

Grant County Board of Supervisors

August 21, 2012

The Grant County Board of Supervisors met on Tuesday, August 21, 2012 at 6:00 p.m. in Room 264 of the Administration Building, Second Floor in Lancaster, WI pursuant to the adjournment of the July 17, 2012, meeting.

Chair Larry Wolf called the meeting to order and the Pledge of Allegiance was recited.

Verification of compliance with the open meeting law was a notice in the Herald Independent stating the date, time and place of the County Board Meeting and posted in two public posting locations and the county website verified by Linda K. Gebhard, County Clerk.

INSERT #1: ROLL CALL, August 21, 2012

	Present	Absent	Excused
1. Roger Guthrie	X		
2. Carol Beals	X		
3. John Beinborn	X		
4. Ivan Farness	X		
5. Lester Jantzen	X		
6. Robert Keeney	X		
7. Vern Lewison	X		
8. Vincent Loeffelholz	X		
9. Grant Loy	X		
10. Dwight Nelson	X		
11. John Patcle	X		
12. Dale Hood	X		
13. Robert Scallon	X		
14. Patrick Schroeder	X		
15. Donald Splinter	X		
16. Mark Stead	X		
17. Larry Wolf	X		

The Clerk took the roll call resulting in 17 present, therefore a quorum was present.

Agenda: Patrick Schroeder, seconded by Vern Lewison, made a motion to approve the agenda. Motion carried.

Minutes: Vincent Loeffelholz, seconded by John Beinborn, made a motion to approve the minutes of July 17, 2012. Motion carried.

Mark Stead, seconded by Lester Jantzen, made a motion to approve the minutes of August 7, 2012 Training Session for the Grant County Board of Supervisors. Motion carried.

Communication: Larry Wolf, Chair, extended a "welcome back" to Ivan Farness who is currently in the Nursing Home; with the help of his family was able to attend this County Board meeting. Ivan has not been able to attend any committee meetings or County Board Meetings since May.

Alice in Dairyland Presentation: Hap Daus and Angela (Rule) Udelhofen, presented a plaque to show their appreciation to the Finals Committee for their time, talent, commitment and support to the success of the 65<sup>th</sup> Alice in Dairyland Finals that were held in Grant County on May 17 – 19, 2012. (The plaque will be on display in the Ag and Extension Building at the fairgrounds).

Rezoning Amendment Platteville: Lester Jantzen, seconded by Ivan Farness, made a motion to dispense of the reading of the amendment. Motion carried.

Terry Loeffelholz, Sanitation Director, presented 472th Amendment for Mark and Joan Flogel, Platteville Township changing the parcel from Exclusive Ag to A-1. Planning and Zoning and Town of Platteville approved the change. Mark Stead, seconded by Robert Keeney, made a motion to approve this zoning amendment. Motion carried.

**472<sup>th</sup> AMENDMENT TO THE  
GRANT COUNTY ZONING ORDINANCE  
JUNE 21, 2012**

Flogel, Mark & Joan

WHEREAS, a petition for map amendment was filed and a public hearing was held by the Grant County Planning and Zoning Committee, meeting the requirements of Chapter 59.69.

WHEREAS, a proof of publication and giving notice to Platteville Township Clerk of such hearing is attached to this document.

WHEREAS, the Planning and Zoning Committee now recommends to the Board of Supervisors of Grant County the adoption of this map amendment.

THEREFORE, the Grant County Board of Supervisors does ordain as follows. That the Zoning District Map for the Township of Platteville will be amended to include the following described land as Agriculture A-1.

A parcel of land located in Section 1 T3N R1W in the Northeast Quarter (NE1/4) of the Northwest Quarter (NW ¼) and the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) as beginning described as follows;.

