

**MAY COUNTY BOARD MEETING  
MORNING SESSION  
May 15, 2018**

The Calumet County Board of Supervisors met pursuant to Section 59 of the Wisconsin Statutes in an adjourned session at the Calumet County Courthouse, in the City of Chilton, Wisconsin, on Tuesday, May 15, 2018 at 8:30 A.M. to transact any and all business as may properly come before said meeting.

Chair Connors called the meeting to order at 8:30 A.M.

**Board members present:** All members reported present except for Supervisors Budde and Hartl, who were excused.

**Staff members present:** Todd Romenesko, County Administrator, Kimberly Tenerelli, Corporation Counsel and Beth A. Hauser, County Clerk.

The Pledge of Allegiance was recited. In honor of National Police Officers' Week, a moment of silence was observed for all officers lost in the line of duty.

Supervisor Dietrich temporarily left the meeting.

**Approval of Agenda:**

**Moved** by Supervisor Barribeau and seconded by Supervisor Karth to approve the amended agenda as presented. On the call of the ayes and nays, the following was the result: 18 votes cast: 18 ayes, 0 nays, 3 excused (Budde, Dietrich and Hartl). The amended agenda was approved unanimously.

**Approval of Minutes:**

**Moved** by Supervisor La Shay and seconded by Supervisor Draheim to approve the minutes of the April 17, 2018 organizational meeting as presented. On the call of the ayes and nays, the following was the result: 18 votes cast: 18 ayes, 0 nays, 3 excused (Budde, Dietrich and Hartl). The April 17, 2018 minutes were approved unanimously.

Supervisor Dietrich returned to the meeting at 8:37 AM.

**SPECIAL BUSINESS:**

1. Jamie Michael, Associate Director of the Wisconsin Association of Local Health Departments and Boards presented an award to the Calumet County Health and Human Services Board. General discussion followed.
2. Allen Mitchler, new Director of the Chilton Regional Center of Fox Valley Technical College, introduced himself to the Board.

**RESOLUTIONS:**

**RESOLUTION 2018-08  
RESOLUTION ACKNOWLEDGING THE MERITORIOUS WORK OF FELLOW  
COMMITTEE, BOARD AND COMMISSION MEMBERS**

To the Honorable Chair and Board of Supervisors of Calumet County, Wisconsin:

**WHEREAS**, The following members have been diligent in their work by giving of their time and effort for the betterment of Calumet County:

- Rock Anderson** – County Deer Advisory Committee
- Nick Cluppert** – Local Emergency Planning Committee
- Jon Cousins** – County Children with Disabilities Education Board, and Planning, Zoning, and Farmland Preservation Committee
- Melissa Ebert** – Calumet County Traffic Safety Commission
- Mike Hopfensperger** – Aging & Disability Resource Center Serving Calumet, Outagamie and Waupaca Counties Advisory Committee, and Veterans Service Commission
- Paul Kapellen** – Local Emergency Planning Committee
- Jerry Koenig** – Health and Human Services Board
- Dr. Tricia Lorenz** – Health and Human Services Board
- Carl Mohl** – Local Emergency Planning Committee
- Joelle Myers** – Aging & Disability Resource Center/Long Term Support Advisory Committee
- Elroy Schreiner** – Aging & Disability Resource Center Serving Calumet, Outagamie and Waupaca Counties Advisory Committee
- LuAnn Steffen** – Aging & Disability Resource Center/Long Term Support Advisory Committee
- Joseph Strauss** – Local Emergency Planning Committee
- Eva Zahn** – Aging & Disability Resource Center/Long Term Support Advisory Committee
- Steve Zutz** – Local Emergency Planning Committee

**NOW, THEREFORE, BE IT RESOLVED** That the Board of Supervisors of Calumet County herein assembled, acknowledge the effort, time and talent given by the above individuals for their years of service on various Calumet County committees, boards and commissions.

