

**SAUK COUNTY BOARD OF SUPERVISORS
FEBRUARY 19, 2019
WEST SQUARE BUILDING, 505 BROADWAY, ROOM 326, BARABOO, WI**

SAUK COUNTY BOARD OF SUPERVISORS- REGULAR MEETING:

- 1) **Call to Order and Certify Compliance with Open Meeting Law: 6:00 P.M.**
- 2) **Roll Call.** PRESENT: (27) Czuprynko, Kriegl, Whitsell, Rego, Newport, Dietz, Braunschweig, Deitrich, Bychinski, Krueger, Curry, White Eagle, Gibson, Miller, Reppen, Von Asten, Hazard, McCumber, Spencer, Lins, Riek, Peper, Gruber, Stehling, McAuliffe, Hambrecht and Vedro. ABSENT: (4) Johnson, Lohr (Excused), Berlin and Wenzel.

Staff present: Alene Kleczek Bolin, Administrative Coordinator; Daniel Olson, Corporation Counsel; Becky Evert, County Clerk, and Michelle Commings, Deputy County Clerk.

- 3) **Invocation and Pledge of Allegiance.**
- 4) **Adopt Agenda.** MOTION (Von Asten/Rego) to approve amended agenda, noting a scrivener's error: *Process for supervisors appearing at committees for which they are non-members* should be listed under the Chair's report, not the Administrative Coordinator's report. Motion carried **unanimously**.
- 5) **Adopt Minutes of Previous Meeting.** MOTION (Reppen/Deitrich) to approve minutes. Motion carried **unanimously**.
- 6) **General Consent Agenda Items.**
EXECUTIVE AND LEGISLATIVE COMMITTEE
Resolution 1 -2019 Commending Robert Montgomery For Over 18 Years Of Service To The People Of Sauk County.

HUMAN SERVICES BOARD

Resolution 2-2019 Commending Jody Simon For Over 21 Years Of Service To The People Of Sauk County.

MOTION (Gruber/Whitsell) to approve all consent agendas. **VOTE:** AYES: (26) Czuprynko, Kriegl, Whitsell, Rego, Newport, Dietz, Braunschweig, Deitrich, Bychinski, Krueger, Curry, White Eagle, Gibson, Miller, Reppen, Von Asten, Hazard, Spencer, Lins, Riek, Peper, Gruber, Stehling, McAuliffe, Hambrecht and Vedro. NAYS: (0). ABSENT: (5) Johnson, Lohr (Excused), McCumber (stepped out of the room) Berlin and Wenzel.

*Supervisors Berlin and Wenzel arrived @ 6:05 P.M.

- 7) **Scheduled Appearances.** None.
- 8) **Public Comment:**
 - a. Rob Nurre, re: Res. 8-2019 Ho-Chunk money.
 - b. Michael Mittelstadt, re: Lake Redstone dredging.
 - c. Dan Holzman, re: BNR Lawsuit/1st Amendment ; Supervisor Czuprynko.

9) **Communications:**

- a. 02/08/2019 Letter from Government Finance Officers Association, re: Certificate of Achievement for Excellence in Financial Reporting.

10) **Appointments:**

CHILDREN'S COMMUNITY OPTIONS PROGRAM/BIRTH TO 3 ADVISORY COMMITTEE:

Dilyana Feneva – New appointment, Citizen Member

3 – Year Term: 02/19/2019 – 02/15/2022

SAUK COUNTY EMERGENCY FIRE WARDEN ORGANIZATIONAL LIST

ORAL HYGIENE AD HOC COMMITTEE:

Representatives from the Human Services Committee: Glen Johnson and Tim McCumber

Representatives from Board of Health: Donna Stehling and John Miller

Representatives from the Health Care Center Board of Trustees: Pat Rego and Bryant Hazard

Representatives from the ADRC And Veterans Service Office Committee: Craig Braunschweig, Valerie McAuliffe, and alternate Chuck Spencer.

