



MINUTES

Sauk County Board of Supervisors – Regular Meeting

Tuesday, October 16, 2012

West Square Building, 505 Broadway, Room #326, Baraboo, Wisconsin

6:00 P.M. a Public Hearing on the proposed Issuance of Fond du Lac County, Wisconsin, Midwestern Disaster Area Fixed Rate Revenue Bonds; pursuant to 68.1103 of the Wisconsin Statutes for the purpose of soliciting comments from the public.

1. Convene Public Hearing on the proposed Issuance of Fond du Lac County, Wisconsin, Midwestern Disaster Area Fixed Rate Revenue Bonds: County Board Chair, Marty Krueger.
2. Presentation of Midwestern Disaster Area Bonds: Whyte Hirschboeck Dudek, S.C., Attorney, Thomas E. Klancnik.
3. Public Comment on the proposed Issuance of Fond du Lac County, Wisconsin, Disaster Area Fixed Rate Revenue Bonds.
 - o Bill Weitzel, Re: Midwestern Disaster Area Bonds.
 - o Dave Bangert, Representing Wisconsin Connect Wireless; Re: Wireless internet.
4. Close Public Comment on the proposed Issuance of Fond du Lac County, Wisconsin, Midwestern Disaster Area Fixed Rate Revenue Bonds: 6:15 P.M. with no further public comment requests, Marty Krueger, County Board Chair closed the public comment.
5. Adjourn Public Hearing: 6:15 P.M., Mary Krueger, County Board Chair adjourned the Public Hearing.

The October 2012 Regular Meeting of the Sauk County Board of Supervisors was called to order immediately following the Public Hearing.

Sauk County Board of Supervisors – Regular Meeting

Call to order: 6:15 P. M.

Certify compliance with Open Meeting Law.

Roll call. PRESENT: (31) Smoke, Kriegl, Meister, Hartje, Lehman, Dietz, Held, Johnson, Bychinski, Fish, Tollaksen, Lane, Riek, Dawson, Miller, Von Asten, Lombard, Ashford, Nobs, Stevens, Polivka, Carlson, Peper, Halfen, Alexander, Detter, Wenzel, Stehling, Netzinger, Fordham and Krueger.
ABSENT: (0).

Invocation and pledge of allegiance.

MOTION (Carlson/Bychinski) to adopt amended agenda. **Motion carried unanimously.**

MOTION (Smoke/Polivka) to approve minutes of previous session of September 18, 2012. **Motion carried unanimously.**

Scheduled appearances: None

Public Comment:

- o Michael Goetz, Representing Local 384; Re: Resolution 94-2012; 2013 Health Insurance & Resolution 95-2012; 2013 Non-Represented Employees wage increase.
- o William Weitzel; Re: Bad Lands (Town of Dellona).
- o Paul Bremer, Representing Town of Dellona; Re: Land purchase in Dellona.

- Andrew Davis, Representing Bug Tussel Wireless; Re: Internet needs.
- Ken Phelps, Representing Bug Tussel Wireless; Re: Internet needs in Sauk County.
- Paul Quigley, Representing Computers For You/Bug Tussell; Re: Internet Towers to service Sauk area.
- Dave Bangert, Representing Wisconsin Connect Wireless; Re: His wireless service area.

Communication:

- Letter from Sauk County Housing Authority.
- Letter from CTIA – The Wireless Association.

Bills & referrals: None.

Claims: None.

Appointments:

Land Information Council:

Public Safety or Emergency Communications Representative employed within the County:
Reappointment of Tim Stieve – 2 Year Term Expiring September 16, 2014.

Natural Beauty Council:

Appointment of Linda Borleske, Citizen Member – 2 Year Term Expiring April 14, 2014.

MOTION (Ashford/Netzinger) to approve all appointments. VOTE: AYE: (31) Smoke, Kriegl, Meister, Hartje, Lehman, Dietz, Held, Johnson, Bychinski, Fish, Tollaksen, Lane, Riek, Dawson, Miller, Von Asten, Lombard, Ashford, Nobs, Stevens, Polivka, Carlson, Peper, Halfen, Alexander, Detter, Wenzel, Stehling, Netzinger, Fordham and Krueger. NAY: (0). ABSENT: (0). **Motion carried unanimously.**

Unfinished Business:

CONSERVATION, PLANNING & ZONING, HIGHWAY & PARKS AND PROPERTY & INSURANCE:
Resolution 84-2012 Authorizing The Purchase Of Lands In The Town Of Dellona To Obtain Access To County Owned Property As Part Of The Highway 12 Corridor Growth Management Plan. MOTION (Meister/Ashford).

