

VERNON COUNTY BOARD OF SUPERVISORS

MINUTES

August 24, 2010

Chairman Tom Spenner called the August 24, 2010 meeting of the Vernon County Board of Supervisors to order at 9:30 A.M. in the County Boardroom of the Courthouse Annex. Invocation was given by Pastor Gary Daines of Our Saviors Lutheran Church, Westby. Board members and others present gave the Pledge of Allegiance. Chairman Spenner affirmed there had been proper public notice of the meeting. Motion by Banta, second by McCoy to excuse Kevin Gobel from today's meeting. Motion carried. County Clerk, Ron Hoff called roll with twenty-seven Supervisors present, Gobel excused and Supervisor - District 15 not seated yet. Motion by Peterson, second by Brose to dispense with reading of the June 29, 2010 meeting minutes and approve the minutes as printed. Motion carried. Brault had a question on Resolution # 2010 – 34 which was tabled at the June meeting until the August 24, 2010 County Board meeting in order to have a public hearing. Brault would like an explanation why there wasn't a public hearing held. Cade stated there was too much conflict between County locations on where to have the meeting. Corporation Counsel, Greg Lunde, stated the question was logistically setting it up. They were looking at having one in the Hillsboro area, Viroqua area and Stoddard area and there just wasn't enough time to do all of that. Lunde stated it wasn't specific and without other details it just didn't happen. Under announcements, Hoff stated at the morning break pictures will be taken of the County Board members on the east steps of the Courthouse. Hoff stated he has put together an album of the Courthouse roof project and the flood of 2007 – 2008. Anyone wishing to see them can stop by the County Clerk's office. Chairman Spenner acknowledged Five Star Telecom of La Crosse and stated they would like to speak to the County Board. Mark Radcliff, Attorney for Five Star Telecom was given three minutes to speak. Radcliff stated he would like to talk to the Supervisors about the telephone system that will be voted on today. Radcliff stated Five Star Telecom is asking the Supervisors not to sign the contract today and is requesting the telephone system be sent out for competitive bidding. Radcliff stated his client provides services to counties and municipalities across the State. What they do is exactly what was called for in the RFP and they did not get a chance to bid on the project. Radcliff stated Five Star Telecom is making a fairness request asking the Supervisors not to sign the contract today and give everyone else who can provide the service an opportunity to give a fair bid. Fred Kunkel, Five Star Telecom, disbursed to the Supervisors a booklet for review. Troy Morey, Five Star Telecom, stated he is a resident and taxpayer of Vernon County and is requesting an opportunity for a fair chance to bid on the telephone system.

Chairman Spenner moved to Special Order of Business, approval of appointment of County Board Supervisor, District 15. Chairman Spenner stated he received a letter on June 29, 2010 from Todd Overbo resigning his position as District 15 Supervisor. Chairman Spenner stated June 29, 2010 he received a letter from Cary Cade stating interest in serving on the County Board as Supervisor of District 15. Chairman Spenner stated July 12, 2010 he received a telephone call from Justin Running stating interest in the position of Supervisor of District 15 and was told we would need his request in writing, which we never received. Chairman Spenner stated August 5, 2010 he received a letter from Kimberly Ward asking to be considered for the position of Supervisor of District 15. Chairman Spenner stated July 26, 2010 Vice-Chair Cornell, Cade Cary and himself met in his office and Chairman Spenner appointed Cary to the position for final approval by the County Board for Supervisor District 15. Motion by Cade, second by McCoy to appoint Cade Cary for District 15 County Board Supervisor. Dahl asked if this position was advertised and what is the process of replacing a Supervisor. Chairman Spenner stated the statutes states the Chairman can appoint a replacement with the approval of the County Board. Motion by Erlandson, second by Moser for a ballot vote. All in favor. Motion carried. Chairman Spenner called for a ballot vote. Lunde stated this will have to be a signed ballot since the rules require the vote be recorded, so the name needs to be printed and initialed. Brault asked if this would be a conflict of interest since Cade Cary is Sheriff Cary's son. Banta stated back in history the District Attorney's wife served on the County Board. Lunde stated other County Board members have potential conflicts but are dealing with it when needed. Lunde explained a yes vote means to approve Cade Cary for Supervisor of District 15 and a no vote means not to approve. Cade Cary was appointed Supervisor for District 15 by a ballot vote. Twenty Supervisors voting yes, seven Supervisors voting no. Judge Michael Rosborough swore in Cade Cary as County Board Supervisor, District 15. Next under Special Order of Business was election of member to the Human Services Committee to replace Todd Overbo for term that ends in April 2013. Motion by Larson, second by Zibton to nominate Dennis Brault to the Human Services Committee. Motion carried on a voice vote. Motion by Dahl, second by Beitlich to cast a unanimous ballot and declare Dennis Brault elected to the Human Services Committee term ending April 2013. Motion carried on a voice vote.

Next under Special Order of Business was Grace Jones, Executive Director of Couleecap, Annual Report. Grace Jones stated their cold weatherization program in 2009 was able to weatherize 132 units. This program has had tremendous growth due to stimulus dollars. Jones stated in 2009 they rehabilitated 20 homes in Vernon County, served 8 homeless families, helped 15 families from foreclosure, assisted 1245 families with fuel assistance and assisted 28 families with flood disaster assistance rehabilitation. Jones stated Couleecap has agreements with four churches in Vernon County to provide emergency food through their food pantries. Jones stated 4,327 families received food; a total of 369,816 pounds of food was distributed. Jones stated Couleecap employs forty-nine residents from Vernon County. Couleecap programs total \$2,258,681 in services to Vernon County residents. Jones thanked the Supervisors who have served on their Board of Directors. Jones stated Couleecap purchased the Vernon Electric Co-op building on Main Street in Westby. Zibton applauded Couleecap for the wonderful work they do for the community. Chairman Spenner thanked Grace Jones for her report.

