



# MARATHON COUNTY PUBLIC SAFETY COMMITTEE AGENDA **AMENDED**

Date & Time of Meeting: **Tuesday, Month Day, 2024 at 1:30pm**

Meeting Location: **Courthouse Assembly Room, Courthouse, 500 Forest Street, Wausau WI 54403**

Committee Members: Brent Jacobson, Chair; Jean Maszk, Vice-Chair; Deb Hoppa, Al Opall, Tim Sondelski  
Jason Wilhelm, Yee Leng Xiong

**Marathon County Mission Statement:** Marathon County Government serves people by leading, coordinating, and providing county, regional, and statewide initiatives. It directly or in cooperation with other public and private partners provides services and creates opportunities that make Marathon County and the surrounding area a preferred place to live, work, visit, and do business. (Last updated: 12-20-05)

**Committee Mission Statement:** Provide leadership for the implementation of the Strategic Plan, monitoring outcomes, reviewing, and recommending to the County Board policies related to the public safety initiatives of Marathon County.

Persons wishing to attend the meeting by phone may call into the **telephone conference beginning five (5) minutes prior to the start time indicated above using the following number:**

**Phone#: 1-408-418-9388      Access Code: 146 235 4571**

When you enter the telephone conference, **PLEASE PUT YOUR PHONE ON MUTE!**

The meeting will also be broadcasted on Public Access or at <https://tinyurl.com/MarathonCountyBoard>

1. **Call Meeting to Order**
2. **Pledge of Allegiance**
3. **Public Comment (15 Minutes)** (Any person who wishes to address the committee during the "Public Comment" portion of the meetings, must provide his or her name, address, and the topic he or she wishes to present to the Marathon County Clerk, or chair of the committee, no later than five minutes before the start of the meeting. All comments must be germane to a topic within the jurisdiction of the committee.)
4. **Approval of the Month Day, 2024, Public Safety Committee Meeting Minutes**
5. **Policy Issues Discussion and Potential Committee Determination**
  - A. Discussion regarding 2025 Annual Budget Development and policy recommendations from the committee, including Review of the Mandatory / Discretionary Program document and discussion of Rates and Fees
6. **Operational Functions Required by Statute, Ordinance, Resolution, or Policy**
  - A. Discussion and Possible Action by PUBS
  - B. Discussion and Possible Action by PUBS to Forward to County Board for Consideration
    1. Abolish 1 FTE DA's Investigator and create 1 FTE Deputy Sheriff position within the Sheriff's office by way of an Interagency Agreement between the District Attorney's Office and Sheriff's Office
7. **Educational Presentations and Committee Discussion**
  - A. Update from DA's Office on Deflection / Diversion Grant applications
  - B. Marathon County Assemblies Ordinance (12.04): Review of Draft Update**
8. **Next Meeting Date & Time, Announcements and Future Agenda Items:**
  - A. Committee members are asked to bring ideas for future discussion.
  - B. Next meeting: Tuesday, Month Day, 2024 at 1:30pm
9. **Adjournment**

\*Any Person planning to attend this meeting who needs some type of special accommodation in order to participate should call the County Clerk's Office at 261.1500 or email [countyclerk@co.marathon.wi.us](mailto:countyclerk@co.marathon.wi.us) one business day before the meeting.

**SIGNED** \_\_\_\_\_ s/s Brent Jacobson  
Presiding Officer or Designee

EMAILED TO: Wausau Daily Herald, City Pages, and other Media Groups

EMAILED BY: \_\_\_\_\_

DATE & TIME: \_\_\_\_\_

**NOTICE POSTED AT THE COURTHOUSE**

BY: \_\_\_\_\_

DATE & TIME: \_\_\_\_\_



# MARATHON COUNTY PUBLIC SAFETY COMMITTEE AGENDA WITH MINUTES

Date & Time of Meeting: **Tuesday, June 11, 2024 at 1:30pm**

Meeting Location: **Courthouse Assembly Room, Courthouse, 500 Forest Street, Wausau WI 54403**

|                |         |
|----------------|---------|
| Brent Jacobson | Present |
| Jean Maszk     | Present |
| Deb Hoppa      | Present |
| Al Opall       | Absent  |
| Tim Sondelski  | Present |
| Jason Wilhelm  | Excused |
| Yee Leng Xiong | WebEx   |

Staff Present: Chad Billeb, William Millhausen, Tim Burkholder, Sandra La Du, Phil Rentmeester, Kelly Schremp, Theresa Wetzsteon, Kyle Mayo, Michael Puerner, Lance Leonhard, David Holcomb

Others Present:

## Meeting Recording

1. **Call Meeting to Order** – Chair Jacobson called the meeting to order at 1:30pm
2. **Pledge of Allegiance**
3. **Public Comment** - None
4. **Approval of the May 7, 2024, Public Safety Committee Meeting Minutes** – (00:01)  
Motion by Maszk, Second by Hoppa to approve the minutes. Motion carried on voice vote, unanimously.
5. **Policy Issues Discussion and Potential Committee Determination** – None
6. **Operational Functions Required by Statute, Ordinance, Resolution, or Policy** – None
7. **Educational Presentations and Committee Discussion**
  - A. Introduction of Departments and Entities that often appear before the Committee
    1. Update from Emergency Management – (00:01)
  - B. Brief Overview of Significant Discussion and Action Items from last term – (00:10)
  - C. Discussion regarding Potential Areas of Committee Focus during this term – (00:18)
  - D. 2024 First Quarter Budget to Actual update for Justice System-related departments – (00:22)
8. **Next Meeting Date & Time, Announcements and Future Agenda Items**
  - A. Committee members are asked to bring ideas for future discussion.
  - B. Next meeting: Tuesday, July 9, 2024 at 1:30pm
9. **Adjournment**  
Motioned by Maszk, Second by Hoppa to adjourn. Motion Carried on voice vote, unanimously.  
Meeting adjourned at 1:57pm

Minutes Prepared by David Holcomb



# MANDATED SERVICES REVIEW – 2025 Budget Prep

## TABLE OF CONTENTS

|   |    |
|---|----|
| Clerk of Court  | 3  |
| Medical Examiner  | 5  |
| District Attorney                                       | 6  |
| Corporation Counsel                                     | 8  |
| Administration  | 10 |
| County Clerk  | 13 |
| Human Resources   | 15 |
| City-County Information Technology                      | 17 |
| Finance   | 18 |
| County Treasurer  | 19 |
| Facilities & Capital Management                         | 21 |
| Register of Deeds                                       | 23 |
| Health Department                                       | 24 |
| Social Services   | 27 |
| Sheriff's Office  | 30 |
| Highway   | 32 |
| Emergency Management                                    | 34 |
| Conservation, Planning & Zoning                         | 36 |
| Parks, Recreation & Forestry                            | 40 |
| UW-Madison, Division of Extension                       | 41 |
| Veterans Service Office                                 | 42 |
| Central Wisconsin Airport                               | 43 |
| Library   | 44 |
| Aging & Disability Resource Center of Central Wisconsin | 45 |
| North Central Health Care Center                        | 46 |
| Solid Waste   | 49 |

| Service Area                                | Mandated (Yes/No) | Statutory Authority  |
|---|-------------------|--|
| Specific Staffing Levels within Departments | No, generally.    | <p>Wis. Stat. § 59.22, provides that “the board <b><i>may</i></b> . . . establish the number of employees in any department or office including deputies to elective officers.”</p> <p>Annually, within the budget, the Board of Supervisors is presented with the full-time equivalent summary by department.</p> |

| <b>CLERK OF COURT</b>   |                          |   |
|---|--------------------------|---|
| <b>Service</b>  | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b>                                      |
| Case filing/docket/minutes  | Yes                      | Wis. Stat. § 59.40(2) & 799.10 and Supreme Court Rules          |
| Judgment & lien docket  | Yes                      | Wis. Stat. § 59.40(2) & Ch. 779 and 806 and Supreme Court Rules |
| Collect payments & filing fees  | Yes                      | Wis. Stat. § 59.40(2), 799.25 & Ch. 814 and Supreme Court Rules |
| Jury management   | Yes                      | Wis. Stat. § 59.40(2) & Ch. 756 and Supreme Court Rules         |
| Appeals   | Yes                      | Wis. Stat. Ch. 808 and Supreme Court Rules                      |
| Appoint and revoke deputy clerks  | Yes                      | Wis. Stat. § 59.40(1)(a) and Supreme Court Rules                |
| Provide public with information regarding the Circuit Court's small claims system                 | Yes                      | Wis. Stat. § 799.09 and Supreme Court Rules                     |
| Retention and Maintenance of Court Records  | Yes                      | Supreme Court Rule 72   |
| <b>PROBATE and JUVENILE SPECIFIC</b>  |                          |   |
| Register in Probate can act as the Clerk of Juvenile Court  | Yes                      | Wis. Stat. § 851.72(7), § 48.04                                 |
| Case file management, docket, keep minutes: probate files   | Yes                      | Wis. Stat. § 851.72; Chps 851-879                               |
| Case file management, docket, keep minutes: emergency detention, guardianship, and juvenile files | Yes                      | Wis. Stat. Ch. 51, 53-55, Ch. 48 & 938                          |
| Collect filing and other fees   | Yes                      | Wis. Stat. § 814.66   |
| Appeals   | Yes                      | Wis. Stat. Ch. 808  |
| <b>MISCELLANEOUS</b>  |                          |   |

|  |     |  |
|--|-----|--|
| Counties have circuit court judges and court commissioners; all perform statutory / constitutionally mandated circuit court functions. | Yes | Wis. Stat. Chps. 753, 757; Supreme Court Rules |
|--|-----|--|

|   |
|---|
| <p>Additional information:</p> <ul style="list-style-type: none"> <li>- § 753.30 enumerates the Clerk of Circuit Court powers.</li> <li>- Additional information: Other statutory duties include: procuring, scheduling and paying interpreters; witnesses; marking, storing and retention of exhibits and mandatory reporting to the State for: interpreter reimbursement, juvenile legal fees, US Attorney billings, unclaimed funds, jury evaluation report and annual report of costs.</li> <li>- The positions of Clerk of Circuit Court and one deputy are mandated.</li> <li>- Court Mediation Programming – as part of the 2020 Annual Budget, the Board of Supervisors provided funding for a mediation program via Wisconsin Judicare. Additional information on the program is available here <a href="https://www.marathoncounty.gov/home/showpublisheddocument/10848/638372899066100000">https://www.marathoncounty.gov/home/showpublisheddocument/10848/638372899066100000</a></li> </ul> |
|---|

**MEDICAL EXAMINER**

| <b>Service</b>  | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b>                                      |
|---|--------------------------|---|
| Reporting Death   | Yes                      | Wis. Stats. § 979.01<br>Wis. Adm. Code DHS 135.09               |
| Determine cause and manner of death, death certificate signing  | Yes                      | Wis. Stats. § 59.34, 69.18, 979.03<br>Wis. Adm. Code DHS 135.09 |
| Issue cremation and disinterment permits.   | Yes                      | Wis. Stat. § 59.34, 69.18(4)<br>Wis. Adm. Code DHS 135.09       |
| Subpoena documents  | Yes                      | Wis. Stat. § 979.015  |
| Burial of bodies (homeless or no one claims body)   | Yes                      | Wis. Stat. § 979.09   |
| Reporting deaths of public health concerns  | Yes                      | Wis. Stat. § 979.012  |
| Order autopsy   | Yes                      | Wis. Stat. § 979.02, 025, 03                                    |
| Reporting deaths of public health concern   | Yes                      | WIS 979.012   |
| Autopsy of correctional inmate  | Yes                      | 979.025   |
| Autopsy for SIDS  | Yes                      | 979.03  |
| Inquests  | Yes                      | 979.05  |
| Death Review Team (e.g., Suicide, Overdose) participation and leadership, Community & Partner training and consultation | No                       |   |
| Mass Fatality Planning and HERC participation   | No                       |   |
| Family grief support program and services   | No                       |   |

Additional information:

