

**REGULAR SESSION
NOVEMBER 12, 2014**

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 Wednesday, November 12, 2014 at 10:04 a.m. with Chair Richard Miller 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 10:00 a.m. on November 12, 2014 in the County Board Room. All County Board Members' Claims are due in the County Clerk's Office by noon on November 5, 2014 so they can be prepared for Audit Committee approval.

Sincerely,
/s/ Paul L. Syverson
County Clerk

Clerk Syverson read the call.

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

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

ADOPTION OF THE AGENDA: It was moved by John Aasen and seconded by Jeanne Nutter to adopt the 11 item agenda. Motion carried unanimously by vote of acclamation to approve.

APPROVAL OF OCTOBER REGULAR SESSION MINUTES: It was moved by George Brandt and seconded by Michael Nelson to approve the regular session October minutes. Motion carried unanimously by a vote of acclamation to approve.

APPEARANCES: SHERIFF DEPARTMENT MONTHLY REPORT: Sheriff Anderson gave the statistics for October. There were 87 bookings consisting of 70 males and 17 females. The average daily in county population was 26.42 and the out of county average was 4.84 and there were 5.61 people on electronic monitoring. There were 1.94 Huber inmates. The accident data reported was 74 car/deer crashes, 10 with property damage, 3 personal injuries and no fatalities.

APPEARANCES: HEALTH CARE CENTER – NEW FACILITY PLAN: Mary Gullicksrud, Executive Director at the Health Care Center, shared the future vision for the facility and handed out packets of information regarding the plans. Tim Zeglin asked about the tax savings amount listed in the proposal. Olin Fimreite voiced concerns about a possible sand load out site near the facility which would mean increased train and truck traffic. Discussion was held on costs per day. Mary said they are looking into a bed tax relief through the State Department of Health, which was created in the 1980's to increase federal money on Medicaid. She also said they currently charge \$305 a day in the IMD unit whereas the state hospitals charge from \$1,100 to \$3,000 a day, so the

Health Care Center offers a great deal. She also said they contract with 68 of the 72 counties. David Kimball spoke regarding the change in space/size. They are creating a neighborhood concept but the number of the beds is the same as they presently have. There is more of a need for either single or double occupancy rooms instead of the current setup of “up to” four occupants per room. Mary Gullicksrud also said they have considered optimal programming and sustainability while being good stewards of resources. She also said the bond would not exceed \$28,000,000. She thanked the board for their time and plans to be back next month regarding bonding.

HIGHWAY BRIDGE PETITIONS: Clerk Syverson read the seven bridge petitions from four different municipalities.

2015 BUDGET HEARING: At 11:01 a.m. Clerk Syverson did the first reading of the budget. The total from all funds was: 2015 Budget = \$56,945,687.20, 2015 Revenue = \$46,792,489.03, which leaves a proposed levy of \$10,153,198.17. During the public hearing, Linda Mossman was the only one from the public to speak. Ms. Mossman asked that \$62,500 be taken away from the Highway budget and put \$32,500 towards a County Cost Share program in Department of Land Management, put \$15,000 in the UW Extension budget towards a ground water sampling survey for the Towns of Lincoln and Burnside for landowners living ½ mile from a sand mine and the final \$15,000 towards a Buy Local program for study and research through UW Extension.

**2014-11-01
RESOLUTION**

**TREMPEALEAU COUNTY HIGHWAY DEPARTMENT
COUNTY AID BRIDGE CONSTRUCTION UNDER SECTION 82.08 OF WI STATUTES**

WHEREAS the various towns hereinafter names, have filed petitions for County aid in the construction of bridges under Section 82.08 of the Statutes, said petitions are hereby granted and the County’s share is appropriated, for year 2015 as follows:

TOWN	BRIDGE	TOTAL	AMOUNT INCURRED BY LOCALS	AMOUNT OF COUNTY AID GRANTED
ARCADIA	Creek Road	\$ 155.88	\$ 77.94	\$ 77.94
	Gaveney Road	\$ 6,445.40	\$ 3,222.70	\$ 3,222.70
	Haines Lane	\$ 4,042.76	\$ 2,021.38	\$ 2,021.38
	Rainey Valley Road	\$ 7,662.65	\$ 3,831.32	\$ 3,831.33
	Soppa Road	\$ 4,241.38	\$ 2,120.69	\$ 2,120.69
BURNSIDE	Dominic Lane	\$39,695.40	\$19,847.70	\$19,847.70
GALE	River Drive	\$39,241.08	\$19,620.54	\$19,620.54
TOTALS		\$101,484.55	\$50,742.27	\$50,742.28

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

**2014-11-02
RESOLUTION**

ACCEPTING DONATION OF VAN

WHEREAS the Aging and Disability Resource Center (ADRC) within Trempealeau County Human Services provides transportation services for people with disabilities and people over age sixty years and older, and