Supervisor Lehman recused himself due to conflict of interest.

Brentt Michalek – Conservation, Planning & Zoning Director & Steve Koenig – Parks Director presented a power point report on the background and possible uses of 80-Acre Parcel in Town of Dellona. Todd Liebman, Corporation Counsel, assisted in providing the legal history of this property. *(handout on file)*

Discussion in support of and opposition to approving resolution.

MOTION (Fish/Bychinski) for the previous question (to end discussion). VOTE: AYE: (27) Meister, Hartje, Held, Johnson, Bychinski, Fish, Tollaksen, Lane, Riek, Dawson, Miller, Von Asten, Lombard, Ashford, Nobs, Stevens, Polivka, Carlson, Peper, Halfen, Alexander, Detter, Wenzel, Stehling, Netzinger, Fordham and Krueger. NAY: (3) Smoke, Kriegl and Dietz. EXCUSED: (1) Lehman. ABSENT: (0)
Motion carried.

VOTE ON ORIGINAL MOTION (Meister/Ashford). VOTE: AYE: (18) Smoke, Kriegl, Meister, Hartje, Dietz, Johnson, Bychinski, Fish, Tollaksen, Lane, Miller, Von Asten, Ashford, Peper, Alexander, Stehling, Fordham and Krueger. NAY: (12) Held, Riek, Dawson, Lombard, Nobs, Stevens, Polivka, Carlson, Halfen, Detter, Wenzel, Netzinger. EXCUSED: (1) Lehman. ABSENT: (0). **Motion carried.**

Reports: Informational, no action required:

- Rebecca A. DeMars, Sauk County Clerk: Rezoning petitions filed with the office of the Sauk County Clerk as a requirement of Wisconsin State Statutes 59.69(5)(e): None

- Brentt Michalek – Conservation, Planning & Zoning Director & Steve Koenig – Parks Director: Background and Possible Uses of 80-Acre Parcel in Town of Dellona (Chair requests that report be concurrent with consideration of Resolution 84-2012 under unfinished business.)
- Marty Krueger, Chair, Economic Development Committee; Steve Schneider, Hilbert Communications; and Mike Scalise, Underwriter, Robert W. Baird Company; Re: Proposal of Hilbert Communications to utilize county authority and guarantee to issue Midwest Disaster Area Recovery Bonds. (Chair requests that report be concurrent with consideration of Resolution 87-2012.)
- Supervisor Fordham, Vice-Chair, Executive & Legislative Committee
- Marty Krueger, County Board Chair
 - 2012 WCA Annual Conference: Annual Business Meeting; Meeting with Adams & Marquette County officials with Hilbert Communications representatives
 - October 24, 2012 InterGovernmental Meeting
 - October 15, 2012 ICC Meeting & WCA “CAP” Team
- Kathryn Schauf, Administrative Coordinator

Break at 8:25- 8:30 P.M.

Consent Agenda.

AGING & DISABILITY RESOURCE CENTER:

Resolution 85-2012 Proclamation Of November 2012 As Family Caregiver Month In Sauk County:

HUMAN SERVICES BOARD:

Resolution 86-2012 Commending Sharon A. Crahen For 29 Years of Service To The People Of Sauk County:

MOTION (Peper/Carlson) to approve all consent agenda resolutions. VOTE: AYE: (31) Smoke, Kriegl, Meister, Hartje, Lehman, Dietz, Held, Johnson, Bychinski, Fish, Tollaksen, Lane, Riek, Dawson, Miller, Von Asten, Lombard, Ashford, Nobs, Stevens, Polivka, Carlson, Peper, Halfen, Alexander, Detter, Wenzel, Stehling, Netzing, Fordham and Krueger. NAY: (0). ABSENT: (0). **Motion carried unanimously.**

Resolutions & Ordinances.

COMMUNICATIONS INFRASTRUCTURE, ECONOMIC DEVELOPMENT AND FINANCE:

Resolution 87-2012 Approving Midwestern Disaster Area Revenue Bond Financing For Hilbert Communications, LLC And Providing For Intergovernmental Agreement: MOTION (Detter/Polivka).

