

LINCOLN COUNTY BOARD OF SUPERVISORS

Tuesday, September 21, 2021 – 6:00 p.m.

Meeting Location: Room 257 Lincoln County Service Center, 801 N Sales Street, Merrill, WI 54452  
Via In-Person and Electronic Attendance

**Electronic Attendance:** Persons wishing to attend the meeting electronically may enter the meeting beginning ten minutes prior to the start time indicated above using the following number or address:

Conference Call: (US) +1 980-221-2670

Access Code (PIN): 492 467 134#

Meeting ID: <https://meet.google.com/vqr-xbnr-ijj?hs=122&authuser=0>

The teleconference cannot start until the host (county clerk) dials in and enters the host password.

**Attendance Policy:** Lincoln County encourages all individuals attending in person to follow the most recent CDC guidelines for vaccinated and unvaccinated individuals. All public participants' phones, microphones and chat dialog boxes will be muted or disabled during the meeting. If "public comment" appears on the agenda, before the meeting is called to order, the clerk will ask teleconference attendees whether any public comment is being offered. When called upon by the clerk or chair, any person offering public comment should state their name and comments.

**PUBLIC COMMENT ON AGENDA ITEMS:** Under the current (COVID-19 pandemic) circumstances, citizens attending by teleconference may have floor privileges to speak on agenda items without signing-in at the meeting location. Before the meeting is called to order, the Clerk will ask teleconference attendees whether any public comment is being offered. When called upon by the Clerk or Board Chair by name, any persons offering public comment should state his/her name and express in good order his/her comments upon the topic under consideration for no more than 5 minutes.

**\*\*2<sup>nd</sup> AMENDED AGENDA**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Recess to Public Hearing – Redistricting
5. Announcements/Recognitions/Awards/Appointments
  - A. Announcements: None
  - B. Service Recognitions – September: None
  - C. Appointments & Re-Appointments:
    1. Appointment of Greg Hartwig to Board of Adjustment (Term expires 6/30/2022)
    2. Appointment of Charlene Seetan to ADRC-CW Advisory Committee
    3. Appointment of Judy Woller to Board of Health to fill the unexpired term of Bob Lee (Term expires 4/2022)
    4. Appointment of Chris Heller to North Central Wisconsin Workforce Development Board (Term expires 4/2022)
6. Reading & Approval of the Journal – August 17, 2021
7. Letters and Memorials
  - A. Letters – None
  - B. Memorials - None
8. Reports of Standing & Special Committees
  - A. Administrative & Legislative Committee: Carbon Credits - Blue Source (Josh Strass)
  - B. \*Finance Committee: 2020 Financial Statement & Management Letter (\*Jon Trautman)
  - C. Finance Committee: 2021 Year-to-date Report – Finance Director (Dan Leydet)
  - D. Finance Committee: 2022 Tax Levy Review and Budget Issues – Finance Director (Dan Leydet)
  - E. Administrative & Legislative Committee: Administrative Coordinator/HR Director's Written Report – Administrative Coordinator/HR Director (Cate Wylie)
  - F. Administrative & Legislative Committee: Corporation Counsel Report – Corporation Counsel (Karry Johnson)
9. Resolutions and Ordinances
  - A. Res 1) Resolution 2021-08-35 Granting Permission to Replace Harrison **\*\*Tower\*\***, Using \$175,000 from CIP (Referred from August Meeting)
  - 2) Resolution 2021-09-38 Authorizing Signer – Health Department Contracts, Grants, and Memorandum Agreements
  - 3) Resolution 2021-09-39 Adopt a Tentative Supervisory District Plan

- B. Ord 1) Ordinance 2021-09-706 An Ordinance Amending the General Code of the County of Lincoln – Chapter 17, 17.1.12 and 17.2.03, Zoning **\*\*Ordinance** as a result of a Comprehensive Plan Amendment and Rezoning Petition by the James Friedlund Trust for property in the Town of Bradley\*\*
- 2) Ordinance 2021-09-707 An Ordinance Amending the General Code of the County of Lincoln – Chapter 17, 17.1.12 and 17..03, Zoning Ordinance as a result of a Comprehensive Plan Amendment and Rezoning Petition by the James Bartel for property in the Town of Scott.
- 3) Ordinance 2021-09-708 An Ordinance Amending the General Code of the County of Lincoln – Chapter 17, 17.1.12 and 17.2.03, Zoning Ordinance as a result of a Comprehensive Plan Amendment and Rezoning Petition by Delores Contrell (Petitioner: Kathleen Ellis) for property in the Town of Merrill.

