

**MINUTES OF THE
ASHLAND COUNTY BOARD OF SUPERVISORS
GENERAL MEETING**

Tuesday, February 7, 2023

Ashland County Courthouse, 201 Main Street West, Room 204, Ashland, WI 54806

1. CALL TO ORDER

A General Meeting of the Ashland County Board of Supervisors was held on Tuesday February 7, 2023 by Remote/Zoom and in person at the Ashland County Courthouse, County Board Room. Chairperson Dick Pufall called the meeting to order at 9:00 a.m.

a. Roll Call: Present-18; Excused-Wiener; Absent- Nagro

Roll Call: Present: Ellefson, MacKenzie, Metzinger, Campbell, Ray, Kinney, Pufall, Franek, Starck, Sztynдор, Berlin, Bussey, Mika, Vitek, Huber, Schutte, Carl, Mertig. 18

Absent: Nagro. 1

Excused: Wiener. 1

Laura Nagro came into the meeting at 9:03 a.m.

b. A moment of silence was held.

c. The Pledge of Allegiance was recited by the Board.

2. APPROVAL/ADOPTION OF THE AGENDA

Motion was made by Mike Berlin and seconded by Ron Sztynдор to approve and adopt the Amended Agenda as presented. Motion carried.

3. PUBLIC COMMENTS

The public made comments.

4. APPOINTMENT

a. Appointment of Chief Deputy, Nathaniel Deigan

Motion was made by Laura Nagro and seconded by Bradley Ray to approve the appointment of Nathaniel Deigan as Chief Deputy. Motion carried

5. PRESENTATION

a. Ashland County Fair Financial Review

Brett Martinsen distributed and discussed the Ashland County Fair Association 2022 Annual Financial and Attendance Reports.

6. REGULAR AGENDA – DISCUSSION/ACTION ITEMS

a. Approval of the November 15, 2022 County Board Minutes

Motion was made by Kathy Schutte and seconded by George Mika to approve the minutes of the November 15, 2022 County Board meeting. Motion carried.

b. Resolution R02-2023-1435

HONORING MICHAEL “MICK” BRENNAN

WHEREAS, Michael “Mick” Brennan has served as the Ashland County Sheriff from January 2011 – January 2023, and

WHEREAS, Ashland County recognizes the excellent and dedicated service that Michael “Mick” Brennan has rendered Ashland County during his term in office, and

NOW, THEREFORE BE IT RESOLVED, that the Ashland County Board of Supervisors, on behalf of the entire County, extends a unanimous vote of thanks and appreciation to Michael “Mick” Brennan for 12 years of excellent and dedicated service he has provided Ashland County; and

BE IT FURTHER RESOLVED, that the Ashland County Board of Supervisors wishes Michael “Mick” Brennan health and happiness during all of his future endeavors.

Adopted by the Ashland County Board of Supervisors on this 7th day of February, 2023.

Signed: *Richard Pufall*
County Board Chair

Motion was made by Liz Franek and seconded by Bradley Ray to adopt Resolution R02-2023-1435. Motion carried unanimously.

c. Resolution R02-2023-1436

RESOLUTION REQUESTING THE STATE TO REVISE THE CURRENT REAL ESTATE TRANSFER FEE REVENUE SHARING FORMULA

WHEREAS, the collection of a real estate transfer fee by counties was mandated by the State of Wisconsin in 1969, and included a requirement that counties remit 50% of all transfer fees collected to the State; and

WHEREAS, in 1981, the State changed the transfer fee formula to require counties to remit 80% of all transfer fees collected to the State; and

WHEREAS, the County, through the Register of Deeds Office, assumes the annual operating costs of recording all real estate transfers occurring in each county, including the collection of real estate transfer fees; and

WHEREAS, Ashland County real estate transfer fee collections over the past five years totaled \$1,117,635.97, of which the County retained \$223,527.19 and \$894,108.78 was remitted to the state; and

WHEREAS, using a 50/50 split, the County's share of fees collected on local real estate transfers during that same five-year period would have provided an additional \$335,290.79 in support of local government; and

WHEREAS, in the budget year ending on June 30, 2023, the State of Wisconsin has built up a budget surplus in excess of \$7 billion dollars, while many Wisconsin counties continue to struggle financially due to the ever-increasing costs of providing county government services to an inflationary economy and providing services for increasing unfunded State mandated programs along with financial restrictions imposed by State imposed levy limits.

