

# LINCOLN COUNTY BOARD OF SUPERVISORS

Monday February 19, 2024 - 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 approximately 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>

## AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Announcements/Appointments/Awards/ Recognitions
  - A. Announcements-Revised 2024 County Board Meeting Schedule
    1. Discussion location for March meeting.
  - B. Appointments
  - C. Awards – None
  - D. Service Recognitions: February
    - 10 years – Heather Marheine, Highway Accountant
5. Approval of the Minutes
  - A. January 16, 2024
6. Letters and Memorials
  - A. Letters - None
  - B. Memorials
7. Reports of Standing & Special Committees
  - A. Finance & Insurance Committee: 2023 Year-to-Date Budget Report – Finance Director (Samantha Fenske)
  - B. Solid Waste Financial Presentation and Possible Action – Finance Director (Samantha Fenske)
8. Public Comment (Please see our Public Comment Guidelines on page 2)
9. Resolutions and Ordinances
  - A. Res
    - 1) Res 2024-01-05 – Authorizing the Issuance & Establishing Parameters for the Sale of Not to Exceed \$4,000,000 General Obligation Promissory
    - 2) Res 2024-02-06 – Authorize Earmarked ARPA Funding to Support the Towns of Harrison and Skanawan
    - 3) Res 2024-02-07 – 1<sup>st</sup> Amendment to Nursing Home Management Agreement
    - 4) Res 2024-02-08 – Authorizing Solid Waste Employees to Receive Annual Stipend for Personal Protection Equipment
    - 5) Res 2024-02-09 – Approval of Asset Purchase Agreement between Lincoln County and Merrill Campus, LLC & Senior Management, Inc.
    - 6) Res 2024-02-10 – Approve the 2022 Lincoln County Forest Annual Report and Add to Chapter 2000 of the 15-Year Lincoln County Forest Comprehensive Land Use Plan
    - 7) Res 2024-02-11 – Accepting \$2,000 from Tug Lake District to Assist with Improvements at Tug Lake County Park
  - B. Ord
    - 1) Ord 2024-02-751-Board of Adjustment Duties & Responsibilities Chapter 17, section 17.8.12
    - 2) Ord 2024-02-752-Board of Adjustment Variance Review & Approval Procedure, Chapter 17, section 17.8-60
    - 3) Ord 2024-02-753 Board of Adjustment Appeals of Zoning Interpretations, Chapter 17, sections 17.8-30 and 17.8.65

- 4) Ord 2024-02-754 Amend the Appendix per Section 20.1.5 of the Lincoln County Floodplain Ordinance
- 5) Ord 2024-02-755 Chapter 17-Zoning Ordinance-Land Use Descriptions & Standards-Rural Land Uses 17.3-02
- 6) Ord 2024-02-756 Chapter 17- Zoning Ordinance-Land Use Descriptions & Standards-Residential Land Uses 17.3-03
- 7) Ord 2024-02-757 Chapter 17-Zoning Ordinance-Land Use Descriptions & Standards-Commercial Land Uses 17.3-04
- 8) Ord 2024-02-758- Chapter 17-Zoning Ordinance-Land Use Descriptions & Standards-Institutional & Recreational Land Uses 17.3-05
- 9) Ord 2024-02-759-Chapter 17-Zoning Ordinance-Land Use Descriptions & Standards- Industrial Land Uses 17.3.08
- 10) Ord 2024-02-760-Chapter 17-Zoning Ordinance-Land Use Descriptions & Standards- Accessory Land Uses 17.3-09
- 11) Ord 2024-02-761 Traffic and Vehicle Code, Chapter 7, section 7.03

10. Report of Claims – None

11. Approval for Mileage and Per Diem for Board Meeting

12. Next County Board Meeting Date: Tuesday, March 19, 2024, 6:00 P.M. Meeting Location: Lincoln County Service Center, 801 N Sales Street, Room 257, Merrill, WI 54452

13. Adjourn

Posted: Date \_\_\_\_\_ Time \_\_\_\_\_ 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.*

**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 on this agenda. All public participants' phones, microphones and chat dialog boxes must 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 Board Chair, 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

**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.