Next under Special Order of Business was Jack Vig of Vig and Associates 2009 Audit Report. Vig stated he had an exit conference with the County's Finance Committee. Vig stated the County-wide audit of compliance with Federal and State programs will be issued under separate cover in September 2010. Vig stated they prepared a regulatory report for 2009 that was filed with the Wisconsin Department of Revenue, and Vernon Manor's annual Medicaid cost report. Vig stated the County's cash and investments totaled \$10,801,429 at December 31, 2009, compared to \$14,345,240 in 2008, because of receivables, tax certificates and grants. Vig stated tax certificates and tax deeds on December 31, 2009 totaled \$1,127,536 as compared to \$825,307 for 2008. This was an increase of \$302,229. Vig stated the County's Governmental Funds increased total fund balance by approximately \$581,183 in 2009 due to the previous years where Vernon Manor, Highway and the Farm were able to make significant transfers to help stabilize the levy and provide for some budget shortfalls. The fund balances in the Governmental Funds provide approximately five months of expenditure coverage which gives Vernon County a very high rating for bonding. Human Services Fund returned \$130,422 of lapsing funds to the General Fund. Vig stated Human Services, Highway and Vernon Manor have not increased the levy for three years. Vernon Manor transferred \$200,000 to the General Fund to offset projected 2009 General Fund deficits. Vig stated Solid Waste & Recycling has no tax levy. Vernon County had a debt of \$8,894.00 bonded for the Law Enforcement Center. Vig stated the accrued long-term landfill closure costs liability is offset through restricted cash held totaling \$2,098,503 for landfill care and closure. Property value dropped in 2010, which is the first time since 2003. (2009 - \$1,800,261,800, 2010 - \$1,792,272,800). Vig stated Vernon County has fully complied with the levy restrictions. The overall County tax levy has increased 30% from 2003 - 2009. This rate of increase is significantly below the rate of increase in property values. Vig stated we have had two years of increase in delinquent taxes. Sales tax is down for 2009. Vernon County has used the ½% sales tax to mitigate property tax increases. Vig stated 35% of our expenditures were for Human Services, Aging and Health related programs. Hynek asked about State Bed Taxes at Vernon Manor and was told we pay over \$100,000 a year. Chairman Spenner thanked Jack Vig for his report.

Chairman Spenner called for a recess at 10:39 a.m. Chairman Spenner reconvened the meeting at 10:57 a.m.

Next under Special Order of Business was Nancy Witthoft, Vernon Manor Administrator, Vernon Manor Update. Witthoft stated Vernon Manor is debt free and showed a profit last year. Witthoft stated last January, 2009 they started looking at a long range plan for Vernon Manor. They hired WipFli Company last fall to help build a long range plan. WipFli used our financial statement from 2009 and projected if we stay status quo by the year 2013 Vernon Manor will be losing \$400,000 a year. Vernon Manor's building is thirty years old. Witthoft stated she will report back to the County Board by the end of the year to discuss what they have decided Vernon Manor needs to continue into the future. WipFli has given them multiple scenarios and excellent information. We have looked at everything from remodeling to building a new building. Banta asked if they were going to build where would they do this and was told near where Vernon Manor is now. Zibton asked how many licensed beds we have at this time and how many beds are projected in the new building. Witthoft stated we have ninety-eight licensed beds at this time and looking at the possibilities of a fifty bed nursing home since the State would give us a percentage on a formula to help pay for this. Witthoft stated fifty beds would probably give us a waiting list. Witthoft stated some thought we would also build a small nursing home in Hillsboro. Dahl asked of the ninety-eight beds, how many are Medicare, Medicaid and private pay. Witthoft stated 20% are private pay, 68% Medicaid and balance Medicare and insurance. Richardson asked how many beds need to be full to break even and was told ninety-five beds are needed to make a profit. Richardson asked how could we go down to fifty beds and break even. Witthoft stated you make changes in staffing and building size. Witthoft stated we either struggle and lose money or we are the first to start making some changes. Mitchell stated he does not understand if we are downsizing why we are building a new building. Witthoft stated building is one of the options. Chairman Spenner thanked Witthoft for her update.

Next under Special Order of Business were Pamela Eitland, Human Services Director and County Board Supervisors, Jo Ann Nickelatti and Ole Yttri. Eitland stated in 2009 the County Board voted to go into Family Care. We opened up the Aging and Disability Resource Center in September 2009 in the Banta Building. Eitland stated Vernon County used to have 150 people on a waiting list since Vernon County did not have the money to provide services. We are part of a four County consortium through the ADRC Center which includes Vernon County, La Crosse County, Jackson County and Monroe County. La Crosse County acts as the Administrative hub. Eitland stated two County Board Supervisors serve on the ADRC Advisory Board, Ole Yttri and Jo Ann Nickelatti. Eitland stated the ADRC is 100% funded by State funds plus they generate Federal revenue. Eitland stated her staff receives an average of ninety referrals a month. Eitland stated the 150 Vernon County residents that were on a waiting list were enrolled over the last two years so we do not have anyone on a waiting list. Eitland stated in November 2011 there will be full entitlement in Vernon County which means there will be no waiting period. Nickelatti and Yttri are so proud of the consortium, happy about the waiting list being caught up and all the money that has been saved. Zibton asked about the cost savings and was told the audit is being done at this time. Cox stated the ADRC agency is wonderful to work with. Last under Special Order of Business was Acceptance of Vernon County American Legion's donation of \$500 for lighting of Courthouse flag. Motion by Cade, second by Dahl to accept the donation of \$500 for lighting of the Courthouse flag from the Vernon County American Legion. Motion carried by voice vote.

Chairman Spenner moved to Regular Order of Business.

Chairman Spenner asked for any petitions and there were none.

Chairman Spenner continued under the regular order of business by viewing the following resolutions.

Motion by Beitlich, second by Yttri to move to resolution number three on the agenda Sale of Land by Two Thirds Vote. Motion carried on voice vote. Chairman Spenner moved to the third resolution on the agenda.

