

REGULAR SESSION
July 17, 2017

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 July 17, 2017 at 7:00 P.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 7:00 P.M. on July 17, 2017 in the County Board Room. All County Board Member's claims are due in the County Clerk's office by Noon on July 5, 2017 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 16 supervisors in attendance and Tim Zeglin absent.

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 Chuck Walek and seconded by Jeanne Nutter to adopt the 11 item agenda. Motion carried unanimously by vote of acclamation to approve.

APPROVAL OF JUNE REGULAR SESSION MINUTES: It was moved by Dick Frey and seconded by Curt Skoyen to approve the minutes. Motion carried unanimously by a vote of acclamation to approve.

APPEARANCES:

- A. UPDATE- SHERIFF RICH ANDERSON: Sheriff Rich Anderson gave 6 months of stats of accidents and crashes experienced in Trempealeau County so far this year. There were 146 car/deer crashes, 93 property damage crashes, 27 personal injury crashes, and one crash that resulted in two fatalities. The jail population consisted of 451 bookings. The bookings by race included 357 white, 37 black, 53 Hispanic, 1 Asian, and 3 Native Americans. Booking types were 108 probation holds, 28 commitment orders sentenced,

309 pre-trials, and a total of 6 INS holds. The in-county average daily population was 26.14, out of county average daily population was 8.04, electronic monitoring had an average of 3.33 so the total average population including Huber inmates which the Sheriff's Department averages 2.36 comes to 38.66. Dick Frey asked the Sheriff how many of the 451 bookings were drug related. The Sheriff did not have those numbers for the board. The Sheriff stated that they do have a lot of meth, heroine, and those kind of cases at this time. The other day there were three or four drug cases brought in.

RESOLUTIONS: SECOND READING: None

RESOLUTIONS: FIRST READING:

A. RESOLUTION 2017-07-01 ORDINANCE FOR THE REZONE OF LAND IN TOWN OF SUMNER:

WHEREAS, Mondovi Cooperative Equity Association and Countryside Cooperative, Landowner/Petitioner has requested the rezone of a parcel of land for the purpose of fertilizer production,

WHEREAS, the rezone is on approximately 4.5 acres more or less, and

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

WHEREAS, The Town of Sumner supports the rezone request, and

WHEREAS, the Environment and Land Use Committee moved to rezone this parcel from Exclusive Agriculture 2 (EA2) to Industrial (I) and it appears that the zoning change request is appropriate under the circumstances,

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

Introduced by: Environment and Land Use Committee

George Brandt /S/

Kathy Zeglin /S/

Beth Killian /S/

Jeff Bawek /S/

Aaron Kidd

Michael E. Nelson /S/

Jon W. Schultz /S/

Curtis J. Skoyen /S/

Committee Approval Date: June 14th, 2017

Committee Vote: 8 - 0

Resolution Drafted by: Virginette Gamroth

Reviewed by Corporation Counsel:

Fiscal Impact: (Fiscal Statement – as set forth in Project Initiation form) NONE

ORDINANCE

REZONE OF A PARCEL IN THE TOWN OF SUMNER

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 Exclusive Agriculture 2 (EA2) to Industrial (I).

A parcel of land in part of the Northwest quarter of the Northwest quarter of Section 27, Township 24N, Range 7W, Town of Sumner, Trempealeau County, Wisconsin, more particularly described as follows;

Further described as Lot 1 in future Certified Survey Map.

Containing approximately 4.5 acres

It was moved by George Brandt and seconded by Mike Nelson to adopt the resolution. Kevin Lien stated that this rezone was for 4.5 acres from Exclusive Agriculture 2 (EA2) to Industrial (I) in Town of Sumner. A letter was received from the town board approving the rezone. A public hearing was held on June 14, 2017 by the Environment & Land Use Committee. At that time the neighbors had a couple of questions about dust and noise. Environment & Land Use Committee asked the applicant to modify their site plan and bring it back before the committee which they did on July 12. The committee approved the plan with adding some tree plantings outside of the road right of ways to reduce the dust, noise, and to improve the esthetics. There will also be some recycled black top where it was previously gravel to keep dust down which is what the land owners requested. Roll call vote was taken; motion carried with 16 yes votes; resolution adopted.