**BE IT FURTHER RESOLVED** That a copy of this Resolution be presented to each member.

Dated this 15<sup>th</sup> day of May 2018.

**INTRODUCED BY THE CALUMET COUNTY BOARD OF SUPERVISORS**

- |                      |                       |
|----------------------|-----------------------|
| /s/ Bill Barribeau   | /s/ Alice Connors     |
| /s/ Gary Deiter      | /s/ Ronald Dietrich   |
| /s/ Ken Draheim      | /s/ Merlin Gentz      |
| /s/ Heather Gible    | /s/ Mike Hofberger    |
| /s/ Hope Karth       | /s/ Ed Kleckner       |
| /s/ Dave La Shay     | /s/ Patrick Laughrin  |
| /s/ Joe Mueller      | /s/ Mary Schwalenberg |
| /s/ James Stecker    | /s/ Peter Stier       |
| /s/ Duaine Stillman  | /s/ Tom Stoffel       |
| /s/ Kevin Weinberger |                       |

**COUNTERSIGNED BY**

- /s/ Alice Connors, County Board Chair

**Moved** by Supervisor Draheim and seconded by Supervisor Schwalenberg to adopt Resolution 2018-08. On the call of the ayes and nays, the following was the result: 19 votes cast: 19 ayes, 0 nays, 2 excused (Budde and Hartl). Resolution 2018-08 was adopted unanimously.

**RESOLUTION 2018-09  
RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A FIFTEEN PERCENT (15%)  
GENERAL FUND BALANCE REQUIREMENT**

To the Honorable Chair and Board of Supervisors of Calumet County, Wisconsin:

**WHEREAS**, The Calumet County Board of Supervisors under the provisions of Section 59.03 and 59.04 of Wisconsin Statutes shall make rules for the government of Calumet County and shall determine the general policies of the County, including the expenditure of the funds under its jurisdiction within the amounts available; and

**WHEREAS**, Positive fund balance is essential to ensure the operational continuity of the County finances; and

**WHEREAS**, The Board of Supervisors request the establishment of a fund balance guideline to ensure the maintenance of reasonable positive fund balances by the County; and

**WHEREAS**, Resolution 2010-28 dated September 21, 2010 established the existing fund balance policy at 15% of certain expenditures within the County's audited financial statements; and

**WHEREAS**, The calculation of undesignated fund balance under Resolution 2010-28 needs to be modified to more accurately reflect changes in Calumet County's accounting for advances to bonded capital projects.

**NOW THEREFORE, BE IT RESOLVED**, That the Calumet County Board of Supervisors hereby rescinds Resolution 2010-28.

**BE IT FURTHER RESOLVED**, That the County shall maintain a minimum undesignated General Fund Balance of 15% of the total audited expenditures of the County's Governmental Funds, less Debt Service Fund expenditures and Capital Projects Fund expenditures being financed by Bond Proceeds. The calculation of this percentage shall occur annually from the County's Audited Financial Statements and shall include the undesignated fund balance in the General Fund, Special Revenue Funds and include amounts designated for working capital within the General Fund and general fund reserves for advances to bonded Capital Projects Fund.

Dated this 15th Day of May, 2018.

**INTRODUCED BY THE  
ADMINISTRATIVE SERVICES COMMITTEE**

/s/ Merlin Gentz, Chair

/s/ Ronald Dietrich

/s/ Bill Barribeau

/s/ Patrick Laughrin

/s/ Pete Stier

/s/ Mary Schwalenberg

/s/ Tom Stoffel

**COUNTERSIGNED BY**

/s/ Alice Connors, County Board Chair

**Moved** by Supervisor Draheim and seconded by Supervisor Barribeau to adopt Resolution 2018-09. General discussion. On the call of the ayes and nays, the following was the result: 19 votes cast: 19 ayes, 0 nays, 2 excused (Budde and Hartl). Resolution 2018-09 was adopted unanimously.

