

**JUNE COUNTY BOARD MEETING
EVENING SESSION
June 19, 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, June 19, 2018 at 7:00 P.M. to transact any and all business as may properly come before said meeting.

Chair Connors called the meeting to order at 7:00 P.M.

Board members present: All members reported present except for Supervisor Weinberger, who was absent, and Supervisor Deiter, who was excused.

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

The Pledge of Allegiance was recited.

Approval of Agenda:

Moved by Supervisor Barribeau and seconded by Supervisor Karth to approve the Agenda as presented. On the call of the ayes and nays, the following was the result: 19 votes cast: 19 ayes, 0 nays, 1 absent (Weinberger) and 1 excused (Deiter). The Agenda was approved unanimously.

Approval of Minutes:

Moved by Supervisor Draheim and seconded by Supervisor Barribeau to approve the Minutes of the May 15, 2018 meeting as presented. On the call of the ayes and nays, the following was the result: 19 votes cast: 19 ayes, 0 nays, 1 absent (Weinberger) and 1 excused (Deiter). The Minutes were approved unanimously.

SPECIAL BUSINESS:

1. Amber O'Brien, the new Agricultural Educator in UW-Extension introduced herself to the Board.

RESOLUTIONS:

**RESOLUTION 2018-10
RESOLUTION DECLARING EMERGENCY IN CALUMET COUNTY**

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

WHEREAS, The Calumet County Board of Supervisors, by this resolution, adopted by a majority of the Board on roll call vote with a quorum present and voting and proper notice having been given, resolves and orders as follows:

An emergency is declared in Calumet County, Wisconsin, for the following reasons: flooding; and

WHEREAS, This period of emergency, which began on May 3, 2018, shall be limited to the time during which the emergency conditions exist or are likely to exist in Calumet County; and

WHEREAS, The County Board, or its designated agents, has the authority to order whatever is necessary and expedient for the health, safety, welfare, and good order of the County of

Calumet during the emergency, including without limitation the power to bar, restrict and remove all unnecessary traffic, vehicular or pedestrian, from the local highways; and

WHEREAS, Any person who violates a lawful order of the County of Calumet or its agents made under this emergency declaration shall forfeit not more than \$100, or in default of payment of the forfeiture, shall be subject to imprisonment for 6 months for each separate offense.

NOW, THEREFORE, BE IT RESOLVED That the Calumet County Board of Supervisors hereby approves the foregoing emergency declaration. The Clerk shall publish this resolution under §59.14, Wis. Stats., in a local newspaper. This resolution shall become effective upon adoption by the Calumet County Board of Supervisors and the forfeiture penalties shall become effective upon publication.

Dated this 19th day of June 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 Stier and seconded by Supervisor Draheim to adopt Resolution 2018-10. On the call of the ayes and nays to adopt Resolution 2018-10, the following was the result: 19 votes cast: 19 ayes, 0 nays, 1 absent (Weinberger) and 1 excused (Deiter). Resolution 2018-10 was adopted unanimously.

**RESOLUTION 2018-11
RESOLUTION IN SUPPORT OF NSIGHT TELSERVICES' APPLICATION FOR
PUBLIC SERVICE COMMISSION OF WISCONSIN BROADBAND EXPANSION
GRANT FY2019 TO BUILD A FIBER BROADBAND INTERNET SYSTEM IN
CALUMET COUNTY, WISCONSIN**

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

WHEREAS, Approximately \$7.0 million in State of Wisconsin Broadband Expansion Grant funding will be available to eligible applicants in January 2019; and

WHEREAS, Calumet County has been involved in discussions with Nsight Telservices to construct 16.05 miles of fiber through eligible areas in Calumet and Sheboygan Counties from Sherwood to Elkhart Lake (along Highway 114 to Hilbert, and along Highway 32 south in grant eligible areas between Chilton, New Holstein and Kiel terminating in Elkhart Lake); and

WHEREAS, Calumet County understands the need for expanded broadband internet to promote business expansion with new jobs and serve the needs of community anchor

institutions in rural Wisconsin communities, including online access to services such as ecommerce, home health, and government business web portals; and

WHEREAS, The provider is currently engaged in engineering analysis designed to produce detailed project parameters and cost estimates to be used to compile a competitive Broadband Expansion Grant application(s); and

WHEREAS, Calumet County understands that supporting Nsight Telservices' fiber broadband expansion project will enhance the likelihood of success for the project; and

WHEREAS, A pledge of financial support from Calumet County increases the overall competitiveness of the application.

