

**LINCOLN COUNTY  
HIGHWAY COMMITTEE  
April 8, 2024 at 4:00 p.m.**

**AMENDED AGENDA**

Meeting Location: Room 247 - Government Services Center 801 N. Sales St., Merrill, WI 54452  
Via Teleconference and In-Person Attendance

**Electronic Attendance Available:** The teleconference cannot start until the host 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. 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:

Meeting ID: [meet.google.com/snw-pcxy-osa](https://meet.google.com/snw-pcxy-osa)

Phone Numbers: 1-304-769-9204

PIN: 841 056 847#

**Please Note:** Closed Session will only include those Committee Members that are attending in person. The teleconference cannot start until the host 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.

1. Call Meeting to Order
2. Public Comment
3. Approve Minutes from Previous Meetings
4. Set Future Meeting(s)
5. Claims - General Services
6. Financial Report
7. Service Recognition – Heather Marheine for 15 Years’ of Service Recognition and Burl Byer for 30 Years’ of Service
8. Snowmobile Route – CTH C from CTH K west to the Railroad Tracks
9. Discussion on Salt Purchases and Usage for Winter
10. Approve and Sign Commissioner’s Timesheets and Travel Expenses
11. Highway Employees
  - a. Openings and New Hires
  - b. Summer Help
12. Commissioner’s Report on Highway Operations and Superintendents Monthly Progress Report
  - a. Upcoming Request for Proposals
  - b. Advanced Weighing Systems – Update software
  - c. Corporation Counsel Opinion on CTH A weight limits
  - d. Weight Limits
13. Items for Next Meeting Agenda
14. Consider motion to go into Closed Session pursuant to sec. 19.85(1)(b), Wis. Stats. for the purpose of considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person, or considering the grant or denial of tenure for a university faculty member, and the taking of formal action on any such matter; provided that the faculty member or other public employee or person licensed 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 may be taken. The notice shall contain a statement that the person has the right to demand that the evidentiary hearing or meeting be held in open session. This paragraph and par. (f) do not apply to any such evidentiary hearing or meeting where the employee or person licensed requests that an open session be held and sec. 19.85(1)(c), Wis. Stats. considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, to wit: Review of Highway Commissioner’s Conduct and Performance and review of evidence related to same. (NOTE: the Committee will not conduct a full due process hearing

in closed session. The Highway Commissioner shall be provided the opportunity to demand the Committee not convene in closed session.)

15. Reconvene to Open Session immediately following closed session, if any
16. Consider motion to go into Closed Session pursuant to sec. 19.85(1)(a), Wis. Stats. for purpose of deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before the Committee, to wit: to deliberate and potentially reach a decision on a recommendation to the full County Board concerning the discipline, up to and including termination, of the Highway Commissioner.
17. Take necessary action, if any, on matters discussed in closed session
18. Adjourn

**DISTRIBUTION:**

Committee Members – Gene Simon, Jesse Boyd, Randy Detert, Bill Bialecki, Ken Wickham, Other County Supervisors, Department Heads, and Local Media  
Posted on \_\_\_\_\_ at \_\_\_\_\_ .m. by \_\_\_\_\_

**Requests for reasonable accommodations for disabilities or limitations should be made prior to the date of this meeting. Please contact the county clerk, at 715-539-1019 or [chris.marlowe@co.lincoln.wi.us](mailto:chris.marlowe@co.lincoln.wi.us), as early as possible so that proper arrangements can be made. Requests are kept confidential. There may be a quorum of other Lincoln County committees present at this meeting.**

**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. Confering 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.