WHEREAS federal, state and local resources to purchase handicap accessible vehicles with lifts are very limited, and

WHEREAS the ADRC purchases vehicles only when the previous vehicles have reached the end of their useful lives and only when Trempealeau County has secured non-levy funding to cover the cost of the vehicle purchase, and

WHEREAS the ADRC frequently receives requests from residents of Trempealeau County to use a handicapped accessible vehicle with a lift for non-ADRC related transportation of disabled individuals, and

WHEREAS Steve Kieffer wishes to donate to Trempealeau County a 2012 Sprinter van with a Ricon lift worth \$69,528 in loving memory of his brother Thomas Kieffer, and

WHEREAS Wisconsin State Statute 59.52 (19) requires County Board approval to accept donations and gifts for any public governmental purpose with the powers of the county and

WHEREAS the cost to use the donated vehicle will be offset by utilization fees or state transportation funds with no cost to the county levy to operate this donated vehicle, and

WHEREAS the Trempealeau County ADRC could provide additional and enhanced services to the residents of Trempealeau County with the use of the above mentioned handicap accessible van donation.

THEREFORE be it resolved that the Trempealeau County Board of Supervisors approves the donation of the 2012 Sprinter handicap accessible van with lifts from Steve Kieffer and be it further resolved that the Trempealeau County Board of Supervisors expresses sincere appreciation to Steve Kieffer and the Thomas Kieffer family.

Dated at Whitehall, Wisconsin, this 12th day of November, 2014

Respectfully submitted,
/s/ Curtis Skoyen
/s/ Wade Britzius
/s/ Jeanne Nutter
/s/ Richard Frey

/s/ Rob Reichwein
HUMAN SERVICES BOARD

It was moved by Olin Fimreite and seconded by Jeanne Nutter to approve to resolution. It was noted that is has not been federally inspected yet. Roll call taken; motion carried with 17 yes votes; resolution adopted.

**2014-11-03
RESOLUTION**

REPEALING ORDINANCES

WHEREAS the County Board established an ad hoc committee charged with the task to review all County ordinances and determine whether any ordinances need revising or repealing, and to assemble such ordinances into a code book of ordinances, and

WHEREAS codifying the County's ordinances and having them organized and available in a code book will make it easier for County officials and employees and the public to access and view the County's ordinances, and

WHEREAS the ad hoc committee recommends repealing certain ordinances that are out of date or have been replaced by subsequent ordinances and were not properly repealed

NOW THEREFORE BE IT RESOLVED that the Trempealeau County Board of Supervisors hereby repeals the attached list of ordinances for the reasons stated in the attachment.

Dated this 12th day of November, 2014

Respectfully submitted,
/s/ Timothy Zeglin
/s/ Michael Nelson
/s/ Richard Frey
AD HOC ORDINANCE CODIFICATION
COMMITTEE

It was moved by Richard Frey and seconded by Michael Nelson to adopt the resolution. Roll call vote taken; motion carried with 17 yes votes; resolution adopted.

The following Ordinances shall be repealed:

- *Trempealeau County Human Health Hazard Ordinance – adopted October 21, 1996. (This ordinance was not formally repealed and is currently replaced by the County's Human Health Hazard Ordinance, adopted on March 21, 2011.)*
- *Community Mental Health, Mental Retardation, Alcoholism, and Drug Abuse Services Ordinance and Addendum – adopted August 27, 1973. (This ordinance established the Mississippi River Human Services Center which was a joint program with Buffalo and Jackson Counties. This program was eventually converted to the Chapter 51.42 Unified Board. In November, 2008, the Unified Board was extinguished upon the creation of the Department of Human Services. This ordinance is no longer needed.)*

- Ordinance Amending the West Central Mental Health Center Ordinance – adopted September 18, 1968. (This ordinance is outdated. The County Department of Human Services addresses such needs, and the ordinance is no longer needed.)
- Ordinance Creating the West Central Mental Health Center – adopted November 15, 1967. (This ordinance is outdated. The County Department of Human Services addresses such needs, and the ordinance is no longer needed.)
- ATV Ordinance – adopted November 9, 2010. (This ordinance was not formally repealed and is currently replaced by the Amended ATV Ordinance which was adopted on January 16, 2012.)

**2014-11-04
RESOLUTION**

**REVISION TO ORDINANCE PROHIBITING TOBACCO USE
IN THE COUNTY COURTHOUSE AND JAIL**

WHEREAS the County’s current ordinance prohibiting tobacco use in the courthouse and jail was adopted on March 21, 1994, which prohibits tobacco use in the building, but does not regulate smoking near building entrances, and

WHEREAS on January 21, 2002, the County Board of Supervisors approved a resolution that prohibited the use of tobacco products within 20 feet of the four public entrances of the courthouse, and

WHEREAS the 2002 resolution was never enacted in an ordinance, and the Property Committee now desires to enact such prohibition into its current tobacco use ordinance to reaffirm such prohibition, and

WHEREAS the Board affirms the basis for adopting such a prohibition as specifically set forth in the January 21, 2002 resolution, which is attached hereto for reference purposes only.