**ORDINANCE:**

**ORDINANCE 2018-01  
ORDINANCE TO AMEND THE CALUMET COUNTY CODE OF ORDINANCES  
AMENDING CHAPTER 14, EMERGENCY SERVICES**

The Board of Supervisors of Calumet County, does hereby amend the Calumet County Code of Ordinances by amending Chapter 14, as follows:

1. **Chapter 14, Article I. In General.**

See attached.

2. This amending ordinance shall take effect upon passage as provided by law.

Dated this 15th day of May, 2018.

**INTRODUCED BY THE  
ADMINISTRATIVE SERVICES COMMITTEE**

/s/ Merlin Gentz, Chair  
/s/ Ronald Dietrich  
/s/ Bill Barribeau  
/s/ Patrick Laughrin  
/s/ Mary Schwalenberg  
/s/ Pete Stier  
/s/ Tom Stoffel

**COUNTERSIGNED BY**

/s/ Alice Connors, County Board Chair

**Chapter 14**

**EMERGENCY SERVICES\***

\_\_\_\_\_  
\* **Cross References:** Law Enforcement, ch. 38.

**Article I. In General**

- Sec. 14-1. Declaration of Emergencies.**
- Sec. 14-2. Emergency Rules.**
- Sec. 14-3. Local Emergency Planning Committee (LEPC).**
- Sec. 14-4. Emergency Management.**
- Sec. 14-5. National Incident Management Systems (NIMS)**
- Sec. 14-6. Public Safety Radio Systems.**
- Secs. 14-6--14-40. Reserved.**

**Article II. E 911 System**

- Sec. 14-41. Authority of Article Provisions.**
- Sec. 14-42. Purpose of Article.**
- Sec. 14-43. Administration.**
- Sec. 14-44. Operation; User Charges.**
- Sec. 14-45 Intentional Interference**
- Secs. 14-46--14-80. Reserved.**

**Article III. False Alarms**

- Sec. 14-81. Declaration of Intent.**
- Sec. 14-82. Definitions.**
- Sec. 14-83. General Requirements.**
- Sec. 14-84. Penalties for Violation of Article.**
- Sec. 14-85. Cooperation of Alarm User, Owner, or Lessee.**

**ARTICLE I.**

**IN GENERAL**

**Sec. 14-1. Declaration of Emergencies.**

(a) A Declaration of a State of Emergency may be made by the Governor, the County Administrator, and the Emergency Management ~~Director~~[Coordinator](#) in the absence of the County Administrator, or by majority of the County Board. The issuing authority shall issue all necessary proclamations as to the existence of a State of Emergency and shall issue such disaster warnings or alerts as shall be required in the County Emergency Operations Plan.

(b) After the Declaration of an Emergency and the issuance of official disaster warnings, the Emergency Management ~~Director~~[Coordinator](#) shall take action in accordance with the County Emergency Operations Plan.

(c) Such State of Emergency shall continue until terminated by the issuing authority.  
(Ord. No. 2002, § 1, 6-18-2002)

**Sec. 14-2. Emergency Rules.**

Upon the Declaration of Emergency, the County Board, the County Administrator, and, in his absence, the Emergency Management ~~Director~~[Coordinator](#) may proclaim, promulgate and enforce orders and rules relating to the conduct of persons and the use of property which are necessary and expedient for the safety of the public, which preserve lives and property, and which ensure the cooperation in emergency management activities. Such proclamation shall be posted in three public places and may be rescinded either by the issuing agency or by resolution of the County Board.

(Ord. No. 2002-2, § 2, 6-18-2002)

**Sec. 14-3. Local Emergency Planning Committee (LEPC).**

(a) The Board of Supervisors creates a Local Emergency Planning Committee, in accordance with Wis. Stats. §59.54(8).

(b) The Local Emergency Planning Committee shall consist of at least 13 regular members, but not

more than 19 members.