NOW, THEREFORE BE IT RESOLVED, That the Calumet County Board of Supervisors financially supports Nsight Telservices' application to the Public Service Commission of Wisconsin Broadband Expansion Grant Program FY2019 and the subsequent project to build fiber through the county that will provide broadband internet service capable of serving community anchor institutions and businesses located along the fiber route and hereby pledges \$2,500 in financial support contingent upon the grant award with funds to be dispersed from the Contingent Fund.

Dated this 19th day of June 2018.

**INTRODUCED BY THE PLANNING, ZONING &
FARMLAND PRESERVATION COMMITTEE**

/s/ Michael Hofberger, Chair

/s/ Ed Kleckner

/s/ Matthew Budde

/s/ Hope Karth

**AND 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 Karth to adopt Resolution 2018-11. On the call of the ayes and nays to adopt Resolution 2018-11, the following was the result: 19 votes cast: 19 ayes, 0 nays, 1 absent (Weinberger) and 1 excused (Deiter). Resolution 2018-11 was adopted unanimously.

**RESOLUTION 2018-12
RESOLUTION ESTABLISHING FEES FOR SERVICES
RENDERED BY MEDICAL EXAMINER**

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

WHEREAS, The Calumet County Medical Examiner does charge certain fees for services rendered, as allowed per statute, and as established by the Calumet County Board of Supervisors; and

WHEREAS, Per state statute, a moratorium, effective July 14, 2015 to April 17, 2017, was placed on Medical Examiner fee increases; and

WHEREAS, Per Wisconsin Stats. §59.365, the moratorium on Medical Examiner fee increases is now lifted allowing the County to increase the fee amounts annually by no more than the annual percentage change in the U.S. Consumer Price Index for All Urban Consumers, U.S. City Average, as determined by the U.S. Department of Labor, for the 12 months ending on December 31 of the year before the increase.

NOW, THEREFORE, BE IT RESOLVED That the Calumet County Board of Supervisors hereby approve an increase to the fees as charged by the Calumet County Medical Examiner at a rate of 2.1% per the annual percentage of change of the CPI-U for the 12 months ending December 31, as allowed per Wisconsin Stats. §59.365, effective immediately upon passage by the County Board.

BE IT FURTHER RESOLVED That the County Administrator, in coordination with the County Medical Examiner, is hereby authorized to adjust the Medical Examiner fees annually as allowed per state statute.

Dated this 19th day of June 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 Schwalenberg to adopt Resolution 2018-12. On the call of the ayes and nays to adopt Resolution 2018-12, the following was the result: 19 votes cast: 19 ayes, 0 nays, 1 absent (Weinberger) and 1 excused (Deiter). Resolution 2018-12 was adopted unanimously.

**RESOLUTION 2018-13
RESOLUTION AMENDING THE 2018 BUDGET TO REFLECT THE WISCONSIN DNR 9 KEY
ELEMENT WATERSHED PLANNING GRANT**

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

WHEREAS, The Land and Water Conservation Department applied for and have been awarded funding for “9 Key Element” watershed-based plan; and

WHEREAS, The award of \$57,500 wasn’t originally anticipated in the preparation of the 2018 budget; and

WHEREAS, The planning area is the North Branch Manitowoc River watershed. This plan will allow the County to apply for staff funding and cost-sharing practices with landowners due to the plan’s identification of resource impairments, the sources of impairments, and effective practices to be implemented; and

WHEREAS, The planning for this watershed will be in conjunction with Lakeshore Natural Resources Partnership, the WI DNR, and other local partners; and

WHEREAS, The plan development is 100% funded by the Wisconsin Department of Natural Resources and the Lakeshore Natural Resources Partnership with no County funds being expended in this project.