- Counties may operate under a Coroner (elected) or Medical Examiner (appointed) system. In addition to those outlined above, applicable statutes include §§ 59.34 and .38.
- Upon adoption of a professionally-led (i.e., by a forensic pathologist) office, additional services will be directly performed. This list will be update as part of the 2026 budget development process, based on the transition.

| <b>DISTRICT ATTORNEY/VICTIM WITNESS</b>   |                          |  |
|---|--------------------------|--|
| <b>Service</b>  | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b>   |
| Prosecution of Crimes – (all aspects, including related procedures such as John Doe, Inquests)                              | Yes                      | Wis. Stat. Chs. 950, 967, 978.05(3)  |
| Diversion Activities  | No                       |  |
| Treatment Court participation   | No                       |  |
| Summer Internship Program   | No                       |  |
| Community Partner Education (e.g., presentations to local schools on consent, sexting, etc.)                                | No                       |  |
| <b>VICTIM WITNESS ACTIVITIES</b>  |                          |  |
| County is responsible for providing services to victims and witnesses   | Yes                      | Wis. Stat. § 950.055<br><u>Wisconsin Constitution</u><br><u>Art I Sec 9m</u> |
| Assistance to Victims and Witnesses of Adult and Juvenile Criminal Acts as Listed in Basic Bill of Rights for Crime Victims | Yes                      | Wis. Stat. § 950.04<br><u>Wisconsin Constitution</u><br><u>Art I Sec 9m</u>  |
| Court Notification  | Yes                      | Wis. Stat. § 950.04<br><u>Wisconsin Constitution</u><br><u>Art I Sec 9m</u>  |
| Escort and Court Support  | Yes                      | Wis. Stat. § 950.04  |



|   |     |   |
|---|-----|---|
| Employee Intercession   | Yes | Wis. Stat. § 950.04   |
| Restitution Information   | Yes | Wis. Stat. § 950.04   |
| Victim Impact Statements  | Yes | Wis. Stat. § 950.04<br><u>Wisconsin Constitution</u><br><u>Art I Sec 9m</u> |
| Appropriate Referrals   | Yes | Wis. Stat. § 950.04   |
| Property Return and Parole Eligibility Notification   | Yes | Wis. Stat. § 950.04<br><u>Wisconsin Constitution</u><br><u>Art I Sec 9m</u> |
| <p>Additional information:</p> <ul style="list-style-type: none"> <li>- District Attorney (state prosecutor) responsibilities are provided in chapter 978, which clarifies that the intergovernmental cooperation envisioned by the statutes does not “limit[ ] the authority of counties to regulate the hiring, employment and supervision or county employees.”</li> <li>- Electronic records retention management is an area of increasing concern given the significant storage costs associated with the volume of records generated during the investigation and prosecution process.</li> <li>- Victim Rights are governed by Wis. Stat. § 950.04(1v); Witness rights are governed by Wis. Stat. § 950.04(2w). <a href="#">Wisconsin Constitution Art I Sec 9m</a></li> <li>- § 950.07 requires intergovernmental cooperation between the county board, district attorney, local law enforcement agencies, social services agencies, victim witness offices and courts to ensure statutes regarding victims and witnesses are complied with.</li> </ul> |     |   |

| <b>CORPORATION COUNSEL</b>   |                                     |   |
|--|-------------------------------------|---|
| <b>Service</b>   | <b>Mandated (Yes/No)</b>            | <b>Statutory Authority</b>  |
| Prosecution of Mental Commitment Proceedings   | Yes                                 | Wis. Stat. § 51.20(4)   |
| Prosecution of Guardianship and Protective Placement Proceedings   | Yes                                 | Wis. Stat. § 55.02(3)   |
| Legal Advice to County Officials, Committees, Boards and Commissions   | Yes                                 | Wis. Stat. § 59.42(1)(c); 19.59(5)  |
| Advise and Assists Treasurer with Foreclosures/Tax Liens   | No                                  | Wis. Stat. § 59.42(1)(c)  |
| Prosecution of Zoning Codes / Septic System Violations / Human Health Hazards / misc. enforcement                | Yes                                 | Wis. Stat. § 59.42(1)(c); 59.69; 254.59; 173.23; 173.24; various ordinances           |
| Represent the County in Civil Actions  | Yes                                 | Wis. Stat. § 59.42(1)(c)  |
| Preparation of Documents for Court Action  | Yes                                 | Wis. Stat. § 59.42(1)(c)  |
| Review/Preparation of Contracts, Agreements & Leases   | No                                  | Wis. Stat. § 59.42(1)(c)  |
| Establishes Paternity, Enforce Child Support Collections and Represent Child Support Agency in Court Proceedings | Yes                                 | Wis. Stat. § 49.22(7) and 59.53(5), (6) & Title IV-D of Federal Social Security Act   |
| Prosecute Child Protection Actions, including minor guardianships  | Yes (County is mandated to perform) | Wis. Stat. § 48.095 requires designation of Corporation Counsel or District Attorney, |

|   |      |   |
|---|------|---|
|   |      | Marathon County has designated Corporation Counsel  |
| Represent Interests of the Public in Termination of Parental Rights Proceedings | Yes  | Wis. Stat. § 48.09  |
| Property Insurance Administration and Claims Management                         | Yes* | Local governments are required to respond to claims; however, insurance is discretionary as provided in § 59.52(11) |
| Liability Insurance Administration & Claims Management                          | No   | Local governments are required to respond to claims; however, insurance is discretionary as provided in § 59.52(11) |

Additional information:

- § 59.42 provides that the Board **may** appoint a corporation counsel. When authorized by the Board, in a county administrator led county, the County Administrator shall have the authority to appoint and supervise the position. If a County Board does not authorize the creation of the position, the board is responsible for designating an attorney to perform the duties provided by law.
- Property Insurance Administration and Claims Management and Liability Insurance Administration & Claims Management were transferred from Human Resources to Corporation Counsel in 2023/2024.

| <b>COUNTY ADMINISTRATOR</b>  |                          |   |
|--|--------------------------|---|
| <b>Service</b>   | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b>                                    |
| Coordinate all functions not vested by law in boards or commissions                                    | Yes*                     | Wis. Stat. §59.18(2)(a)                                       |
| Chief Administrative Officer   | Yes*                     | Wis. Stat. § 59.18(2)   |
| Ensure observation, enforcement, and administration of all state and federal laws and local ordinances | Yes*                     | Wis. Stat. § 59.18(2)   |
| Assist Board in Long-Range (Strategic Planning)  | No                       |   |
| Annual Budget  | Yes*                     | Wis. Stat. §59.18(5)  |
| Annual Workplan  | No*                      | Submission of a workplan is required by existing board rules. |
| Assist Committee Chairs<br>Committee Agenda development  | No                       |   |
| Participate in Economic Development bodies (e.g.,  | No                       | Wis. Stat. § 59.57, provides the board <b>may</b>             |

|  |      |  |
|--|------|--|
| Chamber of Commerce, MCDEVCO)  |      | appropriate money for limited activities.  |
| Appoint Members of Boards and Commissions  | Yes* | Wis. Stat. § 59.18(2)(c)   |
| Appoint and Supervise Department Heads   | Yes* | Wis. Stat. § 59.18(2)(b)   |
| Conduct Performance Evaluations  | No   |  |
| Public Communications Oversight and Coordination   | No   |  |
| Service on Intergovernmental organizations of which Marathon County is a founder/member                | No*  | Participation on NCHC bodies (Executive & Board) and CCITC Board is mandated by respective intergovernmental agreements approved by County Board |
| Internal Communications Oversight and Coordination   | No   |  |
| Performance Data – generation, oversight, reporting, and response coordination                         | No   |  |
| <b>JUSTICE SYSTEMS</b>   |      |  |
| Criminal Justice Collaborating Council staffing support and leadership                                 | No   |  |
| Case Management & Treatment Services Program (coordination and oversight in collaboration with courts) | No   |  |
| Diversion Programs (coordination and contract management)  | No   |  |

|  |    |  |
|--|----|--|
| Treatment courts and Supportive Services (coordination and oversight in collaboration with courts) (e.g., Community Service program, Driving with Care, Domestic Violence SAFE, Risk Assessment, etc.) | No |  |
| Pretrial Assessment and Supervision  | No |  |

Additional information:

\*The County Administrator is not a county-mandated position. There are alternate forms of governance that may be utilized by counties, such as an Administrative Coordinator or County Executive. Marathon County has opted for an Administrator form of governance. Therefore, the County Administrator is required to comply with the requirements of Wis. Stat. § 59.18.

| <b>COUNTY CLERK</b>  |                          |   |
|--|--------------------------|---|
| <b>Service</b>   | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b>                            |
| Administer and oversee all County, State and National elections in conjunction with local municipal clerks.  | Yes                      | Wis. Stat. § 5.05(14), 7.10 Chapters 5 - 12           |
| Provides voter registration services for Marathon County municipalities (requires necessary technology and training)   | Yes                      | Wis. Stat. § 6.28                                     |
| Record and maintain all County Board proceedings and coding of adopted resolutions and ordinances; county administration; planning and zoning authority; claims against the County | Yes                      | Wis. Stat. § 59.23(2)                                 |
| Process marriage licenses and issue marriage certificates  | Yes                      | Wis. Stat. § 765.05, 765.15, 765.12                   |
| Issue domestic partnership terminations  | Yes                      | Wis. Stat. § 770.07(2)                                |
| Maintain dog license records; process dog damage claims and issue dog tags to local treasurers   | Yes                      | Wis. Stat. § 174.07(1)(c), 174.07(2)(b), 174.11(2)(b) |

|   |        |  |
|---|--------|--|
| Issue Permits for Timber Harvest of Raw Forest Products   | Yes    | Wis. Stat. § 26.03   |
| File Probate Claim Notices  | Yes    | Wis. Stat. § 859.07(2)   |
| Legal custodian of the County's Code of Ordinances  | Yes    | Wis. Stat. § 66.0103   |
| Tax Deeds – coordinate sales, notices   | Yes    | Wis. Stat. Chapters 75 – 77  |
| Resignations, Vacancies, and Removals from Office   | Yes    | Wis. Stat. § 17.01(5), 17.01(13)(b)  |
| Oaths and Bonds, Public Records and Property  | Yes    | Wis. Stats. § 19.21(1)   |
| Publication of Legal Notices  | Yes    | Wis. Stats. Chapter 985  |
| Prepare and maintain annual budget for County Board and Assembly Room   | No     |  |
| Compile official County Directory which includes County Departments and staff, County Board Supervisors and Committees, Federal, State, and local officials | Yes/No | Municipal Officers to provide to clerk (responsible to send to Secretary of State) per Wis. Stat. § 59.23(2)(s)  |
| Serve as agent for the U.S. Department of State in processing passport applications   | No     | Wis. Stat. § 69.30(2m) allows either a County Clerk or Clerk of Court to copy certified copies of birth certificates for the purpose of processing passport applications |
| Provide internal and public notary services   | No     |  |
| Issue Direct Seller Permits   | No     | Issuance of direct seller permits is governed by Section 12.05 of Marathon County's General Code, which places the Clerk in charge of issuance.                          |
| Process in and outgoing mail, maintain postage meter  | No     |  |



Additional information:

- § 59.23 provides that the positions of County Clerk and one deputy are mandated, as well as an annual salary for the Clerk. Deputy salary is nonmandated, as well as assistants to the Clerk. If, however, an assistant(s) is/are authorized by the Board, the State mandates the provision of a salary.

