

LINCOLN COUNTY BOARD OF SUPERVISORS

Tuesday December 20, 2022 - 6:00 p.m.

Meeting Location: Lincoln County Service Center, 801 N Sales Street, Room 257, Merrill, WI 54452

Via Teleconference and In-Person 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>

Attendance Policy: The teleconference cannot start until the host (county clerk) dials in and enters the host password. In the event there is an unforeseen technical difficulty that prevents all or a part of the meeting from being available electronically, the meeting will continue in person and those wishing to attend can appear in person at the location indicated in this agenda. All public participants' phones, microphones and chat dialog boxes will be muted or disabled during the meeting.

All Public Comment is Limited to Current Agenda Items: 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.

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Appointment of Don Wendorf to the Lincoln County Board of Supervisors - District 5 (City of Merrill Wards 9 & 10, Town of Merrill Ward 4)
 - A. Oath of Office
 - B. Ratify Appointment(s) to Appointive Committee(s) Vacancies (Public Property and Solid Waste)
5. Announcements/Recognitions/Awards/Appointments
 - A. Announcements - None
 - B. Service Recognitions – December - None
 - C. Appointments & Re-Appointments
 - 1) Reappointment of Andrew Shaney to Civil Service Commission (Term expires 12/31/2027)
 - 2) Reappointment of Timothy Panfil to the Veterans Service Commission (Term expires 12/31/2025)
 - 3) Reappointment of Claude Willet to the Veterans Service Commission (Term expires 12/31/2025)
 - 4) Reappointment of Diane Peterson to the Wisconsin Valley Library Service Board of Trustees (Term expires 12/31/25)
6. Approval of the Journal – November 2, 2022
7. Letters, Petitions and Memorials
 - A. Letters - None
 - B. Memorials – None
8. Reports of Standing & Special Committees
 - A. Ad Hoc Committee on Pine Crest: 2023 North Central Health Care Budget – Finance Director (Gary Olsen) and Interim Executive Director (Mort McBain)
 - B. Finance & Insurance Committee: 2022 Year-to-Date Budget Report – Finance Chair (Julie DePasse)
9. Public Comment
10. Resolutions and Ordinances
 - A. Res 1) Resolution 2022-12-41 To Approve the Appointment of Samantha Fenske to the position of Lincoln County Finance Director
 - 2) Resolution 2022-12-42 Ordering County Clerk to Take Tax Deeds of the 2019 Sale
 - 3) Resolution 2022-12-43 Cancellation of County Checks
 - 4) Resolution 2022-12-44 Designation of Public Depositories
 - 5) Resolution 2022-12-45 Approve the Conveyance of Real Estate to the City of Merrill
 - 6) Resolution 2022-12-46 Approve the Grant of an Easement along the Hiawatha Trail in the Town Of Bradley for Electrical Service to WPS Corporation

- 7) Resolution 2022-12-47 Wisconsin Statewide Mutual Aid Compact (WisMAC) for Local Emergency Management Assistance
- 7) Resolution 2022-12-48 Sanctuary County for Second Amendment Rights
- 8) Resolution 2022-12-49 Resolution Accepting Donation of Osborne Cuddle Bear Books and Plush Bear Sets with an approximate value of \$624.75
- 9) Resolution 2022-12-50 Amendment to the American Rescue Plan Act 2021 Fund Request Process
- 10) Resolution 2022-12-51 Adopting the Reorganization of Highway Positions
- B. Ord 1) Ordinance 2022-12-730 An Ordinance amending the General Code of the County of Lincoln – Chapter 17, 17.2.03, Zoning Ordinance as a result of a Rezoning Petition by Victoria and Ronald Forster for property in the Town of Russell.
- 2) Ordinance 2022-12-731 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 Andrew Wiskerchen for property in the Town of Merrill.
- 3) Ordinance 2022-12-732 An Ordinance amending the General Code of the County of Lincoln Chapter 17 – Specifically 17.3.09(1A), (1B) and 17.2.100 Relating to the Permitting and Conditional Permitting of Accessory Structures that are Greater than 2,000 SQFT in size.

11. Report of Claims – None

12. Approval for Mileage and Per Diem for Board Meeting

13. Next County Board Meeting Date: Tuesday, January 17, 2023, 6:00 P.M. Meeting Location: Lincoln County Service Center, 801 N Sales Street, Room 257, Merrill, WI 54452

14. 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.