NOW, THEREFORE, BE IT RESOLVED, by the Ashland County Board of Supervisors, that in an effort to assist all Wisconsin counties, the State of Wisconsin revise the real estate transfer fee share formula to again allow Wisconsin counties to retain 50% of all real estate transfer fees collected, with 50% to be remitted to the State; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Governor Tony Evers, all members of the State Legislature representing Ashland County, the Wisconsin Counties Association, and all other Wisconsin Counties.

Adopted by the Ashland County Board of Supervisors, Ashland, Wisconsin on this 7th day of February, 2023.

Signed: *Richard Pufall*
County Board Chair

Motion was made by Bradley Ray and seconded by Mike Berlin to adopt Resolution R02-2023-1436. Motion carried.

d. Resolution R02-2023-1437

VICTIM/WITNESS ASSISTANCE PROGRAM

WHEREAS, the County of Ashland desires to undertake a certain project designated Ashland County Crime Victim Witness Coordinator to be funded in part, from funds made available through Chapter 950, laws of 1979, administered by the Wisconsin Department of Justice.

WHEREAS, Chapter 950 of the Wisconsin Statutes encourages counties to provide victim witness services pursuant to section 950.06, Stats., authorize the county to undertake a victim witness program; and,

WHEREAS, PURSUANT TO Section 950.06, Stats, the Wisconsin Department of Justice will reimburse Ashland County a percentage of the costs incurred in providing victim witness services; and,

WHEREAS, the Ashland County District Attorney's Office has proposed to provide the victim witness services through the addition of a crime victim witness program; and,

WHEREAS, victim witness professionals are the only victim services providers obligated by state statute and the Wisconsin Constitution to provide rights and services to crime victims; and,

THEREFORE, BE IT RESOLVED the Victim Witness Coordinator of the Ashland County District Attorney's Office is authorized on its behalf to submit the application for funds for a Victim Witness Assistance Program.

THEREFORE, BE IT RESOLVED, that pursuant to Chapter 950 of the Wisconsin Statutes, the Ashland County Board of Supervisors creates a Crime Victim Witness Program under the Ashland County District Attorney and authorizes the full-time position of Victim Witness Coordinator.

BE IT FURTHER RESOLVED that the state funds received hereunder shall not be used to supplement local funds that would, in the absence of the Wisconsin Victim Witness Assistance Program, be made available to support the assistance of victims and witnesses of a crime.

Adopted by the Ashland County Board of Supervisors, Ashland, Wisconsin on this 7th day of February, 2023.

Signed: *Richard Pufall*
County Board Chair

Motion was made by Liz Franek and seconded by Laura Nagro to adopt R02-2023-1437.
Motion carried.

e. Resolution R02-2023-1438

**RESOLUTION TO ASSIGN SIGNATORY AUTHORITY FOR
CARBON CREDIT PROJECT**

WHEREAS, Ashland County has lands enrolled as County Forest and Ashland County sustainably manages those lands for forest product production and recreational opportunities; and

WHEREAS, Ashland County would like to recognize the good management done on the County forest lands by selling carbon credits that result from said management; and

WHEREAS, Ashland County, in order to sell these credits, has entered into a carbon marketing agreement with Anew to sell Ashland County carbon credits through the American Carbon Registry; and

WHEREAS, the Ashland County Forestry Department will have to review, approve and sign numerous documents, in a timely manner, in the process of creating this carbon credit project; and

NOW, THEREFORE BE IT RESOLVED, that the Ashland County Board of Supervisors, in consideration of this project, hereby assign the authority to sign carbon credit documents and American Carbon Registry contracts (Terms of Use Agreement, Risk Mitigation Agreement and annual Monitoring Reports) to the Ashland County Forest Administrator. The Forest Administrator will sign these documents after consultation with the Forestry and Recreation Committee and/or the County Administrator.