MOTION (Whitsell/Czuprynko) to approve appointments. **VOTE:** AYES: (29) Czuprynko, Kriegl, Whitsell, Rego, Newport, Dietz, Braunschweig, Deitrich, Bychinski, Krueger, Curry, White Eagle, Gibson, Miller, Reppen, Von Asten, Hazard, McCumber, Spencer, Berlin, Lins, Riek, Peper, Gruber, Wenzel, Stehling, McAuliffe, Hambrecht and Vedro. NAYS: (0). ABSENT: (2) Johnson and Lohr (Excused). Motion carried **unanimously**.

SAUK COUNTY LIBRARY BOARD:

Joan Fordham - New appointment, Citizen Member

3 – Year Term: 02/19/2019 – 02/15/2022

MOTION (Deitrich/Braunschweig) to approve appointment. **VOTE:** AYES: (27) Czuprynko, Whitsell, Rego, Newport, Dietz, Braunschweig, Deitrich, Bychinski, Krueger, Curry, White Eagle, Gibson, Miller, Reppen, Hazard, McCumber, Spencer, Berlin, Lins, Riek, Peper, Gruber, Wenzel, Stehling, McAuliffe, Hambrecht and Vedro. NAYS: (2) Kriegl and Von Asten. ABSENT: (2) Johnson and Lohr (Excused). Motion carried.

11) **Bills.** None.

12) **Claims.** None.

13) **Elections.** None.

14) **Proclamations.** None.

15) **Reports – informational, no action required.**

- a. Rebecca C. Evert, 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):

- **Petition 04-2019**, Applicant: Dana Cook; Project Location: Town of Honey Creek; Current Zoning: Exclusive Agriculture; Proposed Zoning: Agriculture.

- b. Peter Vedro, County Board Chair

- Rules of the Board;
- Process for supervisors appearing at committees for which they are non-members;
- Report question and answer period. (Not to exceed 10 minutes)

c. Alene Kleczek Bolin, Administrative Coordinator.

- Budget;
- Celebration of Sauk County's 175th Anniversary; Reception 03/19/2019 @5:30 P.M.
- Report question and answer period. (Not to exceed 10 minutes)

16) **Unfinished Business.** None.

17) **New Business.**

CONSERVATION, PLANNING & ZONING COMMITTEE:

Ordinance 1-2019 An Ordinance Approving A Map Amendment (Rezoning) Of Lands In The Town Of Westfield From Exclusive Agriculture To An Agriculture District Filed Upon Norman Yoder, Property Owner. MOTION (Spencer/Berlin). Lisa Wilson, Conservation, Planning & Zoning Director, responded to supervisor's questions. **VOTE:** AYES: (28) Czuprynko, Kriegl, Whitsell, Rego, Newport, Dietz, Braunschweig, Deitrich, Bychinski, Krueger, Curry, White Eagle, Gibson, Miller, Reppen, Von Asten, Hazard, McCumber, Spencer, Berlin, Lins, Riek, Gruber, Wenzel, Stehling, McAuliffe, Hambrecht and Vedro. NAYS: (0). ABSTAIN: (1) Peper. ABSENT: (2) Johnson and Lohr (Excused). Motion carried.

EXECUTIVE & LEGISLATIVE COMMITTEE:

Ordinance 2-2019 Amending Sauk Co. Code, Chapter 1, Supervisory District Plan, Changing Supervisory District Boundaries Resulting From Village Of West Baraboo Attachment.

MOTION (Czuprynko/McCumber). **VOTE:** AYES: (29) Czuprynko, Kriegl, Whitsell, Rego, Newport, Dietz, Braunschweig, Deitrich, Bychinski, Krueger, Curry, White Eagle, Gibson, Miller, Reppen, Von Asten, Hazard, McCumber, Spencer, Berlin, Lins, Riek, Peper, Gruber, Wenzel, Stehling, McAuliffe, Hambrecht and Vedro. NAYS: (0). ABSENT: (2) Johnson and Lohr (Excused). Motion carried **unanimously**.

Resolution 3-2019 Authorizing The Purchase And Replacement Of Network Switches And Related Hardware.