**HUMAN RESOURCES**

| <b>Service</b>   | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b>   |
|--|--------------------------|--|
| Collective Bargaining and Labor Negotiations Administration*   | Yes*                     | Wis. Stat. § 111.70  |
| Coordination of Recruitment and selection of employees to comply with applicable federal and state requirements.                         | Yes*                     | See e.g. Wis. Stat. §§ 111.322, 111.33, 111.335, 111.36  |
| Coordination and administration of employee benefits, such as: Health Insurance plan, Wellness Program and Initiatives, Open Enrollment, | No                       | Insurance is discretionary as provided in § 59.52(11)  |
| Coordination and management of all applicable health insurance laws and notification requirements (HIPAA, COBRA)                         | Yes*                     | 26 CFR § 54.4980B  |
| Advise Department Heads, Division Managers, and Program Supervisors on human resources issues  | No                       |  |
| Employee Safety and Health & Loss Control  | Yes* (level of service)  | Local governments are required to respond to claims; however, insurance is discretionary as provided in § 59.52(11); see |

|  |                   |  |
|--|-------------------|--|
|  |                   | <i>also</i> Wis. Stat. § 101.055; Wis. Admin. Code Chapters SPS 361, 362   |
| Job classification system management   | No, but 59.52(10) | § 59.52(10) requires salaries to be paid.  |
| Performance Review Management  | No                |  |
| Administer applicable programs (e.g., ADA, EAP, FMLA, Civil Rights Compliance and Equal Opportunity) in accordance with state and federal laws | Yes*              | 42 U.S.C. §§ 12101 - 12213; 14 CFR § 120.115; 29 CFR Part 825; 42 U.S.C. § 2000e; 29 U.S.C. § 206(d); 29 U.S.C. § 621; 42 U.S.C. § 1981                                    |
| Custodian of personnel records*  | Yes               | Wis. Stat. § 19.21   |
| Training of employees  | Yes/No            | State and Federal laws do have specific training (initial/ongoing) requirements for various positions; however, general employee training and development is not mandated. |
| IDEAS Academy training delivery and coordination (continuous improvement)  | No                |  |

Additional information:

\* The requirements set forth in federal and state law pertaining to the human resource functions are not statutory requirements of the Human Resources Department, but rather counties in general. In Marathon County, Human Resources performs these functions.

| <b>CITY-COUNTY INFORMATION TECHNOLOGY</b>                                       |                          |                            |
|---|--------------------------|----------------------------|
| <b>Service</b>  | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b> |
| Hardware and Software procurement coordination and management                   | No                       |                            |
| Network Administration and Management (including Information Security and WCAN) | No                       |                            |
| Provide records retention for electronic data and communications                | Yes                      | Wis. Stat. § 19.21         |
| Provide and maintain telephone system for County                                | No                       |                            |
| Technical Support for public website  | No                       |                            |
| Software training   | No                       |                            |
| Helpdesk and PC Support   | No                       |                            |
| Broadband Taskforce Support   | No                       |                            |

Additional information:

- The Intergovernmental Agreement creating CCITC provides that members' respective budgetary allocations for technology support are determined by the CCITC Board.

**FINANCE**

| Service   | Mandated<br>(Yes/No) | Statutory Authority   |
|---|----------------------|---|
| Accounting*   | Yes*                 | Wis. Stat. § 59.61  |
| Payroll*  | Yes*                 | Wis. Stat. § 59.52(10)  |
| Financial Reporting*  | Yes*                 | Wis. Stat. §§ 59.61 & 59.65   |
| Accounts Payable*   | Yes*                 | Wis. Stat. § 59.61  |
| Auditing*   | Yes*                 | Wis. Stat. § 59.47(2)   |
| Assist with CIP and Operating Budget Preparation, Submittal and Ongoing monitoring* | Yes*                 | Wis. Stat. § 59.60(4)(a)-(c)  |
| ERP System Technical Support  | No                   |   |
| Investment Policy management  | No                   | Wis. Stat. § 66.0603 (1m)   |
| Period End Bank Reconciliation  | No                   |   |
| Director serves as Tax Increment Financing Review Board representative for County   | Yes/No               | § 66.1105 requires a county representative; however, it is not required to be the Finance Director. |

Additional information: The requirements set forth in Wis. Stat. Ch. 59 pertaining to the Finance Department are not statutory requirements of the Finance Department, but rather counties in general. Marathon County has chosen to deliver these services through a Finance Department; however, the Department itself is not statutorily mandated.

| <b>TREASURER</b>   |                          |                                       |
|--|--------------------------|---------------------------------------|
| <b>Service</b>   | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b>            |
| Collection of property tax, including: payment of taxes, settlement of taxes, adjustment of taxes, collection of delinquent taxes, issuance of tax certificates, and management of tax software  | Yes                      | Wis. Stat. 59.25(3) & 74.07           |
| Delinquent Tax Parcel Payment Agreement program  | No                       |                                       |
| Maintenance of ownership and description of all real property parcels in the county. Coordination of real property parcel information in the county for use by municipal clerks and treasurers, county offices, title and mortgage companies, district assessors, and the public. Coordination between county and taxation districts for assessment and taxation purposes, including coordination of computer services for same. Preparation and printing of tax bills, tax rolls and assessment rolls for all municipalities. * | Yes                      | Wis. Stat. 59.72, 70.09 & 74          |
| Receipt all county monies  | Yes                      | Wis. Stat. 59.25(3)                   |
| Disbursement of all county payments  | Yes                      | Wis. Stat. 59.25(3)                   |
| Implementation of tax deed and/or foreclosures   | Yes                      | Wis. Stat. 75                         |
| Administrative duties, such as receipt of all forms  | Yes                      | Wis. Stat. 59.25(3), 59.52(4) & 59.66 |
| Management of unclaimed funds including receipt of monies and publication  | Yes                      | Wis. Stat. 59.66                      |

|  |     |   |
|--|-----|---|
| Banking and internal revenue processing  | Yes | Wis. Stat. 59.25(3)                               |
| Completion of tax roll   | Yes | Wis. Stat. 59.25(3)(e)                            |
| Management of lottery credit program including settlement preparation and payments | Yes | Wis. Stat. 79.10(5)-(11)<br>Wis. Adm. Code Ch. 20 |

Additional Information: \*These duties are referenced within § 70.09, as duties that may be delegated to a Real Property Lister (RPL). The RPL position (together with a Geographical Information System position) is housed within the Conservation, Planning & Zoning (CPZ) Department and is coordinating the above-mentioned activities. Similarly, the CPZ Department is sharing is now completing much of the tax roll preparation, balancing, and printing processes. Because these processes are foundational to the issuance of tax bills, the County Treasurer’s Office continues to work very closely with CPZ and the Land Information Council. The Treasure remains responsible for items expressly referenced in § 59.25 of the Wisconsin Statutes.

| <b>Facilities &amp; Capital Management Department</b>   |                          |   |
|---|--------------------------|---|
| <b>Service</b>  | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b>  |
| Day-to-Day Maintenance of County Buildings  | Yes*                     | Wis. Stat. § 101.11   |
| Emergency On-Call program   | Yes*                     | Wis. Stat. § 101.11   |
| Day-to-Day Custodial Services of County Buildings (including garbage contract management)   | No*                      |   |
| Capital Improvement Program – Administration (develop all architecture, design, and engineering bids, RFPs, and contracts in accordance with state law and ordinance) | Yes/No                   | § 59.52(29) provides for specific processes for public works. Local ordinance sets additional procurement procedures. |
| Capital Improvement Program – Development   | No                       |   |
| Capital Improvement Program – Implementation & Project Management Oversight   | No                       |   |
| Issuance of Keys and ID Badges  | No                       | County Policy   |
| Oversee Specific Equipment Certification & Inspection Program (Fire, Boiler, Sprinkler, Elevator, etc.)   | Yes                      | Wis. Admin. Code Chapters SPS 364, 365  |

|   |     |                              |
|---|-----|------------------------------|
| HVAC Services (Controls Building Automation & HVAC)*  | No  |                              |
| Maintain Department Records Retention*  | Yes | Chapter 19 of State Statutes |
| Pest Control Program  | No  |                              |
| Inter-Office Courier Service  | No  |                              |
| Lake View Drive Campus parking lot and grounds maintenance  | Yes | Wis. Stat. § 101.11          |
| Conference Room Reservation and Management  | No  |                              |
| <p>Additional information:</p> <p>Specific services levels regarding facility condition and repair are not frequently mandated: however, absent properly maintained facilities, other departments would be unable to deliver their mandated services. A number of areas have significant health &amp; safety requirements relative to facilities (most notably the North Central Health Care Center campus and our jail and secure detention). In the absence of specific regulation, Wisconsin's "safe place statute" would require reasonable care.</p> |     |                              |



| <b>REGISTER OF DEEDS</b>  |                          |  |
|---|--------------------------|--|
| <b>Service</b>  | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b>                 |
| Real Property Program - Record or file, index, maintain and provide access to all real estate documents and all other documents authorized by law to be recorded.             | Yes                      | Wis. Stat. § 59.43(a)                      |
| Collect appropriate recording fees.   | Yes                      | Wis. Stat. § 59.43(2)(d)                   |
| Record all financing statements pertaining to realty-related collateral and related records.  | Yes                      | Wis. Stat. § 409.501-409.521 & 59.43(1)(L) |
| Submit report to state on portion of recording fees collected for the state land information program.   | Yes                      | Wis. Stat. § 59.72(5)                      |
| Collect appropriate real estate transfer fees on all conveyance documents recorded.   | Yes                      | Wis. Stat. § 77.22                         |
| Vital Records Program - Register, index, maintain and provide access to all marriages, deaths, births, and domestic partnership occurring in the county as authorized by law. | Yes                      | Wis. Stat. § 69.05 & 59.43(1)(h)           |
| Record, index, maintain and provide access to military discharges.  | Yes                      | Wis. Stat. § 59.535(1)                     |
| Constituent Assistance – Termination of Interest form completion  | No                       |  |
| Perform notarial acts as requested  | No                       |  |
| Genealogy and general constituent assistance  | No                       |  |

Additional information:

| <b>HEALTH DEPARTMENT</b>  |                          |   |
|---|--------------------------|---|
| <b>Service</b>  | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b>  |
| Local Health Department   | Yes                      | Wis. Stat. § 251.02(1) (see below)  |
| Prenatal Home Visiting Programming: Nurse Family Partnership and Prenatal Care Coordination. Programs support expected outcomes in the Community Health Improvement Plan. | No                       |   |
| Restaurant and Licensure Activities:  | No                       | <p>Level III Health Department Requirement: Can be performed by the state, however, there is an associated cost and inspections may not happen on a yearly basis.</p> <p>The State prefers local municipalities provide this program as they can provide a more efficient service.</p> <p>Our health department level would need to be adjusted to a level II to cease this service</p> |
| Water Testing Lab   | No                       | Supported by fees and can be performed by local or state resources, however, drawbacks may be cost and timely response.   |
| Children and Youth with Special Health Care Needs (CYSHCN)  | No                       | Fully grant funded program that assists families with resources for special health care needs.  |

|  |  |  |
|--|--|--|
|  |  |  |
|--|--|--|

Additional information: the following is a summary of focus areas of public health departments:

Community Health Improvement Plan and the Community Health Assessment; communicable disease surveillance, investigation, and control; maternal child health, environmental health, chronic disease, and injuries; and birth to three.

Wis. Stat. § 251.02(1) indicates in counties with a population of less than 500,000, unless a county board establishes a city-county health department under sub. (1m) jointly with the governing body of a city or establishes a multiple county health department under sub. (3) in conjunction with another county, the county board shall establish a single county health department, which shall meet the requirements of this chapter. The county health department shall serve all areas of the county that are not served by a city health department that was established prior to January 1, 1994, by a town or village health department established under sub. (3m), or by a multiple municipal local health department established under sub. (3r) or by a city-city health department established under sub. (3t). No governing body of a city may establish a city health department after January 1, 1994.

Wis. Stat. § 250.03 (1) (L) provides that the department (the state) shall perform or facilitate the performance of all of the following services and functions:

1. Monitor the health status of populations to identify and solve community health problems.
2. Investigate and diagnose community health problems and health hazards.
3. Inform and educate individuals about health issues.
4. Mobilize public and private sector collaboration and action to identify and solve health problems.
5. Develop policies, plans, and programs that support individual and community health efforts.
6. Enforce statutes and rules that protect health and ensure safety.
7. Link individuals to needed personal health services.
8. Assure a competent public health workforce.
9. Evaluate effectiveness, accessibility, and quality of personal and population-based health services.
10. Provide research to develop insights into and innovative solutions for health problems.

State DHS facilitates the performance of these services through the delivery of services/programs by Marathon County Health Department. The state conducts

periodic reviews to ensure compliance. The public health department also meets the requirements of Wisconsin State Statutes, chapter 250-255.