The Forestry and Recreation Committee approves this resolution and recommends to forward this resolution to the full County Board for their approval.

Adopted by the Ashland County Board of Supervisors, Ashland, Wisconsin on this 7th day of February, 2023.

Signed: *Richard Pufall*
County Board Chair

Motion was made by Laura Nagro and seconded by Kathy Schutte to adopt Resolution R02-2023-1438. Motion carried.

f. Resolution R02-2023-1439

COUNTY FOREST VARIABLE ACREAGE SHARE PAYMENT

WHEREAS, Counties having lands entered as "County Forest Lands" under the provisions of S. S. 28.11(4)(b) of the Wisconsin Statutes may annually receive from the State a non-interest bearing loan for each acre so entered to be used for the purchase, development, preservation and maintenance of such lands, and

WHEREAS, said loan monies are repaid through a 20% severance tax on timber sales revenue coming from County Forest Lands unless a higher rate is mutually agreed to by the County and the Department, and

WHEREAS, the provisions of Section 28.11(8)(b)1. enacted in 1979 make it possible for the County at its option to receive a payment of up to 50 cents per acre to meet the needs identified in its County Forest Ten Year Plan.

THEREFORE, BE IT RESOLVED that we the Ashland County Board of Supervisors in consideration of meeting the needs identified in our County Forest Fifteen Year Plan hereby request the Department of Natural Resources to provide the **2023 payment** to the County under S.S.28.11(8)(b)1. on the basis of **50 cents for each acre** of our County Forest Lands, and

BE IT FURTHER RESOLVED, that the Clerk is hereby authorized and directed to file this request with the Department of Natural Resources prior to December 31 preceding the year in which said payment is being requested to be made.

WHEREAS, the Forestry and Recreation Committee approves this resolution and recommends to forward this resolution to the full County Board for their approval.

Adopted by the Ashland County Board of Supervisors, Ashland, Wisconsin on this 7th day of February, 2023.

Signed: *Richard Pufall*
County Board Chair

Motion was made by Ron Sztynodor and seconded by Laura Nagro to approve Resolution R02-2023-1439. Motion carried.

g. Discussion /Action – Ashland County Forest Annual Work Plan 2023

Motion was made by Laura Nagro and seconded by George Bussey to approve the Ashland County Forest Annual Work Plan 2023. Motion carried.

h. Approval of Employee Handbook Change /Clarification Regarding Vacation

Motion was made by Bradley Ray and seconded by Bill Metzinger to change the second sentence in the first paragraph under Vacation in the Ashland County Employee Handbook to read: "Vacation is accrued in the 12-month period beginning at the time of hire to be used in the 12-month period prior to the employee's anniversary date."

A discussion followed. Motion was made by Matt MacKenzie and seconded by George Bussey to call the question. Motion carried.

Motion carried approving the change to Vacation in the Ashland County Employee Handbook.

i. Approval of Employee Handbook Change/Clarification Sick Leave Payout

Motion was made by Bradley Ray and seconded by Clarence Campbell to change the 5th paragraph in the Sick Leave section of the Employee Handbook to read “For an employee hired prior to January 1, 2012 upon retirement, death or retirement due to disability, the employee or their estate will be paid 100% of unused time in their sick bank, up to a maximum of 630 hours (based on a 35 hour work week), or 675 hours (based on a 37.5 hour work week) or 720 hours (based on a 40 hour work week). Upon retirement, death or retirement due to a disability, the employee or their estate will be paid 50% of the unused time in their sick bank for all paid sick leave earned after January 1, 2012.” Motion carried.

j. Approval of Emergency Fire Warden Organization List - 2023

Motion was made by Kathy Schutte and seconded by Mike Starck approve the submitted Emergency Fire Warden Organization List for 2023. Motion carried.