THEREFORE BE IT RESOLVED that the Trempealeau County Board of Supervisors hereby adopts the attached revised Ordinance Prohibiting Tobacco Use in the County Courthouse and Jail.

BE IT FURTHER RESOLVED that upon the revised ordinance taking effect, the Ordinance Prohibiting Tobacco Use in the County Courthouse and Jail adopted on March 21, 1994 shall be repealed.

Dated at Whitehall, Wisconsin, this 12th day of November, 2014

Respectfully submitted,
/s/ Richard Frey
/s/ Timothy Zeglin
/s/ Michelle Haines
/s/ Sally Miller
/s/ Wayne Skroch
PROPERTY COMMITTEE

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

It was moved by Richard Frey and seconded by Wayne Skroch to adopt the resolution. Roll call vote taken; motion carried with 17 yes votes; resolution adopted.

*ORDINANCE PROHIBITING TOBACCO USE
IN THE COUNTY COURTHOUSE AND JAIL*

The County Board of Supervisors of the County of Trempealeau does ordain as follows:

- SECTION 1 No person shall engage in smoking or other tobacco use in the Trempealeau County Courthouse or within 20 feet of any entrance to the Courthouse.*
- SECTION 2 For purposes of this ordinance, Courthouse is defined as the structure known as the Trempealeau County Courthouse and Jail located in Whitehall, Wisconsin, and shall mean the entire building including entryway and hallways.*
- SECTION 3 Smoking means carrying a lighted cigar, cigarette, pipe, or any other lighted smoking equipment.*
- SECTION 4 Other tobacco use includes use of chewing tobacco.*
- SECTION 5 Any person violating this ordinance shall forfeit not less than \$5.00 nor more than \$20.00 for each offense.*
- SECTION 6 This ordinance shall take effect upon publication.*

**2014-11-05
RESOLUTION**

REVISION TO PUBLIC RECORDS ORDINANCE

WHEREAS the County's current public records ordinance designating the County Clerk to act as custodian of records of the County Board was adopted on May 16, 1983, and

WHEREAS the County is presently reviewing all of its ordinances in an effort to develop a code book of ordinances, and upon review of the public records ordinance, it was discovered that the statutory reference was out-of-date, and

WHEREAS the county desires to maintain the public records ordinance and update it so that its statutory references are current.

THEREFORE BE IT RESOLVED that the Trempealeau County Board of Supervisors hereby adopts the attached revised Public Records Ordinance.

BE IT FURTHER RESOLVED that upon the revised ordinance taking effect, the Public Records Ordinance adopted on May 16, 1983 shall be repealed.

Dated at Whitehall, Wisconsin, this 12th day of November, 2014

Respectfully submitted,
/s/ Douglas Winters
/s/ Sally Miller
/s/ Timothy Zeglin
/s/ Dick Miller
EXECUTIVE/ FINANCE COMMITTEE

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

It was moved by Tim Zeglin and seconded by Jeanne Nutter to adopt the resolution. Roll call vote taken; motion carried with 17 yes votes; resolution adopted.

PUBLIC RECORDS

The County Board of Supervisors of the County of Trempealeau does ordain as follows:

(1) Pursuant to Wisconsin Statute section ~~59.07(6)~~ 59.52(2) the office of County Clerk is designated to act as the custodian of records of the County Board and the records of the county board committees which are filed with that office. In case of the clerk's absence, a designee shall act as custodian.

(2) Records other than those stated above shall be the responsibility of county department or agency heads or their designees in the event of absence. Such persons shall have responsibilities in responding to requests for information under section 19.21 through 19.36, Wisconsin Statutes.

**2014-11-06
RESOLUTION**

REVISION TO ORDINANCE REGULATING PERSONAL USE OF COUNTY VEHICLES

WHEREAS the County's current ordinance regulating the personal use of county owned or operated vehicles was adopted on February 17, 1986, and

WHEREAS such ordinance prohibits personal use of county vehicles except for commuting to and from work and for *de minimis* personal use, and requires employees who are required to take the county vehicle home to commute to and from work to impute the sum of \$1.50 per commuting trip as part of the employee's gross income for taxation purposes, and

WHEREAS such ordinance needs revisions to allow an employee the option to reimburse the county the commuting trip fee and to expand application to all employees with the exclusion of county elected officials.

THEREFORE BE IT RESOLVED that the Trempealeau County Board of Supervisors hereby adopts the attached revised Ordinance Regulating the Personal Use of County Owned or Operated Vehicles.