MOTION (Polivka/Halfen) to amend fiscal note on resolution adding language* to read as follows: To provide approval of a Resolution of Sauk County to participate with other counties pursuant to an Intergovernmental Agreement pursuant to which one or more of the participating counties will serve the conduit bond issuer for Midwestern Disaster Area Revenue Bond Financing for Hilbert Communications, LLC to finance a project for acquisition, construction and installation of certain telecommunications infrastructure *including towers, for purpose of providing wireless internet, *broadband and telephone communication services to businesses, governmental units and residents of rural communities where such service is currently unavailable or prohibitively expensive. *The County will also be entitled to use such towers and infrastructure for its emergency or highway communications equipment. VOTE ON AMENDMENT: AYE: (31) Smoke, Kriegl, Meister, Hartje, Lehman, Dietz, Held, Johnson, Bychinski, Fish, Tollaksen, Lane, Riek, Dawson, Miller, Von Asten, Lombard, Ashford, Nobs, Stevens, Polivka, Carlson, Peper, Halfen, Alexander, Detter, Wenzel, Stehling, Netzing, Fordham and Krueger. NAY: (0). ABSENT: (0). **Motion carried unanimously.**

Steve Schneider, Hilbert Communications; and Mike Scalise, Underwriter, Robert W. Baird Company presented a power point and responded to questions. *(handout on file)*

Discussion in support of and opposition to resolution.

MOTION (Hartje/Tollaksen) for the previous question (to end discussion). VOTE: AYE: (28) Meister, Hartje, Dietz, Held, Johnson, Bychinski, Fish, Tollaksen, Lane, Riek, Dawson, Miller, Von Asten, Lombard, Ashford, Nobs, Stevens, Polivka, Carlson, Peper, Halfen, Alexander, Detter, Wenzel, Stehling, Netzing, Fordham and Krueger. NAY: (3) Smoke, Kriegl and Lehman. ABSENT: (0). **Motion carried.**

VOTE ON ORIGINAL MOTION WITH AMENDMENT (Detter/Polivka). VOTE: AYE: (25) Smoke, Kriegl, Meister, Hartje, Dietz, Held, Johnson, Tollaksen, Lane, Riek, Miller, Von Asten, Ashford, Nobs, Stevens, Polivka, Carlson, Peper, Halfen, Alexander, Detter, Stehling, Netzing, Fordham and Krueger. NAY: (6) Lehman, Bychinski, Fish, Dawson, Lombard and Wenzel. ABSENT: (0). **Motion carried.**

Resolution 88-2012 Approving Midwestern Disaster Area Revenue Bond Financing For Hilbert Communications, LLC And Providing For Limited County Guaranty: MOTION (Detter/Polivka).

MOTION (Polivka/Detter) to amend fiscal note on resolution adding language * to read as follows: To provide initial approval of a limited guaranty by Sauk County for Midwestern Disaster Area Revenue Bond Financing for Hilbert Communications, LLC to finance a project for acquisition, construction and installation of certain telecommunications infrastructure *including towers, for purpose of providing wireless internet, *broadband and telephone communication services to businesses, governmental units and residents of rural communities where such service is currently unavailable or prohibitively expensive. *The County will also be entitled to use such towers and infrastructure for its emergency or highway communications equipment. Sauk County guaranty shall not exceed \$ 2,969,100, equal to the amount of improvements for said infrastructure made within Sauk County. If Hilbert Communications defaults on its obligations, Sauk County will be responsible to make payment up to the amount indicated. Sauk County will have recourse to take ownership of the security within the County in order to satisfy the debt as well as having recourse against Hilbert for payment.

VOTE to amend fiscal note on resolution: AYE: (31) Smoke, Kriegl, Meister, Hartje, Lehman, Dietz, Held, Johnson, Bychinski, Fish, Tollaksen, Lane, Riek, Dawson, Miller, Von Asten, Lombard, Ashford, Nobs, Stevens, Polivka, Carlson, Peper, Halfen, Alexander, Detter, Wenzel, Stehling, Netzing, Fordham and Krueger. NAY: (0). ABSENT: (0). **Motion carried unanimously.**

Discussion in support of and opposition to resolution. Todd Liebman, Corporation Counsel provided clarification regarding Resolutions 87-2012 and 88-2012.

