

## GRANT COUNTY BOARD OF SUPERVISORS

January 20, 2009

The Grant County Board of Supervisors met on Tuesday, January 20, 2009 at 10:00 a.m. in the Board Room of the Administration Offices, Lancaster, WI pursuant to the adjournment of the December 16, 2008 meeting.

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Chairman John Patcle called the meeting to order and the Pledge of Allegiance was given.

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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. Ivan Farness, seconded by Mark Stead moved that the meeting be in compliance with the open meeting law. Motion carried.

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The clerk took roll call, resulting in 27 present and 4 absent. Maynard Behncke, John Beinborn and Duwayne Carlin asked to be excused.

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INSERT #1

### ROLL CALL

	Present	Absent		Present	Absent
Linda Adrian	X		Paul Landon	X	
Stephen Adrian	X		Vern Lewison	X	
Eugene Bartels	X		Vincent Loeffelholz	X	
Carol Beals		X	Grant Loy	X	
Maynard Behncke		X	Lynn Moris	X	
William Biefer	X		Dwight Nelson	X	
John Beinborn		X	John Patcle	X	
DuWayne Carlin		X	Magaret Ruf	X	
Julia Clark	X		Tony Runde	X	
Ivan Farness	X		Robert Scallon	X	
Allan Jansen	X		Patrick Schroeder	X	
Lester Jantzen	X		Donald Splinter	X	
Rodney Johnson	X		Mark Stead	X	
Robert Keeney	X		Kyle Vesperman	X	
David Klar	X		Larry Wolf	X	
Joachim Hans Kostrau	X				

Therefore a quorum was present. Carol Beals arrived later.

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Rodney Johnson, seconded by Robert Scallon, moved to approve the agenda with the change to crossing out the Farmland Preservation, none to present. Motion carried.

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Vincent Loeffelholtz, seconded by Stephen Adrian, moved to approve the minutes with the following corrections. To correct the spelling of Neil Blackburn to Neal Blackburn, to change

the Grant County Non-Metallic Mining Reclamation Ordinance to read The Grant County Non-Metallic Mining Contract with Southwest Regional Planning Commission. And in the matter of sending agendas, minutes, etc., through E-mail verses mailing, to correct the statement that before any minutes could be published, the Board should approve them first. Motion carried

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Communications: The Strategic Planning Committee had nothing new to report.

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Appointments: Marlys Schmitz was appointed to the Southwest Library System; Al Jansen made the motion, seconded by Don Splinter, to approve this appointment. Motion carried.

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Employee Recognitions: Chairman Patcle presented a plaque to D. Kay Vincent for her 30 years of service to Grant County in the County Clerk Office. Nancy Davis received a plaque for her 21 years of service in the Grant County Sheriff Office. Chris Carl was not present to accept her plaque for her 21 years of service to Grant County as Grant County Clerk and employee in the County Clerk Office.

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Joyce Roling presented the resolution to amend the salaries of the Elected Officials Salaries. After discussion among the Board, no action was taken on the resolution. Al Jansen made a motion, seconded by Ivan Farness, that a joint meeting be held with ERC and Finance, with Jo-Ann Millhouse, Corporation Counsel, and Joyce Roling, Personnel Director in attendance. They are to draft a request for a legal opinion about the Elected Officials Salary's and to submit to the Wisconsin County Association attorney for his opinion, with this written opinion being sent to all the Grant County Board members for their review. Roll call vote was taken.

INSERT #2

#### ROLL CALL VOTE

DATE January 20, 2009

QUESTION Election Official's Salaries:

	YES	NO	ABSENT
1. IVAN FARNNESS	X		
2. WILLIAM BIEFER	X		
3. RODNEY JOHNSON	X		
4. ROBERT SCALLON	X		
5. DUWAYNE CARLIN			X
6. ROBERT KEENEY	X		
7. JOACHIM HANS KOSTRAU	X		
8. LYNN MORIS	X		
9. MAYNARD BEHNCKE			X
10. PAUL LANDON	X		
11. LARRY WOLF		X	
12. VERN LEWISON	X		
13. GRANT LOY	X		