(c) Members of the Local Emergency Planning Committee shall be appointed by the County Administrator and confirmed by the County Board for two-year terms. Upon such members being confirmed by the County Board, those names shall be forwarded to the Wisconsin Emergency Management Board for approval and recording, as required.

(Ord. No. 1997-12, §§ 1--3, 12-16-1997)

**Cross References:** Administration, ch. 2.

**Sec. 14-4. Emergency Management.**

(a) *Policy and purpose.* To ensure that the County will be prepared to cope with emergencies resulting from enemy action and with emergencies resulting from manmade and natural disasters, Emergency Management is created to carry out the purposes set out in Wis. Stats. §323

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*Emergency management* includes civil defense and means all measures undertaken by or on behalf of the state and its subdivisions:

- (1) To prepare for and minimize the effect of enemy action and natural or manmade disaster upon the civilian population.
- (2) To effectuate emergency repairs to, or the emergency restoration of, vital public utilities and facilities destroyed or damaged by such action or disaster.

*Enemy action* means hostile action by a foreign power which threatens the security of this state or a portion thereof.

(c) County ~~Emergency Management Committee~~ Protection of Persons and Property Committee.

(1) *How constituted.* The civil defense committee of the County Board as created under its rules is hereby designated as the County ~~Emergency Management Committee~~ Protection of Persons and Property Committee. When acting as such, the committee shall follow County procedure when electing a committee Chair.

(2) *Duties.* The County ~~Emergency Management Committee~~ Protection of Persons and Property Committee shall be an advisory and planning group and shall advise the County Emergency Management /~~Director~~ Coordinator and the County Board of supervisors on all matters pertaining to emergency management. It shall meet upon the call of the Chair.

(d) County Emergency Management ~~Director~~ Coordinator. There is hereby created the office of County-Municipal Emergency Management ~~Director~~ Coordinator. The County Emergency Management ~~Director~~ Coordinator shall also hold the office of Emergency Management ~~Director~~ Coordinator of such municipalities of the county as may hereafter enact an ordinance parallel to this section. In addition to his duties as County Emergency Management ~~Director~~ Coordinator, he shall have the additional duties

and responsibilities of a Municipal Emergency Management ~~Director~~Coordinator as provided for in Wis. Stats. §323.14.

(e) *Joint meetings.* Whenever it is deemed necessary by either the County ~~Emergency Management Committee~~Protection of Persons and Property Committee, or the ~~Emergency Management Committee~~Protection of Persons and Property Committee of a municipality participating in joint action, there shall be a joint meeting of the committees to decide such matters as may arise.

(f) *Duties of the County Emergency Management ~~Director~~Coordinator.*

(1) *Countywide duties.* The ~~Director~~Coordinator, in his capacity as county ~~Director~~Coordinator, subject to the control and direction of the County ~~Emergency Management Committee~~Protection of Persons and Property Committee and under the general supervision of the County Board, shall:

- a. Develop and promulgate emergency management plans for the County including planning for joint action municipalities, consistent with the State Plan of Emergency Management;
- b. Coordinate and assist in the development of municipal emergency management plans within the County, and integrate such plans with the County Plan;
- c. Direct the County and joint action municipality emergency management programs;
- d. Direct Countywide emergency management training programs and exercises;
- e. Advise the State Administrator of Emergency Management of all emergency management planning for the County and render such reports as may be required by the Administrator;
- f. In case of a State of Emergency proclaimed by the Governor, direct the County and joint action municipalities in emergency management activities and coordinate the nonjoint action municipal emergency management activities within the County, subject to the coordinating authority of the State Administrator; and
- g. Perform such other duties relating to emergency management as may be required by the County Board.

