

**MEETING OF THE RUSK COUNTY
BOARD OF SUPERVISORS
July 29, 2014
7:00 P.M.**

Meeting called to order by Chair Randy Tatur at 7:00p.m.

Roll Call. Present - 19. Present: Boss, Biller, Nawrocki, Hauser, Knops, Stout, Lieffring, Fillion, Pedersen, Schneider, Gierke, Schmitt, Fisher, Hulback, Mai, Willingham, Hraban, Platteter, Tatur. Corporation Counsel, Rich Summerfield

Invocation by Dave Willingham of Island Lake Church of Christ.

Pledge of Allegiance led by Roger Gierke, District #12 Supervisor.

APPROVAL OF MINUTES

Motion by Gierke, second by Hullback to approve minutes of May 20, 2014. Motion carried by aye vote.

PRESENTATION

Andy Johnson and Judy Srp, Rusk County Junior Fair Board Members, reported on fair taking place next weekend. Distributed pamphlets and gave overview of daily and new events taking place this year.

Annette Barna and Jamie LaBerge, Rusk Restorative Youth Representatives, reported on program, distributed handouts and gave overview of programs.

RESOLUTION #14-17 TO PROVIDE FINANCIAL SUPPORT FOR PLOW MUSEUM PROPERTY ACQUISITION

WHEREAS, the Rusk County Historical Society, hereinafter "Historical Society", and City of Ladysmith, hereinafter "City", have entered into a joint effort to entice lifetime County resident Edward Tomasovich to gift his renowned collection of 40+ vintage agricultural plows to the Rusk County community, along with five restored John Deere tractors and related items.

WHEREAS, this collection is expected to be both a key display for the County museum. The addition of this collection will be the basis for an annual agricultural heritage promotional event to draw visitors to the area. The Historical Society will provide the in-kind staffing for the exhibit. The location will be provided by the County. The location next to the current museum complex will provide a secure place for the plow collection. This proposed location will also be clearly visible from U.S.H. 8, which will enhance the current museum.

WHEREAS, the City will provide financing for an attractive new display building of approximately 80x70 feet, which building will become the property of Rusk County, specifically to house the collection, but the City does not have the funds needed to purchase the much preferred site for the display building.

WHEREAS, the Society and City have asked Rusk County to partner with them in this effort to both preserve a key part of the Rusk County community's heritage and to improve upon one of Rusk County's primary visitor attractions, the museum.

WHEREAS, the City currently holds purchase options for the two properties that comprise the site, which are located at 828 and 832 E. 3rd St. N., which either the City or County can exercise.

WHEREAS, both the Rusk County Finance and Property Committees have reviewed this project in detail and have recommended full Rusk County Board approval.

NOW, THEREFORE, BE IT RESOLVED, by the Rusk County Board of Supervisors that it does hereby support this project and that it does hereby approve provision of \$80,000 in County monies to be used to purchase the project site and to cover related costs of transfer of ownership to Rusk County.

BE IT FURTHER RESOLVED by the Board of Supervisors that it does hereby approve providing \$40,000 of the aforementioned amount from the Transmission Line fund and \$40,000 of the aforementioned dollars from the Rusk County Property Committee's equipment purchase fund for purposes herein specified.

BE IT FURTHER RESOLVED THAT the Rusk County Board of Supervisors approves amending the 2014 Budget for this purchase:

<u>Account Number</u>	<u>Name of Account</u>	<u>Amendment</u>
100-70-57010-813	Equip Fund-Land Acquisition	80,000.00
100-70-49100-000	Transfer from Powerline	(40,000.00)
100-70-49990-000	Equipment Fund Prior Year Funds	(40,000.00)
LEVY		0.00
100-78-56200-919	Powerline-Trans to Equipment	40,000.00
100-78-49990-000	Powerline-Prior Year Funds	(40,000.00)
LEVY		0.00

Submitted by Rusk County Finance Committee. S/Tatur

Motion by Platteter, second by Willingham to adopt resolution. Al Christianson, City Administrator, distributed plans and explained proposal. Ed Tomasovich provided history of collection. Historical Society members provided comments in support of proposal. Roll Call. Voting yes – 19. Voting no – 0. Voting yes: Hullback, Mai, Willingham, Hraban, Platteter, Boss, Biller, Nawrocki, Hauser, Knops, Stout, Lieffring, Fillion, Pedersen, Schneider, Gierke, Schmitt, Fisher, Tatur. Resolution adopted by roll call vote.

