

# WISCONSIN COUNTIES UTILITY TAX ASSOCIATION

Two East Mifflin Street, Suite 600, Madison, Wisconsin 53703  
Phone: (608) 255-8891

## MINUTES OF THE MEETING HELD

MARCH 4, 2011

**DeWitt Ross & Stevens S.C.  
Madison, Wisconsin**

### 2010-2011 Officers

President  
JOHN H. TRAMBURG  
(920) 484-3534  
Columbia County

Vice President  
LAWRENCE WILLKOM  
(715) 723-5804  
Chippewa County

Secretary  
PAUL TITTL  
(920) 682-6203  
Manitowoc County

Treasurer  
LINDA SINKULA  
(920) 388-3251  
Kewaunee County

Executive Director  
ALICE O'CONNOR  
Direct(608) 252-9391  
aoc@dewittross.com

The Wisconsin County Utility Tax Association meeting was called to order at 10:40 a.m. by WCUTA Chair John Tramburg. The following members were present:

Columbia County	John H. Tramburg	(920) 484-3534
Jefferson County	Jan Rouu	(262) 495-2687
Kewaunee County	Edward Dorner	(920) 388-2654
Kewaunee County	Linda Sinkula	(920) 388-3251
Kewaunee County	Kaye Shillin	
Manitowoc County	Paul Tittl	(920) 682-6203
Marathon County	Brad Karger	715-261-1404
Rock County	Richard Ott	(608) 756-2443
Rock County	Phil Boutwell	(608) 757-5204
Sheboygan County	William C. Goehring	(920) 994-4749
Vernon County	Tom Spenner	(608) 489-2302
Grant County	John Ptacle	(608) 723-2711
Washington County	Doug Johnson	(262) 306-2202

### By phone:

Buffalo County	Del Twidt	(608) 687-8549
Sheboygan County	Michael Vandersteen	
Marinette County	Vilas Schroeder	

### Member Counties

ASHLAND  
BUFFALO  
CHIPPEWA  
COLUMBIA  
DOUGLAS  
DUNN  
GRANT  
JEFFERSON  
KENOSHA  
KEWAUNEE  
LA CROSSE  
MANITOWOC  
MARATHON  
MARINETTE  
OZAUKEE  
ROCK  
SHEBOYGAN  
VERNON  
WASHINGTON

### Staff present:

Alice O'Connor, Executive Director of WCUTA, of DeWitt Ross & Stevens S.C.,  
John Reineman, Wisconsin Counties Association.

Board Chair John Tramburg called the meeting to order March 4, 2011 at 10:35 a.m.

The minutes from the October 22, 2010 Board meeting were approved on a motion by Supervisor, Bill Goehring seconded by Supervisor Linda Sinkula.

John Tramburg reported there is complete 2011 dues payment with Supervisor Tittl saying the door for Brown County to rejoin our Association "is not closed, but it is not open either". Phil Boutwell said he has called a Brown County executive assistant but has not

received a return phone call. He will try again after the April 7, 2011 spring elections because there is a competitive Brown County race.

Supervisor Tramburg raised the issue of La Crosse County representative, Jim Ehram submitting a phone bill for reimbursement for approximately \$25.00 when he called in from his home for the October 22, 2010 Board meeting. Mr. Ehram said he feels the WCUTA should reimburse him for his phone bill. Supervisors asked why Mr. Eschram had not sought reimbursement from La Crosse County. Ms. O'Connor said she had asked Mr. Ehram the same question and he did not respond. After discussion, a motion offered by Supervisor Tittl, seconded by Rock County Representative Richard Ott, that WCUTA not reimburse anyone for any expenses when attending a WCUTA Board meeting.

Supervisor, Michael Vandersteen, said he was joining by phone via his computer so his long distance telephone participation was not costing anything. Ms. O'Connor will communicate this to Mr. Eschram.

**Treasurers Report:** Linda Sinkula reported the checkbook balance as of March 2, 2011 is \$30,654.02 with January expenses of \$1,093.96. The CD was renewed and comes due in August 2011. The CD value today is \$15,250.91. The total WCUTA funds available are \$45,904.93.

The Treasurer's report was unanimously accepted.

