

# LINCOLN COUNTY BOARD OF SUPERVISORS

Tuesday, August 16, 2022 - 6:00 p.m.

Meeting Location: Lincoln County Service Center, County Board Room, 801 N. Sales St., Room 257, Merrill, WI  
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?hs=122&authuser=0>

**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.

**Public Comment on 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.

## \*AMENDED AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Announcements/Recognitions/Awards/ Appointments
  - A. Announcements: None
  - B. Service Recognitions: August 2022  
15 Years: Jason Wichman, Highway Department
  - C. Appointments & Re-Appointments:
    - 1) Appoint Michael Caylor to the Local Emergency Planning Committee (LEPC) (Indefinite Term)
    - 2) Appoint Rick Burns to the Local Emergency Planning Committee (LEPC) (Indefinite Term)
    - 3) Appoint Cheryl Skoug to the Local Emergency Planning Committee (LEPC) (Indefinite Term)
5. Approval of the Journal – July 19, 2022
6. Letters, Petitions and Memorials
  - A. Letters – None
  - B. Memorials - None
7. Reports of Standing & Special Committees
  - A. Lincoln County Economic Development Presentation – Economic Development Director (Bill Bialecki)
  - B. Finance Committee: 2022 Year-To-Date Budget Report – Finance Director (Dan Leydet)
  - C. Finance Committee: 2023 Budget Process – Finance Director (Dan Leydet)
  - D. Broadband Committee: Broadband Committee Update - Committee Chair (Calvin Callahan)
  - E. County Board: November Meeting Discussion - Board Chair (Don Friske)
8. Resolutions and Ordinances
  - A. Res
    - 1) Resolution 2022-08-25 Approving Conveyance of Real Estate
    - 2) Resolution 2022-08-26 Authorizing Lincoln County to submit grant applications to participate in the Wisconsin Department of Natural Resources ATV/UTV Aids Program
    - 3) Resolution 2022-08-27 Authorizing Lincoln County to submit grant applications to participate in the Wisconsin Department of Natural Resources Snowmobile Aids Program
    - \*4) Resolution 2022-08-28 Resolution for Lincoln County to Record County Board and Committee Meetings and Make the Recordings Available to the Public
  - B. Ord
    - 1) Ordinance 2022-08-724 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 Tri-Hi Transportation Inc. (Representative: Eric Lokemoen) for property in the Town of Merrill

- 2) Ordinance 2022-08-725 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 Shawn Romatoski for property in the Town of Merrill
- 3) Ordinance 2022-08-726 An Ordinance Amending the General Code of the County of Lincoln – Chapter 17 – Zoning Code Amendment of Official Zoning Map (Rezoning) – Town Action

9. Report of Claims - None

10. Approval for Mileage and Per Diem for Board Meeting

11. Next County Board Meeting Date: Tuesday, September 20, 2022, 6:00 p.m., Meeting Location: Lincoln County Service Center, 801 N Sales Street, Room 257, Merrill, WI 54452

12. Adjourn

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

Posted On: Date \_\_\_\_\_ Time \_\_\_\_\_ a.m./p.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 SEESIONS 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, nay 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.

<b>Motion By:</b>
<b>Second By:</b>

Resolution for Lincoln County to Record County Board and Committee Meetings and Make the Recordings Available to the Public

WHEREAS, the Lincoln County Board of Supervisors wants to become more transparent; and

WHEREAS, the technology is present to record and publish recorded meetings on the Lincoln County website; and

WHEREAS, recording Committee and County Board meetings and making the recordings available to the public would enhance the transparency of the County Board and its Committees by allowing members of the public to watch past recorded meetings that they were unable to attend in person or online; and

WHEREAS, there will not be a financial impact to the County or its budget in carrying out such actions; and

WHEREAS, it is clear that the Lincoln County Board of Supervisors representing our constituents must act.

NOW, THEREFORE BE IT RESOLVED, the Lincoln County Board of Supervisors hereby resolves that the Lincoln County Information and Technology Department shall set up recording of open session Committee and Board meetings held at the Lincoln County Service center, and that such recorded meetings shall be available to the public on the home page of the Lincoln County website;

NOW, THEREFORE BE IT FURTHER RESOLVED, that every effort shall be made to record all Committee and County Board meetings, however if there is an error or technical difficulty in recording any meeting, the meeting shall continue and may not be available to the public as desired. Meetings held outside of the Lincoln County Service Center may not be able to be recorded.

BE IT FURTHER RESOLVED, that E-Alerts shall be available and an option on the Lincoln County website for public meetings of the County Board and its Committees.

Dist.	Supervisor	Y	N	Abs
1	Bialecki			
2	Anderson-Malm			
3	McCrank			
4	Osness			
5	Peterson			
6	Ashbeck			
7	Rusch			
8	Thiel			
9	Friske			
10	Boyd			
11	Detert			
12	DePasse			
13	Callahan			
14	Hafeman			
15	Lemke			
16	Loka			
17	Brixius			
18	Wickham			
19	Allen			
20	Cummings			
21	Simon			
22	Hartwig			
<b>Totals</b>				
Carried				
Defeated				
Amended				
Voice vote				
Roll call				

STATE OF WISCONSIN )  
 ) SS  
 COUNTY OF LINCOLN )

I hereby certify that this resolution/ordinance is a true and correct copy of a resolution/ordinance adopted by the Lincoln County Board of Supervisors on:

\_\_\_\_\_  
 Christopher J. Marlowe  
 Lincoln County Clerk

Dated: August 16, 2022

Authored by: Greg Hartwig, Supervisor, District 22  
 Co-Sponsored by: Angela Cummings, Supervisor, District 20  
 Committee: Administrative & Legislative  
 Committee Vote: 5-0  
 Fiscal Impact: None

Date Passed: 8/3/2022

Drafted by: Greg Hartwig, Supervisor, District 22