B. RESOLUTION 2017-07-02 2017 BUDGET AMENDMENT TO TRANSFER FUNDS FROM COUNTY GENERAL FUND TO CIRCUIT COURT BUDGET TO ADDRESS ANTICIPATED BUDGET SHORTFALLS:

WHEREAS, the Circuit Court has experienced an increase in Children in Need of Protection Services case types from a total of 34 cases in 2016 to 33 case filings as of June 1, 2017. The court appoints guardian ad litem's or attorney's to represent the children on these matters. Due to increase in cases filed the Circuit Court is requesting \$8000.00 from the general fund to account 51211.265 Attorney fee counsel 12 & over

WHEREAS, the Circuit Court has experienced an increase in Mental case types from a total of 49 cases in 2016 to 29 case filings as of June 1, 2017. The court appoints attorney's to represent the person in need. Due to increase in cases filed the Circuit Court is requesting \$1000.00 from the general fund to account 51211.263 Attorney for Mental

WHEREAS, the Circuit Court has experienced an increase in Jury Trials set for 2017. Currently, the court has a three week jury trial set for July and multiple trials scheduled throughout the remainder of the year. Due to increase in Jury trials the Circuit Court is requesting \$32,000.00 from the general fund to account 51211.206 Jury Expense

WHEREAS, the Circuit Court has based past budget requests on an average of prior years, however it is always uncertain the number and type of cases that will be filed in a given year.

WHEREAS, the Circuit Court will be experiencing budget shortfalls due to the unforeseen court costs associated with the responsibility of the Circuit Court System.

NOW, BE IT RESOLVED that by the Trempealeau County Board of Supervisors that the board hereby authorize the transfer funds from the General Fund to Circuit Court accounts: 51211.265 - \$8000.00 (Attorney fee counsel 12 & over) 51211.263 \$1000.00 (Attorney for Mental) 51211.260 \$32,000.00 (Jury Expense)

Introduced by: Executive/Finance Committee

Timothy Zeglin /S/ Douglas Winters /S/

John Aasen Dick Miller /S/ Sally Miller /S/

Committee Approval Date: 07/03/2017

Committee Vote: 4 - 0

Resolution Drafted by: Michelle Weisenberger, Clerk of Circuit Court

Reviewed by Corporation Counsel: Yes

Fiscal Impact: (Fiscal Statement – as set forth in Project Initiation form) \$41,000 from the General Fund to the Circuit Court budget to offset shortfalls due to increased case filings, court appointed attorneys and jury trials.

Olin Fimreite asked if there is an urgency to get this resolution to pass immediately. Clerk of Court Michelle Weisenberger stated that yes she is requesting the funds transfer as soon as possible. The reason for the request is that when attorneys are appointed as court appointed attorneys for cases, they want to get paid right after submitting their bills. Today was the first day of the three week jury trial and there were already expenses. It was moved by Sally Miller and seconded by Jeanne Nutter to waive the second reading. Voice vote was taken; motion carried with 16 ayes. It was moved by Mike Nelson and seconded by Olin Fimreite to adopt the resolution. No discussion took place. Roll call vote was taken; motion carried with 16 yes votes; resolution adopted.

C. RESOLUTION 2017-07-03 INFORMATION SYSTEMS DEPARTMENT BUDGET ADJUSTMENT FOR THE TREMPEALEAU COUNTY eREFERRAL GRANT:

WHEREAS, the county applied for a grant from the Wisconsin Department of Justice, Division of Law Enforcement Services to pay for the eReferral project, which will streamline the process of transferring cases and case files from the Sheriff's Department's ProPhoenix Records Management System to the District Attorney's Office PROTECT system, and

WHEREAS, the county was awarded the grant in the amount of \$24,200.00 with a county match of \$2,869.00, and

WHEREAS, the county's match amount will not require additional county funds as the existing staff wages working on the eReferral project will qualify as the county's match amount, and

WHEREAS, the county now desires to add such grant money into the 2017 annual budget as revenue, which will be off-set by expenditure amounts for the software interface.