Commencing at the North Quarter (N ¼) corner of said Section1;  
thence South 00° 11' 30" East 413.61; along the East line of the Northwest Quarter (NW ¼) of said Section 1 to the Point of beginning;  
thence North 89° 48' 40" West 306.45' along a line of that property as described in Volume 1231, Page 249 recorded as document No. 723357 Gant County Registry;  
thence South 89° 55' 37" West 282.86' along a line of said property described in 1231, page 249;  
thence South 34° 59' 06" West 77.02' along a line of said property as described in 1231, page 249;  
thence South 08° 28' 54" East 184.81' along a line of said property as described in Volume 1231, page 249;  
thence North 89° 45' 16" West 722.47' along a line of said property as described in Volume 1231, page 249 to the West line of the East Half (E ½) of said Northwest Quarter (NW ¼);  
thence South 00° 16' 22" East 684.31' along the West line of the West half (E ½) of said Northwest Quarter (NW ¼);  
thence North 85° 33' 13" East 790.09' along the North line of Lot 8 of Certified survey Map No. 1385, recorded in Volume 12 of Certified Survey Maps on Page 157 recorded as Document No. 702681, Grant County Registry;  
thence North 67° 32' 32" East 475.64' along the North line of Lot 7 of said certified Survey Map No. 1385;  
thence East 100.42' along the North line of said Lot 7 to the East line of the Northwest Quarter (NW ¼) of said Section1;

thence North 00° 11' 30" West 683.50' along the East line of the Northwest Quarter (NW ¼ of Section 1 to the point of beginning.

This parcel of land containing 21.65 acres more or less, and being subject to any and all easements of recorded and/or usage.

The undersigned hereby certify that the foregoing map amendment to the Grant County Zoning Ordinance was adopted on the 21<sup>th</sup> day of August 2012.

/s/Larry Wolf, County Board Chairman

/s/ Linda Gebhard, County Clerk

**ATTEST:** I Linda K. Gebhard, Grant County Clerk, do certify that this resolution was adopted by the Grant County Board of Supervisors at a meeting held on August 21, 2012.

/s/ Linda K. Gebhard, County Clerk

Comprehensive Plan Amendment: Terry Loeffelholz, Sanitation Director, presented the changes needed in the Grant County Comprehensive Plan. The proposed changes would allow the use of certain property in Platteville Township in Section 18 as Agriculture A-2 and Potosi Township in Section 1 as Agriculture A-2 for a single family dwelling. Planning and Zoning and the Platteville and Potosi Town Boards have approved the change.

Dale Hood, seconded by Vince Loeffelholz, made a motion to approve the changes to the Grant County Comprehensive Plan for Town of Platteville. Motion carried.

Lester Jantzen, seconded by Dwight Nelson, made a motion to approve the changes to the Grant County Comprehensive Plan for Town of Potosi. Motion carried.

Appointments: None

Employee Recognition: The Grant County Board of Supervisors gave recognition to Douglas Vesperman for is 22 years of service for the Grant County Sheriff Department. Doug could not be present to accept his plaque.

Grants: Jeff Kindrai, Health Department Director, presented the information for a grant for the Board approval. For the grant Back to School Immunizations for the purpose of funding to have increased promotion (advertising) and extra nursing time to offer to immunizations. Source of the grant is the Rural Wisconsin Health Cooperative for the funding period of August 1, 2012 to August 31, 2012 for an amount of \$1,731.80, no match to county. Donald Splinter, seconded by Ivan Farness, made a motion to approve this grant application for the Health Department. Motion carried.

Resolution: Patrick Schroeder, seconded by John Beinborn, made a motion to approve the following Resolution #05-12 presented by Louise Ketterer, Grant County Treasurer. Motion carried.

**Resolution #05-12  
RESOLUTION AUTHORIZING THE COUNTY  
TREASURER TO SETTLE IN FULL FOR GENERAL TAXES  
FOR THE TAX ROLL YEAR 2012 – COOLCTABLE IN 2013**

WHEREAS, the Board of Supervisors of Grant County, Wisconsin, desire to authorize and direct the County Treasurer of Grant County, Wisconsin, to settle in full for the general taxes, however; special charges, special assessment taxes or delinquent charges shall not be settled until paid.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Grant County, Wisconsin, that the County Treasurer of Grant County, Wisconsin, be and is hereby authorized to settle in full for these outstanding general taxes, however; the County Treasurer shall not settle special charges and special assessment taxes or delinquent charges in full for the year 2012 until paid.