VOTE ON ORIGINAL MOTION WITH AMENDMENT: (Detter/Polivka). AYE: (25) Smoke, Kriegl, Meister, Hartje, Dietz, Held, Johnson, Tollaksen, Lane, Riek, Miller, Von Asten, Ashford, Nobs, Stevens, Polivka, Carlson, Peper, Halfen, Alexander, Detter, Stehling, Netzing, Fordham and Krueger. NAY: (6) Lehman, Bychinski, Fish, Dawson, Lombard and Wenzel. ABSENT: (0). **Motion carried.**

CONSERVATION, PLANNING & ZONING:

Resolution 89–2012 Authorizing The Replacement Of A Field Tiling System At The Sauk County Farm: MOTION (Lehman/Halfen). VOTE: AYE: (30) Smoke, Kriegl, Meister, Hartje, Lehman, Dietz, Held, Bychinski, Fish, Tollaksen, Lane, Riek, Dawson, Miller, Von Asten, Lombard, Ashford, Nobs, Stevens, Polivka, Carlson, Peper, Halfen, Alexander, Detter, Wenzel, Stehling, Netzing, Fordham and Krueger. NAY: (1) Johnson. ABSENT: (0). **Motion carried.**

HIGHWAY & PARKS:

Resolution 90-2012 Approving Setting \$30,000.00 Limit On Highway Department Equipment Purchases: MOTION (Hartje/Stevens). VOTE: AYE: (29) Smoke, Kriegl, Meister, Hartje, Lehman, Dietz, Held, Johnson, Bychinski, Fish, Tollaksen, Lane, Riek, Miller, Von Asten, Lombard, Ashford, Nobs, Stevens, Polivka, Carlson, Peper, Alexander, Detter, Wenzel, Stehling, Netzing, Fordham and Krueger. NAY: (2) Dawson and Halfen. ABSENT: (0). **Motion carried.**

HUMAN SERVICES BOARD, PERSONNEL AND FINANCE:

Resolution 91- 2012 Authorizing the Department of Human Services To Create One Full-time (1.0 FTE) Assessment/Early Intervention Therapist Position: MOTION (Alexander/Lane). Dan Brattset,

Human Services Deputy Director responded to questions regarding case load increases and the need for the position. VOTE: AYE: (30) Smoke, Kriegl, Meister, Hartje, Lehman, Dietz, Held, Johnson, Bychinski, Fish, Tollaksen, Lane, Riek, Dawson, Miller, Von Asten, Lombard, Ashford, Nobs, Stevens, Polivka, Carlson, Peper, Halfen, Alexander, Wenzel, Stehling, Netzing, Fordham and Krueger. NAY: (1) Detter. ABSENT: (0). **Motion carried.**

Resolution 92- 2012 Authorizing the Department of Human Services To Create One Full-time (1.0 FTE) Economic Support Resource Specialist Position: MOTION (Alexander/Fordham).

VOTE: AYE: (31) Smoke, Kriegl, Meister, Hartje, Lehman, Dietz, Held, Johnson, Bychinski, Fish, Tollaksen, Lane, Riek, Dawson, Miller, Von Asten, Lombard, Ashford, Nobs, Stevens, Polivka, Carlson, Peper, Halfen, Alexander, Detter, Wenzel, Stehling, Netzing, Fordham and Krueger. NAY: (0). ABSENT: (0). **Motion carried unanimously.** (Handout on file for both Resolutions 91 & 92-2012.

LAW ENFORCEMENT AND JUDICIARY COMMITTEE:

Resolution 93- 2012 Approving A Request To Apply For Aid To Law Enforcement With Wisconsin Ho-Chunk Lands Within Sauk County: MOTION (Stevens/Halfen). VOTE: AYE: (31) Smoke, Kriegl, Meister, Hartje, Lehman, Dietz, Held, Johnson, Bychinski, Fish, Tollaksen, Lane, Riek, Dawson, Miller, Von Asten, Lombard, Ashford, Nobs, Stevens, Polivka, Carlson, Peper, Halfen, Alexander, Detter, Wenzel, Stehling, Netzing, Fordham and Krueger. NAY: (0). ABSENT: (0). **Motion carried unanimously.**