Required services of local health departments are further explained by Chapter DHS 140, which lists the requirements for the level of health department.

Level I health departments must provide the following:

- Surveillance and investigation of local health issues
- Communicable disease control including education, monitoring, and prevention
- Chronic disease prevention
- Human health hazard control
- Policy and planning support
- Leadership and organizational competency regarding health issues to local partners and stakeholders
- Public Health nursing services

Level II health departments must comply with the requirements for a level I while also providing:

- Support and leadership to address community needs
- Evaluating health services
- Annual performance evaluations
- Quality Improvement activities

Level III health departments must comply with the requirements for a level I, II and III, which also includes:

- Data collection
- Providing public health expertise to local government stakeholders
- Identify and address population health issues
- Establish and implement an environmental health program
- Quality Improvement activities on individual and department levels
- Evaluation of collaborative efforts to assess, develop services

For the full list, please see DHS Chapter 140. Marathon County Health Department is a Level III Department.

| <b>SOCIAL SERVICES</b>   |                          |  |
|--|--------------------------|--|
| <b>Service</b>   | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b>   |
| <b>Child Welfare Division</b>  |                          |  |
| Children's Services and Youth Justice Services   | Yes                      | Wis. Stat. Ch. 48 & 938  |
| Child Welfare Services   | Yes                      | Wis. Stat. § 48.56   |
| Powers and Duties of County Departments  | Yes                      | Wis. Stat. §§ 48.57 & 938.57                                       |
| Children's Community Options Program   | Yes                      | Wis. Stat. § 46.272  |
| <b>Economic Support Division</b>   |                          |  |
| Wisconsin Shares – Child Care Subsidy  | No                       | Wis. Stat. § 49.155  |
| Income Maintenance Administration – Medical Assistance   | Yes                      | Wis. Stat. § 49.45   |
| Income Maintenance Administration – Food Share   | Yes                      | Wis. Stat. § 49.79   |
| Fraud Investigations and Error Reduction   | Yes                      | Wis. Stat. § 49.845  |
| <b>Child Support Division</b>  |                          |  |
| Administration of the child and spousal support program  | Yes                      | Wis. Stats. § 49.22 & Title IV-D of Federal Social Security Act    |
| Establish paternity & enforce child support collections  | Yes                      | Wis. Stats. § 59.53(5) & Title IV-D of Federal Social Security Act |
| Establish & enforce medical support liability programs   | Yes                      | Wis. Stats. § 59.53(5) & Title IV-D of Federal Social Security Act |
| ELEVATE work program - This program is an innovative, grant funded, employment success program for child support participants. Our Agency coordinates services with local resources. | No                       |  |
| The Children First Grant - developed to provide employment and job search services for noncustodial parents (NCPs)   | No                       | Wis. Stats. §49.36 and §767.55                                     |

|  |  |  |
|--|--|--|
| who are not paying child support due to being unemployed or underemployed. |  |  |
|--|--|--|

Additional information:

Child Welfare Division

Summary of services provided in Children Services includes: child protection access, assessment and ongoing services, including services provided through community response; youth justice intake and ongoing services; emergency on-call services; Coordinated Family Services (CFS), Children’s Long Term Support (CLTS) waivers, Family Centered Treatment (FCT), Comprehensive Community Services (CCS) and assessment/referral. As well as stepparent adoptions, day care certifications, foster parent licensing, independent living services and purchased services (foster care, short term shelter care, kinship care, group home, residential care, corrections, secure custody, etc..).

Wis. Stat. Ch. 48 is the Children’s Code and Wis. Stat. Ch. 938 is the Juvenile Justice Code.

Wis. Stat. § 48.56 requires each county having a population of less than 500,000 shall provide child welfare services through its county department. Each county department shall employ personnel who devote all or part of their time to child welfare services. Whenever possible, these personnel shall be social workers certified under Ch. 457.

Wis. Stat. § 48.57 (1) indicates that each county department shall administer and expend such amounts as may be necessary out of any moneys which may be appropriated for child welfare purposes by the county board of supervisors or by the legislature, which may be donated by individuals or private organizations or which may be otherwise provided.

Wis. Stat. § 938.57(1) indicates that each county department shall administer and expend such amounts as may be necessary out of any moneys which may be appropriated for juvenile welfare purposes by the county board of supervisors or donated by individuals or private organizations.

Wis. Stat. § 51.437 indicates that the county board of supervisors has the primary governmental responsibility for the well-being of those developmentally disabled citizens residing within its county and the families of the developmentally disabled insofar as the usual resultant family stresses bear on the well-being of the developmentally disabled citizen. This primary governmental responsibility is limited to the programs, services and resources that the county board of supervisors is

reasonably able to provide within the limits of available state and federal funds and of county funds required to be appropriated to match state funds.

Wis. Stat. § 46.272 governs the Children's Community Options Program. This statutory section requires the department to establish a children's community options program with the main purpose of providing a coordinated approach to supporting families who have a child with a disability. Individual counties must determine what shall be done to meet these responsibilities in a way that adequately complies with the law. The burden of demonstrating that those responsibilities have been met to an adequate degree falls upon the county. The services, therefore, are not identical in each county even though the same basic mandate exists.

Children's Long-Term Support (CLTS) waivers provide the county access to State and Federal funding to serve the health and safety needs of children in the County. In many instances, these health and safety needs would otherwise be funded solely through local tax levy funding.

#### Income Maintenance Division

Wis. Stat. § 16.27 (4) indicates that a household may apply after September 30 and before May 16 of any year for heating assistance from the county department under s. 46.215 (1) (n) or 46.22 (1) (b) 4m. a. to e. or from another local governmental agency or a private nonprofit organization. Funding received for this program is budgeted to cover direct operational costs.

Wis. Stat. § 49.155 (3) the county department or agency with which the department contracts under sub. (1m) to determine eligibility in a particular geographic region or for a particular Indian tribal unit shall administer child care assistance in that geographic region or for that tribal unit. Funding received for this program is budgeted to cover direct operational costs.

Wis. Stat. Ch. 49-Income Maintenance Administration. We are part of a 4 county consortium that administers medical assistance and FoodShare. The county opted to be part of this consortium, but could decide not to provide direct administration of these programs and services; however, the county would still be required to contribute local funding (tax levy) to the consortium for direct operational costs. Administration of child care assistance, as well as, program integrity, fraud and overpayment recovery efforts are also consolidated within the 10 county consortium to further increase accuracy, consistency and efficiency in the administration of these public benefits

| <b>SHERIFF'S OFFICE</b>                                     |                          |   |
|---|--------------------------|---|
| <b>Service</b>  | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b>                              |
| <b>JAIL</b>   |                          |   |
| Electronic Monitoring                                       | No                       | Wis. Stat. § 303.80                                     |
| Medical/Mental Health/Dental                                | Yes                      | Wis. Stat. § 302.38, DOC 350.09, 350.18, 350.19, 350.20 |
| Food Service  | Yes                      | Wis. Stat. § 302.37, DOC 350.09(6)                      |
| Laundry/Sanitation/Inmate uniforms/property bags/mattresses | Yes                      | Wis. Stat. § 302.37, DOC 350.08                         |
| Canteen   | Yes                      | DOC § 350.27  |
| Recreation  | Yes                      | DOC § 350.25  |
| Chaplain and Religious programming                          | Yes                      | Wis. Stat. § 302.24, 302.39                             |
| Instructional aids – Reading materials                      | Yes                      | DOC § 350.26  |
| Education and Programming (juvenile)                        | Yes                      | Wis. Stat. § 302.365(1)(a)(3) and 346                   |
| Education and Programming (adult)                           | No                       |   |
| <b>PATROL</b>   |                          |   |
| Patrol General Operations                                   | Yes                      | Wis. Stat. § 59.28(1), 349.02                           |
| Water patrol – DNR reimbursed                               | No                       | Wis. Stat. § 59.27(11)                                  |
| Snowmobile patrol – DNR reimbursed                          | No                       | Wis. Stat. § 29.921                                     |
| Recreation & Auxiliary deputies                             | No                       |   |
| Crash Investigation & Reconstruction                        | No                       |   |
| Dive Team   | Yes                      | Wis. Stat. § 59.27(11)                                  |
| Bomb Team   | No                       |   |
| Canine Unit   | No                       |   |
| Crisis Negotiations   | No                       |   |
| SWAT  | No                       |   |
| Mobile Field Force Team                                     | No                       |   |
| Crisis Assessment Response Team                             | No                       |   |
| Town of Rib Mountain contract                               | No                       |   |



|   |     |   |
|---|-----|---|
| <b>INVESTIGATIONS</b>   |     |   |
| Drug Unit (Grant & Asset Forfeiture Program)  | No  |   |
| Evidence & Property Management  | Yes | Wis. Stat. § 177.13, 968.18, 968.19, 968.20                         |
| Civil process (writs, Sheriff Sales, etc.)  | Yes | Wis. Stat. § 59.27(4), (5), (9), (12)                               |
| <b>ADMINISTRATION</b>   |     |   |
| Annual In-service Training Program management                                       | No  | But, see § 165 for training requirements and monitoring             |
| Court house security  | Yes | Wis. Stat. § 59.27(3)   |
| Transport   | Yes | Wis. Stat. § 59.27(3)   |
| State & Federal Reporting (NIBRS/UCR), Fingerprints, DNA                            | Yes | Wis. Stat. § 83.013(1); DOC 165, etc.                               |
| Records Management & Requests (including Warrants, injunctions, etc).               | Yes | Wis. Stat. § 19.35, Wis. Stat. § 83.013(1); 59.27(4), (5), and (9). |
| <b>COMMUNICATIONS</b>   |     |   |
| Operate, manage and maintain a Countywide Public Safety Radio Communications System | No  | § 59.54(3), the Board <b>may</b> appropriate money for . . .        |
| Emergency Fire / EMS / law enforcement dispatch communications                      | No  | Wis. Stat. § 256.35(2)  |
| Non-Emergency Fire / EMS / law enforcement dispatch communication                   | No  | Wis. Stat. § 256.35(2)  |
| TIME system operation   | Yes | Wis. Stat. § 59.54(9)   |

|                         |
|-------------------------|
| Additional information: |
|-------------------------|

| <b>HIGHWAY DEPARTMENT</b>  |                          |   |
|--|--------------------------|---|
| <b>Service</b>   | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b>  |
| <b>ADMINISTRATION &amp; ENGINEERING</b>                              |                          |   |
| Administer County-Aid Bridge Program for Towns within the County     | Yes                      | Wis. Stat. § 82.08  |
| Administer LRIP Program for Local Units of Government                | Yes                      | Wis. Stat. § 86.31(6), TRANS 206  |
| Internal Service Fund Operations -Town Road Maintenance/Construction | Yes                      | Wis. Stat. §§ 83.01, 83.018 & 83.035  |
| Make Surveys and Maps  | Yes                      | Wis. Stat. § 83.01(7)(e) & (g)  |
| Examine Roads, Bridges & Culverts for Improvements or Relocations    | Yes                      | Wis. Stat. § 83.015(2)(a)   |
| Purchase/Maintain all road Equipment, Tools, and supplies            | Yes                      | Wis. Stat. § 83.015(2)(a)   |
| Use WisDOT Cost Accounting System                                    | Yes                      | Wis. Stat. § 83.015(3)  |
| <b>ROADWAY MAINTENANCE PROGRAM</b>                                   |                          |   |
| Construct/Maintain all County Roads                                  | Yes                      | Wis. Stat. § 83.025 & 83.03 (1), TRANS 205 +  |
| State Highway Maintenance  | Yes*                     | Annual Routine Maintenance Agreement (*could refuse to sign)                                |
| Examine Roads, Bridges & Culverts for Improvements or Relocations    | Yes                      | Wis. Stat. § 83.015(2)(a)   |
| Inspection of Bridges  | Yes                      | Wis. Stat. § 84.17, Federal regulation 23 USC 144   |
| Salt Storage   | Yes                      | Wis. Stat. § 85.17, TRANS 277,  |
| Removal of Snow  | Yes                      | Wis. Stat. § 893.83   |
| Removal of Fallen Trees  | Yes                      | Wis. Stat. § 86.03(1)   |
| Highway Encroachments  | Yes                      | Wis. Stat. § 86.04  |
| Invasive Species management  | Yes                      | Wis. Stat. § 23.22, NR 40   |
| Remove Noxious Weeds and Brush                                       | Yes                      | Wis. Stat. §§ 66.0407, 83.015(2)(a), TRANS 280  |
| Driveways  | Yes                      | Wis. Stat. § 86.07  |
| Signing  | Yes                      | Wis. Stat. § 86.19, 86.191, 86.196, 340.01, 346.41, 346.503, FHWA & WisDOT MUTCD, TRANS 200 |

|   |      |   |
|---|------|---|
| Traffic Control & Work Zones  | Yes  | Wis. Stat. § 86.19, 86.191, 86.196, 340.01, 346.41, 346.503, FHWA & WisDOT MUTCD, TRANS 200 |
| Administer LRIP Program for Local Units of Government                                       | Yes  | Wis. Stat. § 86.31(6), TRANS 206  |
| Posting program   | Yes  | Wis. Stat. § 348  |
| Litter & Debris Removal   | Yes* | Annual Routine Maintenance Agreement (*could refuse to sign)                                |
| Inter-department construction assistance (parking lots, grading, construction, maintenance) | No   |   |