14. STEPHEN ADRIAN	X		
15. JOHN PATCLE	X		
16. LESTER JANTZEN	X		
17. KYLE VESPERMAN		X	
18. PATRICK SCHROEDER	X		
19. DAVE KLAR		X	
20. JOHN BEINBORN			X
21. EUGENE BARTELS		X	
22. VINCENT LOEFFELHOLZ		X	
23. MARK STEAD	X		
24. MARGARET RUF	X		
25. JULIA CLARK	X		
26. DWIGHT NELSON	X		
27. LINDA ADRIAN	X		
28. CAROL BEALS	X		
29. DONALD SPLINTER	X		
30. ALLAN JANSEN	X		
31. TONY RUNDE	X		

VOTES: YES\_23\_\_ NO \_\_5\_\_ ABSENT \_\_3\_\_

Roll call vote resulted in 23 Yes votes, 5 No votes. Motion carried. The issue of the Elected Officials Salaries will be brought to the next County Board meeting for further discussion.

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Larry Austin, Engineer was not present to discuss the Greenwood Cemetery; no action taken at this time.

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Jo-Ann Millhouse presented the Non-Metallic Mining contract with Southwest Regional Planning Commission. Patrick Schroeder, seconded by William Biefer, made motion to pass this resolution with the correction of \$60.74 per hour for their services instead of \$51.74 contingent upon receiving the returned signed agreement.

INSERT #3

### **AGREEMENT WITH SOUTHWESTERN WISCONSIN REGIONAL PLANNING COMMISSION**

This agreement was made and entered into by and between Grant County and the Southwestern Wisconsin Regional Planning Commission on the 20<sup>th</sup> day of January, 2009.

IT IS HEREBY AGREED BY AND BETWEEN PARTIES AS FOLLOWS:

1. That the term of this agreement shall commence February 1, 2009 and end on January 31, 2010.
2. That the Southwestern Wisconsin Regional Planning Commission shall perform the following technical services for Grant County during the term of this agreement:

- a. The Southwestern Wisconsin Regional Planning Commission shall review non-metallic mining operator reports submitted by operators of non-metallic mines located in Grant County. The Grant County Zoning Administrator shall forward to the Southwestern Wisconsin Regional Planning Commission any operator reports that he receives directly from operators so that same can be reviewed by the Southwestern Wisconsin Regional Planning Commission.
  - b. The Southwestern Wisconsin Regional Planning Commission shall prepare a written summary of the data and information contained in each non-metallic mining operator report for operators having a non-metallic mine in Grant County after reviewing each report. Each summary prepared by Southwestern Wisconsin Regional Planning Commission shall also state whether or not the operator's report meets the requirement of Wisconsin Administrative Code Chapter NR 135 and Grant County's Non-Metallic Mining Reclamation Ordinance. If an operator's report fails to meet the requirements of Wisconsin Administrative Code Chapter NR 135 and Grant County's Non-metallic Mining Reclamation Ordinance, the Southwest Wisconsin Regional Planning Commission shall set forth the specifics as to how the operator's report fails to meet said requirements. The Southwestern Wisconsin Regional Planning Commission shall forward each written summary of an operator's report to the Grant County Zoning Administrator and the Wisconsin Department of Natural Resources within sixty (60) days after receiving an operator's report.
  - c. The Southwestern Wisconsin Regional Planning Commission shall calculate the Department of Natural Resources' share of the annual fee based on Wisconsin Administration Code Section NR 135.39 and Grant County's Non-Metallic Mining Ordinance for each non-metallic mine in Grant County and shall notify the Grant County Zoning Administrator as to the amount of the fee owed to the Wisconsin Department of Natural Resources for each non-metallic mine and the amount of the fee owed to Grant County for each non-metallic mine in Grant County. The Southwestern Wisconsin Regional Planning Commission shall notify the Grant County Zoning Administrator in writing by March 1, 2009 as to the amount of each fee owed to the Wisconsin Department of Natural Resources as well as the amount of each fee owed to Grant County for each non-metallic mine located in Grant County. Grant County shall be responsible for paying the Wisconsin Department of Natural Resource's share of the annual fees assessed on non-metallic mines in Grant County out of the annual fees paid by non-metallic mining operators in Grant County. In the event that any Grant County operators pay their annual fees directly to Southwestern Wisconsin Regional Planning Commission, the Southwestern Wisconsin Regional Planning Commission shall surrender the monies to the Grant County Zoning Administrator within 10 days of receipt of same and shall notify Grant County as to the name of the operator who paid the annual fees.
3. In consideration for the Southwestern Wisconsin Regional Planning Commission performing the above duties for Grant County, Grant County shall pay the Southwestern Wisconsin Regional Planning Commission \$60.74 per hour for their services. However; in no event shall the total paid by Grant County to Southwestern