Presented and recommended for passage on this 14<sup>th</sup> day of August, 2012 by the Executive Committee of the Grant County Board of Supervisors, Lancaster, Wisconsin.

/s/ John Beinborn, Chair  
/s/ Robert Keeney, Vice Chair  
/s/ Mark A. Stead  
Robert Scallon

/s/ John Patcle  
/s/ Larry Wolf  
/s/ Donald Splinter

**ATTEST:** I Linda K. Gebhard, Grant County Clerk, do certify that this resolution was adopted by the Grant County Board of Supervisors at a meeting held on August 21<sup>st</sup>, 2012.

/s/ Linda K. Gebhard, County Clerk

Revised Medical Leave of Absence policy (non-FMLA): Joyce Roling, Personnel Director, discussed the proposed changes to the Medical Leave of Absence policy for the County and due to information received after the Executive Committee met, recommended the board send the policy back. Donald Splinter, seconded by John Beinborn made a motion to send the policy back to the Executive Committee for further review. Motion carried.

2012 Transit Union Contract: Joyce Roling, Personnel Director, presented the Transit Union Contract for passage. Don Splinter, seconded by Lester Jantzen, made a motion to approve the contract. Motion carried.

Division of Housing (DOH): Nancy Scott, Finance Director, updated the Board on the consortium for the 2013 Community Development Block Grant. The 11 counties involved for our area are Trempealeau, Jackson, Monroe, Vernon, Richland, Crawford, Grant, Iowa, Lafayette, Green and LaCrosse being the lead county. Each county will receive the amount of \$67,000.00. The deadline to apply for the money would be July 31<sup>st</sup> with any unapplied money that would be available would be handled in a first come first serve basis. Each County will handle their own marketing as to the purpose of this money for their own counties. Final papers will have to be signed by January or February of 2013.

Consideration of adjourning to closed session pursuant to WI State Statute 19.85 (1)(g) for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved as it relates to (1) a notice of claim filed against Grant County by Jenny Bendorf and Kurt Bendorf and (2) the status of D.B., et al, v. Grant County, et al.: Lester Jantzen, seconded by Roger Guthrie, made a motion to go into closed session. Roll call vote was called for.

DATE: August 21, 2012

QUESTION: Vote to go into closed session.

	YES	NO	ABSENT
1. IVAN FARNESS	X		
2. GRANT LOY	X		
3. ROBERT SCALLON	X		
4. ROBERT KEENEY	X		
5. ROGER GUTHRIE	X		

6. JOHN PATCLE	X
7. VERN LEWISON	X
8. PATRICK SCHROEDER	X
9. LARRY WOLF	X
10. MARK STEAD	X
11. DALE HOOD	X
12. DWIGHT NELSON	X
13. CAROL BEALS	X
14. LESTER JANTZEN	X
15. JOHN BEINBORN	X
16. DONALD SPLINTER	X
17. VINCENT LOEFFELHOLZ	X

County Clerk took a roll call vote resulting in 17 yes and no nays. Therefore motion carried.

Return to open session: Dale Hood, seconded by Grant Loy, made a motion to reconvene into the full county board session. Motion carried.

Action on above referenced notice of claim against Grant County: Roger Guthrie, seconded by Donald Splinter made a motion to approve Resolution #04-12 as follows. Motion carried.

#### **RESOLUTION #04-12 GRANT COUNTY DISALLOWANCE OF CLAIM**

**WHEREAS,** a notice of claim was filed by Jenny Bendorf and Kurt Bendorf against Grant County, Jan Moravitz and James Kopp on April 23, 2012; and

**WHEREAS,** the Grant County Board of Supervisors has determined that it is in the best interest of the Grant County to disallow the above referenced claim;

**NOW, THEREFORE, BE IT HEREBY RESOLVED** by the Grant County Board of Supervisors that the April 23, 2012 claim filed by Jenny Bendorf and Kurt Bendorf against Grant County, Jan Moravits and James Kopp is disallowed.