Additional information:

- Marking and maintenance of county highways is mandated; however, service levels are generally non-mandated. Levels of service with respect to county staff activities on the state roadway system are dictated by the State of Wisconsin.

| <b>EMERGENCY MANAGEMENT</b>  |                          |  |
|--|--------------------------|--|
| <b>Service</b>   | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b>   |
| Develop, adopt and implement an Emergency Management Plan & Program that is compatible with state plan of emergency management   | Yes                      | Wis. Stat. § 323.14(1)(a)(1)<br>Wis. Stat. 323.15(1)(a)            |
| Coordinate information related to the Local Emergency Planning Committee   | Yes                      | Wis. Stat. § 59.54(8),<br>323.60(2)(f), 323.60(3)                  |
| Provide assistance in developing hazardous response plans under EPCRA  | Yes                      | Wis. Stat. § 323.60(3)(a)  |
| Each County Board shall designate a head of Emergency Management   | Yes                      | Wis. Stat. 323.14(1)(a)2   |
| Each County Board shall designate a committee of the board as a county emergency management committee ( <i>e.g.</i> LEPC)  | Yes                      | Wis. Stat. 323.14(1)(a)(3)   |
| The emergency management plans shall require the use of the incident command system by all emergency response agencies, including local health departments, during a state of emergency declared under 323.10 or 323.11  | Yes                      | Wis. Stat. 323.15(1)(a)  |
| Emergency Operations Center – maintenance responsibility   | No                       | Our local plans task Emergency Management with this responsibility |
| The head of Emergency Management for each county shall coordinate and assist in developing city, village, and town emergency management plans within the county, integrate the plans with the county plan, advise the department of military affairs of all emergency management | Yes                      | Wis. Stat. 323.15(1)(b)  |

|  |                            |   |
|--|----------------------------|---|
| planning in the county and submit to the adjutant general the reports that he or she requires, direct, and coordinate emergency management activities throughout the county during a state of emergency, and direct countywide emergency management training programs and exercises. |                            |   |
| Assist local units of government and law enforcement agencies in responding to disaster.   | *No, activity is permitted | Wis. Stat. § 323.14(3)(b)   |
| Medical Reserve Corp. administration   | *No, activity is permitted | WI Chapter 257 –<br>Emergency Volunteer<br>Health Care Practitioners<br><br>Wis. Stat. § 323.15 |
| Provide the WEM Administrator with a written notice of intent to apply for the Wisconsin Disaster Fund (WDF) within 30 days of a disaster.   | Yes                        | WEM 7.04(2)   |
| Disaster Assessment, Response, and Reimbursement – submits documentation to WEM as required relative to state and federal disaster programs.   | Yes                        | Wis. Stat. § 323.30 & 31  |
| Implement the local emergency response plan upon notification of the release of a hazardous substance.   | Yes                        | Wis. Stat. 323.60(3)(a)   |

**Additional information:**

Many of the activities undertaken by Emergency Management address the issues of legal standards of care and due diligence in providing and meeting public expectations for public safety. Grant funding for the Emergency Management Office requires specific Plan of Work responsibilities that if left undone would jeopardize revenue.

**Federal Regulations:** 42 USC 1100-11050: Superfund Amendments & Reauthorization Act Title III, Emergency Planning and Community Right to Know Act: 29 CFR 1910 & 40 CFR 311, Robert T Stafford Act

**State Regulations:** Chapter 323: Department of Commerce Administrative Rules

| <b>CONSERVATION, PLANNING &amp; ZONING DEPARTMENT</b>    |                          |   |
|--|--------------------------|---|
| <b>Service</b>   | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b>  |
| Comprehensive Plan                                       | Yes                      | Wis. Stat. §66.1001   |
| Sanitary (POWTS) Ordinance                               | Yes*                     | Wis. Stat. §§ 59.70(5), 145.04, 145.19, 145.20, 145.245, & 254.59   |
| Land Division Ordinance                                  | No                       | Wis. Stat. Ch. 145, 236, 92 & 281 & §§ 59.69, 59.54(4) & 87.30; NR 151 with an ordinance in place we require staff to administer the ordinance. |
| Public Land Survey System Re-monumentation & Maintenance | Yes                      | Wis. Stat. Ch. 59   |
| Nonmetallic Mining Ordinance                             | Yes                      | Wis. Stat. § 59.692, 59.694, 295 NR 135   |
| Zoning Ordinance   | No                       | Wis. Stat. § 59.69 to 59.698, 66.1001 to 66.1037, 91.30-91.40 with an ordinance in place, we require staff to administer the ordinance.         |
| Board of Adjustment Procedures                           | Yes                      | Wis. Stat. § 59.694, because we have a zoning ordinance, we   |

|  |     |   |
|--|-----|---|
|  |     | are required to have a Board of Adjustment.   |
| Shoreland / Wetland / Floodplain Ord.  | Yes | Wis. Stat. § 59.69, 59.692<br>NR 115, & 87.30<br>NR 116   |
| Real Property Description  | No* | Wis. Stat. § 70.09  |
| Land Information Plan & Program, including Parcel Mapping  | Yes | Wis. Stat. § 59.72  |
| Land Information Officer   | No  | Wis. Stat. § 59.72  |
| Land Information Council   | No  | Wis. Stat. § 59.72 (2)  |
| Geographic Information System Database, Address Information  | Yes | Wis. Stat. § 59.72 Maps & Data Publication Requirements   |
| Redistricting  | Yes | Wis. Stat. § 59.10 County Board mandate that has historically involved CPZ  |
| Elderly & Disabled Transportation Assistance Program (Funded via Federal DOT with 20% match from County) | No  | Wis. Stat. § 85.21  |
| Land and Water Resource Management Plan & Implementation   | Yes | Wis. Stat. Ch. 92.10  |
| Animal Waste Storage and Nutrient Management Ordinance   | Yes | Wis. Stat. §§ 92.07, 92.15, & 92.16<br>ATCP 51 & NR 151; with an ordinance in place we are required to administer                                       |
| Livestock Facility Siting Ordinance  | Yes | Wis. Stat. §§ 92.15, 93.90, and ATCP 51; with an ordinance in place we are required to administer   |
| Soil and Water Resource Management Program   | Yes | Wis. Stat. § 92.14<br>Marathon County receives staff funding to administer this program.  |
| Land and Water State Cost-Share – Bond & SEG Funding   | No  | Marathon County receives staff funding to administer these state programs. Relevant statutory provisions include: Wis. Stat. Ch. 92, NR 12, and NR 151. |

|  |     |   |
|--|-----|---|
|  |     | Provisions in these statutes indicate that an offer of cost share must be made to assist landowners with NR 151 compliance. Bond and SEG funds can provide one avenue to make this offer.   |
| Farmland Preservation Program                                  | Yes | Wis. Stat. Ch. 91.10, Marathon County receives staff funding to administer state programs in accordance with our preservation/comprehensive plans.  |
| Fenwood Creek Project  | No  |   |
| Priority Watersheds & Compliance with Ag Performance Standards | Yes | U.S. Clean Water Act, Environmental Protection Agency Approved a TMDL mandated reductions in water quality problems. NR 151.005 requires that ATCP 50 or stricter standards be adopted to achieve the TMDL. Wis. Admin. Code ATCP 50.04 states that landowners engaged in agricultural practices in WI shall implement conservation practices to NR 151.04 standards. Marathon County receives staff funding to administer state programs |
| Total Maximum Daily Load – Watershed program                   | Yes | U.S. Clean Water Act, Environmental Protection Agency Approved a TMDL mandated reductions in water quality problems. NR 151.005 requires that ATCP 50 or stricter standards be adopted to achieve the TMDL.   |
| Wildlife Damage Program  | No  | Marathon County receives state reimbursement for out-of-  |



|  |     |   |
|--|-----|---|
|  |     | pocket costs related to this program.   |
| Wausau MPO   | Yes | 23 USC § 134  |
| Municipal Separate Storm Sewer System Program Requirements   | Yes | The U.S. EPA develops stormwater runoff requirements. The Wisconsin Department of Natural Resources is responsible for administering the U.S. EPA Permit Program. Chapter 283 Wis. Stats, and chapters NR 151 and 216 of the Wis. Admin Code outline the regulations for owners and operators MS4s to discharge, and compliance requirements for these permits. |
| <p><i>Additional information:</i><br/> * Real Property Description and GIS Mapping support the work of our County Treasurer's Office related to tax bill generation and our mandates relative to § 59.72(2).</p> |     |   |

| <b>PARKS, RECREATION &amp; FORESTRY</b>                         |                          |   |
|---|--------------------------|---|
| <b>Service</b>  | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b>  |
| Aquatics Programs and Maintenance                               | No                       |   |
| County Forestry Administration & Management                     | No                       | Wis. Stat. § 28.10 & 11   |
| Flowage & Dam Protection program                                | No                       |   |
| Boat Launch programs  | No                       |   |
| Motorized Vehicle Trail Management                              | No                       | NR 50.09 (Snowmobile aid)   |
| City of Wausau Parks programs, including recreation programming | No                       | Services provided in accordance with intergovernmental agreement, reimbursement provided. |
| Campground programs   | No                       |   |
| County Park operations and maintenance                          | No                       |   |
| Landscaping, Grounds & Parking Lot Maintenance (Non-Parks)      | Yes/No                   | Wis. Stats. § 101.11  |
| Snow removal and winter maintenance                             | Yes/No                   | Wis. Stats. § 101.11  |
| Indoor Ice Rink Operations and Maintenance                      | No                       |   |
| Marathon Junction – operations, rental, maintenance             | No                       |   |
| Train (Marathon Park) – operations and maintenance              | No                       |   |
| Mountain Bay Trail State Park – operations and maintenance      | No                       | Intergovernmental agreement between Wisconsin DNR and Marathon County PRF                 |
| Facility Rental program (including Wisconsin Valley Fair)       | No                       |   |
| Sports Complex – maintenance, operations, and reservations      | No                       |   |
| Nine Mile County Forest operations, maintenance, and events     | No                       |   |
| Recreation Deputy program                                       | No                       | Contractual arrangement with Marathon County Sheriff's Office                             |
| Shooting Range operations, maintenance, and reservations        | No                       |   |

Additional Information: Because Park facilities are non-mandated, various maintenance activities that may otherwise be required by Wisconsin's safe place law are noted as Yes/No relative to mandate.

