsin Public Employers' Group Health Insurance Program for three years.

**CERTIFICATION**

I hereby certify that this is a true, correct and complete copy of the resolution passed by the

**County Board of Supervisors** of the **County of Trempealeau**  
(Governing Body) (Employer)

Dated on this 17<sup>th</sup> day of September, 2012

/s/ Ernest Vold  
COUNTY BOARD CHAIR

It was moved by Dick Miller and seconded by Douglas Winters to adopt the resolution. Jami Kabus explained the extensive process with the Health Care Center of collecting data for other companies to bid on. We can rescind this resolution no later than December 1<sup>st</sup> if the State plan remains the best option. Roll call vote taken; motion carried with 17 yes votes; resolution adopted.

**2012-09-06  
RESOLUTION**

**Distribution of Meeting Minutes and Agendas**

WHEREAS Trempealeau County currently distributes meeting minutes and agendas in paper form to all the several county board supervisors, and

WHEREAS Trempealeau County desires to conserve the use of paper, and

WHEREAS Trempealeau County currently has the ability to email all meeting minutes and agendas, and

WHEREAS Trempealeau County finds it beneficial to distribute paper meeting minutes and agendas to county board supervisors for their standing committees.

THEREFORE BE IT RESOLVED that all meeting minutes and agendas shall continue to be distributed to county board supervisors in paper form, however, a county board supervisor may request to receive any non-standing committee meeting minutes and agendas via email.

Dated at Whitehall, Wisconsin, this 17<sup>th</sup> day of September, 2012

Respectfully submitted,  
/s/ Hensel Vold  
/s/ Michelle Haines  
/s/ David Suchla  
/s/ Dick Miller  
/s/ David Larson  
PROPERTY COMMITTEE

It was moved by David Suchla and seconded by Curtis Skoyen to adopt the resolution. Roll call vote taken; motion carried with 17 yes votes; resolution adopted.

**2012-09-07  
RESOLUTION**

**Approval of a Justice Coordinator position in Human Services**

WHEREAS in 2006, the Trempealeau County Board of Supervisors established an alternative to incarceration program entitled Trempealeau County Drug Court;

WHEREAS the Human Services Department played a vital role in providing 10-12 hours of staff time on a bi-weekly basis through in-kind support to coordinate services to those persons admitted to drug court;

WHEREAS in 2010, the Domestic Violence Court was established in a collaborative effort between the Trempealeau County Circuit Court and the State of Wisconsin Probation & Parole office,

WHEREAS in 2010, the Trempealeau County District Attorney's office was awarded a three (3) year grant to implement a Trempealeau County Diversion Program through deferred prosecution agreements;

WHEREAS a Diversion Coordinator position was established through the grant to manage and oversee the program and those individuals accepted into the program;

WHEREAS there are currently 19 active participants in Drug Court and 48 active persons in the Diversion Program;

WHEREAS these programs using evidenced based practices have proven to decrease the inmate population and thus decrease costs to county tax payers;

WHEREAS this position will be funded by program fees from those persons admitted into the various programs with no attached county levy, and

WHEREAS this new position has been reviewed and approved by the Human Services Board, Personnel/Bargaining Committee and the Executive/Finance Committee.

NOW THEREFORE BE IT RESOLVED that the Trempealeau County Board of Supervisors approve the creation of a Justice Coordinator position in the Department of Human Services, and

BE IT FURTHER RESOLVED that the Justice Coordinator position be classified as Exempt under the Fair Labors Standard Act for overtime purposes.

Dated at Whitehall, Wisconsin this 17<sup>th</sup> day of September, 2012

Respectfully submitted,

/s/ Michelle Haines

/s/ Hensel Vold

/s/ Arild Engelién

/s/ Rob Reichwein

/s/ Curtis Skoyen

HUMAN SERVICES

COMMITTEE

/s/ Dick Miller

/s/ Douglas Winters

/s/ Tom Bice

/s/ Rob Reichwein

/s/ Ernest Vold

PERSONNEL/BARGAINING

COMMITTEE

/s/ Michael Nelson

/s/ Tom Bice

/s/ John Aasen

/s/ David Suchla

/s/ Ernest Vold

EXECUTIVE/FINANCE

COMMITTEE

It was moved by Olin Fimreite and seconded by Michelle Haines to adopt the resolution. Jeff McIntyre explained that the fees would be collected, correspondence sent out and funding already exists through his office. He also said that the Human Services Committee would be the standing committee for this position. Roll call vote taken; motion carried with 17 yes votes; resolution adopted.