RESOLUTION #14-18 CORONER/MEDICAL EXAMINER INCIDENT RESPONSE RESOLUTION

WHEREAS, Rusk County Coroner/Medical Examiner must investigate deaths; and

WHEREAS, the Coroner/Medical Examiner's arrival to the incident must be expedited; and

WHEREAS, the State of Wisconsin under Statue 35.18; Chapter 340; Vehicles – General Provisions, Authorized Emergency Vehicles, (h) authorize use of lights and siren – "County Coroners or Medical Examiners for traveling to the scene of a fatal accident or death and on any other occasions that are authorized under par. (e); and

WHEREAS, the Emergency Service Committee have studied, reviewed and approved the authorization for Coroner/Medical Examiner emergency lights and siren; and

WHEREAS, the Committee finds the need for emergency lights and siren; and

NOW, THEREFORE, BE IT RESOLVED, that the Rusk County Board of Supervisors approves the recommendation of the Emergency Services Committee to authorize the Rusk County Coroner/Medical Examiner the use of emergency lights and siren, effective June 17, 2014.

Submitted by Rusk County. S/Tatur.

Motion by Schmitt, second by Pedersen to adopt resolution. Discussion on concerns and possible liability issues. Motion by Schneider, second by Stout to postpone and send back to committee. Motion carried by aye vote. Resolution postponed.

RESOLUTION #14-19 DISSOLUTION OF NORTHWEST LONG TERM CARE DISTRICT PURSUANT TO WIS. STAT. §46.2895(13) UPON SATISFACTION OF CONDITIONS

WHEREAS, Iron County, Ashland County, Bayfield County, Douglas County, Burnett County, Washburn County, Sawyer County, Price County, Rusk County, Barron County and Polk County adopted resolutions creating the Northwest Long Term Care District d/b/a NorthernBridges ("NorthernBridges") pursuant to Wis. Stat § 46.2895; and

WHEREAS, since 2009, NorthernBridges has provided family care services to eligible residents within the 11-county region comprising NorthernBridges commonly known as GSR-7; and

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WHEREAS, the State Department of Health Services ("DHS") awarded the contract to provide family care services in GSR-7 to an entity other than NorthernBridges commencing January 1, 2014; and

WHEREAS, DHS's award of the family care contract for GSR-7 to an entity other than NorthernBridges has resulted in NorthernBridges being required to expend significant resources outside the course of NorthernBridges' ordinary course of business related to payment of claims incurred prior to closure but not reported until after closure, closure of offices, retention of member records (electronic and paper) and adjustment of long-term liabilities; and

WHEREAS, given the outstanding planned obligations and liabilities, coupled with the loss of all revenue, NorthernBridges will have insufficient funds to meet its obligations to all existing and potential creditors; and

WHEREAS, in an effort to provide for the orderly wind-down of NorthernBridges' affairs and payment of outstanding NorthernBridges' creditors, in part or in full, NorthernBridges filed a lawsuit, Case No. 2014CV000011 ("Lawsuit") in Sawyer County Circuit Court ("Court") requesting, in significant part, that the Court appoint a receiver over NorthernBridges' financial and operational affairs pursuant to Wis. Stats. Chap. 813; and

WHEREAS, NorthernBridges has no continuing business operations and undertakes no activities related to the purpose for which it was formed, which was to contract with DHS for the provision of family care services;

WHEREAS, once the receiver's work is done and the Court discharges the receiver, there will be no further reason for NorthernBridges to exist as an entity; and

WHEREAS, Wis. Stat. § 46.2895(13) provides that the following process is required in order to dissolve NorthernBridges:

Subject to the performance of the contractual obligations of a long-term care district and if first approved by the secretary of the department, the long-term care district may be dissolved by the joint action of the long-term care district board and each county or tribe or band that created the long-term care district and has not withdrawn or been removed from the district under sub. (14). If a long-term care district that is created by one county or tribe or band is dissolved, the property of the district shall be transferred to the county or tribe or band that created it. If a long-term care district is created by more than one county or tribe or band, all of the counties or tribes or bands that created the district and that have not withdrawn or been removed from the district under sub. (14) shall agree on the apportioning of the long-term care district's property before the district may be dissolved. If the long-term care district operates a care management organization under s. 46.284, disposition of any remaining funds in the risk reserve under s.46.284 (5) (e) shall be made under the terms of the district's contract with the department.