(2) *Municipal duties.* The ~~Director~~Coordinator in his capacity as ~~Director~~Coordinator for a municipality in joint action shall:

- a. Direct the municipal emergency management organization;
- b. Develop, promulgate, and integrate into the County Plan, emergency management plans for the operating services of the municipalities;

- c. Direct participation of the municipality in such emergency management training programs and exercises as may be required on the County level or by the State Administrator;
- d. Direct the municipal emergency management training programs and exercises;
- e. Perform all administrative duties necessary for the rendering of reports and procurement of federal matching funds for each municipality requesting federal matching funds;
- f. In case of a State of Emergency proclaimed by the Governor, direct the activities of the municipal emergency management organization;
- g. Perform such other duties, relating to emergency management, as may be required by the municipal governing body.

(g) *Utilization of existing services and facilities.*

- (1) *Policy.* In preparing and executing the emergency management program, the services, equipment, supplies and facilities of the existing departments and agencies of the County shall be utilized to the maximum extent practicable; and the officer and personnel of all such departments and agencies are directed to cooperate with and extend such services and facilities as are required of them.
- (2) *Joint action.* Municipalities entering into joint action with the County will provide for utilization of existing services of municipal government by enactment of an ordinance parallel to this subsection of this section.

(h) *Other emergencies.*

- (1) *Joint action municipalities.* If the Governor determines that an emergency exists growing out of natural or manmade disasters, the County Emergency Management ~~Director~~[Coordinator](#) will activate and direct the emergency management services at the appropriate level of government affected by the emergency.
- (2) *Nonjoint action municipalities.* In the event of a natural or manmade disaster, the County ~~Director~~[Coordinator](#) will coordinate the municipalities affected and render such assistance as is required and available from county resources.
- (3) *Penalties.* It shall be unlawful for any person willfully to obstruct, hinder, or delay any member of the emergency management organization in the enforcement of any order, rule, regulation or plan issued pursuant to this section, or to do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this section. For a violation of any of the provisions of this section, he shall forfeit not more than \$200.00.

**Sec. 14-5. National Incident Management System (NIMS).**

Calumet County will comply with the National Incident Management System (NIMS) requirement in all



phases (i.e., mitigation, preparedness, response, recovery) of its emergency management program, as detailed by the federal and state government in order to facilitate an effective and coordinated emergency management system and in order to remain eligible for funding. A part of becoming compliant with NIMS, Calumet County hereby adopts the approved Incident Command System (ICS) for use in all emergency operations. The Calumet County Emergency Management ~~Director~~[Coordinator](#) will provide County and municipal agencies with the information necessary to aid each entity comply with the NIMS requirement.

**Secs. 14-6. Public Safety Radio Systems.**

(a) Declaration of Intent. The primary purpose of this section is to eliminate any interference with radio or data communications for public safety within the County of Calumet. This section also intends to encourage companies and individuals to take all necessary planning measures to place a structure that provides adequate clearance of all current and future public safety radio systems.

(b) Definitions:

*Fresnel zone:* is a number of concentric ellipsoids of revolution which define volumes in the radiation pattern of a (usually) circular aperture. Fresnel zones result from diffraction by the circular aperture. The cross section of the first Fresnel zone is circular. Subsequent Fresnel zones are annular in cross section, and concentric with the first. A Fresnel zone is created in a microwave radio path.

*Microwave radio:* is a technology for transmitting digital and analog signals, such as long-distance telephone calls and the relay of control between a control console and a radio transmitter, between two locations on a line of sight radio path. In microwave radios, radio waves are transmitted between the two locations with directional antennas, forming a fixed radio connection between the two points.

*Structure:* is anything constructed, erected or otherwise placed, reconstructed or structurally altered, upon any premises requiring a more or less permanent location on or in the ground, including but not limited to for reasons of specific enumeration, all buildings, modular buildings, modular homes, trailers, towers, signs, satellite dishes and animal waste storage structures. Slabs and driveways shall not be interpreted as a structure.

(c) No structure, constructed, erected or otherwise placed, reconstructed or structurally altered, shall:

- (1) Interfere with any microwave radio system or voice radio system for public safety agencies within Calumet County.
- (2) Interfere with, damage or sever, any underground connections for voice or data public safety radio systems, such as fiber optic or telephone lines, within Calumet County.