RESOLUTION # 2010 - 49

TITLE: Sale of Land by Two Thirds Vote

WHEREAS, Vernon County is the owner of numerous parcels of real estate, and

WHEREAS, the Building and Facilities Planning Committee is currently undertaking an effort to inventory those parcels, and

WHEREAS, the inventory compilation may result in a desire to sell certain parcels, and

WHEREAS, the largest parcel owned by Vernon County consists of the property known as the "County Farm", and

WHEREAS, Vernon County has recently received an offer to purchase a part of the "County Farm", and

WHEREAS, the sale of land is deemed to be a serious undertaking requiring careful thought and planning for future needs, and

WHEREAS, there is currently no special rule in place regarding the sale of land other than by tax deed sales

NOW THEREFORE, BE IT RESOLVED that any sale of land by Vernon County shall be subject to approval by a two thirds vote of the members present at a meeting of the Vernon County Board of Supervisors, and

BE IT FURTHER RESOLVED that tax deed sales are exempt from this resolution will follow the statutory prescribed procedure, and

BE IT FURTHER RESOLVED that this resolution become a part of the Rules of the Board for Vernon County.

Recommended for consideration by the full County Board.

Dated: August 24, 2010 Submitted August 13, 2010 by the Legal Affairs Committee /s/ Kevin Gobel, Chair Vote: 5 yes, 0 no

Motion by Yttri, second by Dahl to approve the resolution. Chairman Spenner called for a roll call vote. The resolution passed on a roll call vote with twenty-four Supervisors voting yes and four Supervisors voting no. Servais, Johnson, Zibton and Cade voting no.

The next resolution was tabled at the June 29, 2010 County Board meeting.

RESOLUTION # 2010 – 34

Title: Resolution to Authorize Sale of Property to VDA, Inc.

WHEREAS, VDA, Inc. offers to purchase property for the expansion of the City of Viroqua Industrial Park project from Vernon County, Wisconsin for the sum of \$300,000.00 (\$5,000/acre), and

WHEREAS, legal description of property is as follows: to be determined by survey done at the expense of VDA, Inc. following the approximate boundaries set forth on the map attached hereto, and

WHEREAS, payment for purchase of property will be released to Vernon County at the time of closing.

NOW, THEREFORE, BE IT RESOLVED by the Vernon County Board of Supervisors to authorize the sale of property for the City of Viroqua Industrial Park expansion project and to VDA, Inc. and further authorize the County Board Chair and Clerk to execute all necessary documents to conclude the sale.

Dated: June 29, 2010 Submitted by the Land Sales Committee /s/ Ray Moser, Chair Vote: 4 yes, 1 no.

Motion by Brault, second by Cade to approve the resolution. Dahl asked if the land talked about in the resolution has any impact on future developments of Vernon Manor and because of the by-pass wants to make sure the land is used for industrial and not strip malls. Lavon Felton, VDA Representative, spoke to the committee. Felton stated the ten acre piece they are interested in will infringe on Vernon Manor. Felton stated the City and County need to work together and cannot guarantee the land would be used for industrial. Felton stated in 1995 the City of Viroqua started a TID district which attracted new business. Banta agreed we should work together and feels it doesn't matter who owns the land if we can get any kind of industry and business in there. Banta feels if the County owned the land we would have some control on what goes in there. Hynek feels the needs of Vernon County must come first and feels we should have a plan before we sell any land. Richardson does not agree with selling the ten acres by Vernon Manor.

Corporation Counsel, Lunde stated the proposed description VDA has given to us includes a .3 acres strip which is a 20 foot strip of land to connect for annex purposes. Lunde suggests getting rid of this and consider annexing the whole parcel the Highway Department shed is on into the City for water and sewer purposes. Erlandson feels selling a smaller parcel of land would be better. Beitlich stated we need a Vernon County long range plan on the County's needs before we act on this. Banta agrees with this, and stated we should form a joint committee with the City of Viroqua and the County needs a long range plan before we act on this. Cox stated we must have a functional plan first. Zibton agrees with having a joint committee with the City to discuss what business would be an asset to the community instead of big major business coming in that the locals cannot compete with. Richardson can't see why we would want to sell the land without seeing what would go in there in the future. Chairman Spenner asked for a motion to postpone the resolution since different options are on the floor. Motion by Mitchell, second by Dahl to postpone this resolution until a later date. Motion carried on a voice vote.

The next resolution was tabled at the June 29, 2010 County Board meeting

RESOLUTION # 2010 – 46

TITLE: ADOPTING THE VERNON COUNTY ALL NATURAL HAZARDS MITIGATION PLAN 2010 – 2014

WHEREAS, Vernon County recognized the threat that natural hazards pose to people and property; and

WHEREAS, undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to people and property and save taxpayer dollars; and

WHEREAS, an adopted all hazards mitigation plan is required as a condition of future grant funding for mitigation projects; and

WHEREAS, Vernon County participated jointly in the planning process with the other local units of government within the County to prepare a Multi-Hazards Mitigation Plan; and

WHEREAS, Vernon County recognizes that planning for natural hazard mitigation is an ongoing process with new mitigation projects being identified as additional information is obtained;

NOW, THEREFORE, BE IT RESOLVED, the Vernon County, hereby adopts the Vernon County Multi-Hazards Mitigation Plan 2010 – 2014 as an official plan; and

BE IT FURTHER RESOLVED, that the Vernon County Emergency Management Department will submit on behalf of the participating municipalities the adopted Multi-Hazards Mitigation Plan to Wisconsin Emergency Management and Federal Emergency Management Agency

Recommend for consideration by full County Board;

Dated: June 29, 2010 Submitted June 11, 2010 by the **Emergency management Committee** /s/ Tom Spenner, Chair
Vote: 5 yes, 0 no

Motion by Dahl, second by Brose to table the resolution. Motion carried on a voice vote.