BE IT FURTHER RESOLVED that upon the revised ordinance taking effect, the Ordinance Regulating the Personal Use of County Owned or Operated Vehicles adopted on February 17, 1986 shall be repealed.

Dated at Whitehall, Wisconsin, this 12th day of November, 2014

Respectfully submitted,
/s/ Douglas Winters
/s/ Timothy Zeglin
/s/ John Aasen
/s/ Sally Miller
/s/ Dick Miller
EXECUTIVE/FINANCE COMMITTEE

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

It was moved by Douglas Winters and seconded by John Aasen to adopt the resolution. Roll call vote taken; motion carried with 17 yes votes; resolution adopted.

*An Ordinance Regulating the Personal Use of County Owned or Operated Vehicles
The County Board of Supervisors of the County of Trempealeau does hereby ordain as follows:*

Section 1. Purpose. The purpose of this ordinance is to prohibit county employees from making any personal use of county vehicles except as permitted under 26 C.F.R. 1.274-6T(a)(3) of the Code of Federal Regulations, Internal Revenue Regulations, as such may be amended.

Section 2. Personal Use Prohibited. No county employee may, except as provided, make any personal use of any county-owned or operated vehicle.

(a) This section shall not apply to the use of a county vehicle for commuting to and from the employee's jobsite when, in the judgment of the employee's supervisors, the interests of the county require the employee to take such county vehicle home and commute to and from work with such county vehicle.

(b) This section shall not forbid employees from making minimal personal use of county vehicles with the permission of their immediate supervisor.

Section 3. Personal use valuation. Each employee who is required to commute to and from work with a county vehicle shall reimburse the county or consent to the inclusion as gross income of the employee, the sum of \$1.50 per commuting trip; ~~If not reimbursed, such sum shall be~~ subject to regular withholding of federal income taxes, state income taxes and social security taxes.

Section 4. ~~Recordkeeping by County officers and department heads.~~ Any ~~County elected officials, the highway commissioner, a department head or director of the county 51.42 program~~ employee who is given the use of a county automobile who is required to commute to and from work in the County car shall maintain a logbook showing the business or personal use, by mile, of the car. Such logs shall be maintained at least weekly by the employee, and shall be deposited with the county clerk at the end of each calendar year.

Section 5. Definitions. As used in this ordinance:

(a) "Commuting Trip" means a one-way trip from either the home to the jobsite or the jobsite to the home, as the case may be, and not a roundtrip of home to jobsite to home.

(b) "Personal Use" means any use which is for the benefit or enjoyment of the employee, or is not in pursuit of the business or interests of the county, or is in pursuit of a business or trade other than that of the county, as provided in 26 C.F.R. ~~s-1~~1.274-6T(e)(5), as such section may be amended.

(c) "Employee" does not include a county elected official, ~~the highway commissioner, the program director of the 51.42 board or other department heads.~~

Section 6. Effective date. The effective date of this ordinance shall be the date of publication retroactive to January 1, 1986.

**2014-11-07
RESOLUTION**

REVISION TO HEALTH CARE CENTER BOARD OF TRUSTEES ORDINANCE

WHEREAS the County's current Health Care Center Board of Trustees ordinance which establishes a five member board of trustees was adopted on May 15, 1989, and

WHEREAS the present ordinance requires that one of the three county board supervisors required to be on the board of trustees must be a member of the county's agriculture committee, and

WHEREAS the health care center no longer operates the county farm and no longer engages in any practice of agriculture, and

WHEREAS accordingly, the county desires to remove the requirement that one of the county board supervisors on the board of trustees be a member of the county's agriculture committee.

THEREFORE BE IT RESOLVED that the Trempealeau County Board of Supervisors hereby adopts the attached revised Health Care Center Board of Trustees Ordinance.

BE IT FURTHER RESOLVED that upon the revised ordinance taking effect, the Health Care Center Board of Trustees Ordinance adopted on May 15, 1989 shall be repealed.

Dated at Whitehall, Wisconsin, this 12th day of November, 2014

Respectfully submitted,
/s/ Douglas Winters
/s/ Timothy Zeglin
/s/ John Aasen
/s/ Sally Miller
/s/ Dick Miller
EXECUTIVE/FINANCE COMMITTEE

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

It was moved by Olin Fimreite and seconded by Jeanne Nutter to adopt the resolution. Roll call vote taken; motion carried with 16 yes votes; resolution adopted. Richard Frey was absent for the vote.

HEALTH CARE CENTER BOARD OF TRUSTEES

The County Board of Supervisors of the County of Trempealeau does ordain as follows:

Section 1: The Trempealeau County Health Care Center Board of Trustees shall ~~be expanded~~ from three to have five members, made up of three County Board supervisors and two citizen members.

Section 2: The term for each member shall be staggered terms of three years.