10. Report of Claims – None

11. Closed Session

**19.85(1)(g)** Conferring with legal counsel for 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. A) *Opioid Litigation Update*

12. Open Session

Take any necessary action on item discussed in closed session

13. Approval for Mileage and Per Diem for Board Meeting

14. Next County Board Meeting Date: Tuesday, October 19, 2021 at 6:00 p.m., Meeting Location: Lincoln County Service Center, 801 N Sales Street, Room 257, Merrill, WI 54452

15. Adjourn

Posted: Date \_\_\_\_\_ Time \_\_\_\_\_ a.m./p.m. By \_\_\_\_\_

*Request for reasonable accommodations for disabilities or limitations should be made prior to the date of this meeting. You may contact the County Clerk at 715.539.1019. Please do so as early as possible so that proper arrangements can be made. Requests are kept confidential.*

#### GENERAL REQUIREMENTS:

1. Must be held in a location which is reasonably accessible to the public.
2. Must be open to all members of the public unless the law specifically provides otherwise.

#### NOTICE REQUIREMENTS:

1. In addition to any requirements set forth below, notice must also be in compliance with any other specific statute.
2. Chief presiding officer or his/her designee must give notice to the official newspaper and to any members of the news media likely to give notice to the public.

#### MANNER OF NOTICE:

Date, time, place, and subject matter, including subject matter to be considered in a closed session, must be provided in a manner and form reasonably likely to give notice to the public.

#### TIME FOR NOTICE:

1. Normally, a minimum of 24 hours prior to the commencement of the meeting.
2. No less than 2 hours prior to the meeting if the presiding officer establishes there is a good cause that such notice is impossible or impractical.

#### EXEMPTIONS FOR COMMITTEES AND SUB-UNITS:

Legally constituted sub-units of a parent governmental body may conduct a meeting during the recess or immediately after the lawful meeting to act or deliberate upon a subject which was the subject of the meeting, provided the presiding officer publicly announces the time, place, and subject matter of the sub-unit meeting in advance of the meeting of the parent governmental body.

#### PROCEDURE FOR GOING INTO CLOSED SESSION:

1. Motion must be made, seconded, and carried by roll call majority vote and recorded in the minutes.
2. If motion is carried, chief presiding officer must advise those attending the meeting of the nature of the business to be conducted in the closed session, and the specific statutory exemption under which the closed session is authorized.

#### STATUTORY EXEMPTIONS UNDER WHICH CLOSED SESSIONS ARE PERMITTED:

1. Deliberation of judicial or quasi-judicial matters. Sec. 19.85(1)(a)
2. Considering dismissal, demotion, or discipline of any public employee or the investigation of charges against such person and the taking of formal action on any such matter; provided that the person is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action is taken. The person under consideration must be advised of his/her right that the evidentiary hearing be held in open session and the notice of the meeting must state the same. Sec. 19.85(1)(b).
3. Considering employment, promotion, compensation, or performance evaluation data of any public employee. Sec. 19.85(1)(c).
4. Considering strategy for crime detection or prevention. Sec. 19.85(1)(d).
5. Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session. Sec. 19.85(1)(e).
6. Considering financial, medical, social, or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of specific charges, which, if discussed in public would likely have an adverse effect on the reputation of the person referred to in such data. Sec. 19.85(1)(f).
7. Conferring with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is or is likely to become involved. Sec. 19.85(1)(g).
8. Considering a request for advice from any applicable ethics board. Sec. 19.85(1)(h).

#### CLOSED SESSION RESTRICTIONS:

1. Must convene in open session before going into closed session.
2. May not convene in open session, then convene in closed session and thereafter reconvene in open session with twelve (12) hours unless proper notice of this sequence was given at the same time and in the same manner as the original open meeting.
3. Final approval or ratification of a collective bargaining agreement may not be given in closed session.

#### BALLOTS, VOTES, AND RECORDS:

1. Secret ballot is not permitted except for the election of officers of the body or unless otherwise permitted by specific statutes.
2. Except as permitted above, any member may require that the vote of each member be ascertained and recorded.
3. Motions and roll call votes must be preserved in the record and be available for public inspection.

#### USE OF RECORDING EQUIPMENT:

The meeting may be recorded, filmed, or photographed, provided that it does not interfere with the conduct of the meeting or the rights of the participants.

#### LEGAL INTERPRETATION:

1. The Wisconsin Attorney General will give advice concerning the applicability or clarification of the Open Meeting Law upon request.
2. The municipal attorney will give advice concerning the applicability or clarification of the Open Meeting Law upon request.

#### PENALTY:

Upon conviction, any member of a governmental body who knowingly attends a meeting held in violation of Subchapter IV, Chapter 19, Wisconsin Statutes, or who otherwise violates the said law shall be subject to forfeiture of not less than \$25.00 nor more than \$300.00 for each violation.