

# LINCOLN COUNTY BOARD OF SUPERVISORS

Tuesday, May 19, 2020 - 9:00 a.m.

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

Persons wishing to attend the meeting by phone may call into the telephone conference beginning ten minutes prior to the start time indicated above using the following number:

Conference Call: 1-339-970-8316

Access Code: 995 457 524#

Meeting ID: <https://meet.google.com/rzu-tsmv-nvj?hs=122&authuser=0>

Due to COVID-19 restrictions on mass gatherings, you are encouraged to attend by phone. Preference for in-person attendance will be given to County Board members and essential staff.

For those attending in person, please observe social-distancing by staggering your arrival time and by maintaining spacing between attendees of at least 6 feet. Attendees should spread out around the perimeter of the room.

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.

*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.*

## AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Election of County Board Chair and Vice Chair – NOTE - Lincoln Co Code sec. 2.03(1) specifies that the chair and vice chair be elected by secret ballot by majority vote. Per Administrative & Legislative Committee action on 5/4/20, you are advised that a motion to suspend this rule will be offered at this meeting in substantially the form as recited below which would authorize supervisors appearing by phone to vote by roll call rather than secret ballot. The motion to suspend this rule must pass by a 2/3 vote.  
“Motion to suspend sec. 2.03(1), Lincoln Co Code to allow for supervisors attending this meeting by telephone to vote for chair and vice chair by roll call rather than secret ballot.”
5. Hold Elections for Elective Committees:
  - A. Administrative & Legislative Committee
  - B. Highway Committee
  - C. Social Services Committee
6. Appoint a Nominating Committee and Set Time for Appointing Committees
7. Recess for Nominating Committee to Make Appointments to Committees
8. Reconvene (not earlier than 11:00 A.M.)
9. Board Ratification of Committee Appointments
10. Reading & Approval of the Journal – April 21, 2020
11. Reports of Standing & Special Committees
  - A. Board of Health: Public Health Officer COVID-19 Pandemic Update (Shelley Hersil)
  - B. Administrative & Legislative Committee: Administrative Coordinator’s COVID-19 Update (Jason Hake)
12. Approval for Mileage and Per Diem for Board Meeting
13. Next County Board Meeting Date: Tuesday, June 16, 6:00 p.m., Meeting Location: Lincoln County Service Center, 801 N Sales Street, Room 257, Merrill, WI 54452
14. Adjourn

Posted:      Date \_\_\_\_\_ Time \_\_\_\_\_ m.      By \_\_\_\_\_

#### 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.

Lincoln County Board of Supervisors  
Meeting: April 21, 2020

The Lincoln County Board of Supervisors met at the Lincoln County Service Center, 801 N Sales Street, Room 257, Merrill, WI in session assembled pursuant to law. Chair Lee called the meeting to order at 9:00 a.m. Roll was called with the following present: Allen, Ashbeck, Bialecki, Breitenmoser, Callahan, Friske, Gilk, Gorski, Hafeman, Heller, Koth, Lee, Loka, McCrank, Peterson, Panfil, Ratliff, Rusch, Simon, Voermans, Weaver and Wendt. (22)

3. Clerk Marlowe administered the Oath of Office.
4. Reading & Approval of the Board Minutes – February 18, 2020 and April 3, 2020 M/S Heller/Bialecki to approve the February 18, 2020 and April 3, 2020 minutes as presented. Motion carried by a voice vote.
5. Reports of Standing & Special Committees:
  - A. Board of Health: Public Health Officer’s COVID-19 Update – Health Officer (Shelley Hersil) Ms. Hersil gave an update on COVID-19 in Lincoln County. As of 4/20/20 there are no reported cases in Lincoln County. Ms. Hersil then answered questions.
  - B. Administrative & Legislative Committee: Administrative Coordinator’s COVID-19 Situation Report (county operations impacts) - (Jason Hake) Mr. Hake gave an overview of the Administrative & Legislative Committee’s actions regarding the county’s staffing and work from home options.
6. Resolutions and Ordinances

A. 1) Resolution 2020-04-13

County Board Organization During Public Health Emergency and Safer-at-Home Order

**WHEREAS**, in March, 2020, Gov. Evers declared a public health emergency (Ex Order #72) and WI-DHS Secretary Palm issued a Safer-at-Home Order (Em Order #12) in an attempt to mitigate against the spread of COVID-19 in Wisconsin; and

**WHEREAS**, on 4/3/20, the County Board ratified the Lincoln County Declaration of Public Health Emergency (Chair Lee, 3/21/20) authorizing “whatever is necessary and expedient for the health, safety, protection, and welfare of persons and property within Lincoln County in the emergency”; and

**WHEREAS**, the stay-at-home order, while exempting essential activities including government functions, has limited citizens’ ability to participate in person in public meetings; and

**WHEREAS**, many County Board supervisors are self-quarantining under the stay-at-home recommendations contained in the order; and

**WHEREAS**, the Administrative & Legislative Committee weighed the health risks and the limits on public participation associated with holding an in-person County Board Organizational Meeting and concludes that doing so would not be prudent under the current physical distancing recommendations by public health officials and the Safer at Home Order; and

**WHEREAS**, the terms of the twenty-two elected Supervisors serving on the Lincoln County Board will begin on 4/21/20; however, *until such time as an in-person Organizational Meeting can prudently be held*, the Administrative & Legislative Committee recommends as follows:

- That on an interim basis, that Robert Lee and Robert Weaver continue to serve as Chair and Vice-chair (respectively); and
- That on an interim basis, that all members continue to serve on the same committees as they held during the 2018-2020 term; and
- That on an interim basis, that newly-elected members serve on the same committees as their predecessors held during the 2018-2020 term;
- That the adjourned Organizational Meeting shall be convened at the call of the Chair as soon as practicable after Safer-at-Home Orders are lifted and a meeting can be scheduled.

**NOW THEREFORE, BE IT RESOLVED**, by the Lincoln County Board of Supervisors hereby adopts the recommendations of the Administrative & Legislative Committee.

Dated this 21st day of April, 2020.

Introduced by: Administrative & Legislative Committee Passed 7 – 0 on 4/6/20 Fiscal Impact: none

M/S Heller/Bialecki to adopt Resolution 2020-04-13. Discussion followed. Motion carried by a voice vote.