**UW-MADISON, DIVISION OF EXTENSION**

| <b>Service</b>   | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b> |
|--|--------------------------|----------------------------|
| <b>AGRICULTURE EDUCATOR</b>  |                          |                            |
| Dairy and Livestock Production and Management education  | No                       |                            |
| Farm Financial Management  | No                       |                            |
| Crop, Soil, and Nutrient Management education  | No                       |                            |
| Private Pesticide Applicator Licensing Training  | No                       | Wis. Adm. Code ATCP 29.27  |
| <b>HORTICULTURE EDUCATOR</b><br>Targeted horticulture education to various groups primarily focused on horticulture therapy in the justice system          | No                       |                            |
| <b>FOODWISE</b>  |                          |                            |
| Nutrition and health education for low income families and youth (office space agreement)  | No                       |                            |
| <b>4-H YOUTH DEVELOPMENT</b>   |                          |                            |
| Countywide 4-H Club Involvement and Youth Development Education Programs   | No                       |                            |
| <b>NATURAL RESOURCES</b><br>Provide office space for regional staff responsible for forest-landowner and agriculture water quality education and resources | No                       |                            |

Additional Information: UW-Extension positions are funded through a state-county funding split. FoodWise is federally-funded, the county provides office space and technology to support the program.

| <b>VETERANS SERVICES</b>                                     |                          |   |
|--|--------------------------|---|
| <b>Service</b>   | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b>                          |
| Establish & Advise Eligibility for Any Benefits Entitled     | Yes                      | Wis. Stat. § 45.80(5)(a)                            |
| Care of Veterans Graves                                      | Yes                      | Wis. Stat. § 45.85                                  |
| VA Compensation/Pension Claims and appeals                   | Yes                      | Wis. Stat. § 45.80(5)(a); 45.80-86.                 |
| Federal GI Bill Assistance                                   | Yes                      | Wis. Stat. § 45.80(5)(a)                            |
| Federal VA Health Care Applications                          | Yes                      | Wis. Stat. § 45.80 (5)(a)                           |
| Burial Benefits  | Yes                      | Wis. Stat. § 45.80(5)(a)<br>Wis. Stat. § 45.84      |
| Military Record Registration/Access                          | Yes                      | Wis. Stat. § 45.05                                  |
| State Property Tax Credit                                    | Yes                      | Wis. Stat. § 45.80(5)(a) & Wis. Stat. § 71.07(6)(e) |
| State Education Benefits                                     | Yes                      | Wis. Stat. § 45.80(5)(a)                            |
| Aid to Needy Veterans  | Yes                      | Wis. Stat. § 45.80(5)(c)<br>Wis. Stat. § 45.86(2)   |
| Applications for Burials and Cemeteries                      | Yes                      | Wis. Stat. § 45.80(5)(a)                            |
| Veterans Service Commission                                  | Yes                      | Wis. Stat. § 45.81 (2)                              |
| Speaking Engagements   | No                       |   |
| Attend Local Veterans Organization Meetings                  | No                       |   |
| Advise Veterans of benefits available from local non-profits | No                       |   |

Additional Information: Veterans Service Office is mandated to advise veterans and their spouses/dependents on all programs/benefits for which they may be entitled. Accreditation through the Veterans Administration is required.

| <b>CENTRAL WISCONSIN AIRPORT</b> |                          |                            |
|----------------------------------|--------------------------|----------------------------|
| <b>Service</b>                   | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b> |
| Airport operations               | No                       | Wis. Stat. § 66.0301       |

Additional Information: Counties are not mandated to provide regional airport services. Marathon County joined with Portage County to form Central Wisconsin Airport (CWA). However, once the determination is made to operate such a facility, the operator is subject to numerous federal and state regulations. Moreover, because the CWA has accepted federal funds (e.g., FAA funding) throughout its history, any determination relative to continued operations is subject to considerable regulation. CWA is overseen, pursuant to the intergovernmental agreement between Portage and Marathon counties by the Central Wisconsin Airport Board.

| LIBRARY  |                   |                        |
|--|-------------------|------------------------|
| Service  | Mandated (Yes/No) | Statutory Authority    |
| <b>LIBRARY SITES</b> – (Athens, Edgar, Hatley, Marathon City, Mosinee, Rothschild, Stratford, Spencer, Wausau) | No*               | Wis. Stat. § 43.11, 12 |

Additional Information:

\*Counties are not mandated to directly operate library facilities. However, in the event that a county does not directly provide library facilities, the county is required by statute to provide funding for the operations of public libraries within the county, and public libraries in adjacent counties, that serve county residents. Specific information regarding these funding obligations are set forth in section 43.12 of the Wisconsin Statutes. Payments made pursuant to § 43.12 or funds necessary to directly provide county library services under Chapter 43 of the statutes are exempt from Wisconsin levy limits.

**Physical Materials**

Books, audiobooks, DVDs, magazines, newspapers, video games, art, Wi-Fi hot spots and other electronic devices.

**Digital Collections**

eBooks, eAudiobooks, and a large selection of databases available through online access.

**Programs and Events**

MCPL hosts a variety of educational and entertaining programs for all ages, including: story times, creative hands-on activities, music and theater performances, movie screenings, lectures, presentations, and workshops led by experts, authors and other speakers on a diverse range of topics.

**Additional Services**

Public computers, internet access and printing are available at all locations. Study and meeting rooms, passport services, copy and fax services, notary public services, and material delivery for homebound patrons are available at select locations.

**Library Affiliations**

MCPL is a member of and the resource library for the Wisconsin Valley Library Service. It also participates in the V-Cat consortium and the Wisconsin Public Library Consortium, providing its patrons with access to an even wider range of resources.

| <b>AGING &amp; DISABILITY RESOURCE CENTER OF CENTRAL WISCONSIN</b> |                          |                            |
|--|--------------------------|----------------------------|
| <b>Service</b>   | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b> |
| Aging Services   | No                       | Wis. Stat. §§ 46.80, 46.82 |
| Resource Center  | No                       | Wis. Stat. § 46.283        |

Additional information: Marathon County summary of services provided in the ADRC includes: information and assistance, elderly and disability benefit services, nutrition services, dementia care specialist, volunteer program services, and caregiver support and respite services.

Wis. Stat. § 46.80 – The department's primary responsibility to elderly persons is to assure that all elderly and disabled persons have available and accessible a continuum of care or a wide range of community and supportive services so that they may remain in their homes and neighborhoods for as long as it is possible. The department shall be the mechanism by which governmental and nongovernmental agencies may coordinate their policies, plans and activities with regard to the aging.

Wis. Stat. § 46.82 identifies that a county board of supervisors of a county, the county boards of supervisors of 2 or more contiguous counties or an elected tribal governing body of a federally recognized American Indian tribe or band in this state may choose to administer, at the county or tribal level, programs for older individuals. Chapter 46.80 indicates that the department shall divide the state into distinct planning and service areas and designate a public or private nonprofit agency or organization as the area agency on aging for each planning and service area and we are the designated public agency.

Wis. Stat. § 46.283 identifies that a county board of supervisors may decide to apply to the department for a contract to operate a resource center.

The intergovernmental agreement creating the ADRC-CW provides that the funding allocation from each of the counties cannot be modified without the agreement of each of the county members (Langlade, Lincoln, Marathon, and Wood).

**NCHC – Core Programs**

| Service   | Mandated (Yes/No) | Statutory Authority                                       |
|---|-------------------|---|
| Behavioral Health Hospital, Community Mental Health, Developmental Disabilities, Substance Use Disorder | Yes               | Wis. Stat. § 51.42  |
| Community Support Programs  | Yes               | Wis. Stat. § 51.421                                       |
| Care and Custody  | Yes               | Wis. Stat. § 51.22  |
| Crisis Stabilization Services   | No                | Wis. Stat. § 51.15; 51.42                                 |
| Protective Services and Placement   | Yes               | Wis. Stat. § 55.02  |
| Elder Adult at Risk Agency  | Yes               | Wis. Stat. § 46.90  |
| Comprehensive Community Services  | No                | Wis. Stat. § 49.45(30e) (6)<br>Wis. Stat. § 51.42 (7) (6) |

Additional Information: On behalf of Marathon County, North Central Health Care delivers services including, but not limited to, alcohol and other drug abuse outpatient services, mental health outpatient services, emergency services, adult protection services, adult community support services, comprehensive community service, psychiatrist and psychologist services, crisis, residential, inpatient, and hospitalization services.

Wis. Stat. § 51.42 identifies that the county board of supervisors has the primary responsibility for the well-being, treatment and care of the mentally ill, developmentally disabled, alcoholic and other drug dependent citizens residing within its county and for ensuring that those individuals in need of such emergency services found within its county receive immediate emergency services. This primary responsibility is limited to the programs, services and resources that the county board of supervisors is reasonably able to provide within the limits of available state and federal funds and of county funds required to be appropriated to match state funds. While counties are not directly mandated to provide crisis stabilization facilities, counties are required to provide care in the least restrictive form necessary. Stabilization facilities serve as a less-restrictive, less costly form of care for individuals discharging from an inpatient setting or as an alternative to an inpatient setting.

Wis. Stat. § 51.42(3) permits a county to meet its obligation through the creation of a multi-county community services program.

Wis. Stat. § 51.421 indicates that if funds are provided, and within the limits of the availability of funds provided under s. 51.423 (2), each county department under s. 51.42 shall establish a community support program. Each community support program shall use a coordinated case management system and shall provide or assure access to services for persons with serious



and persistent mental illness who reside within the community. Services provided or coordinated through a community support program shall include assessment, diagnosis, identification of persons in need of services, case management, crisis intervention, psychiatric treatment including medication supervision, counseling and psychotherapy, activities of daily living, psychosocial rehabilitation which may include services provided by day treatment programs, client advocacy including assistance in applying for any financial support for which the client may be eligible, residential services and recreational activities. Services shall be provided to an individual based upon his or her treatment and psychosocial rehabilitation needs.

Wis. Stat. § 51.22 indicates that except as provided in s. 51.20 (13) (a) 4. or 5., any person committed under this chapter shall be committed to the county department under s. 51.42 or 51.437 serving the person's county of residence, and such county department shall authorize placement of the person in an appropriate facility for care, custody and treatment. The county will incur the cost of these placements if it is not billable to insurance or the consumer.

Individual counties must determine what shall be done to meet these responsibilities in a way that adequately complies with the law. The burden of demonstrating that those responsibilities have been met to an adequate degree falls upon the county. The services, therefore, are not identical in each county even though the same basic mandate exists.

Comprehensive Community Services (CCS) is intended to assist individuals of all ages who are in need of ongoing services for mental illness, substance abuse disorder, or dual diagnosis beyond occasional outpatient care, but less than the intensive care provided in an inpatient setting. While CCS is not a mandated program, county-based governmental entities are the only entity in the state that can be certified.

Wis. Stat. § 55.02 identifies that the chairperson of each county board of supervisors shall designate a county department under s. 46.215, 46.22, 46.23, 51.42, or 51.437 that is providing services in the county on its own or through a joint mechanism with another county department or county to have the responsibility for planning for the provision of protective services and protective placement and for directly providing protective services.

Wis. Stat. § 46.90 requires that each county board shall designate an agency in the county as the elder-adult-at-risk agency. "Elder-adult-at-risk agency" means the agency designated by the county board of supervisors under sub. (2) to receive, respond to, and investigate reports of abuse, neglect, self-neglect, and financial exploitation under sub. (4).

**NCHC – OTHER PROGRAMS**

| <b>Service</b>  | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b> |
|---|--------------------------|----------------------------|
| Mount View Care Nursing Home*<br>(Skilled Nursing, Rehabilitation,<br>Dementia Care, Ventilator care) | No                       |                            |
| Hope House (Sober Living)   | No                       |                            |
| Aquatic Therapy Pool  | No                       |                            |
| Demand Transportation – 85.21   | No                       | Wis. Stat. § 85.21         |
| Early Intervention Services (Birth to<br>Three)^  | Yes                      | Wis. Stat. § 51.44         |

Additional information:

\*There is no state statute that mandates a county must own or operate a nursing home, adult day services, housing programs, sober living, or aquatic therapy pool. However, should the county undertake these activities, each program area is subject to significant regulation, including through the acceptance of various funding streams (e.g., medicare/Medicaid). Adult Day Services and Community Based Residential Facility operations were ceased in 2023.

Wis. Stat. § 85.21 The purpose of this section is to promote the general public health and welfare by providing financial assistance to counties providing transportation services for elderly and disabled persons, and to thereby improve and promote the maintenance of human dignity and self-sufficiency by affording the benefits of transportation services to those people who would not otherwise have an available or accessible method of transportation. The County Board of Supervisors annually authorizes this program to be delivered through a grant application. The service is delivered through both NCHC and City of Wausau Transit. The Wisconsin Department of Transportation provides for financial assistance to deliver the program.