Wisconsin Regional Planning Commission exceed \$14,500.00 for the one year term of this agreement. Southwestern Wisconsin Regional Planning Commission shall forward a bill to the Grant County Zoning Administrator at the conclusion of each month during the term of this agreement. Grant County shall then pay said bill within thirty (30) days of receipt of the bill. The bill shall set forth the services rendered by Southwestern Wisconsin Regional Planning Commission for the month, the date of each service, and the number of hours or portion of hours of work rendered by Southwestern Wisconsin Regional Planning Commission for the month and the total amount owed.

4. This agreement can be renewed by the parties if the parties execute a new written agreement containing terms agreeable to both parties.

GRANT COUNTY:

/s/ John Patcle, Grant County Board Chairmen    /s/ Linda Gebhard, County Clerk

SOUTHWESTERN WISCONSIN REGIONAL PLANNING COMMISSION:

/s/ Lawrence T. Ward, Executive Director

Motion carried, Dave Klar abstained from voting.

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Dave Lambert presented a resolution recommending Resurfacing of US 61 from Dickeyville to Fennimore. Don Splinter made motion, seconded by Gene Bartels, to pass the resolution with the correction of the misspelled word Resolved instead of “Resloved”.

INSERT #4

#### **Grant County Board Resolution No. 31-08**

#### **Recommending Resurfacing of US 61, From Dickeyville to Fennimore**

WHEREAS, US Highway 61 is the main north-south US Highway extending from the Mississippi River Bridge at Dubuque, Iowa north to LaCrosse, Wisconsin and,

WHEREAS, US Highway 61 was classified as a Connector in the WisDOT’s Corridors 2020 Plan and is classified as an Existing Connector in the proposed Corridors 2030 Plan and,

WHEREAS, This portion of US Highway 61 carries a high percentage of truck traffic and,

WHEREAS, US Highway 61, extending from Dickeyville to Potosi also serves as a portion of the Great River Road and,

WHEREAS, the surface of US Highway 61 is very rough with differential settlement at the joints resulting in a rough ride and,

WHEREAS, the Wisconsin Department of Transportation is soliciting comments on the proposed Corridors 2030 Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Grant County Board requests and recommends that the Wisconsin Department of Transportation resurface the portion of US Highway 61 extending from US Hwy 151 at Dickeyville north to US Hwy 18 at Fennimore.

Dated: January 20, 2009

Grant County Highway Committee:

/s/Don Splinter, Chair	/s/ Patrick Schroeder, Vice Chair
/s/Mark Stead, Secretary	/s/Vern Lewison
/s/Eugene Bartels	

Motion carried unanimously.

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A resolution Authorizing Orchard Manor to Accept Donations was presented. A motion was made by Hans Kostrau, seconded by Robert Keeney to approve the resolution.

INSERT #5

#### **RESOLUTION NO. 30-08**

#### **RESOLUTION AUTHORIZING ORCHARD MANOR TO ACCEPT DONATIONS**

Whereas, Wisconsin Statutes Sec. 59.52 (19) reserves to the County Board the power to decide whether donations, gifts, or grants for any public governmental purpose are to be accepted by the county (including a county department). As a result, a county department does not have the authority to accept donations, gifts, or grant unless a statute gives a county department the specific statutory authority to accept donations, gift, or grants. There are no statutes that specifically authorize county nursing homes to accept donations, gifts, or grants without county board approval; and

Whereas, due to the decrease in state and federal funding, it is necessary that Orchard Manor look to other sources of funding to meet its operational need. That various individuals and organizations have expressed an interest in making gifts or donations to Orchard Manor and such gifts and donations are needed in order to make up any deficit in state and federal funding or Orchard Manor.

NOW, THEREFORE, BE IT RESOLVED: That the administrator of the Orchard Manor Nursing Home is hereby authorized to accept on behalf of Orchard Manor without County Board approval voluntary donations and gifts of money from various individuals and organizations willing to make a donation and use said donations and gifts to help meet Orchard Manor operational expenses, to help pay for Orchard Manor building projects, to pay for special events or equipment for the benefit of Orchard Manor residents, and to help pay for Orchard Manor computer equipment and computer software, as well as other Orchard Manor equipment. Where a donor specifies how their donations or gift of money is to be used, the wishes of the donor shall be followed as long as the request is legal. No donations or gifts of money shall be accepted from persons or organizations who are attempting to contract with Orchard Manor or that have a

contract with Orchard Manor where the acceptance of said donations or gifts would pose a conflict of interest in accepting such donations or gifts.