NOW, BE IT RESOLVED that the 2017 annual budget revenue account 101.43119 IT Grant Revenue be increased by the amount of \$24,200.00, and 101.51450.210 Professional Services expenditure account be adjusted to show the increase of \$24,200.

Introduced by: Executive & Finance Committee

Timothy Zeglin ___/S/___

John Aasen

Sally Miller ___/S/___

Dick Miller ___/S/___

Douglas Winters ___/S/___

Committee Approval Date: July 3, 2017

Committee Vote: 4 - 0

Resolution Drafted by: Daryl Joten

Reviewed by Corporation Counsel: Yes

Fiscal Impact: If the county does not accept the eReferral grant funds, the county would have to use its own funds for such project.

It was moved by Dick Frey to waive the second reading. Dick Frey stated that the Sheriff needs the money right away. Even though it's not a tax impact on the county budget, the money still needs to be transferred so the Sheriff has the money to spend. Chair Miller asked if the grant has been received. The Sheriff said that they have been approved for the grant, but the money hasn't arrived yet. Dick Frey explained that as soon as the money arrives, it can be transferred in if the second reading is waived. John Aasen seconded the motion to waive the second reading. Voice vote was taken; motion carried with 16 ayes. There was a motion to approve by Jeanne Nutter and seconded by Sally Miller. Sally Miller said that she knows the ability to streamline communication of files and information between the Sheriff's Department and the District Attorney's office is going to facilitate the prosecution of crimes faster. It is going to allow victims to get justice sooner and move on from the crimes they are victims of. It will certainly reduce the amount of time spent running files up and down the stairs to the DA's office. This way they can make sure that they get sent and have been received. She said that she thinks this is a very important thing they're doing. Chair Miller introduced Tim Robertson, the new IT director. Tim explained that he has worked for the City of Eau Claire for the last 18 years. Tim is excited for the shorter commute and to face a new challenge here at Trempealeau County. Roll call vote was taken; motion carried with 16 yes votes; resolution adopted.

D. RESOLUTION 2017-07-04 CREATION OF A HUMAN SERVICES CONTINGENCY FUND IN THE 2017 ANNUAL BUDGET:

WHEREAS, Wisconsin Statute, section 65.90(5)(a) requires that the various appropriations and the purpose of such appropriations in the county's annual budget cannot be changed without proper County Board approval; and

WHEREAS, there are certain expenses in the annual budget that are based upon estimates because such expenses vary due to forces outside of the county's control, for example out of home placements for children in the Human Services Department; and

WHEREAS, Wisconsin Statute, section 65.90(5)(b) allows a county board to establish a contingency fund within its annual budget to be used for anticipated unknown expenses within the budget year, and allows a county board to authorize its standing finance committee to transfer funds from such contingency fund to cover shortfalls within the annual budget; and

WHEREAS, the law limits transfers from a contingency fund to not to exceed 10% of the department's annual budget; and

WHEREAS, the Human Services 202 Fund in the 2017 budget is approximately \$6,000,000.00 and the Human Services Department has a reserve account (202.34200) of \$500,000 is less than 10% of the department budget; and

WHEREAS, the Human Services Department has a variety of budgeted expense lines for client services and client placement that are court ordered and are difficult to accurately predict in an annual budget with some of the line items going over the annual budget amount.

NOW, BE IT RESOLVED that the Human Services Reserve account (202.34200) be put into the 2017 budget as a contingency fund for Human Services expenses and the Executive/Finance Committee is authorized to transfer funds to line items that exceed the budget, pursuant to Wisconsin Statutes, section 65.90(5)(b). Any unused funds from such contingency fund at year end shall revert back to the Human Services Reserve account (202.34200), as opposed to reverting to the general fund.