RESOLUTION # 2010 - 62

Title: County Nursing Homes and the 2011-2013 State Biennial Budget

WHEREAS, county homes play a unique role in Wisconsin's continuum of care for citizens in need of long-term care services; and

WHEREAS, the majority of county homes care for residents with high acuity levels and intense behavioral needs; and

WHEREAS, Wisconsin county homes have a long history of partnering with the state to maximize federal resources available to the state; and

WHEREAS, under the Supplemental Payment Program, formerly known as the intergovernmental transfer program federal matching funds are generated based on actual operating losses incurred by governmental nursing homes; and

WHEREAS, all revenue generated from county nursing home losses is deposited in the state of Wisconsin's Medical Assistance Trust Fund; and

WHEREAS, through the combined efforts of the state and counties, billions of dollars have been brought in over the past decade, most of which was utilized to offset deficits in the Medical Assistance Trust Fund; and

WHEREAS, under current state law, the state may not distribute to counties more than \$39,100,000 in each fiscal year; and

WHEREAS, all revenue received under the supplemental payment program is derived from certified county nursing home losses; and

WHEREAS, counties depend on revenue received from the supplemental payment program to maintain high-quality services to vulnerable residents; and

WHEREAS, counties utilize revenue from the Supplemental Payment and Certified Public Expenditure Programs to offset property tax dollars utilized to fund the operation of county homes; and

WHEREAS, the 2009 – 2011 state biennial budget allocates only \$38.1 million annually in payments to counties, although the Department of Health Service estimates receiving \$96.2 million in federal matching funds based on county nursing home losses;

WHEREAS, the nursing home bed assessment (tax) was created as part of 1991 Wisconsin Act 269 as a methodology to fund the Medical Assistance nursing home rate increases that took effect in FY 92; and

WHEREAS, since that time, the bed tax has increased from \$32 per month per bed to \$170 per licensed bed; and

WHEREAS, in the 2009-2011 state biennial budget, a majority of the funds raised through the increased bed tax was utilized to offset the state's Medicaid deficit, in addition to funding the two percent rate increase in each year of the biennium; and

WHEREAS, in FY 10, 68% of the federal revenue derived from the bed tax was utilized to offset general fund expenditures; 51% of the federal revenue will be utilized for non-nursing home expenditures in FY 11; and

WHEREAS, a bed tax increase of \$14 in FY 10 and an additional increase of \$33 in FY 11 is all that was needed to fund the two percent rate increase; instead, over \$66 million of revenue derived from the bed tax was utilized over the biennium to replace GPR base funding for MA benefits; and

WHEREAS, there is no public policy argument to justify increasing taxes paid by nursing homes and their residents to benefit the general fund; and

WHEREAS, returning the revenue generated from the bed tax will fund a rate increase of approximately 3.25 percent in FY 12 without the need for additional GPR or bed tax dollars; and

WHEREAS, Institutes for Mental Disease (IMDs) with state-only licenses are required to pay the bed tax, even though they do not qualify for Medicaid payments.

NOW, THEREFORE, BE IT RESOLVED that the Vernon County Board of Supervisors requests that the following action be taken by the Governor and State Legislature during 2011-2013 state biennial budget deliberations; Support a statutory change to Sec.49.45 (6u)(am) Wis. Stats. Such that it reads...the department shall distribute to these facilities and to care management organizations at least \$39,100,000 in each fiscal year...

Support a statutory change requiring the state to share equally the federal match dollars received as a result of county nursing home losses.

Nursing home bed assessment funds and the federal matching funds generated should be used for nursing home rate increases, not as supplementation to the MA Trust Fund. County government-owned IMDs and state-only licensed facilities should be exempt from the provider bed assessment (bed tax).

BE IT FURTHER RESOLVED that copies of this resolution be sent to Department of Health Services Secretary Karen Timberlake, Department of Administration Secretary Dan Schooff, all area legislators and the Wisconsin Counties Association.

Recommended for consideration by the full County Board

Dated: August 24, 2010 Submitted August 13, 2010 by the **Vernon Manor Board of Trustees** /s/ Ray Moser, Chairman Vote: 4 yes, 0 no, 1 absent

Motion by Yttri, second by Hynek to approve the resolution. Brault asked about the rate changes. Nancy Withtoft, Vernon Manor Administrator, stated she calls this the bed tax. It is instituted by the State to bring in more Federal funds. Withtoft stated when they originally started this payment they put a cap on it. We are asking them to take off the cap of \$39 million that they can distribute to the nursing home. Withtoft stated the bed tax comes from us and it has been raised from \$35 a month to \$170 a month per bed and can possibly go up to \$240 a month. We can only charge this tax to our private pay people so the nursing home has to make up the difference. Withtoft stated this is supposed to give us the 2% increase. The State has made changes to the formulas for reimbursing us so instead of getting a 2% increase we got a .7% reduction. Withtoft stated it cost approximately \$169 a day to take care of one person and if they are on Medicaid we get paid \$134 a day. Cade asked if the Federal and State government treat the County home the same as a private nursing home and was told no. County homes are treated different than private owned homes on payments from the State and Federal. The resolution passed on a voice vote.

RESOLUTION # 2010 - 50

TITLE: RESOLUTION TO CREATE A ONE-HALF SOCIAL WORKER POSITION

WHEREAS, the Vernon County Board of Supervisors passed prior resolutions to support the implementation and administration of an Aging and Disability Resource Center (ADRC of Western Wisconsin) by the Department of Human Services as part of a multi-county effort; and

WHEREAS, an ADRC provides a "one-stop shop" for information and assistance on issues related to aging, physical and developmental disabilities and mental health and substance abuse concerns; and

WHEREAS, in order to provide Family Care in the West Central Consortium (WCC) region, participating counties must ensure access to ADRC services; and

WHEREAS, the State Dept. of Health Services allows, but does not require, counties to allocate levy dollars in addition to the amount of funding provided by DHS for ADRC operations; and

WHEREAS, the ADRC-WW has maximized federal revenue to support enhanced staffing and activities of the ADRC-WW; and

WHEREAS, the ADRC-WW Vernon site operations continue to grow due to the need for resource connections in Vernon County; and

WHEREAS, professional staff at the ADRC-WW must continue to conduct the business and duties outlined in the State/ADRC-WW contract; and

NOW, THEREFORE, BE IT RESOLVED, that the Vernon County Board of Supervisors has determined that there is a need for an additional one-half time Social Worker position in the Department of Human Services to serve in the ADRC-WW; and

BE IT FURTHER RESOLVED, that the half-time position of Social Worker is hereby created; and

BE IT FURTHER RESOLVED, that the position is contingent upon full funding for salary, benefits, and incidental costs of performing job duties; and

BE IT FURTHER RESOLVED, that in the event that funding is reduced or eliminated, this position and hours of work will be adjusted accordingly

Fiscal Impact – None

Recommended for consideration by the full County Board.