MOTION (Wenzel/Gibson). **VOTE:** AYES: (29) Czuprynko, Kriegl, Whitsell, Rego, Newport, Dietz, Braunschweig, Deitrich, Bychinski, Krueger, Curry, White Eagle, Gibson, Miller, Reppen, Von Asten, Hazard, McCumber, Spencer, Berlin, Lins, Riek, Peper, Gruber, Wenzel, Stehling, McAuliffe, Hambrecht and Vedro. NAYS: (0). ABSENT: (2) Johnson and Lohr (Excused). Motion carried **unanimously**.

Resolution 4-2019 Authorizing Buy Out Of Community Development Block Grant Revolving Loan Fund Funds And Determining Oversight For Close Program Process. MOTION (Czuprynko/Hazard).

VOTE: AYES: (29) Czuprynko, Kriegl, Whitsell, Rego, Newport, Dietz, Braunschweig, Deitrich, Bychinski, Krueger, Curry, White Eagle, Gibson, Miller, Reppen, Von Asten, Hazard, McCumber, Spencer, Berlin, Lins, Riek, Peper, Gruber, Wenzel, Stehling, McAuliffe, Hambrecht and Vedro. NAYS: (0). ABSENT: (2) Johnson and Lohr (Excused). Motion carried **unanimously**.

Resolution 5-2019 Authorizing Reimbursement For Attendance And Mileage For Wisconsin Counties Association Capital Ambassador Days In January, April, And October. MOTION (Deitrich/Hazard).

VOTE: AYES: (29) Czuprynko, Kriegl, Whitsell, Rego, Newport, Dietz, Braunschweig, Deitrich, Bychinski, Krueger, Curry, White Eagle, Gibson, Miller, Reppen, Von Asten, Hazard, McCumber, Spencer, Berlin, Lins, Riek, Peper, Gruber, Wenzel, Stehling, McAuliffe, Hambrecht and Vedro. NAYS: (0). ABSENT: (2) Johnson and Lohr (Excused). Motion carried **unanimously**.

***Point of Order** (Von Asten) with questions for Daniel Olson, Corporation Counsel, regarding quorums.

Resolution 6-2019 Declaring Supervisor Czuprynko's Conduct Unbecoming Of A County Board Supervisor. MOTION (Gruber/Stehling). **VOTE:** AYES: (7) Kriegl, Gibson, Reppen, Berlin, Lins, Wenzel and Vedro. NAYS: (17) Whitsell, Newport, Braunschweig, Deitrich, Bychinski, Krueger, Curry, White Eagle, Miller, Hazard, McCumber, Spencer, Peper, Gruber, Stehling, McAuliffe and Hambrecht. ABSTAIN: (5) Czuprynko, Rego, Dietz, Von Asten and Riek. ABSENT: (2) Johnson and Lohr (Excused). Motion failed.

*Chair Vedro called a break at 7:42 P.M. The meeting resumed at 7:52 P.M.

FINANCE COMMITTEE:

Resolution 7-2019 Authorizing The County Treasurer To Accept 2018 Real Estate Payments With A Postmark Of February 1, 2019 As A Timely Payment Due To The United States Postal Service Postal Delays Of January 30 & 31, 2019. MOTION (Deitrich/Stehling). **VOTE:** AYES: (29) Czuprynko, Kriegl, Whitsell, Rego, Newport, Dietz, Braunschweig, Deitrich, Bychinski, Krueger, Curry, White Eagle, Gibson, Miller, Reppen, Von Asten, Hazard, McCumber, Spencer, Berlin, Lins, Riek, Peper, Gruber, Wenzel, Stehling, McAuliffe, Hambrecht and Vedro. NAYS: (0). ABSENT: (2) Johnson And Lohr (Excused). Motion carried **unanimously**.

Resolution 8-2019 Amending The 2019 Budget To Appropriate \$97,259 Pursuant To An Inter-governmental Agreement Between Sauk County, Wisconsin And The Ho-Chunk Nation.