Co - Introduced by: Human Services Board

Richard Frey /S/ Karen Sepich

Richard Sacia /S/ Michelle Haines /S/

John Aasen /S/ Jeanne Nutter /S/

Dora Jean Blaha Diane Schroeder

Committee Approval Date: June 12, 2017

Committee Vote: 5-0

Co-introduced by: Executive Finance Committee

Tim Zeglin ___/S/___

Dick Miller ___/S/___

John Aasen ___/S/___

Sally Miller ___/S/___

Douglas Winters ___/S/___

Committee Approval Date: July 3, 2017

Committee Vote: 5 - 0

Resolution Drafted by: Deb Suchla

Reviewed by Corporation Counsel: Yes

Fiscal Impact: (Fiscal Statement – as set forth in Project Initiation form) Transfer balance from Human Services Risk Reserve account 202.34200 to a newly created Contingency Fund in Fund 202 in the 2017 annual budget.

It was moved by Dick Frey and seconded by Jeanne Nutter to waive the second reading. Voice vote was taken; motion carried with 16 ayes. There was a motion by Jeanne Nutter and seconded by Richard Sacia to approve the resolution. George Brandt clarified that this resolution is basically to create a line item for a contingency fund. He then asked if the resolution is to put money into the contingency fund as well. Dick Frey explained that there is a reserve fund with a balance of approximately \$430,000 that is used to pay for the IMD (Institute of Mental Disease) and the out of home child placements. It is expected that Human Services will exceed the original budget amount by over \$300,000 this year. By having the contingency fund, Human Services will be able to pay the bills as they come in. Chair Miller responded that the reserve fund gets moved into the 2017 budget. It allows expenditure from that. Otherwise the fund would just be sitting there. Clerk Syverson added that when Human Services does the budget this fall, it will be included. Roll call vote was taken; motion carried with 16 yes votes; resolution adopted.

E. RESOLUTION 2017-07-05 BUDGET AMENDMENT TO ADD FUNDS TO THE 2017 ANNUAL BUDGET FROM THE GENERAL FUND FOR THE RELOCATION OF ANTENNAS AND CABLES AND TO INSTALL AN ICE BRIDGE AT THE GALESVILLE TOWER SITE:

WHEREAS, the current Trempealeau County Public Safety Communication System consists of equipment on seven towers all linked within the county, and

WHEREAS, Trempealeau County rents space on each of the seven towers for the county's communication equipment, and

WHEREAS, the owner of the Galesville Tower, US Cellular, has constructed a new tower and will decommission the old tower where the county's equipment is currently located, and

WHEREAS, US Cellular has informed Trempealeau County that we must remove the county's equipment off of the old tower, reinstall on a new tower and install an ice bridge from county's equipment shelter to the new tower. (The ice bridge protects transmission cables from damage caused by ice falling from the tower.), and

WHEREAS, failure to install and reinstall the county's equipment on the new tower would render a significant portion of our public safety system inoperable, and

WHEREAS, the cost for this project has not been budgeted and is estimated at \$36,808.00

NOW, BE IT RESOLVED that the Trempealeau County Board of Supervisors approves a budget amendment to the 2017 annual budget transferring funds from the General Fund in the amount of \$36,808.00 to the Radio Support Services budget (101.52160.249) to be used for the purposes moving the county's communication equipment and installing an ice bridge at the new Galesville US Cellular tower site.

Introduced by: Law Enforcement Committee

Richard Frey /S/ Sally Miller /S/ Richard Sacia /S/

Olin Fimreite /S/ Ernie Vold /S/

Approval Date: June 22, 2017

Committee Vote: 4-0

Acted on by: Executive Finance Committee

Tim Zeglin /S/ John Aasen /S/ Sally Miller /S/

Doug Winters /S/ Dick Miller /S/

Approval Date: July 3, 2017

Committee Vote: 4 - 0

Resolution Drafted by: Daniel Schreiner, Carol L Ressler, Richard Anderson -Sheriff's Office

Reviewed by Corporation Counsel: Yes.