Dated: August 24, 2010 Submitted July 12, 2010 by the **Human Services Committee** /s/ Sherman Erlandson, Chair Vote: 8 yes, 0 no

Submitted July 15, 2010 by the **Personnel Committee** /s/ Geoff Banta, Chair vote: 3 yes, 0 no

Motion by Richardson, second by Mitchell to approve the resolution. Chairman Spenner called for a roll call vote. The resolution passed on a roll call vote with all twenty-eight Supervisors voting yes.

RESOLUTION # 2010 – 51

TITLE: Ho Chunk Funds Policy

WHEREAS, Vernon County has received \$1.2 million from the Ho Chunk Nation pursuant to an agreement based on the number of acres held in trust for the Ho Chunk Nation and located in Vernon County, and;

WHEREAS, Vernon County wishes to establish policies for how that money is to be used and/or accessed,

NOW, THEREFORE, BE IT RESOLVED by the Vernon County Board of Supervisors that the attached policies be in effect as of the date of passage of this resolution, and;

BE IT FURTHER RESOLVED that the policies may be amended only by vote of the full Vernon County Board of Supervisors.

Recommended for consideration by the full County Board

Dated: August 24, 2010 Submitted by the **Finance Committee** /s/ Ole Yttri, Chair

Vote: 5 yes, 0 no

Motion by Cade, second by McCoy to approve the resolution. Yttri stated we received \$1.2 million dollars this year from the Ho Chunk Nation. So far, if approved at today's meeting, we have \$630,907.00 allocated which leaves us \$574,275.00 left. Zibton stated once the word is out about the money we will be receiving a lot of requests and was wondering if there is a prioritized system to weigh the requests. Banta stated the request goes through their home committee for approval, then to the Finance Committee for approval and then to the full County Board for approval. Brault thanked the Finance Committee for putting the policy together. The resolution passed on a voice vote.

RESOLUTION # 2010 – 52

Title: Intergovernmental Agreement with the Towns of Stark and Whitestown

WHEREAS, Vernon County has received monies from the Ho Chunk Nation as a result of the Nations gaming compact with the State of Wisconsin, and;

WHEREAS, Vernon County has entered into a contract with the Ho Chunk Nation regarding use of the monies, and;

WHEREAS, part of the agreement between Vernon County and the Ho Chunk Nation provides for a sharing of the monies with other local units of government, and;

WHEREAS, the Ho Chunk Nations payments are tied to the number of acres of land held in trust for the Ho Chunk Nation located in Vernon County, and;

WHEREAS, the Ho Chunk Nation lands within Vernon County are located in the Town of Stark (363.71 acres) and Whitestown (836.09 acres), and;

WHEREAS, Vernon County and the Towns of Stark and Whitestown have negotiated an agreement to share a portion of the monies from the Ho Chunk Nation,

NOW, THEREFORE, BE IT RESOLVED that Vernon County shall pay to the Town of Stark the sum of \$100,000.00 and to the Town of Whitestown the sum of \$100,000.00

BE IT FURTHER RESOLVED that the Chair and Clerk of the Vernon County Board be authorized to execute the necessary contract to carry out the terms of this agreement.

Recommended for consideration by the full County Board

Dated: August 24, 2010 Submitted by the **Finance Committee** /s/ Ole Yttri, Chair

Vote: 4 yes, 0 no, 1 absent

Motion by Banta, second by Verbsky to approve the resolution. Richardson asked why both Towns are getting the same amount since there is a difference in acreage. Banta stated this was agreed upon by the Finance Committee that both Towns for the first year receive the same amount of money, so the money would help both equally. After the first year, if we receive the Ho Chunk payment, they will receive a 10% payment per acre. Chairman Spenner called for a roll call vote. Peterson asked to abstain from voting. The resolution passed on a roll call vote with twenty Supervisors voting yes and seven Supervisors voting no. Beitlich, Nickelatti, Servais, McClelland, Cornell, Erlandson and Spenner voting no. Peterson abstained from voting.

RESOLUTION # 2010 - 53

WHEREAS, the Vernon County District Attorney's office currently has five (5) computer work stations, with three clerical positions and two attorneys;

WHEREAS, the Vernon County District Attorney's office currently budgets for computers and maintenance costs annually;

WHEREAS, through the State of Wisconsin Office of State Prosecutors, there is a statewide program which allows for the State of Wisconsin DA IT department to purchase and service all of the computer work stations in the Vernon County District Attorney's office;

WHEREAS, Vernon County would have to purchase the three (3) clerical computer work stations at a cost of not more than \$800.00 per work station initially and then every four years, the State of Wisconsin will update all five (5) computer work stations free of charge in perpetuity, or until the state funding no longer exists. The two (2) attorney computer work stations initially are free, at no cost to Vernon County;

WHEREAS, after the initial payout from Vernon County, there should be no computer cost for the District Attorney's office for the foreseeable future which will present a significant cost saving for Vernon County;

WHEREAS, for the 2010 budget year, the Vernon County District Attorney's office did not foresee such an expenditure;

NOW, THEREFORE, BE IT RESOLVED that the Vernon County District Attorney's office have authority to spend up to \$2400.00 to implement the new computer system through the State of Wisconsin as described above, and

BE IT FURTHER RESOLVED that money be utilized from the general fund or in the alternative, be utilized from the Ho Chunk funding to purchase the three (3) clerical computer work stations.

Recommended for consideration by the full County Board.

Dated: August 24, 2010 Submitted July 15, 2010 by the **Finance Committee** /s/ Ole Yttri, Chair Vote: 5 yes, 0 no.