Section 3: The two ~~additional~~ citizen members shall commence their terms on July 1, 1989. The first term for position number 1 shall expire the first Monday of January, 1991 and the first terms for position number 2 shall expire the first Monday of January, 1992.

Section 4: ~~At least one of the County Board representatives shall be a member of the County's Agriculture Committee.~~

**2014-11-08
RESOLUTION**

**APPROVAL OF INCREASED HOURS FOR HIPAA CONSULTANT
AND 2014 BUDGET AMENDMENT**

WHEREAS on July 21, 2014, the County Board of Supervisors approved the hiring of a HIPAA consultant, Avastone Health Solutions, to do a review of the County's compliance with HIPAA law, and

WHEREAS the HIPAA consultant is currently in the middle of the project and has determined that it under estimated the amount of time needed to do a complete review and report on the County's status,

WHEREAS the HIPAA consultant has provided a change order, dated October 20, 2014, which sets forth the basis for needing more time to complete the project, and

WHEREAS the County Board desires to have the HIPAA consultant provide a complete review and report and thereby desires to set aside more funds to complete the project.

THEREFORE, BE IT RESOLVED that the Trempealeau County Board of Supervisors accepts Avastone's change order dated October 20, 2014 and authorizes the Chair to sign the attached proposal.

BE IT FURTHER RESOLVED that the sum of \$1,650.00 be transferred from the 2014 County Board Budget (101.51110.999) to the 2014 County Board Budget – Professional Services/HIPAA account (101.51110.210) for payment for October 20, 2014 change order.

Dated at Whitehall, Wisconsin, this 12th day of November, 2014

Respectfully submitted,
/s/ Dick Miller
/s/ John Aasen
/s/ Timothy Zeglin
/s/ Douglas Winters
/s/ Sally Miller
EXECUTIVE/FINANCE COMMITTEE

It was moved by Jeanne Nutter and seconded by Ernest Vold to adopt the resolution. Discussion was held. Corporation Counsel gave his opinion that the first proposal was done in good faith and it wasn't underbid. He doesn't foresee more requests for added time and money. Richard Frey expressed his concern that companies should build in some buffer for extra time or unforeseen expenses. Roll call vote taken; motion carried with 16 yes votes and 1 no vote; resolution adopted. The no vote was Frey.

**2014-11-09
RESOLUTION**

REPEAL CONTINUITY OF GOVERNMENT ORDINANCE

WHEREAS on November 7, 1962, the County Board of Supervisors adopted the Continuity of Government ordinance as recommended by the then Civil Defense Committee, and

WHEREAS the Continuity of Government ordinance establishes protocol and procedures to address, in part, succession of office in the event of the unavailability of government officials due to an attack on the United States, and

WHEREAS the Law Enforcement/Emergency Management Committee has reviewed and considered this ordinance and has determined that it is outdated and should be repealed.

THEREFORE BE IT RESOLVED that the Trempealeau County Board of Supervisors repeals the Continuity of Government Ordinance that was adopted on November 7, 1962.

Dated at Whitehall, Wisconsin, this 12th day of November, 2014

Respectfully submitted,
/s/ Richard Frey
/s/ John Aasen
/s/ Rob Reichwein
Jon Schultz
/s/ Olin Fimreite
LAW ENFORCEMENT/EMERGENCY
MANAGEMENT COMMITTEE

It was moved by Richard Frey and seconded by Michael Nelson to adopt the resolution. Roll call vote taken; motion carried with 17 yes votes; resolution adopted

**2014-11-10
RESOLUTION**

REVISE EMERGENCY MANAGEMENT ORDINANCE

WHEREAS on November 9, 2004, the County Board of Supervisors last revised the emergency management ordinance, and

WHEREAS, since that time the law relating to emergency management in the Wisconsin Statutes was moved from chapter 166 to chapter 323, and

WHEREAS it is desired to revise the County's emergency management ordinance to update the statutory references and to make other minor revisions

THEREFORE BE IT RESOLVED that the Trempealeau County Board of Supervisors adopts the attached revised Emergency Management Ordinance.

Dated at Whitehall, Wisconsin, this 12th day of November, 2014

Respectfully submitted,
/s/ Richard Frey
/s/ John Aasen
/s/ Rob Reichwein
/s/ Jon Schultz
/s/ Olin Fimreite
LAW ENFORCEMENT/EMERGENCY
MANAGEMENT COMMITTEE

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

It was moved by Richard Frey and seconded by Olin Fimreite to adopt the resolution. Much discussion was held on language brought forward from the 2004 ordinance. Rian Radtke said he could look into it over the lunch break.