Dated this 21<sup>st</sup> day of August, 2012

/s/ Larry Wolf, County Board Chair

Date August 21, 2012

/s/ Linda K. Gebhard, County Clerk

Date August 21, 2012

**ATTEST:**

I Linda K. Gebhard, Grant County Clerk, do certify that this resolution was adopted by the Grant County Board of Supervisors at a meeting held on August 21<sup>st</sup>, 2012.

/s/ Linda K. Gebhard, County Clerk

Dog Claims: John Patcle submitted a dog claim from Platteville Vet Clinic for \$75.00. The claim was approved by the Ag and Extension committee. John Patcle made a motion to approve this claim seconded by Grant Loy. Motion carried.

Facility Maintenance Manager Position: Patrick Schroeder, seconded by Dwight Nelson, made a motion to restructure the Maintenance position, to disband the Maintenance Department and have internal maintenance workers. No Maintenance Manager (abolish the position), retain 6 maintenance workers, (2 in Ag/Extension/Fair, 2 in Sheriff Department, 1 in Courthouse, and 1 in Administration Building). The supervision will be done by existing staff, the Fair Manager, Chief Deputy Sheriff and the County Clerk. The budget will be separated appropriately to how it was previously, each department handling their own purchasing and invoicing. Cost to county \$285,117. Motion passed with three nays, Carol Beals, Vern Lewison and Lester Jantzen.

52 Building Update: Gayle Mason, ADRC Director, reported that the repairs are moving forward. Most of the Staff is back in their respective offices, painting is almost completed. In the next couple weeks things are projected to be back to normal. Social Services and ADRC staff are very appreciative of the good team work that was shown during this time among the Maintenance workers, IT Department and employees.

Committee Reports:

Economic Development, John Beinborn—will be touring the Cuba City Grow Alliance Plant. Discussed natural gas pipe line.

Executive Committee, John Beinborn –Public Property/IT 2013 requests. 2013 Budget Process and discussed 2011 audit report.

LLC , Mark Stead – delt with well decommissioning, animal waste storage facility permitting fees to increase. Possible sale of Polaris Ranger and Triton Trailor.  
Unified -- 2013 budget.

Fair/Extension, John Patcle—Thanked all who had helped during the 2012 fair, Fair went well. Highway – gave road updates.

Orchard Manor, Robert Keeney, update on air conditioner and coolers. Laundry service will be brought back in house.

Law Enforcement, Robert Scallon—Retirment party attended for Keith Govier. Introduces Nate Dreckman as new Grant County Sheriff.  
Parks committee – no meeting to report.  
Wisconsin Railway -- replacing railroad ties at this time.

Hidden Valley, Grant Loy—per capita costs will be raised. Has not been raised in 35 years projected amount will be \$500.00.

Park Committee, Ivan Farness thanked Bill Biefer for carrying on the business for the parks committee in his absence.

ADRC, Dale Hood, hired a new Benefit Specialist

Health, Dwight Nelson – 2013 Budget

Public Property—Carol Beals, no meeting.  
Social Services, nothing new to report, business as usual.  
ADRC – Moved Meal Site in Muscoda t to the Community Building.

Veteran, Lester Jantzen—Discussed the new Memorial being built.

Planning and Zoning—Zoning amendments.  
Sanitation keeping up the septic system inspections.

Public Property/IT, Vince Loeffelholz—Blue Boy Fountain repairs to water hoses, insurance claims discussed, IT intern and email.

Larry Wolf, Chair, excused himself from conducting the rest of the meeting because he felt that this would be a conflict of interest. He handed the Chair duties to First Vice Chair, John Beinborn.

Public Comments: The following people asked to speak during this time. John Beinborn, First Vice Chair gave each person 3 minutes to say speak.