WHEREAS, upon termination of the Litigation, NorthernBridges will have performed all obligations required of the contract between DHS and NorthernBridges related to the provision of family care services; and

WHEREAS, this Resolution is intended to act as Rusk County's official action authorizing the dissolution of NorthernBridges provided that the dissolution does not occur until such time as the Court discharges the receiver and the Court enters final judgment in the Lawsuit; and

WHEREAS, the NorthernBridges Board of Directors has authorized dissolution of NorthernBridges by resolution, a copy of which is attached hereto and labeled Exhibit A and incorporated by reference herein; and

WHEREAS, NorthernBridges' counsel has prepared the Articles of Dissolution officially dissolving NorthernBridges, a copy of which is attached hereto and labeled Exhibit B; and

WHEREAS, the Articles of Dissolution will not be filed until the conditions set forth in this Resolution and the NorthernBridges Board resolution have been satisfied; and

WHEREAS, the Secretary of OHS may rely on this Resolution as action on the part of Rusk County authorizing dissolution of NorthernBridges consistent with the terms contained in this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE RUSK COUNTY BOARD OF SUPERVISORS :

Rusk County hereby authorizes dissolution of NorthernBridges pursuant to Wis. Stat. § 46.2895(13) provided, however, that this Resolution and any action authorized by this Resolution, including, without limitation, the filing of the Articles of Dissolution, shall not be effective until the following events have occurred: (a) the Court discharges the receiver in the Litigation; (b) the Court enters a final judgment in the Litigation; (c) all eleven (11) county boards that formed NorthernBridges act to authorize dissolution of NorthernBridges by adopting a resolution substantially similar to this Resolution; and (d) the Secretary of DHS authorizes the dissolution of NorthernBridges; and The county boards of the ten (10) other counties that formed NorthernBridges and the Secretary of DHS are entitled to rely upon this Resolution as official action on the part of Rusk County authorizing the dissolution of NorthernBridges consistent with the terms contained herein. Upon satisfaction of the terms and conditions set forth in Paragraph 1, no further action on the part of Rusk County shall be necessary in order to authorize the dissolution of NorthernBridges; and NorthernBridges' counsel is authorized to file the Articles of Dissolution upon satisfaction of the term and conditions set forth in Paragraph 1 and the terms and conditions set forth in the NorthernBridges resolution; and To the extent any assets of NorthernBridges remain following dissolution, such assets shall be returned pro-rata to the eleven (11) counties that formed NorthernBridges.

Submitted by Rusk County. S/Tatur, Boss.

Motion by Lieffring, second by Gierke to adopt resolution. County Board Chairman, Tatur provided explanation of resolution. Resolution adopted by aye vote.

RESOLUTION #14-20 CREATE ORDINANCE ESTABLISHING CUT-OFF TIME FOR FILING AND RECORDING DOCUMENTS IN THE REGISTER OF DEEDS OFFICE

WHEREAS, the Rusk County Land Information/Zoning Committee has met and considered the following language;

NOW, THEREFORE, BE IT RESOLVED, the Rusk County Land Information/Zoning Committee recommends the creation of an Ordinance Establishing Cut-off Time for Filing and Recording Documents in the Register of Deeds Office with the following language:

SECTION I AUTHORITY. This ordinance is adopted pursuant to the authority of Wisconsin Statutes Sec. 59.20(3).

SECTION II PURPOSE. The purpose of this ordinance is to provide the Register of Deeds office sufficient time in which to complete the processing of documents filed for recording at the end of the month. This will allow enough time for receipting and balancing the end of the month filings with the County Treasurers office.

SECTION III. CUT-OFF FOR FILING AND RECORDING DOCUMENTS. In order to assure the complete processing and recording of documents received, the Register of Deeds office must receive a document no later than 3:30 p.m. the last business day of each month. Documents received after 3:30 p.m. shall be processed on the next official business day. For all other purposes, the office shall remain open to the public until 4:30 p.m. on all official business on the last business day of the month.

SECTION IV. REPEAL OF CONFLICTING ORDINANCES. Prior ordinances and resolutions are repealed to the extent that they conflict with this ordinance.

SECTION V. EFFECTIVE DATE. This ordinance is effective the day of passage and publication as provided by law

Submitted by Rusk County Zoning/Land Information Committee. S/Willingham, Fisher, Schmitt.

Motion by Fisher, second by Stout to adopt resolution. Resolution adopted by aye vote.