PERSONNEL:

Resolution 94- 2012 Establishing The 2013 Health Insurance Program For Sauk County:

MOTION (Meister/Netzing). Michelle Posewitz, Personnel Director responded to questions regarding comparable coverage and risk share claims experience. VOTE: AYE: (31) Smoke, Kriegl, Meister, Hartje, Lehman, Dietz, Held, Johnson, Bychinski, Fish, Tollaksen, Lane, Riek, Dawson, Miller, Von Asten, Lombard, Ashford, Nobs, Stevens, Polivka, Carlson, Peper, Halfen, Alexander, Detter, Wenzel, Stehling, Netzing, Fordham and Krueger. NAY: (0). ABSENT: (0). **Motion carried unanimously.**

PERSONNEL AND FINANCE:

Resolution 95- 2012 To Authorize The 2013 Non-Represented Employees' Salaries Effective January 1, 2013: MOTION (Tollaksen/Fordham). Discussion in support of and opposition to resolution.

Supervisors Lombard and Netzing withdrew their support to this resolution as both originally supported at committee level. VOTE: AYE: (9) Bychinski, Fish, Tollaksen, Lane, Ashford, Peper, Alexander, Wenzel and Fordham. NAY: (22) Smoke, Kriegl, Meister, Hartje, Lehman, Dietz, Held, Johnson, Riek, Dawson, Miller, Von Asten, Lombard, Nobs, Stevens, Polivka, Carlson, Halfen, Detter, Stehling, Netzing and Krueger. ABSENT: (0). **Motion failed.**

Presentation of Proposed 2013 Annual Sauk County Budget.

(Posted on the Sauk County website: www.co.sauk.wi.us), Kathy Schauf, Administrative Coordinator.

Budget Amendment Process:

Supervisors may submit proposed amendments to the 2013 Proposed Budget, (see memo in the 2013 Proposed Budget Book) – the Proposed Supervisor Amendment form is located in the 2013 Proposed Budget book, and is posted on the Sauk County website in Microsoft Word and pdf formats:

<http://www.co.sauk.wi.us/accountingpage/2013-budget-process>

Proposed Supervisor Amendment forms are due to the Accounting Office by Friday, October 26, 2012.

Marty Krueger, County Board Chair, entertained a motion to certify the Proposed 2013 Sauk County Budget **for publication**; and to set the time and date for the Public Hearing on the Proposed Budget. This begins the budget review process for the County as a whole.

MOTION (Bychinski/Wenzel), to approve the Proposed 2013 Sauk County Budget **for publication** incorporating changes related to failure of Resolution 95-2012 and to set the time and date for the public hearing on the Proposed Budget, for Tuesday, November 13, 2012, at 6:00 p.m., West Square Building, 505 Broadway, Rm. #326, Baraboo, Wisconsin, 53913. VOTE: AYE: (30) Smoke, Meister, Hartje,

Lehman, Dietz, Held, Johnson, Bychinski, Fish, Tollaksen, Lane, Riek, Dawson, Miller, Von Asten, Lombard, Ashford, Nobs, Stevens, Polivka, Carlson, Peper, Halfen, Alexander, Detter, Wenzel, Stehling, Netzing, Fordham and Krueger. NAY: (1) Kriegl. ABSENT: (0). **Motion carried.**

MOTION (Tollaksen/Lane). Adjournment at 12:23 A.M., to adjourn until 6:00 p.m., Tuesday, November 13, 2012 (The Annual meeting date is set by State Statutes on the Tuesday after the second Monday of November in each year for the purpose of transacting business and the adoption of the Budget). **Motion carried unanimously.**

Rebecca A. DeMars
Sauk County Clerk

Minutes approved: November 20, 2012

State Of Wisconsin, County of Sauk: I certify that the above is a true and correct copy of the October 16, 2012 Proceedings of the Sauk County Board of Supervisors. /s/ Rebecca A. DeMars, Sauk County Clerk

*Original documents & CD recording on file @ Office of the Sauk County Clerk
West Square Building, 505 Broadway, Room #144, Baraboo, WI 53913
Monday-Friday 8:00 a.m. - 4:30 p.m.
608.355.3286
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audio: CD on file in the County Clerk's Office AND <https://www.co.sauk.wi.us/countyboard>