**Executive Director Report:** Alice O'Connor indicated the Association had lost its IRA tax exempt status even though Congresswoman Tammy Baldwin's office had tried to help with the IRS office. A report by Brian Anderson, Attorney and CPA with DeWitt Ross & Stevens, to the Board stated that the IRS rules for non-profits had changed in the last three years and the fact that the Association is a government entity, it should be exempt permanently. Attorney Anderson stated without corrective action with the IRS, WCUTA will now be required to file annual 990 IRS forms. "If you do not file every 3years, you will lose your tax exempt status." Supervisor Tittl made a motion to limit the expense to \$1,000 for Brian Anderson of DeWitt Ross & Stevens to file an IRS form 1024 and 1023 to correct our tax status and provide a current record in addition to the \$850 filing fee.

This motion was seconded by Supervisor Roou. Motion approved. Alice will follow-up with Brian Anderson to provide whatever additional documentation is necessary.

During this discussion, Supervisor Tramburg said we should wait until the fall meeting to determine what the reduction in dues should be for 2012. This was formalized to take up 2012 dues reduction at the fall meeting on a motion from Supervisor Spenner, seconded by Mr. Ott and approved unanimously.

There was some confusion about whether Governor Walker can sell municipal owned power plants without a bid as he has proposed "no bid" sales with state owned power plants largely on University of Wisconsin campuses. Our speaker, Representative Mark Honadel, Chair of the Assembly Energy and Utility Committee, said this is not possible. Alice will obtain a list of state owned power plants to share with members from DOA.

**Audit Committee:**

Supervisor Tramburg offered the following individuals to serve on the 2011 WCUTA Audit Committee to meet 30 minutes prior to the next meeting. They are:

- Paul Tittl, Supervisor
- Jan Roou, Supervisor
- Tom Spenner, Supervisor

**Nominating Committee:**

- Doug Johnson, Supervisor
- Tom Spenner, Supervisor
- William Goehring, Supervisor
- Richard Ott as an alternate, County Representative

### **WCA Report - John Reineman:**

Mr. Reineman says WCA has an 18-page summary of Governor Walker's budget bill on their website. They use Andy Phillips, who specializes in municipal law. He is posting all his analysis on his Manitowoc law firm website at [phillipsborowski.com](http://phillipsborowski.com). WCA has no formal position on the budget bill but will pursue specific changes it wants in the budget. WCA Board has 350 approved positions.

WCA has no position on collective bargaining but wants to see how shared revenue is calculated based on which year's population data is used to calculate the formula for local governments. WCA will have seven legislative briefings around the state in its seven regions the week of March 14<sup>th</sup>. WCA says new authority giving DHS Secretary Dennis Smith total authority to change eligibility requirements for Medicaid may conflict with statutes. There could be lawsuits. Four members of WCA Board voted "no" on this provision.

The State may opt out of Medicaid which is a concern for counties. Reineman also said counties should have a transition committee or a strategic planning committee to help with all these changes.

John also said the Board expressed concern about different treatment of employees within the counties. Governor Walker's budget creates two classes of employees.

Guest speaker, Assembly Representative Mark Honadel (R-South Milwaukee), Chair of the Assembly Energy and Utilities Committee was introduced by Alice. He was acknowledged for being the pivotal legislator who helped champion the change in our utility tax formula during our a six-year fight.

Representative Honadel reported the following:

- We will lift the ban on nuclear energy – “we’ve been stifled for the last 25 years”.
- We will have no bills during 2011 session to capture green house gas. He does not believe there is global warming. He says based on data, the earth is in a warming cycle.
- Waste nuclear will still have to be stored on site with U.S. taxpayers spending \$14-\$16 billion a year for a hole in the ground. (Yucca Mountain) He says many states are petitioning the federal government to refund money.
- The Joint Committee for Review of Administrative Rules (JCRAR) sent the wind sitting rule back to the PSC. It is going to boil down to how many feet a wind blade has to be from a building or property line.
- The legislature may address remaining concerns about stray voltage.
- He also said he serves on the State's Labor & Industry Unemployment Compensation Committee and he says Wisconsin is \$1.4 billion in debt to the federal government.
- He said now is not the time that nuclear energy will be added to the renewable portfolio standard.
- He said DOR will break out on shared revenue payments to counties what a wind payment will be to that county.

It is suggested we invite the PSC Chair who will be named by our June 3 meeting.

The next meeting was set for June 3 at 10:30 a.m. at DeWitt Ross & Stevens on a motion from Supervisor Sinkula and seconded by Supervisor Spenner. The meeting was adjourned at 1:30 p.m.

AOC:amn