Fiscal Impact: (Fiscal Statement – as set forth in Project Initiation form) requests the necessary funds of \$36,808.00 to be taken from the General Fund to pay for the equipment relocation costs.

It was moved by Sally Miller and seconded by Jeanne Nutter to waive the second reading. Voice vote was taken; motion carried with 16 ayes. It was moved by Dick Frey and seconded by Olin Fimreite to approve the resolution. George Brandt said there was a good example of unintended consequences when U.S. Cellular came to the Environment & Land Use Committee asking for a permit to build the 2nd tower, describing it as a bigger tower to hold more equipment. His assumption was that they were also going to move all of the equipment from one to another and there was no indication at that time that there was going to be an expense to the county. Dick Frey stated that the current ice bridges from the old tower to the transmitting area will be reused, but it is still over 70 feet short and that is why there needs to be additional ice bridges put over the lines. They are in fact reusing what is there currently. Chair Miller asked how much of the county is covered by that tower. Dick Frey responded with the entire southern half. Sheriff Rich

Anderson also responded that there is a tower in Ettrick, Galesville, Trempealeau, and the Dodge area. George Brandt remembered when he was a first responder and the difficulty they had of getting communications from the Sheriff's Department. It was mostly because the antenna was lying on top of the water tower and it was so ineffective and inefficient. It is really wonderful now to have this kind of communication. Roll call vote was taken; 16 yes votes; resolution adopted.

F. RESOLUTION 2017-07-06 AUTHORIZATION TO CONTRACT WITH THE WISCONSIN DEPARTMENT OF REVENUE FOR THE COLLECTION OF DEBT:

WHEREAS, the Trempealeau County Clerk of Circuit Court collects court-ordered financial obligations and has employed legal means to collect unpaid amounts; and

WHEREAS, the Clerk of Circuit Court for Trempealeau County employs several methods of collection including, but not limited to, income assignments, payment plans, judgments and tax refund intercept; and

WHEREAS, 59.40(4) Wis. Stats., allows the Clerk of Circuit Court, if authorized by County Board under 59.52(28), Wis. Stats., to contract with the Wisconsin Department of Revenue (DOR) for the collection of unpaid debt; and

WHEREAS, any agreement entered into with the DOR shall indicate that any collection fees incurred by the DOR shall be in addition to the debt owed the Clerk of Circuit Court and charged by the DOR directly to the debtor; and

WHEREAS, the proceeds received by the Clerk of Circuit Court from the DOR shall be the entire amount of debt collected for purposes of distribution;

NOW, BE IT RESOLVED that by the Trempealeau County Board of Supervisors that the board hereby authorizes the Clerk of Circuit Court to contract with the DOR for the collection of unpaid debt pursuant to Wisconsin Statutes.

Introduced by: Law Enforcement Committee

Richard Frey /S/ Sally Miller /S/ Richard Sacia /S/

Olin Fimreite /S/ Ernie Vold _____

Committee Approval Date: June 22, 2017

Committee Vote: 4 - 0

Resolution Drafted by: Michelle Weisenberger, Clerk of Circuit Court

Reviewed by Corporation Counsel: Yes

Fiscal Impact: (Fiscal Statement – as set forth in Project Initiation form) Currently, 246 agencies (state, court, and local government agencies) including 14 County Courts in Wisconsin are participating in State Debt Collection by Department of Revenue. Clerk of Courts are finding the SDC Program results beneficial. I cannot anticipate the fiscal impact but it is very likely that using this collection method will result in more debt being paid than under our current collection methods.