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RESOLUTION #14-21 XCEL ENERGY RIGHT OF WAY LAND USE – TOWN OF ATLANTA

WHEREAS, Rusk County is the owner of the NW ¼ of the SE ¼ and Government Lot 4, all in Section 29, Township 35 North, Range 7 West, town of Atlanta, Rusk County, Wisconsin

WHEREAS, Xcel Energy desires to reconstruct an existing electric transmission line known as the WI 3222 – Radisson to Osprey Project;

WHEREAS, the above described lands owned by Rusk County is in the desired path of reconstruction;

WHEREAS, a copy of the High voltage Electrical Utility Easement is attached hereto and is approximately 2749 feet in length and 100 feet in width;

WHEREAS, Excel Energy is offering to purchase the above described Easement for the sum of \$7,179.00.

NOW, THEREFORE, BE IT RESOLVED, that Rusk County, by its Board of Supervisors agrees to convey a High voltage Electrical Utility Easement to Xcel Energy for the sum of \$7,179.00.

Submitted by Rusk County. S/Tatur.

Motion by Hraban, second by Knops to adopt resolution. Resolution adopted by aye vote.

RESOLUTION #14-22 XCEL ENERGY RIGHT OF WAY LAND USE – TOWN OF FLAMBEAU

WHEREAS, Rusk County is the owner of Lot 21 of Northland Estates, being a part of NW ¼ SW ¼ and the SW ¼ of SW ¼ of Section 32, Township 35 North, Range 6 West, town of Flambeau, Rusk County, Wisconsin

WHEREAS, Xcel Energy desires to reconstruct an existing electric transmission line known as the WI 3222 – Radisson to Osprey Project;

WHEREAS, the above described lands owned by Rusk County is in the desired path of reconstruction;

WHEREAS, a copy of the Electrical Utility Easement is attached hereto and is approximately 50 feet wide;

WHEREAS, Excel Energy is offering to purchase the above described Easement for the sum of \$2,018.40.

NOW, THEREFORE, BE IT RESOLVED, that Rusk County, by its Board of Supervisors agrees to convey a High voltage Electrical Utility Easement to Xcel Energy for the sum of \$2,018.40.

Submitted by Rusk County. S/Tatur.

Motion by Fillion, second by Schmitt to adopt resolution. Resolution adopted by aye vote.

RESOLUTION #14-23 TO TRANSFER OWNERSHIP OF COUNTY PROPERTY TO THE VILLAGE OF HAWKINS

WHEREAS, it was recently discovered, during a title search conducted by Rusk County Abstract Office, that part of the property currently being utilized by the Village of Hawkins was actual deeded to Rusk County in 1948; and

WHEREAS, since neither party involved was aware of this the Village of Hawkins has been utilizing the property all this time; and

WHEREAS, the Property Committee has reviewed the request from the Village of Hawkins and the property in question; and

WHEREAS, the recommendation to the County Board from the Property Committee is to convey the ownership of the property back over to the Village of Hawkins with the Village being accountable for all cost associated with the deed transfer.

NOW, THEREFORE, BE IT RESOLVED, by the Rusk County Board of Supervisors to hereby accept the recommendation from the Property Committee and approve transferring ownership of the property recorded as: The North, 265 feet of Outlot 94 Assessor's plat of the Village of Hawkins except Highway, Rusk County, Wisconsin over to the Village of Hawkins; and

BE IT FURTHER RESOLVED, that all costs related to the transfer of ownership be the responsibility of the Village of Hawkins.

Submitted by Rusk County Finance Committee. S/Tatur.

Motion by Platteter, second by Hauser to adopt resolution. Denise Wetzel, County Clerk explained resolution and property in question. Resolution adopted by aye vote.

DISCUSSION AND POSSIBLE MOTION

APPOINTMENTS

Board of Adjustment: Thomas Meisner (3 year term) Robert Lorkowski (alternate – 2 year term)

Motion by Willingham, second by Fisher to approve appointments. Motion carried by aye vote.

ANNOUNCEMENTS

Platteter announced design changes to LEC Room being looked at by the property committee.

Tatur advised Board that RCMH will be contracting with another firm for Emergency Room doctors.

Willingham informed members that former forester Audie Christianson had passed away and a wake will be held Friday with a funeral Saturday.

Wetzel informed board members WCA conference registration needs to be in by the 31st and new members receive a free registration so they are highly encouraged to attend.

ADJOURNMENT

Motion by Hauser, second by Knops to adjourn. Motion carried by aye vote. Meeting adjourned at 8:29 p.m.

Next meeting: August 26, 2014 at 7:00 p.m.