NOW, THEREFORE, BE IT RESOLVED, That the Calumet County Board of Supervisors herein assembled hereby authorize and direct the County Finance Director amend the 2018 budget to reflect the award of this grant.

Dated this 19th day of June 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 Dietrich and seconded by Supervisor Laughrin to adopt Resolution 2018-13. On the call of the ayes and nays to adopt Resolution 2018-13, the following was the result: 19 votes cast: 19 ayes, 0 nays, 1 absent (Weinberger) and 1 excused (Deiter). Resolution 2018-13 was adopted unanimously.

ORDINANCE:

**ORDINANCE 2018-02
ORDINANCE TO AMEND THE CALUMET COUNTY CODE OF ORDINANCES
AMENDING CHAPTER 32, COUNTY TRUNK HIGHWAYS**

The Board of Supervisors of Calumet County, does hereby amend the Calumet County Code of Ordinances by amending Chapter 32, as follows:

1. **Chapter 32, Article II. Access to County Trunks.**

Sec. 32-7. Appeal Process.

- A. Any order or decision issued pursuant to this chapter may be appealed to the Calumet County Highway Committee by filing a written notice of appeal within 30 days of the date of date of delivery of the order or the written decision of the Commissioner.
- B. The Notice of Appeal shall be filed with the Calumet County Highway Department, 241 E. Chestnut Street Chilton, WI 53014. A non-refundable fee of \$350.00 shall accompany the Notice of Appeal. The non-refundable fee shall be doubled if the appeal is a result of a denial of an application for any after-the-fact permit application. The Committee shall set a time and place for considering the appeal, and shall notify the appellant of the same. The appellant shall have the right to present evidence and witnesses on his behalf. When reviewing the order or decision of the Commissioner, the Committee shall consider the requirements of this chapter specifically paying attention to Sec. 32-2, above. The Committee shall issue findings either sustaining or overruling the order or decision.
- C. If the Committee sustains the order to remove the access point under 32-6, the appellant shall remove the alteration by the date set forth in the decision, which shall in any event be at least 20 days from the date of the decision of the Committee.
- D. If the appellant refuses to comply with the order, the Commissioner shall issue a citation consistent with Sec. 1.8 of this Code.
- E. Nothing in this section shall be interpreted to impair the right of the appellant to seek Certiorari review under §§~~59.694(10)~~ and ~~80.16(2)~~68.13, Wis. Stats.

Sec. 32-8. Variance Process.

- A. Any person who has filed a permit for access under this chapter and was denied may request a Variance. The written request for a Variance shall be filed with the Calumet County Highway Committee, 241 E Chestnut Street, Chilton, WI 53014, within 30 days of the date of delivery of the written notification of denial. A non-refundable fee of \$350.00 shall be paid at the time of filing for a Variance. The non-refundable Variance fee shall be doubled if the denial is from an after-the-fact permit application.
- B. The Committee shall set a time and place for considering the Variance and shall notify the requestor of the same. The requestor shall have the right to present evidence and witnesses on his behalf.
- C. When reviewing the order or decision of the Commissioner, the Committee shall consider the requirements of this chapter specifically paying attention to Sec. 32-2, above.
- D. If the Committee finds that practical difficulty and unnecessary hardship may result from strict compliance with this Chapter, it may vary the regulation so that substantial justice may be done provided that the public interest is secured and that such Variance will not have the effect of nullifying the intent and purpose of this Chapter.

- E. In granting Variances, the Committee shall request evidence of practical difficulty and hardship and record the reasons in the minutes of which the Variance was granted or denied.
- F. Nothing in this section shall be interpreted to impair the right of the appellant to seek Certiorari review under §§~~59.694(10) and 80.16(2)~~68.13, Wis. Stats.