Motion by Peterson, second by Banta to approve the resolution. Chairman Spenner called for a roll call vote. The resolution passed on a roll call vote with all twenty-eight Supervisors voting yes.

RESOLUTION # 2010 - 54

WHEREAS, Rule 16 of the Rules of the Vernon County Board of Supervisors provides descriptions of the duties of the several committees, and;

WHEREAS, the Buildings and Facilities Committee has assumed oversight of the telephones systems, and;

WHEREAS, the current county buildings telephone systems are 12 years old, and;

WHEREAS, the current telephone systems are outdated as they do not include video conferencing, and other available features, and;

WHEREAS, the wiring in the current telephone system is not capable of handling new features,
WHEREAS, the cost savings estimate after installing a new system is approximately \$24,000 per year,
NOW, THEREFORE, BE IT RESOLVED that the Buildings and Facilities Committee have authority to spend up to \$190,000.00 plus a 10% contingency for the phone system project, and
BE IT FURTHER RESOLVED that money be transferred from the Ho Chunk Nation funding, to pay for the new system.

Recommended for consideration by the full County Board

Dated: August 24, 2010 Submitted June 3, 2010 by the **Buildings and Facilities Committee** /s/ Jerry Cade Vote: 5 yes 0 no

Submitted July 15, 2010 by the **Finance Committee** /s/ Ole Yttri, Chair Vote: 5 yes, 0 no

Motion by Yttri, second by Cade to approve the resolution. Chairman Spenner stated we are approving funding only since the project has already been approved. Cade explained Vernon Telephone was the accepted bid by the Buildings & Facilities Committee. Lunde stated the cost will be less than \$190,000. Hynek feels the bid should be re-opened. Zibton asked about the bidding process. Lunde stated it was done by a Request For Proposal, (RFP) not bidding. Lunde stated in his opinion bidding was not required since the Statutes state we do not need to bid services and equipment. Servais asked why Five Star was not included in the RFP. Lunde stated one of the specifications on the RFP was provision of dial tone and as far as he knew there were only two companies that could provide this. Erlandson feels we should give everybody the opportunity to bid on this if they can provide the same service. Hooker asked if it was too late to re-open the bidding. Banta stated the issue on the resolution is whether we authorize the money to purchase a new phone system with the Ho Chunk money. Lunde stated the prior resolution authorized Buildings & Facilities Committee to make the decision. Beitlich stated the Buildings & Facilities did their homework, they did it right, they listened to our County employees on what services they required and needed to perform their duties and the committee feels they made the right decision. Beitlich stated the County Board will have to give them as a committee some endorsement of confidence that the Buildings & Facilities knew what we are doing and stated this decision is the right decision. Chairman Spenner stated this resolution is only approving the funding of this project. Chairman Spenner called for a roll call vote. The resolution passed on a roll call vote with twenty-four Supervisors voting yes and four Supervisors voting no. Nickelatti, Servais, Hynek and Richardson voting no.

RESOLUTION # 2010 - 55

Title: Computer Software Update

WHEREAS, the current County computer systems are currently running Office2003, and;
WHEREAS, the current systems are outdated as Office 2003 is not longer supported by Microsoft, and;
WHEREAS, Vernon County's antivirus license expired, and;
WHEREAS, Windows XP is no longer available and will eventually be no longer supported by Microsoft, and;
WHEREAS, the new upgrades will cause compatibility issues with old operating systems, and;
WHEREAS, the cost of installing the new system can be spread over three years (see attached).
NOW, THEREFORE, BE IT RESOLVED that the IT committee has authority to spend up to ~~\$262,500.00~~
\$215,907.63 plus a 10% contingency for the computer system project, and
BE IT FURTHER RESOLVED that money be transferred from the Ho Chunk Nation funding, to pay for the new system

Recommended for consideration by the full County Board

Dated: August 24, 2010 Submitted June 15, 2010 by the **General Government Committee** /s/ Todd Overbo, Chair
Vote: 5 yes, 0 no

Submitted July 15, 2010 by the **Finance Committee** /s/ Ole Yttri, Chair Vote: 5 yes, 0 no

Motion by Larson, second by Cornell to approve the resolution. Motion by Yttri, second by Brault to amend the resolution changing the cost from \$262,500.00 to \$215,907.63. Motion carried on voice vote. Chairman Spenner called for a roll call vote on the resolution as amended. The resolution as amended passed on a roll call vote with twenty-six Supervisors voting yes and two Supervisors voting no. Servais and Richardson voting no.

RESOLUTION # 2010 - 56

Title: Continuation of Section Corner Remonumentation Bounty Program

WHEREAS, since 2001 the Vernon County Board of Supervisors has authorized \$25,000 a year to remonument Public Land Survey System (PLSS) section corners in Vernon County; and,
WHEREAS, since 2001 the Land Information Committee has been working with surveyors and additional dollars from the State Land Information Program to remonument section corners; and,
WHEREAS, since 2003 the Land Information Committee has had an established bounty program for remonumentation of section corners, countywide; and,
WHEREAS, the current success of the program has already resulted in expenditure of all 2010 budgeted funds and the program is completely suspended until funds become available; and,
WHEREAS, the Land Information Committee has determined that continuation of remonumentation efforts in Vernon County is key to reduced land ownership conflicts and a strong tax parcel database; and,
WHEREAS, an emphasis on Whitestown and Stark priority areas will be made, but the program is available to other areas as needed;

THEREFORE BE IT RESOLVED, that the Vernon County Board of Supervisors authorizes the Finance Committee to allocate an additional \$25,000 for 2010 remonumentation activities; and,

BE IT FURTHER RESOLVED, the Finance Committee will place funds from the Ho Chunk allocation into the 2010 Land Information budget with project costs incurred beginning July 1, 2010.

Fiscal Impact \$25,000

Recommended for Consideration by the full County Board.

Dated: August 24, 2010 Submitted June 8, 2010 by the **Land Information Committee** /s/ Maynard Cox, Vice-Chair

Vote: 10 yes, 0 no. Submitted June 16, 2010 by the **Finance Committee** Vote: 5 yes, 0 no

Motion by Cade, second by Cox to approve the resolution. Chairman Spenner called for a roll call vote. The resolution passed on a roll call vote with all twenty-eight Supervisors voting yes.