(d) Prior to any construction activity, any individual or entity shall assure that no part of a structure will block or redirect the signal of a public safety or microwave radio system. At least a 100 foot clearance of the Fresnel zone is required. Assurance may require that a path survey be conducted by a microwave radio engineer or engineering firm, at the expense of the individual or entity desiring to construct, erect, or otherwise place, reconstruct or structurally alter a structure. The location and

coordinates of communication towers and appurtenances utilized for public safety may be obtained in the office of the Land & Water Conservation Department of Calumet County.

(e) Any person who creates an interference prohibited under this section shall eliminate the interference within twenty four (24) hours of said interference being discovered. In addition to any other relief available to the County for violating this section, the County may take appropriate legal action or proceedings including, recovery of damages and injunctive relief.

Penalty. Any person who violates any of the provisions of this section shall be subject to section 1-7 and 1-8 of this Code. Each day of a violation constitutes a separate offense under this section.

**Sec. 14-7--14-40. Reserved.**

(Ord. No. 35, §§ 1--8, 9-26-1972; Ord. No. 2005-01,§5, 4-19-05; Ord. No. 2007-26, §14-6, 2-19-2008)

**Moved** by Supervisor Barribeau and seconded by Supervisor Stier to enact Ordinance 2018-01. General discussion. On the call of the ayes and nays, the following was the result: 19 votes cast: 19 ayes, 0 nays, 2 excused (Budde and Hartl). Ordinance 2018-01 was enacted unanimously.

**SUPERVISOR REPORTS:**

Supervisors were asked to report on official meetings held in the prior month.

**COUNTY ADMINISTRATOR'S REPORT AND APPOINTMENTS:**

1. The County Administrator's monthly report was provided to the Board prior to the meeting.
2. **Reappointment to the Calumet County Traffic Safety Commission. Moved** by Supervisor La Shay and seconded by Supervisor Barribeau to affirm the County Administrator's recommendation to reappoint Levi Gibler to the Calumet County Traffic Safety Commission with a term to expire April 20, 2020. On the call of the ayes and nays, the following was the result: 19 votes cast: 18 ayes, 0 nays, 1 abstain (Gibler), 2 excused (Budde and Hartl). Motion carried unanimously.
3. **Appointment to the Health and Human Services Board. Moved** by Supervisor Stier and seconded by Supervisor Karth to affirm the County Administrator's recommendation to appoint Dr. Sharon Rink, MD, to the Health and Human Services Board, with a term to expire April 20, 2020. On the call of the ayes and nays, the following was the result: 19 votes cast: 19 ayes, 0 nays, 2 excused (Budde and Hartl). Motion carried unanimously.

**SET SPECIAL MEETING DATE:**

**Moved** by Supervisor Barribeau and seconded by Supervisor Stecker to hold a special meeting on June 27, 2018 from 8:30 to noon for a strategic planning workshop. On the call of the ayes and nays, the following was the result: 19 votes cast: 19 ayes, 0 nays, 2 excused (Budde and Hartl). Motion carried unanimously.

**ADJOURNMENT:**

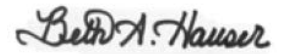
At 9:12 AM, **moved** by Supervisor Draheim and seconded by Supervisor Barribeau to adjourn the meeting. On the call of the ayes and nays, the following was the result: 19 ayes, 0 nays, 2 excused (Budde and Hartl). Motion carried unanimously.

STATE OF WISCONSIN )

COUNTY OF CALUMET )<sup>ss</sup>

I, Beth A. Hauser, County Clerk, Calumet County, Wisconsin, do hereby certify that the foregoing is a true and correct copy of the journal of proceedings of the Board of Supervisors at its May meeting held on May 15, 2018.

Beth A. Hauser



Calumet County Clerk