EMERGENCY MANAGEMENT ORDINANCE

The Trempealeau County Board of Supervisors do ordain as follows:

Section 1. POLICY AND PURPOSE

A. To prepare Trempealeau County and its subdivisions to cope with emergencies resulting from a disaster, or the imminent threat of a disaster, it is necessary to establish protocol for emergency management, conferring upon the county board and others specified; the powers and duties provided by this ordinance and Chapter 323 of Wisconsin Statutes.

Unless otherwise specified by law, the role of any county department or agency, including the Emergency Management Department, in an emergency declared under this chapter, is to assist local units of government and local law enforcement agencies in responding to, recovering from, planning for and mitigating against a disaster or the imminent threat of a disaster.

B. Definitions. The following terms as used in this Ordinance shall, unless the context clearly indicates otherwise, have the following meanings:

Board. The Trempealeau County Board of Supervisors.

- 1. Emergency Management Director. A member of the Trempealeau County Sheriff's Department, who shall, in addition to fulfilling assigned responsibilities, provide direction and control of Emergency Management during times of emergency or disaster.*
- 2. Emergency Management. All measures undertaken by or on behalf of the county and its subdivisions to do any of the following:
Prepare, plan for and mitigate against the effect of a disaster or the imminent threat of a disaster.
Make repairs to or restore infrastructure or critical systems that are destroyed or damaged by a disaster.*
- 3. Emergency. A severe or prolonged, natural or human caused occurrence that threatens or negatively impacts life, health, property, infrastructure, the environment, the security of this county or a portion of this state.*
- 4. Disaster. A severe or prolonged, natural or human caused, occurrence that threatens or negatively impacts life, health, property, infrastructure, the environment, that exceeds the County's capability to respond to or provide the adequate resources or support and may require the additional assistance from state and federal agencies or traditional mutual aid partners.*
- 5. Adjutant General. The Adjutant General of the Wisconsin Department of Military Affairs.*
- 6. Administrator of Emergency Management. The Administrator of the Division of Wisconsin Emergency Management.*

Section 2. DECLARATION OF EMERGENCY

- A. The Chair of the County Board, the Emergency Management Director or the Director's designee, may declare a local emergency.*
- B. Upon a declaration of emergency by the Governor or local authority, the Emergency Management Director shall take action in accordance with the county emergency management plan.*
- C. The Incident Command System shall be used by all Trempealeau County Emergency Response agencies during a declared state of emergency.*

Section 3. COUNTY EMERGENCY MANAGEMENT COMMITTEE

The Law Enforcement and Emergency Management Committee are designated as the Emergency Management Committee (Wis. Stats 323.14). The Law Enforcement and Emergency Management Committee shall be an advisory and planning group and shall advise the County Emergency Management Director and the County Board on all matters pertaining to emergency management. It shall implement a program of emergency management consistent with the State plan of emergency management. It shall meet upon call of the Committee Chair or County Board Chair.

Section 4. LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)

- A. In addition to the Emergency Management Committee set out in Section 3 above, there is also created a Local Emergency Planning Committee (LEPC) as provided for in Section 59.54(8) of the Wisconsin Statutes. This committee shall function as required by Federal regulations set out in 42 USC 11001(c) and 42 USC 11000-11050 and Wisconsin Statutes Section 323.60 and 323.61.*
- B. The LEPC shall consist of such persons, and shall be governed, as set out in its by-laws made effective 08.20.1996 (or amended thereafter) based upon requirements found in the above-stated laws.*

- C. *The Community Emergency Coordinator, which must be appointed by the LEPC, shall be the person who has been chosen as the County's Emergency Management Director. If this position is vacant, the committee shall designate an interim Emergency Management Director to act as temporary coordinator.*

Section 5. EMERGENCY MANAGEMENT DIRECTOR

A. *The County Board shall designate an emergency management director. Compensation for the emergency management director shall be established by the county board and shall be considered to be an employee of the county, and shall be entitled to all of the rights, privileges and benefits that county employees have. Emergency management director shall report to the Trempealeau County Sheriff and Emergency Management Committee.*

B. *Duties and responsibilities of the Emergency Management Director (per Wis. Stats 323.14) shall be:*

1. *Develop and promulgate emergency management plans for the County, including planning for joint action with municipalities consistent with the State plan of emergency management.*
2. *Coordinate and assist in the development of municipal emergency management plans within the County and integrate such plans with the County plans.*
3. *Direct the County and joint action municipality emergency management programs.*
4. *Direct countywide emergency management training and exercises.*
5. *Advise the State Director of all emergency management planning for the County and render such reports as may be required by the State Director.*
6. *In case of a state of emergency proclaimed by the Governor, direct the County and joint action municipalities' emergency management activities and coordinate the municipal emergency management activities within the County, subject to the coordinating authority of the State director.*
7. *Perform such other duties relating to emergency management as may be required by the County Board.*
8. *Act as a Municipal Emergency Management Director as provided for in Chapter 323 of the Wisconsin Statutes and work in consultation with the Trempealeau County Local Emergency Planning Committee as the Emergency Information Coordinator and Community Emergency Coordinator until such time as that Committee has revoked those responsibilities.*

SECTION 6. UTILIZATION OF EXISTING SERVICES AND FACILITIES

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 officers and personnel of all such departments and agencies are directed to cooperate with and extend such services and facilities as are required of them.