^Wis. Stat. § 51.44 indicates that each county board of supervisors shall designate the appropriate county department under s. 46.21, 46.23 or 51.437, the local health department of the county or another entity as the local lead agency to provide early intervention services. This chapter goes on to read that the department (the state) shall promulgate rules for the statewide implementation of the program. North Central Health Care currently delivers this program through a contract with Marathon County Special Education, which is located on the Lake View Drive Campus.

**SOLID WASTE DEPARTMENT**

| <b>Service</b>                    | <b>Mandated (Yes/No)</b> | <b>Statutory Authority</b>                  |
|-----------------------------------|--------------------------|---|
| Solid Waste Management Operations | No                       | Wis. Stat. § 59.70(2)(a) and Chs. 144 & 159 |

Additional Information:

Counties are not mandated to directly provide Solid Waste management and recycling services; however, counties are permitted to engage in these activities, which can provide substantial benefits to local municipalities and residents. Should a county elect to provide said services it becomes subject to a wide variety of state and federal regulations (e.g., air permit, wetland management, engineering, gas management, and groundwater testing).

In addition to solid waste management and site operational programs, Marathon County Solid Waste Department provides a number of related services, including but not limited to Household Hazardous Waste Collection and Management; Agricultural Plastics Recycling, Home Composting, Street Sweeping exemption, Medication Drop Box and Sharps Management, and Municipal Recycling education).

Marathon County has a contractual obligation to provide landfill capacity and disposal to Shawano and Portage Counties through 2032. Marathon County also recently entered into a Gas Purchase Agreement and corresponding site lease with a third party relating to the processing and conversion of landfill gas into energy.

**INTERAGENCY AGREEMENT REGARDING THE ASSIGNMENT OF A  
MARATHON COUNTY DEPUTY SHERIFF TO THE MARATHON COUNTY  
DISTRICT ATTORNEY'S OFFICE**

**I. Purpose:**

**a. Parties to Agreement**

This memorandum of understanding (hereinafter "MOU") is drafted to formalize an agreement between the Marathon County Sheriff's Office (hereinafter "MCSO") and the Marathon County District Attorney's Office (hereinafter "DA's Office").

**b. Purpose of Agreement**

Wisconsin Statute Sections 59.26 and 59.28 provide the authority for the Marathon County Sheriff to appoint persons as a Marathon County Deputy Sheriff (hereinafter "Deputy"). This Deputy shall keep and preserve the peace in Marathon County and quiet and suppress all affrays, routs, riots, unlawful assemblies and insurrections, service of process in civil and criminal cases, apprehend and secure persons for felony or breach of the peace and may assist other law enforcement agencies pursuant to Wisconsin Statute Sections 66.0313 and 66.0513. The DA's Office seeks the support of a Deputy in the prosecution of criminal cases through detailed investigation and the support of other law enforcement agencies by way of supplemental investigation. The DA's Office seeks support of a Deputy to provide security in the office as well as in the field through program assists as needed. The DA's Office requires a Deputy who is a certified law enforcement officer in the State of Wisconsin and who maintains the requirements of that certification as governed by the Wisconsin Law Enforcement Standards Board under Section 165.85 of the Wisconsin Statutes.

Further, the DA's Office seeks the support of two Marathon County part-time Reserve Deputy Sheriffs (hereinafter "Reserve Deputies") in the prosecution of criminal cases through further investigation.

The District Attorney requests support of prosecution in criminal cases by a Deputy Sheriff including:

- Participate in trial preparation of victims and witnesses of crimes, taking detailed notes.
- Prepare reports from interviews, jail phone calls, and other investigations.
- Responds to calls for service as dispatched; provides necessary assistance to the public; takes appropriate enforcement action when necessary.
- Investigate public record, election, and open meeting violations/crimes.
- Available for call outs in accordance with the Deputy Sheriff Labor Agreement for major scene investigations for assistance or to consult with the District Attorney at the District Attorney's request.
- Locate evasive victims and witnesses to serve subpoenas.
- Assist in co-responder Domestic Abuse Response Team (DART).
- Assist in transport and protection for Deflection Staff.
- Transport Victims/Witnesses to court when requested.

- Collecting and preserving evidence.
- Testify in court as needed.
- Sign criminal complaints.
- Prepare out of state criminal histories, warrant and protection order summaries (E-time/Portal 100).
- Provides security, when requested, to staff, victims, victim advocates, and witnesses.
- Escort attorneys, victims, and witnesses during trials when requested.
- Collaborates with other law enforcement agencies and community partners.
- Perform routine administrative and clerical work as directed by district attorney staff.
- Performs related work as required or assigned.

The above list is not an all-encompassing list of duties. The Deputy's job duties will be assigned by the DA or their designee.

The District Attorney requests support of prosecution in criminal cases by two part-time Reserve Deputy Sheriffs including:

- Obtain, review and download jail phone calls, visits, emails and text messages at the request of the prosecutor.
- Authenticate jail phone calls or transcripts.
- Assemble and summarize criminal histories.
- Provide backup to the Deputy as needed for in-office duties as requested by the prosecutor and approved by the District Attorney.

The above list is not an all-encompassing list of duties. The Reserve Deputy's job duties will be assigned by the DA or their designee.

The MCSO has agreed to have a Deputy and two part-time Reserve Deputies assigned to the DA's Office for the purpose of supporting the prosecution of criminal cases.

## **II. Procedure**

### **a. Lateral Job Posting, Selection and Assignment**

This Job Posting will be in accordance with Article 10 of the Deputy Sheriff's Labor Agreement. The MCSO is responsible for the selection process in accordance with Article 9 (c) of the Marathon County Deputy Sheriff's Labor Agreement for Deputy Sheriffs who are eligible for lateral assignment to the DA's Office. Unless otherwise addressed below all terms and conditions of the working agreement between Marathon County and the Marathon County Deputy Sheriff's Association shall apply to all employees under this agreement. The Selection will be in consultation with the District Attorney and with great deference to the District Attorney's recommendation.

The MCSO is responsible for the selection process for part-time Reserve Deputy Sheriffs. This decision will be in consultation with the District Attorney and with great deference to the District Attorney's recommendation.

This agreement is not intended to displace any incumbent employee from their current position with Marathon County.

**b. Training**

Any Deputy or Reserve Deputy assigned to the DA's Office is required to have successfully completed all required training.

**c. Promotions**

The Deputy is eligible for promotion in accordance with the Marathon County Deputy Sheriff's Labor Agreement and qualifications set forth by the MCSO.

**d. Discipline**

The MCSO determines appropriate discipline based upon performance in accordance with the Marathon County Deputy Sheriff Labor Agreement. The District Attorney may report concerns regarding performance to the Deputy or Reserve Deputy's supervisor.

**e. Compensation**

The Deputy is eligible for pay increases in accordance with the Marathon County Deputy Sheriff's Labor Agreement. The Deputy will receive annual performance appraisals conducted by the Lieutenant in the Investigations Division and in consideration of the input of the District Attorney. The Deputy will not receive additional compensation as stated in Article 33 (c) of the Marathon County Deputy Sheriff's Labor Agreement for court appearances as time in court is considered a part of the Deputy's duties under this Agreement.

**f. Schedule**

The Deputy Sheriff assigned to the District Attorney's Office will work a 5/2 Work Week in accordance with Article 11 of the Marathon County Deputy Sheriff's Labor Agreement.

**g. Equipment**

The MCSO will provide the Deputy and part-time Reserve Deputies with all required equipment consistent commensurate to the position and associated needs.

**h. Remote Work**

Remote work by the Deputy and Reserve Deputies must have prior approval by the District Attorney or their designee.

**i. Overtime**

The Deputy could be asked by the MCSO to staff events outside of their normal duties. The Deputy may agree to staff the events provided the events do not interfere with their responsibilities at the DA's Office. The Deputy may engage in MCSO special assignments/teams work as approved by the District Attorney.

**j. Vacation**

The DA's Office will approve use of personal time office. The Deputy and Reserve Deputy's supervisor will be responsible for approving the Deputy and Reserve Deputy's timecard via Intellitime.

**k. MCSO cases**

For MCSO cases where no detective is assigned, the Deputy will generally assist with the follow-up deemed appropriate by the DA's Office during preparation of the case. This does not include major cases or an instance of crucial development or change of events in the investigation.

**III. Length of the Agreement**

This Agreement shall remain in effect unless and until it is repealed in writing by any of the authorized signers listed below. The failure to update or change the agreement will not repeal the document.

**IV. Authorized Signatures**

\_\_\_\_\_  
**Marathon County Sheriff's Office  
Authorized Signature**

\_\_\_\_\_  
**Marathon County District Attorney's Office  
Authorized Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Date**

# 12.04 Large Assemblies Ordinance Update

Laurie Miskimins, Conservation, Planning, & Zoning Director  
Shad Harvey, CPZ Land Resources Manager  
Garrett Pagel, Land Use Specialist



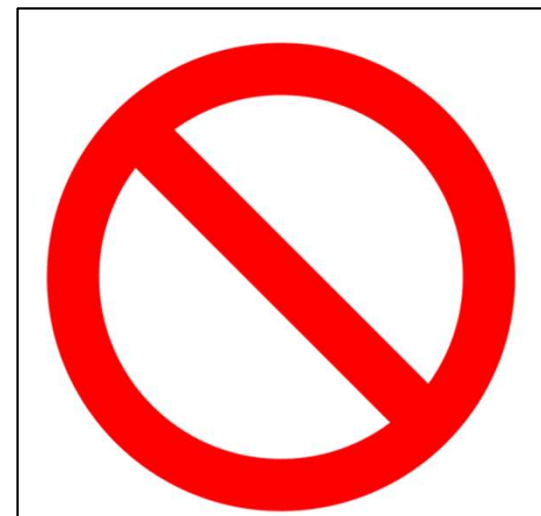


# Reason for Update

12.04 as it exists:

- Unenforceable due to Constitutional concerns

County Board placed update on the Administrator's 2023 Workplan.



# Workgroup

- Discuss if Marathon County should regulate large assemblies.
- Analyze and create an enforceable ordinance.
- The Workgroup Members:
  - Steam Show and Taste 'N Glow representatives
  - Environmental Resource Committee
  - Public Safety Committee
  - Infrastructure Committee
  - Marathon County Staff :
    - Conservation ,Planning & Zoning
    - Emergency Management
    - Health
    - Parks, Recreation & Forestry
    - Highway
    - Sheriffs' Office

# Ordinance Update Timeline

- June 2023 – Workgroup organized.
- September/October 2023 – Distributed draft to towns and standing committees for comments in.
- October 2023 – Presentations at Towns Association Meetings.
- November -January 2024 – Draft revisions.
- November/December 2023 – Presented to ERC, Public Safety, and Infrastructure.
- February 2024 – Presentation to County Board. Towns notified of additional comment opportunities.
- March 2024 – Met with workgroup to make final revisions in preparation to make final presentation to standing committees and County Board in summer 2024.