**2012-09-08  
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	\$420.00	\$48.84	\$468.84
Tom Bice	\$350.00	\$209.79	\$559.79
George Brandt	\$245.00	\$98.79	\$343.79
Arild Engelién	\$140.00	\$142.08	\$282.08

Olin Fimreite	\$140.00	\$0.00	\$140.00
Michelle Haines	\$70.00	\$23.87	\$93.87
David Larson	\$140.00	\$102.12	\$242.12
Jay Low	\$35.00	\$27.75	\$62.75
Dick Miller	\$350.00	\$88.80	\$438.80
Sally Miller	\$140.00	\$115.44	\$255.44
Michael Nelson	\$280.00	\$89.36	\$369.36
Robert Reichwein	\$175.00	\$71.04	\$246.04
Curtis Skoyen	\$105.00	\$62.17	\$167.17
David Suchla	\$175.00	\$31.08	\$206.08
Ernest Vold	\$350.00	\$220.34	\$570.34
Hensel Vold	\$175.00	\$97.68	\$272.68
Douglas Winters	<u>\$210.00</u>	<u>\$162.06</u>	<u>\$372.06</u>
<b>TOTALS</b>	<b>\$3,500.00</b>	<b>\$1,591.21</b>	<b>\$5,091.21</b>
YTD Totals	\$21,245.00	\$9,949.11	\$31,194.11

Dated at Whitehall, Wisconsin, this 17<sup>th</sup> day of September, 2012

Respectfully submitted,  
/s/ Ernest Vold  
/s/ David Suchla  
/s/ David Larson  
AUDIT COMMITTEE

It was moved by Curtis Skoyen and seconded by Tom Bice to adopt the resolution. Roll call vote taken; motion carried with 17 yes votes; resolution adopted.

ANNOUNCEMENT/APPOINTMENTS/ELECTIONS: APPOINTMENT TO COUNTY PARKS COMMITTEE: Member to succeed Paul Syverson. Olin Fimreite made a motion to reappoint Paul Syverson to the Parks Committee and George Brandt seconded it. Motion carried unanimously to approve the reappointment.

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

**CLOSING:** It was moved by Michelle Haines and seconded by Michael Nelson to instruct the Clerk to pay mileage and per diem; roll call vote; motion carried with 17 yes votes.

**ADJOURNMENT:** Chair Vold declared the meeting adjourned until October 15, 2012 at 7 p.m. The meeting was adjourned at 8:24 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	SALLY MILLER	\$70.00	52	\$28.86
4	JAY LOW	\$70.00	50	\$27.75
5	TOM BICE	\$70.00	54	\$29.97
6	GEORGE BRANDT	\$70.00	34	\$18.87
7	ROBERT REICHWEIN	\$70.00	32	\$17.76
8	DICK MILLER	\$70.00	24	\$13.32
9	MICHELLE HAINES	\$70.00	25	\$13.88
10	JOHN AASEN	\$70.00	10	\$5.55
11	DAVID SUCHLA	\$70.00	14	\$7.77
12	DAVID LARSON	\$70.00	46	\$25.53
13	OLIN FIMREITE	\$70.00	2	\$1.11
14	MICHAEL NELSON	\$70.00	22	\$12.21
15	HENSEL VOLD	\$70.00	44	\$24.42
16	CURTIS SKOYEN	\$70.00	33	\$18.32
17	ERNEST VOLD	<u>\$70.00</u>	<u>38</u>	<u>\$21.09</u>
	<b>TOTALS</b>	<b>\$1,190.00</b>	<b>604</b>	<b>\$ 335.23</b>