Municipalities entering into joint action with Trempealeau County will provide for utilization of existing services of municipal government by enactment of an ordinance parallel to this county ordinance.

Section 7. TREMPEALEAU COUNTY EMERGENCY OPERATION PLAN (EOP)

Under the direction of the Board of Supervisors, the Emergency Management Director shall be responsible for ensuring the development and maintenance of the Trempealeau County Emergency Operation Plan, which shall provide for the effective mobilization of all of the resources of the county, both public and private, to meet any condition constituting a local emergency, state of emergency, natural or otherwise; and shall provide for the organization, powers and duties, and staff of the emergency organization.

- A. *Compliance: The plan shall comply with applicable local, state and federal planning criteria. The plan shall contain an analysis of the risks faced by the County, assign functional responsibilities to County agencies/departments and personnel, and assign lines of succession for the members of the emergency organization.*
- B. *Functional assignments: The plan shall include the functions assigned to county agencies or departments and it shall be the responsibility of each agency director/department head to develop and maintain an agency/department plan to fulfill the roles and responsibilities in the County Emergency Operation Plan and appoint coordinators who shall report to the Emergency Operations Center and carry out assigned duties as appropriate.*
- C. *Adoption: The Emergency Operation Plan shall not be effective until adopted by the Board of Supervisors. Nothing in this section shall be construed so as to limit the Emergency Management Director from immediately commencing organizational and planning programs as required by the County Emergency Operation Plan adopted by the County Board.*

SECTION 8. MISCELLANEOUS

A. *PENALTIES. It shall be unlawful for any person willfully to obstruct, hinder or delay any member of the emergency management organization in the enforcement or any order, rule, regulation or plan issued pursuant to this ordinance, or to do any act forbidden by any order, rule, regulation or plan issued pursuant to the authority contained in this ordinance. For a violation, the offender shall forfeit not less than \$100.00 nor more than \$500.00, and in default of payment thereof, shall be imprisoned in the county jail for a period not to exceed 90 days.*

B. *EFFECTIVE DATE. This ordinance shall take effect and be in force upon passage and publication.*

SECTION 9. REPEAL OF PRIOR ORDINANCE

The ordinance previously adopted on November 9, 2004 entitled "Emergency Management Ordinance" and any amendments thereto, is repealed upon this ordinance taking effect.

At 12:31 p.m. Chair Miller recessed the regular session until 2:00 p.m.

At 2:04 Chair Miller called the session back in order. Roll was called. A quorum was met with all 17 supervisors in attendance. Rian Radtke provided clarification on the language in the ordinance. Roll call vote taken; motion carried with 17 yes votes; resolution adopted.

**2014-11-11
RESOLUTION**

MEMBERS CLAIMS

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

NAME	PER DIEM	EXPENSES	TOTAL
John Aasen	\$210.00	\$19.04	\$229.04
George Brandt	\$105.00	\$38.08	\$143.08
Wade Britzius	\$140.00	\$84.00	\$224.00
Olin Fimreite	\$70.00	\$0.00	\$70.00
Richard Frey	\$175.00	\$104.16	\$279.16
Michelle Haines	\$70.00	\$31.00	\$101.00
Dick Miller	\$105.00	\$28.56	\$133.56
Sally Miller (10 months)	\$1,400.00	\$960.96	\$2,360.96
Michael Nelson	\$280.00	\$44.80	\$324.80
Jeanne Nutter	\$175.00	\$78.40	\$253.40

Robert Reichwein	\$0.00	\$0.00	\$0.00
Jon Schultz	\$0.00	\$0.00	\$0.00
Curtis Skoyen	\$280.00	\$81.20	\$361.20
Wayne Skroch	\$105.00	\$11.20	\$116.20
Ernest Vold	\$210.00	\$97.44	\$307.44
Douglas Winters	\$280.00	\$183.12	\$463.12
Timothy Zeglin	<u>\$175.00</u>	<u>\$71.68</u>	<u>\$246.68</u>
TOTALS	\$3,780.00	\$1,833.64	\$5,613.64
YTD Totals	\$28,190.00	\$13,313.33	\$41,503.33

Dated at Whitehall, Wisconsin, this 12th day of November, 2014

Respectfully submitted,
/s/ Dick Miller
/s/ Ernest Vold
/s/ Curtis Skoyen
AUDIT COMMITTEE