- Mary Yager – Long time citizen of Grant County, Lancaster. She feels that Larry Wolf has brought dignity and respect to the County Board since he has had the Chair position and she hopes that the Board can start working together to maintain what Larry has tried to accomplish in working closely with the department heads for the best interest in Grant County.
- Bob Nelson – He feels the County should take a long hard look at appointing an Administrator. The current decision on the Administrative Coordinator by the Attorney General is only an opinion. This idea of hiring an Administrator is not new as it has been discussed in previous boards. In regard to recalling Larry Wolf as the Chair; Bob stated that Larry was elected by the Board Members so he should be allowed to do his job and complete his two year term. Bob stated that unless Larry Wolf has done something drastically wrong and criminally wrong, he should be able to remain as Chair. Grant County is in a bad state at this time in the public's eye. Bob also stated that altercations between two board members in public have become a big issue and disorderly conduct is evident. If an officer would have witnessed this, someone would have been arrested. Bob also commented on alleged promises being made prior to elections, meetings.....maybe the committee members should take a look at this issue and assess their own conduct in this matter before pointing fingers. This issue is a very important thing to monitor and can end up in felony charges.
- Angie Cohen – Daughter of Larry Wolf, is appalled at how some members are treating her father. They should all be ashamed of themselves. Angie has great respect for her father and things that he has been through in his life. Some board members behavior towards her father in public is ridiculous and uncalled for.
- David Banbridge – He thanked Larry Wolf for doing a wonderful job and in his business with the County. Larry has always been very helpful and he has absolutely no issues with Larry as being County Board Chair.
- Stephen Adrian – stated that he was not going to speak at this meeting because initially he did not feel Larry Wolf should be removed and Stephen knew how difficult working on the county board can be. But, when he heard the "the bunch of crap" made by Larry Wolf on the radio during the day, he felt he had to speak. There are a lot of important issues that will need to be discussed among the board for the up coming year, budget and insurance being two of them.
- Don McKelvey – In regard to the recall; unless Larry has committed a felony or has done something illegal to warrant this, this recall should not be happening. Larry has not done anything to deserve this action. Things may not go like all of the Board Members want, but that has been the case among any County Board that has served Grant County. If this issue is due to sour grapes, maybe you fellows better grow up.

- Kris Wolf, Sister-in-law to Larry Wolf. Larry has never had a bad word to say about any of the other board members. She feels the behavior of the members has been appalling and it should stop. You should let Larry do his job he was elected to do.

Duties, Authority and Compensation of Grant County Board Chair: John gave Robert Keeney the floor as the next agenda items were added by Robert. Robert Keeney stated that after reviewing the agenda items and not seeing anything on the agenda regarding the recent training session he felt the board should be allowed to have more discussion on the issues brought up at the training. He also felt the board should discuss the job description of the chairperson which still states that the Chair also has the duties of the administrative coordinator. Robert Keeney stated that it was not his intent to remove the chair but he felt more discussion was necessary to talk about the County governing structure. He stated that the training that was conducted on August 7 with Mark O'Connell, WCA Executive Director, Mike Blaska, WCA Director of Programs and Services and Andrew Phillips, Attorney of Phillips Borowskis S.C. turned out to be a presentation about county structure. Robert felt it was time to openly discuss this issue that exists in Grant County and stop dealing in back door politics that have been happening among the board members.

Robert stated, the staff has been asked to control spending, take a hard look at programming and budget ideas. As board members, we need to work on the difficult decisions that we were elected to make and the board members need to move forward and grab the bull by the horns.

Pat Schroeder asked to speak. He is still upset about rumors he has heard that promises were made to supervisors on committee appointments for their voting in the chairperson race. Pat felt that there has been improper handling of the board that Larry Wolf talks to supervisors outside of the meetings. Pat brought up the fact that after one of the committee meetings he was visited by the sheriff and asked him to change his methods or he would be censured. Pat stated that he did not care if the other board members like him but he respected them. Pat stated that the only reason he came back on the board after resigning was to be a thorn to Larry Wolf for the next two years.

Robert Scallon stated that the situation among the board is getting old. Dave Timmerman had stated in an editorial in the paper that it was time the board started working together and Bob agrees with that. He stated that the Board has a moral obligation to work together for the good of our constituents. We have to work together and he is very disappointed that the board cannot get along. "We are making Washington look good".