RESOLUTION # 2010 - 57

Title: Contingency Fund Transfer

WHEREAS, at the time of preparing the 2010 budgets, the Vernon County Courthouse and Human Services Local 2918 contract for 2010, *the Vernon Manor Local Union 1667 contract for 2010, and the Vernon County Highway and Recycling Employees Local Union 1527 contract for 2010, and the non-union employee wages for 2010 were* not settled and proposed increases could not be put in the budgets, and

WHEREAS, the ~~Courthouse and Human Services Contract~~ *above contracts* for 2010 *are* now settled, funds need to be allocated to the 2010 budget to cover salary/benefit (FICA and WRS) increases for 2010 and retro pay/benefits from Jan. 1, 2010;

NOW THEREFORE BE IT RESOLVED, that the Vernon County Board of Supervisors hereby approves a fund transfer of ~~\$108,000~~ **\$172,805** from the Contingency fund to the appropriate department budgets.

Recommended for consideration by the full County Board.

Dated: August 24, 2010 Submitted July 15, 2010 by the **Finance Committee** /s/ Ole Yttri, Chair Vote: 5 yes, 0 no

Motion by Yttri, second by Servais to approve the resolution. Motion by Yttri, second by Cade to amend the resolution as follows; after first whereas add the Vernon Manor Local Union 1667 contract for 2010, and the Vernon County Highway and Recycling Employees Local Union 1527 contract for 2010, and the non-union employee wages for 2010 were, second whereas add the above contracts and the word are and the Now Therefore be it resolved change dollar amount to \$172,805. Motion to amend the resolution carried on voice vote. Chairman Spenner called for a roll call vote on the resolution as amended. The resolution as amended passed on a roll call vote with all twenty-eight Supervisors voting yes.

RESOLUTION # 2010 - 58

Title: Clarification by Committee, Amend Resolution 2005-23 Converting Undersheriff to Chief Deputy Sheriff position

WHEREAS, Resolution No. 2005-23 was approved by the Vernon County Board of Supervisors on April 19, 2005, and

WHEREAS, said resolution contained the following, subsequent vacancies of Chief Deputy Sheriff, the Sheriff shall appoint said vacancy and subject to a majority vote of the Law Enforcement Committee, and

WHEREAS, it was the intent of the Law Enforcement Committee and County Board in 2005 to establish a replacement process that follows the routine hiring procedures for non-union management positions of the County in advance of the Sheriff making a selection and committee ratification,

NOW, THEREFORE, BE IT CLARIFIED AND RESOLVED by the Vernon County Board of Supervisors that vacancies of the Chief Deputy Sheriff's Office follow the routines set forth in replacing all management positions and that following said process the Sheriff will make the appointment from the three finalists subject to ratification by a majority vote of the Law Enforcement Committee.

Dated: August 24, 2010 Submitted August 12, 2010 by the **Law Enforcement Committee** /s/ Frank McCoy, Chairperson, Herbert Cornell, Vice-Chairperson, /s/ Jerry Cade, /s/ Kevin Gobel, /s/ John Mitchell

Motion by Cade, second by McCoy to approve the resolution. Resolution passed on a voice vote.

RESOLUTION # 2010 - 59

Title: Building and Facilities Fund

WHEREAS, Building and Facilities Planning Committee is charged with maintaining all county buildings, and

WHEREAS, maintenance costs for structural and mechanical repairs have exceeded \$500,000.00 in the past two years, and

WHEREAS, there are still many repairs necessary on aging buildings such as the Erlandson building and Highway shop/office, and

WHEREAS, the Land and Water Conservation Department is currently renting space at a cost of approximately \$30,000.00 per year out of a total of \$90,000.00 per year rent on that building.

NOW, THEREFORE, BE IT RESOLVED that Vernon County set aside \$300,000.00 per year in a building maintenance/construction fund, and

BE IT FURTHER RESOLVED that this money be placed in a non lapsing fund used solely for the repair and maintenance of existing buildings or the construction of new buildings as needed.

Recommended for consideration by the full County Board.

Dated: August 24, 2010 Submitted by the **Buildings & Facilities Committee** /s/ Jerry Cade, Chair Vote: 5 yes, 0 no.

Motion by Verbsky, second by Cade to approve the resolution. Banta feels we should postpone this resolution until the budget is set up in November and then look at the Ho Chunk funds. Motion by Banta, second by McClelland to postpone this resolution until November 2010 County Board meeting. Motion carried on a voice vote.

RESOLUTION # 2010 - 60

Title: Per Diems in Excess of Statutory Limit

WHEREAS, §59.13(2)(b) limits the number of days for which County Board Supervisors can collect a per diem to thirty days per year, and

WHEREAS, §59.13(2)(b) further provides that the County Board may increase the number of days for which compensation and mileage may be paid by a two-thirds vote of the members present, and

WHEREAS, most Vernon County Supervisors will currently exceed the thirty days based on the committee assignments now in place as of April, 2010, and

NOW THEREFORE, BE IT RESOLVED that the Vernon County Supervisors shall be paid for per diem and mileage for all committee meetings that they attend, and

BE IT FURTHER RESOLVED that the rate of compensation and mileage be the same for all meetings attended as previously set by the Vernon County Board of Supervisors or as may be adjusted in the future.

BE IT FURTHER RESOLVED that the previous rule regarding mileage payment for multiple meeting on a single day remain in effect.

BE IT FURTHER RESOLVED that this resolution become part of the Rules of the Board for Vernon County.