Dates this 15<sup>th</sup> day of January, 2009

Recommended for passage by the Orchard Manor Committee.

/s/ Tony Runde, Chairman  
/s/ Hans Kostrau  
/s/Maynard Behncke

/s/ Vince Loeffelholz  
/s/ Paul Landon

ATTEST: I, Linda Gebhard, Grant County Clerk, do certify that this resolution was adopted by the Grant County Board of Supervisors at a meeting held on January 20, 2009.

Motion carried unanimously.

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Nancy Scott, Finance Director, presented the Carryover Policy. Motion was made by Patrick Schroeder to approve Alternative #1 of the Carryover policy, seconded by Don Splinter. Motion carried unanimously

INSERT #6

## **GRANT COUNTY CARRYOVER POLICY**

### **A. Purpose**

This policy governs the carryover of unspent appropriations and revenues in excess of expenditures. This policy does not apply to Unified Community Services which is governed by the agreement between Grant and Iowa Counties.

### **B. Policy Statement**

At the close of each year, unspent appropriations will lapse and revenues in excess of expenditures will drop to the fund balance of the fund the department is in, unless a carryover is authorized by the County Board. No carryover will be authorized unless allowed by law.

Upon approval of the County Board, or as specified by the County's Fund Balance Policy, portions or the entirety of any fund balance may be transferred to the general fund.

### **C. Procedure**

1. At the end of each fiscal year, the adopted budget for that year expires and the amounts appropriated in the adopted budget for the new year will become effective.
2. A resolution will be forwarded to the County Board by the Finance Committee following the close of the books each year to authorize any carryover funds.
3. For a fund to be considered for inclusion in the carryover resolution, there must be supporting circumstances, such as:

- The funds support a project that spans more than one year.
  - The funds arise from a source that restricts or designates their use to a specific purpose.
  - The funds support a project that was not completed in the year budgeted but the original purpose still needs to be accomplished in the next year.
  - The funds have been designated for a specific, future capital project.
4. To have funds included in the carryover resolution, departments, with governing committee approval, must submit a written request to the Finance Director by the designated date. This date will allow for the Highway Committee to meet at their regularly scheduled monthly meeting before submitting the request. These requests will be reported to the Finance Committee for inclusion in the carryover resolution.
5. Highway Department carryover requests will include:
- a. #53287 – Equipment Acquisition Account
  - b. #53288 Building Acquisition Account
  - c. #53316 FAS Account
  - d. County Maintenance and Construction which is comprised of #53311 CTLM, #53312 Snow, #53313 Mats and Seals, #53317 Engineering, and #53318 Bridges. The Highway Committee shall have authority to move funds between the accounts with County Maintenance and Construction.

The Highway Department may need to submit bids or initiate projects in anticipation of the authorization of carryover funds. If Grant County is required to repay of Federal/State design or construction funds or is responsible for any penalty payments as a result of the carryover request being denied, the repayment or penalty shall be paid from the General Fund.

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Tom Tabor requested approval of the Board to apply for a CVSO Grant through the WDVA an \$11,500.00 grant for secretarial services and training. Mark Stead made a motion to approve the Grant, seconded by Stephen Adrian. Motion carried unanimously.

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Round table discussion took place on the \$100 per Diem and mileage for the County Board members. The Board members had the chance to give their opinion on the pros and cons of raising the per Diem and mileage. It was decided to bring this issue back to February County Board Meeting for further discussion.

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There were no livestock claims to present.

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Committee Reports – Dave Lambert gave an update of the truck that was totaled by fire, no one was hurt. Larry Wolf gave an update on the Family Care Program. Stephen Adrian gave a report on the Fair Convention attended by members of the Fair Committee. He announced that the new 4H Agent for Grant County is Betsy Olson taking the place of Tom Schmitz. John Patcle hoped to have an update for the February Board Meeting on the Strategic Planning Committee.

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Vern Lewison, seconded by Larry Wolf, moved to adjourn the meeting to Tuesday, February 17, 2009 at 10:00 a.m. Motion carried.