7. CLOSED SESSION

Motion was made by Martin Vitek and seconded by Liz Franek to go into Closed Session Pursuant to ss19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

Roll Call: Yes: Ellefson, MacKenzie, Nagro, Metzinger, Campbell, Ray, Kinney, Pufall, Franek, Starck, Szyndor, Berlin, Bussey, Mika, Vitek, Huber, Schutte, Carl, Mertig. 19
No: 0
Excused: Wiener. 1

Closed session commenced at 10:29 a.m.

8. RECONVENE TO OPEN SESSION

Motion was made by Mike Berlin and seconded by Kathy Schutte to revert to County Board.

Roll Call: Yes: Ellefson, MacKenzie, Nagro, Metzinger, Campbell, Ray, Kinney, Pufall, Franek, Starck, Szyndor, Berlin, Bussey, Mika, Vitek, Huber, Schutte, Carl, Mertig. 19
No: 0
Excused: Wiener. 1

The Board reconvened in open session at 10:59 a.m.

a. Resolution R02-2023-1440

RESOLUTION PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF A \$188,950.00 GENERAL OBLIGATION PROMISSORY NOTE, SERIES 2023, OF ASHLAND COUNTY, WISCONSIN; ESTABLISHING THE TERMS AND CONDITIONS THEREFOR; DIRECTING ITS EXECUTION AND DELIVERY

BE IT RESOLVED, by the Board of Supervisors (the “Board”) of Ashland County, Wisconsin (the “County”), as follows:

1. Under and pursuant to the provisions of Wisconsin Statutes, Chapter 67 and Sections 67.045 and 67.12(12), the County is authorized to issue and sell its general obligation promissory notes for any public purpose.

2. The Board hereby directs the issuance and sale of its \$188,950.00 General Obligation Promissory Note, Series 2023 (the “Note”) for the public purpose of financing the purchase of 199.4 acres of forest land from the state of Wisconsin approved by the Ashland County Board Finance Committee on January 19, 2023 (the “Land Purchase”).
3. The County has solicited a proposal for the sale of the Note and received a proposal from Northern State Bank, located in Ashland, Wisconsin (the “Purchaser”), to purchase the Note to pay or provide for costs of the Land Purchase.
4. The Note shall bear interest on the unpaid principal balance at the rate of 4.25% per annum, and the note will mature with the principal and interest payable in full 366 days after issuance.
5. The County, after due consideration, finds such offer reasonable and proper and the offer of the Purchaser is hereby accepted. All actions of the Chairperson, the County Clerk and the Administrator taken with regard to the sale of the Note are hereby ratified and approved.

Adopted by the Ashland County Board of Supervisors, Ashland, Wisconsin on this 7th day of February, 2023.

Signed: *Richard Pufall*
County Board Chair

Motion was made by Mike Berlin and seconded by Kathy Schutte to adopt Resolution R02-2023-1440.

Roll Call: Yes:	Ellefson, MacKenzie, Nagro, Metzinger, Campbell, Ray, Kinney, Pufall, Franek, Starck, Szyndor, Berlin, Bussey, Mika, Vitek, Huber, Schutte, Carl, Mertig. 19
No:	0
Excused:	Wiener. 1

9. REPORTS/UPDATES

a. Administrator Updates

County Administrator Dan Grady gave an update on the Town of Sanborn tax issue.

b. Staffing/Personnel

County Administrator Dan Grady updated the Board on personnel changes that have occurred since the last County Board meeting.

c. County Board Supervisors

Board members commented.

10. ADJOURN

There being no further business, a motion to adjourn was made by Kathy Schutte and seconded by Blake Ellefson. Motion carried. County Board adjourned at 11:24 a.m.

Respectfully submitted,



Heather W. Schutte
Ashland County Clerk