MOTION (Wenzel/Lins). **VOTE:** AYES: (29) Czuprynko, Kriegl, Whitsell, Rego, Newport, Dietz, Braunschweig, Deitrich, Bychinski, Krueger, Curry, White Eagle, Gibson, Miller, Reppen, Von Asten, Hazard, McCumber, Spencer, Berlin, Lins, Riek, Peper, Gruber, Wenzel, Stehling, McAuliffe, Hambrecht and Vedro. NAYS: (0). ABSENT: (2) Johnson and Lohr (Excused). Motion carried **unanimously**.

FINANCE COMMITTEE AND CONSERVATION, PLANNING & ZONING COMMITTEE:

Resolution 9-2019 Authorizing The Director Of Conservation, Planning, And Zoning To Accept Targeted Runoff Management And Notice Of Discharge Grants; And Amending The 2019 Budget.

MOTION (Kriegl/Czuprynko). **VOTE:** AYES: (29) Czuprynko, Kriegl, Whitsell, Rego, Newport, Dietz, Braunschweig, Deitrich, Bychinski, Krueger, Curry, White Eagle, Gibson, Miller, Reppen, Von Asten, Hazard, McCumber, Spencer, Berlin, Lins, Riek, Peper, Gruber, Wenzel, Stehling, McAuliffe, Hambrecht and Vedro. NAYS: (0). ABSENT: (2) Johnson and Lohr (Excused). Motion carried **unanimously**.

PROPERTY & INSURANCE COMMITTEE:

Resolution 10-2019 Authorizing Issuance Of A Quit Claim Deed For Parcel No. 044-0997-00000 In The Town Of Woodland To Mark C. Jagel & Monica T. Jagel. MOTION (Von Asten/McCumber).

VOTE: AYES: (29) Czuprynko, Kriegl, Whitsell, Rego, Newport, Dietz, Braunschweig, Deitrich, Bychinski, Krueger, Curry, White Eagle, Gibson, Miller, Reppen, Von Asten, Hazard, McCumber, Spencer, Berlin, Lins, Riek, Peper, Gruber, Wenzel, Stehling, McAuliffe, Hambrecht and Vedro. NAYS: (0). ABSENT: (2) Johnson and Lohr (Excused). Motion carried **unanimously**.

Resolution 11-2019 Authorization To Contract With TRC Environmental And MSA Professional Services For Landfill Operation, Maintenance And Water Monitoring Services.

MOTION (Von Asten/Berlin). Ian Crammond, Facilities Manager, gave a brief overview of the resolution and responded to supervisor's questions. **VOTE:** AYES: (29) Czuprynko, Kriegl, Whitsell, Rego, Newport, Dietz, Braunschweig, Deitrich, Bychinski, Krueger, Curry, White Eagle, Gibson, Miller, Reppen, Von Asten, Hazard, McCumber, Spencer, Berlin, Lins, Riek, Peper, Gruber, Wenzel, Stehling, McAuliffe, Hambrecht and Vedro. NAYS: (0). ABSENT: (2) Johnson and Lohr (Excused). Motion carried **unanimously**.

COMMITTEE OF THE WHOLE:

- a. Baraboo News Republic litigation: MOTION (Gibson/Czuprynko) to enter into closed session pursuant to Wis. Stat. sec. 19.85(1)(g): 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. Review options in Baraboo News Republic case 2017CV489 following summary judgment motion rulings issued on December 14, 2018 by Judge Slate and develop action recommendation(s) for staff, officials and/or County Board. **VOTE:** AYES: (29) Czuprynko, Kriegl, Whitsell, Rego, Newport, Dietz, Braunschweig, Deitrich, Bychinski, Krueger, Curry, White Eagle, Gibson, Miller, Reppen, Von Asten, Hazard, McCumber, Spencer, Berlin, Lins, Riek, Peper, Gruber, Wenzel, Stehling, McAuliffe, Hambrecht and Vedro. NAYS: (0). ABSENT: (2) Johnson and Lohr (Excused). Motion carried **unanimously**.
- b. MOTION (Von Asten/Whitsell) to reconvene into open session. **VOTE:** AYES: (29) Czuprynko, Kriegl, Whitsell, Rego, Newport, Dietz, Braunschweig, Deitrich, Bychinski, Krueger, Curry, White Eagle, Gibson, Miller, Reppen, Von Asten, Hazard, McCumber, Spencer, Berlin, Lins, Riek, Peper, Gruber, Wenzel, Stehling, McAuliffe, Hambrecht and Vedro. NAYS: (0). ABSENT: (2) Johnson and Lohr (Excused). Motion carried **unanimously**.
- c. **Resolution 12-2019 [Approving/Disapproving] Litigation Settlement.** MOTION (Wenzel/Gibson).