Todd Infield, Corporation Counsel, asked Robert Keeney if he felt the issue on the duties of the County Board Chair should go back to the Administrative and Executive Committee for further discussion. Robert Keeney made a motion to refer the County Board position duties back to the Administrative Committee for further review and the Compensation and benefits package for the County Board position back to the Executive Committee for further review. Motion was seconded Grant Loy. Motion carried.

Grant Loy stated that he was not in favor of a County Administrator, sighting Iowa County's situation as an example. He stated that we have a County Board Chair and we pay them to be the leader. Consortiums he feels are damaging our County government and not in favor of them.

Dale Hood, asked how Linda Gebhard, County Clerk, got the title of Administrative Coordinator. Linda replied that the title had previously been given to Nancy Scott, Finance Director after the Attorney General's opinion came out. Nancy declined the position in April; the title was given to the County Clerk, with no duties stipulated.

Robert Scallon stated that he feels the County could not consider an Administrator because of the cost to the

county.

John Beinborn tried to explain to the board why the subject of a County Administrator or discussion regarding County Government had not been added to the agenda. There was a vote taken at the training resulting in the fact that the county board was not in favor of an administrator. Larry Wolf felt at that time that it would be a mute point to include that subject on the agenda if a majority was against that concept.

Carol Beals wanted to make sure she understood a comment that was made at the training, that if a County Administrator was hired, the existing County Board Chair salary would go to the administrator and the County Board Chair's only duty would be to conduct the meetings. This was the understanding of the board.

Grant Loy stated that an Administrator would be hired, not elected, and that it would be better to have an Administrative Coordinator with no power because it would take a 2/3 vote to oppose a decision that an Administrator would make that the board did not like and right now they can't even get a 50% vote.

John Beinborn asked Robert Keeney if this would satisfy him now that he knew the duties of the County Board Chair would go back to committee to be reviewed. He asked if we could disregard the remaining items on the agenda and adjourn this meeting.

Patrick Schroeder made a motion to rescind the position of County Board Chair from Larry Wolf and that a written ballot be taken with each board member initialing their ballot. Motion was seconded by Ivan Farness.

At this time John Beinborn made a statement to the board. John felt that Larry had not been given a chance. He felt that differences, scheduling and lack of interest had stunted Larry's Chair position. He said the goal is to improve Grant County and that Larry attempts to listen to all sides. He felt that this recall of the County Board Chair position from Larry Wolf was wrong. Larry has done nothing to warrant this treatment and he was very disappointed with this decision. John felt that the board has a lot of tough decisions ahead of them to make and Larry Wolf is the Chair to see them through.

Carol Beals objected to the written ballot and initialing and stated that a verbal vote could be taken that would give the same results as a written ballot. Patrick Schroeder and Ivan Farness agreed to change his motion to cast a verbal vote.

Roll call vote was called for.

DATE: August 21, 2012

QUESTION: Vote to rescind County Board Chair from duties.

	YES	NO	ABSENT
1. IVAN FARNES	X		
2. GRANT LOY	X		
3. ROBERT SCALLON		X	
4. ROBERT KEENEY	X		
5. ROGER GUTHRIE	X		
6. JOHN PATCLE	X		
7. VERN LEWISON		X	
8. PATRICK SCHROEDER	X		
9. LARRY WOLF		X	
10. MARK STEAD	X		

11. DALE HOOD		X
12. DWIGHT NELSON	X	
13. CAROL BEALS		X
14. LESTER JANTZEN		X
15. JOHN BEINBORN		X
16. DONALD SPLINTER		X
17. VINCENT LOEFFELHOLZ		X

County Clerk took a roll call vote resulting in 8 yes and 9 no. Therefore motion failed.

Adjournment: Mark Stead, seconded by Vern Lewison, made a motion to adjourn the meeting pursuant to the next meeting on September 18, 2012 at 6:00 p.m. Motion carried.