Recommended for consideration by the full County Board

Dated: August 24, 2010 Submitted August 13, 2010 by the Legal Affairs Committee /s/ Kevin Gobel, Chair Vote: 5 yes, 0 no

Motion by Brose, second by Cade to approve the resolution. Hooker stated it mentions that mileage will be paid for all committee meetings and wonders about two committee meetings in a row and feels it should state mileage for only one of the two meetings. Lunde stated the first Be It Further Resolved stated "mileage be the same for all meeting attended as previously set" should cover the double meeting issue. Motion by Richardson, second by Mitchell to amend the resolution as follows: after the first Be It Further Resolved add a second "Be It Further Resolved that the previous rule regarding mileage payment for multiple meeting on a single day remain in effect". Motion by Verbsky, second by Cade to accept the resolution as amended. Motion carried on voice vote. Dahl feels this is inappropriate at this time. Cade stated this is not a salary increase; this is only clarification of the state statute to give us approval to attend over thirty meetings a year. Zibton stated in the interest of saving money has the County ever looked into phone conferencing? Banta stated we are already trying to save money now by not having committees meet when they do not have any business to act on. Banta does not think this is an increase in salary. Chairman Spenner called for a roll call vote. The resolution as amended passed on a roll call vote with twenty-six Supervisors voting yes and two Supervisors voting no. Zibton and Dahl voting no.

RESOLUTION # 2010 - 61

TITLE: Designation of the Vernon County Land Information Council

WHEREAS, the Vernon County Board of Supervisors established a Land Information Office in 1993, and a Land Information Committee in 1994, for the purpose of guiding and coordinating land record modernization activities and the development of a land information system; and,

WHEREAS, pursuant to the provisions of Section 59.72 of the *Wisconsin Statutes*, Vernon County, primarily funds land record modernization with real estate document recording fees that are charged and collected in the office of the Register of Deeds; and,

WHEREAS, pursuant to the provisions of Section 59.72 of the *Wisconsin Statutes*, as amended by 2009 Wisconsin Act 314 on May 12, 2010, counties must now establish a Land Information Council to continue to be eligible to retain part of said real estate document recording fees and to continue to be eligible to apply for Wisconsin Land Information Program grants from the Wisconsin Department of Administration; and,

WHEREAS, the inclusion of three additional council members (Real Property Lister, Realtor, and Land Surveyor) to the already functioning Land Information Committee would bring Vernon County into compliance with the membership requirements of said Act 314; and,

THEREFORE BE IT RESOLVED, that the Vernon County Board of Supervisors designates the functioning Land Information Committee to henceforth be identified as the Vernon County Land Information Council; and,

BE IT FURTHER RESOLVED, that the Vernon County Board of Supervisors hereby modifies the Vernon County Land Information Council to include the real property lister, a realtor, and a land surveyor; and,

BE IT FURTHER RESOLVED, that the Vernon County Land Information Council shall consist of the following members as appointed by the Chairman of the Vernon County Board of Supervisors and confirmed by the Vernon County Board of Supervisors: Up to five members of the Vernon County Board of Supervisors, Vernon County Register of Deeds, Vernon County Treasurer, Vernon County Real Property Lister, County Conservationist (as a representative of the Vernon County Land Information Office), A realtor or a member of the Realtors Association primarily serving Vernon County, Dispatch Sergeant (as a public safety or emergency communications representative employed within Vernon County), A registered professional land surveyor who regularly works in Vernon County, or the County Surveyor if one has been employed by the county, An assessor serving within Vernon County (as a citizen member), Any other members of the public as appointed; and,

BE IT FURTHER RESOLVED, that the initial terms of the members of the Vernon County Land Information Council shall be for a period of time commencing on the date that the appointments will be confirmed by the Vernon County Board of Supervisors and ending on April 29, 2012, both inclusive; and,

BE IT FURTHER RESOLVED, that commencing on April 30, 2012, and continuing thereafter, the terms of the members of the Vernon County Land Information Council shall be for a period of two years; and,

BE IT FINALLY RESOLVED, that the Rules of the County Board be amended by the Legal Affairs Committee to reflect the above mentioned changes.

Estimated Fiscal Impact: Approximately \$1,000 for three additional per diem payments per meeting (Note: Loss of \$50,000/yr unless this change is made to committee structure.)

Recommended for consideration by the full County Board

Dated: August 24, 2010 Submitted August 3, 2010 by the Land Information Committee /s/ Will Beitlich, Chair

Vote: 11 yes, 0 no Submitted August 13, 2010 by the Legal Affairs Committee /s/ Kevin Gobel, Chair Vote: 5 yes, 0 no

Motion by Cox, second by McClelland to approve the resolution. Richardson asked about the rate of pay for the meetings. Kelly Jacobs, County Conservationist, stated the revision that is outlined in the resolution allows us to collect and retain fees and grants. Lunde stated the cost is three additional members for twelve meetings. Beitlich stated if we do not reorganize this according to state statute we will have a loss of \$50,000. Chairman Spenner called for a roll call vote. The resolution passed on a roll call vote with all twenty-eight Supervisors voting yes.

Chairman Spenner moved to ordinances and there were none.

Hynek asked to make a statement. Hynek stated he voted for over a two million dollar contract for Jersey Valley. He never asked a question, if this was the contract or if this was going to be an override. Hynek stated one day the Supervisors found out we had a large override. Hynek is asking the County Board Supervisors to entertain a re-opening of the bids on the phone system so Five Star Telecom has a chance to bid to see if they can save us money. McClelland asked what it would take to have the bidding re-opened and was told it would be up to the Buildings & Facilities committee.

Chairman Spenner asked for any Memorials and there were none. Chairman Spenner asked for any remonstrances and there were none. Chairman Spenner asked for reports of standing or special committees.

The next County Board meeting is September 28, 2010 at 9:30 A.M. in the County Board Room at the Courthouse Annex. With the meeting concluded, a motion was made by Peterson and second by Verbsky to adjourn. Motion carried. Meeting adjourned at 12:53 p.m.

CERTIFICATION

State of Wisconsin (

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County of Vernon (

Office of the Vernon County Clerk

I, Ronald C. Hoff, County Clerk of Vernon County, Wisconsin DO HEREBY CERTIFY that the statements above are a correct report of all actions and decisions of the Vernon County Board of Supervisors at the meeting of August 24, 2010, as indicated in transcription taken personally by me.

(Seal)

/s/ **Ronald C. Hoff**

Vernon County Clerk