MOTION (Kriegl/Von Asten) to amend the fiscal impact of the settlement agreement, listed on page 3, That the County would pay Baraboo News Republic \$10,000, and the County's insurance company would pay the Baraboo News Republic \$35,000, within 30 days. D. Olson communicated that the county does not have the authority to compel the insurance company to pay a certain sum of money.

*Supervisor Braunschweig was excused at 10:45 P.M.

MOTION (Deitrich/Gruber) to amend the amendment, to read the County's insurance company pay the Baraboo News Republic a settlement of a total of \$10,000. **VOTE:** AYES: (14) Czuprynko, Newport, Deitrich, Bychinski, Krueger, Curry, Reppen, Hazard, McCumber, Spencer, Peper, Gruber, Stehling and Hambrecht. NAYS: (13) Kriegl, Whitsell, Rego, Dietz, White Eagle, Gibson, Miller, Von Asten, Berlin, Lins, Riek, Wenzel and Vedro. ABSTAIN: (1) McAuliffe. ABSENT: (3) Braunschweig, Johnson and Lohr (Excused). Motion carried.

MOTION (Deitrich/Whitsell) to amend the settlement agreement, removing B2, request #3 in its entirety. **VOTE:** AYES: (4) Czuprynko, Whitsell, Deitrich and Peper. NAYS: (23) Kriegl, Rego, Newport, Dietz, Bychinski, Krueger, Curry, White Eagle, Gibson, Miller, Reppen, Von Asten, Hazard, McCumber, Spencer, Berlin, Lins, Riek, Gruber, Wenzel, McAuliffe, Hambrecht and Vedro. ABSENT: (4) Braunschweig, Johnson, Lohr (Excused) and Stehling (stepped out of the room). Motion failed.

Vote to approve original MOTION (Wenzel/Gibson) Resolution 12-2019 [Approving/Disapproving] Litigation Settlement, with settlement agreement as amended.

VOTE: AYES: (23) Czuprynko, Kriegl, Whitsell, Rego, Newport, Dietz, Deitrich, Bychinski, Krueger, Curry, Miller, Reppen, Von Asten, Hazard, McCumber, Spencer, Peper, Gruber, Wenzel, Stehling, McAuliffe, Hambrecht and Vedro. NAYS: (5) White Ealge, Gibson, Berlin, Lins and Riek. ABSENT: (3) Braunschweig, Johnson and Lohr (Excused). Motion carried.

18) Referrals.

19) New Agenda items (no discussion). Submit in writing or by e-mail new business items to the Administrative Coordinator as soon as possible for Rule III.A. referral.

20) Adjournment to a date certain: 11:50 P.M. MOTION (Von Asten/Spencer) to adjourn until Tuesday, March 19, 2019 at 6:00 P.M. Motion carried **unanimously**.

Respectfully,

Michelle A. Commings
Deputy County Clerk
Minutes Approved: March 19, 2019

State of Wisconsin, County of Sauk: I certify that the above is a true and correct copy of the February 19, 2019 Proceedings of the Sauk County Board of Supervisors. /s/Rebecca C. Evert, Sauk County Clerk.

Original documents on file @ Office of the Sauk County Clerk West Square Building, 505 Broadway, Room #144, Baraboo, WI 53913. 608-355-3286

www.co.sauk.wi.us