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

At 2:12 p.m. Chair Miller called three times for any more public comment. Hearing none, Ernest Vold made a motion to close the public hearing portion and George Brandt seconded it. Motion carried unanimously by vote of acclamation to approve closing the public portion. John Aasen made a motion to waive the second reading and approve the 2015 budget and Michael Nelson seconded it. At this time, Clerk Syverson presented a modification from the Department of Human Services, which did not change levy, only offset the expense and revenue accounts in the CST and CFT programs. Wade Britzius made a motion to approve and Jeanne Nutter seconded it. Motion carried unanimously to approve. Clerk Syverson then presented a change to the Child Support budget which reduced expenses by \$1,323.84 and reduced revenues by \$3,713.92 which will create an overall change to the General Fund Applied line to now show -\$429,652.41, no levy change. Michael Nelson made a motion to approve the amendment and Olin Fimreite seconded it. Motion carried unanimously to approve. Olin Fimreite stressed that it was important to monitor the water situation around the sand mines. George Brandt made a motion to include the recommendations made during the public comment and Wade Britzius seconded it. Kevin Lien was asked to comment on his department. He said the Remonumentation project is coming to completion and he asked his committee to put the money towards a GCS computer program which he feels will help move his department forward. Regarding the sand mines and water testing, it can be put in the conditional use permits but if they are out of the county's jurisdiction from being annexed into a city, then they can't force the sand mine companies to test. Pat Malone said she is looking into water test kits and getting

a better cost savings. Tim Zeglin suggested taking each of the three budget change suggestion from Mossman and voting on each individually and increasing the levy accordingly, but not taking the money from another department. Much discussion was held on water testing. George Brandt withdrew his motion to amend the budget and Wade Britzius withdrew his second. Wade Britzius made a motion and Jeanne Nutter seconded it to give \$15,000 to UW Extension from the general fund for a water testing program for 100 samples of water within a ½ mile of active sand mines in the townships of Arcadia, Burnside and Lincoln. Kevin Lien came back and offered that instead of turning money back to the general fund at year end which will be happening this year, use it in a local conservation program to do a 70% county and 30% landowner program to help pay for well water testing. Discussion was held on capabilities of the testing lab to handle the possible volume of water tests. Roll call vote taken on amendment; motion failed with 5 yes votes and 12 no votes. The no votes were Reichwein, Dick Miller, Haines, Aasen, Skroch, Nelson, Skoyen, Vold, Frey, Winters, Sally Miller and Britzius. Roll call vote taken on amended budget with Child Support change and Department of Human Services change; motion carried with 17 yes votes; 2015 budget adopted. The mill rate will be .005573697978.

ANNOUNCEMENTS/APPOINTMENTS: Chair Miller was asked by Lori Paulson, Executive Director of the Housing Authority, to re-appoint Ronald Myskewitz, Blair to the Board of Directors of the Housing Authority of Trempealeau County. John Aasen made a motion to approve the re-appointment and Olin Fimreite seconded it. Motion carried unanimously by vote of acclamation to approve the re-appointment.

COMMITTEE REPORTS: BUDGET UPDATE: Reports are on all the desks.

CORRESPONDENCE: None for November.

CLOSING: It was moved by Richard Frey and seconded by Ernest Vold to instruct the Clerk to pay mileage and per diem; roll call vote; motion carried with 17 yes votes.

ADJOURNMENT: Chair Miller declared the meeting adjourned at 3:31 p.m. until December 15, 2014 at 7:00 p.m.

Recording Secretary,
Mary Martin

<u>Dist</u>	<u>SUPERVISOR</u>	<u>PER DIEM</u>	<u>MILES</u>	<u>MILEAGE</u>
1	RICHARD FREY	\$70.00	62	\$34.72
2	DOUGLAS WINTERS	\$70.00	60	\$33.60
3	SALLY MILLER	\$70.00	52	\$29.12
4	WADE BRITZIUS	\$70.00	50	\$28.00
5	JON SCHULTZ	\$70.00	48	\$26.88
6	GEORGE BRANDT	\$70.00	34	\$19.04
7	ROBERT REICHWEIN	\$70.00	32	\$17.92
8	DICK MILLER	\$70.00	17	\$9.52
9	MICHELLE HAINES	\$70.00	25	\$14.00
10	JOHN AASEN	\$70.00	10	\$5.60
11	WAYNE SKROCH	\$70.00	10	\$5.60
12	TIMOTHY ZEGLIN	\$70.00	32	\$17.92
13	OLIN FIMREITE	\$70.00	2	\$1.12
14	MICHAEL NELSON	\$70.00	22	\$12.32
15	JEANNE NUTTER	\$70.00	28	\$15.68
16	CURTIS SKOYEN	\$70.00	33	\$18.48
17	ERNEST VOLD	\$70.00	38	\$21.28
	TOTALS	\$1,190.00	555	\$310.80