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

Dated this 19th day of June 2018.

INTRODUCED BY THE HIGHWAY COMMITTEE

/s/ Kenneth Draheim, Chair

/s/ Matthew Budde

/s/ Ronald Dietrich

/s/ Bill Barribeau

/s/ Joseph Mueller

COUNTERSIGNED BY

/s/ Alice Connors, County Board Chair

Moved by Supervisor Dietrich and seconded by Supervisor Draheim to enact Ordinance 2018-02. On the call of the ayes and nays to enact Ordinance 2018-02, the following was the result: 19 votes cast: 19 ayes, 0 nays, 1 absent (Weinberger) and 1 excused (Deiter). Ordinance 2018-02 was enacted unanimously.

SUPERVISOR REPORTS:

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

COUNTY ADMINISTRATOR'S REPORT AND APPOINTMENT:

1. The County Administrator's monthly report was provided to the Board prior to the meeting.
2. **County Administrator's Appointments:**

Moved by Supervisor Draheim and seconded by Supervisor Barribeau to affirm the County Administrator's recommendations for the following appointments and reappointments:

 - A. **Reappointment to the Brillion Library Board.** The appointment of Marc Axelrod will expire July 1, 2018. Recommend the reappointment of Marc Axelrod for a term to expire July 1, 2021.
 - B. **Appointment to the Brillion Library Board.** The appointment of former County Board Supervisor Lyle Ott will expire on July 1, 2018. Recommend the appointment of County Board Supervisor Heather Gibler for a term to expire July 1, 2021.
 - C. **Reappointment to the Chilton Library Board.** The appointment of County Board Supervisor Mike Hofberger will expire July 1, 2018. Recommend the reappointment of Mike Hofberger for a term to expire July 1, 2021.
 - D. **Reappointment to the Chilton Library Board.** The appointment of Steve Phipps will expire July 1, 2018. Recommend the reappointment of Steve Phipps for a term to expire July 1, 2021.

- E. **Reappointment to the Chilton Library Board.** The appointment of Ray Mueller will expire July 1, 2018. Recommend the reappointment of Ray Mueller for a term to expire July 1, 2021.
- F. **Reappointment to the Chilton Library Board.** The appointment of Mary Depies will expire July 1, 2018. Recommend the reappointment of Mary Depies for a term to expire July 1, 2021.
- G. **Reappointment to the New Holstein Library Board.** The appointment of County Board Supervisor Ron Dietrich will expire on July 1, 2018. Recommend the reappointment of Ron Dietrich for a term to expire July 1, 2021.
- H. **Reappointment to the Zoning Board of Adjustment.** The appointment of Gary Winkler will expire on June 30, 2018. Recommend the reappointment of Gary Winkler for a term to expire June 30, 2021.
- I. **Reappointment to the Zoning Board of Adjustment.** The appointment of David Jannette will expire on June 30, 2018. Recommend the reappointment of David Jannette for a term to expire June 30, 2021.
- J. **Appointment to the Fox Valley Workforce Development Board.** Recommend the appointment of Laura Biehn, Sargento Foods, to fill the vacancy left by Kim McKeen. Term to expire June 30, 2021.

On the call of the ayes and nays, the following was the result: 19 votes cast: 19 ayes, 0 nays, 1 absent (Weinberger) and 1 excused (Deiter). Motion carried unanimously.

ADJOURNMENT:

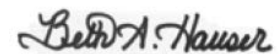
Moved by Supervisor Draheim and seconded by Supervisor Stecker to adjourn the meeting at 7:44 P.M. On the call of the ayes and nays, the following was the result: 19 votes cast: 19 ayes, 0 nays, 1 absent (Weinberger) and 1 excused (Deiter). Motion carried unanimously.

STATE OF WISCONSIN)

COUNTY OF CALUMET)ss

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 June meeting held on June 19, 2018.

Beth A. Hauser



Calumet County Clerk