It was moved by Dick Frey and seconded by John Aasen to waive the second reading. Voice vote was taken; motion carried with 16 ayes. It was moved by John Aasen and seconded by Mike Nelson to approve the resolution. Michelle Weisenberger stated that the Wisconsin Department of Revenue is now offering services similar to that of a collection agency. They have more tools than the basic agency. Other clerks around the state have been very satisfied with the results. Currently the state Circuit Court is working on an interface with the Department of Revenue to make this transition easier, but for now it will require some extra bookwork from Michelle's office and staff. For now they are ready to move forward and try to get better results with their collection efforts. Roll call vote was taken; motion carried with 16 yes votes; resolution adopted.

G. RESOLUTIONS 2017-07-07 MEMBERS CLAIMS:

WHEREAS, The Audit Committee has audited the following claims and recommend that they be allowed as follows.

NAME	PER DIEM	EXPENSES	TOTAL
John Aasen	\$140.00	\$16.05	\$156.05
George Brandt	\$245.00	\$90.95	\$335.95
Olin Fimreite	\$140.00	\$0.00	\$140.00
Richard Frey	\$315.00	\$445.66	\$760.66
Michelle Haines	\$70.00	\$26.76	\$96.76
Beth Killian	\$280.00	\$118.80	\$398.80
Dick Miller	\$490.00	\$100.09	\$590.09
Sally Miller	\$595.00	\$417.30	\$1012.30
Michael Nelson	\$420.00	\$119.84	\$539.84
Jeanne Nutter	\$0.00	\$0.00	\$0.00
Richard Sacia	\$175.00	\$111.28	\$286.28
Jon Schultz	\$0.00	\$0.00	\$0.00
Curtis Skoyen	\$140.00	\$59.93	\$199.93
Ernest Vold	\$490.00	\$265.90	\$755.90
Chuck Walek	\$175.00	\$37.45	\$212.45
Douglas Winters	\$280.00	\$184.04	\$464.04
Timothy Zeglin	\$385.00	\$150.87	\$535.87
TOTALS	\$4,340.00	\$2,144.92	\$6,484.92

NOW, BE IT RESOLVED that the claims be allowed as shown.

Introduced by: Audit Committee

Dick Miller /S/ Curt Skoyen /S/ Ernest Vold /S/

Committee Approval Date: July 13, 2017

Committee Vote: 3 - 0

Resolution Drafted by: Stacy L Sylla, Chief Deputy County Clerk

Reviewed by Corporation Counsel: No

Fiscal Impact: \$6,484.92 from 2017 Budget

It was moved by Chuck Walek and seconded by Curt Skoyen to adopt the resolution. Roll call vote was taken; motion carried with 16 yes votes; resolution adopted.

ANNOUNCEMENTS/APPOINTMENTS:

A. Announcement of Open House at Pietrek Park-August 24, 2017 (Evening) -Jon Schultz and Jeanne Nutter announced that there will be an open house on August 24, 2017 at 5:30 P.M. at Pietrek Park. There will be food and activities for the whole family.

B. Appointments to the Parks, Tourism & Economic Development Committee

1. Two Citizen Members – Chair Miller presented just one citizen member, Patrick (Buzz) Sorge from the Osseo area. There was a motion to confirm appointment by Jeanne Nutter and seconded by Michelle Haines. Voice vote was taken; motion carried with 16 ayes; motion carried.

COMMITTEE REPORTS:

A. Executive & Finance Committee – Budget/General Fund/Sales Tax Update

B. Facilities Planning Study Committee Discussion – There was a motion to move into closed session by Dick Frey and seconded by John Aasen. Roll call vote was taken; motion carried with 16 yes votes. The meeting went into closed session at 7:49 P.M.

Reconvene into Open Session at 9:45 P.M. immediately following Closed Session. Roll call was taken with 16 supervisors in attendance and one absent.

CORRESPONDENCE: NONE

CLOSING: It was moved by Jeanne Nutter and seconded by Mike Nelson to instruct the Clerk to pay mileage and per diem; roll call vote was taken; motion carried with 16 yes votes; motion carried.

ADJOURNMENT: Chair Miller declared the meeting adjournment at 9:50 P.M. until August 21, 2017 at 7:00 P.M.

Recording Secretary,
Samantha Tetzlaff