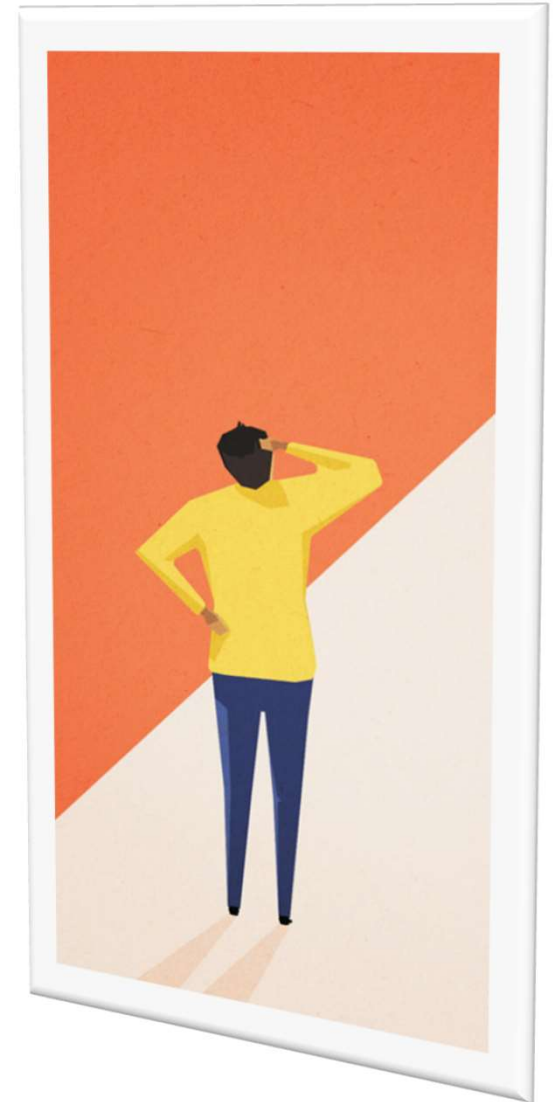
# Summary of Input

- Purpose
- Threshold/Applicability
- Security Concerns
- Implementation and Appeals
- Fees

# Purpose of Draft Ordinance

Regulate:

- The assembly of large numbers of individuals in excess of those who would normally be requiring the services of the health, sanitary, fire, police, transportation and utility agencies which are regularly provided in the County;
- The assembly of large numbers of individuals in excess of those who regularly occupy the event location to minimize adverse impacts to surrounding properties and uses.



# Applicability



## Where?

All unincorporated areas of Marathon County regardless of zoning status.



## Why?

The objective is to protect people and the resources of Marathon County.

# Threshold for Application

- 3,000 or more attendees at any one time, or in aggregate over the course of 8 consecutive hours.



# Exceptions

- Established
  - Places of Worship
  - Stadiums
  - Athletic Fields
  - Arenas
  - Auditoriums
  - Coliseums
- Business where the primary product of said business is providing regular event space (Must be correctly zoned and have all necessary permits (Town, County, State, Federal)).





# Exceptions cont'

- Fees shall not apply to government sponsored events held on government owned property where the proceeds are returned to the government/community, nor to assemblies required to be licensed by other laws, rules, resolutions or ordinances and regulations of Marathon County.
- NOTE: This does not exempt organizations from any other local regulations or any zoning ordinances in effect where the event is taking place.

# Security Concerns

- The draft ordinance contains requirements for security based on size of the event.
  - Requires state registration and background check for DSPTS.
- The draft ordinance is meant to address both known and unknown events that may take place in Marathon County.

# Implementation of Ordinance

- FAQ, resource guides, and example plans available to applicant for creating their application.
- All applications will be submitted to CPZ and distributed to the applicable departments for their individual review based on standards listed in the ordinance.
- Health Department permits would remain a separate application, but CPZ and HD would coordinate permitting process.
- Suggestion to evaluate the ordinance after 5 events.

# Issuance & Appeals Process

- Applicant must submit at least 40 business days prior to event.
- CPZ must make a determination to issue or deny permit within 30 business days.
- Appeals
  - Individual, group, or organization to whom the license has been denied may appeal.
  - Township in which an event is intended to take place may appeal.
  - Must be submitted within 5 business days of permit issuance.
  - Appeal cannot be based on content, message, or viewpoint of assembly.
  - Administrator decides within 5 business days.
- Towns will be notified when an application is submitted and when the decision to issue or deny the permit is made.

# Fees and Recovery



- The applicant shall submit a fee for an Assembly Permit.
- Recovery (Extraordinary Services)  
Events that require County owned materials and/or staff labor would negotiate with that County department via a separate contract for services.

# Next Steps

- Determine if committees want to take action to move to County Board for consideration for adoption.
- Note: If adopted by County Board, effective date of ordinance would need to be included in the resolution.

# Questions



---

## **Application Sec. 12.04. Assemblies and Special Events.**

(1) *Purpose and Intent.*

(a) The purpose of this section is to:

- i. Regulate the assembly of large numbers of individuals in excess of those who would normally be requiring the services of the health, sanitary, fire, police, transportation and utility agencies which are regularly provided in Marathon County (County); and
- ii. Regulate the assembly of large numbers of individuals in excess of those who regularly occupy the event location to minimize adverse impacts to surrounding properties and uses.

(b) *Intent.* It is the intent of the Marathon County Board of Supervisors that all provisions of this section have an independent existence. Should any section or provision be declared invalid or unconstitutional by a court of competent jurisdiction, that section or provision so declared shall be severable from and shall not affect the validity of the remainder of this section.

(2) *Applicability.* This ordinance shall be in effect in all unincorporated areas of the County.

(3) *Implementation of Policy.* The County recognizes the important role and benefits assemblies, and special events provide to our community. In order to effectuate the purposes of this section uniformly, the Marathon County Board of Supervisors delegates to the Conservation, Planning, and Zoning Department, in coordination with Highway, Emergency Management, Health, the Sheriff's Office, and Parks, Recreation, & Forestry Departments, the power to implement the provisions of this section. In carrying out this delegation, the forementioned departments shall act so as to protect the health, security and welfare of all the residents and visitors of the County.

(4) *Definitions.* As used in this section, the following listed words and phrases are to be understood and defined as follows:

- (a) *Assembly or Special Event.* A gathering of people together in any location at a single time for any purpose, which shall include accessory sites and uses. Accessory sites include but are not limited to start/finish lines, check points, staging areas, and rest stops.
- (b) *Assembly Permit/License.* An official document issued by the Conservation, Planning, and Zoning Department, allowing an event to occur under the approved specifications and plans listed in the application.
- (c) *Event.* A temporary, planned event organized, sponsored, and conducted by any person or entity. These temporary events may be one day, span multiple consecutive days, or occur in series.
- (d) *Extraordinary Services.* Services or equipment provided by the County, its departments, employees, or contractors, above and beyond its normal capabilities and requirements of providing public safety that cause a measurable burden upon County personnel and material, when the provision of such services or equipment becomes reasonable and necessary, in the County's determination, due to the specific needs or requirements of an assembly or special event.
- (e) *Government Sponsored.* An event that is organized/produced and financially supported by a government entity (county, town, state, or federal) where any proceeds are returned to the government entity and the government accepts responsibility for services and liability.



---

(f) Person. Any individual, natural human being, company, partnership, corporation, firm, association, society, or group of individuals.

(5) *Permit.*

(a) No person shall permit, hold, undertake, maintain, manage, or conduct an event with an actual or reasonably anticipated assembly of 3,000 or more attendees at any one time, or in aggregate over the course of 8 consecutive hours, without first obtaining a valid Assembly Permit from the Conservation, Planning, and Zoning Department as outlined in this section, application for which must be made at least forty (40) days in advance of the proposed assembly.

(6) *Fees.*

(a) The applicant shall submit a fee for an Assembly Permit as specified in the associated Schedule of Fees.

(b) In the event that extraordinary services are required for an event permitted under this section, the applicant shall separately contract with the applicable County department as to the scope of services to be provided and the costs associated with those services.

(c) The Schedule of Fees referenced in this section shall be reviewed and approved from time to time by the Public Safety Committee.

(7) *Size and time restrictions.* A license shall permit the assembly of only the maximum number of people stated in the license. The licensee shall neither sell more tickets than the maximum number permitted by the license nor allow more than the maximum permitted number of people to assemble at the licensed location. The maximum length of time for which any assembly permit may be issued shall be identified in the permit and shall not exceed the permitted length unless an extension is granted by Conservation, Planning, and Zoning.

(8) *Sound.* The licensee shall not permit the sound of the assembly to carry unreasonably beyond the enclosed boundaries of the location of the assembly.

(9) *Hours.* No assembly or accessory activity other than permitted camping shall take place between the hours of 12 a.m. and 6 a.m.

(10) *Exceptions.*

(a) This section shall not apply to the following:

i. Any regularly established permanent place of worship, stadium, athletic field, arena, auditorium, coliseum, fairs on established fairgrounds, or other similar permanently established place of assembly for assemblies which do not exceed by more than 250 people the maximum seating capacity of the structure or location where the assembly is held.

ii. Any business in a township that has adopted County Zoning where the primary product of said business is providing regular event space for commercial gain. Property must be correctly zoned and have all necessary permits (town, county, state, & federal) to accommodate such uses. This exception will also apply in townships which have adopted and enforce their own zoning ordinances to include regulations for businesses who have a primary product of providing regular event space for commercial gain. Persons or organizations will qualify for this exception if they have obtained and remain in compliance with a Conditional Use Permit from Marathon County or the applicable local municipality prior to the effective date of this ordinance. The person or organization must provide documentation proving a Conditional Use Permit was issued

---

by Marathon County or the applicable local municipality. Evidence that meets this exception is the burden of the applicant to provide.

- iii. This section shall not apply to government sponsored events held on government owned property where the proceeds are returned to the government. NOTE: This section does not exempt organizations from any other local regulations or any zoning ordinances in effect where the event is taking place.

(11) *Application.* Before a license shall be issued, the applicant shall file a completed application with the Conservation, Planning, and Zoning Department at least 40 business days prior to the scheduled assembly. At the time the complete application is made the Conservation, Planning, and Zoning Department shall review the proposed site and application for a period of no more than 30 business days. A completed application shall contain:

- (a) A statement, made on oath or affirmation, that the information contained within the application is true and correct to the best knowledge of the applicant.
- (b) The name, residence and mailing address of all persons required to sign the application.
- (c) The address and legal description of all property upon which the assembly is to be held, together with the name, residence and mailing address of the record owners of all of such property.
- (d) A list of names and addresses of all adjacent and opposite property owners within 2,640 feet (½ mile) of the parcel of property upon which the assembly is to be held.
- (e) Proof of ownership of all property upon which the assembly is to be held or a statement upon oath or affirmation by the record owner of all such property that the applicant has permission to use such property for an assembly of 3,000 or more persons.
- (f) The nature and purpose of the assembly.
- (g) The specific dates and times when the assembly is to be held.
- (h) A statement as to the maximum number of persons which the applicant can reasonably accommodate at any time. This shall not exceed:
  - i. The maximum number which can reasonably assemble at the location of the assembly, in consideration of the nature of the assembly; or
  - ii. The maximum number of persons allowed to sleep within the boundaries of the location of the assembly according to the applicable state law, Wisconsin Administrative Code, and zoning ordinances of the municipality, if the assembly is to continue overnight.
- (i) A statement describing the need for any Extraordinary Services.
- (j) *Emergency routing.* Applicant shall provide a map showing all access roads to the proposed site, including emergency ingress and egress routes for emergency vehicles, indicate the condition of such roads and what, if any, preparation would be required to put the roads in the condition necessary to handle the estimated amount of traffic.
- (k) *Food and beverage concessions.* If food and beverage concessions are provided, the names, contact information such as phone number and/or email, and addresses of all concessionaires and a copy of their license or permit issued by the Wisconsin Department of Agriculture, Trade, and Consumer Protection, or a Wisconsin Local Health Department. Permits may be obtained through, and inspections performed by, the County Health Department.

- 
- (l) *Emergency Action Plan.* The applicant shall develop an emergency action plan consistent with any applicable state and local requirements. Said plan must provide for medical services and on-site first aide, to include the names and hours of availability of the medical support personnel, and provisions for contacting emergency medical service.
  - (m) *Fire and severe weather plan.* The applicant must provide a plan for fire and severe weather protection and emergency response, including on-site capabilities to respond to fire or severe weather emergencies. Fire protection shall include alarms, extinguishing devices and fire lanes and escapes as required to meet all state and local standards.
  - (n) *Security.* The applicant shall provide the name, address, and telephone number of the primary security officer, information on how the personnel assigned to the site will be coordinated, and an outline of the number and location of personnel during the entire length of time that the assembly is to take place which shall include a maximum shift length of 12 hours for each officer. The security plan shall also contain provisions for patrol to occur outside of the gates and fences and what provisions for removal of individuals from the assembly site at the conclusion of the assembly are to be provided.
  - (o) *Highway closure plan.* If an event is anticipated to need road or lane closures or crossing of a County owned road, a statement and a map describing the exact location and duration of closures and crossings shall be submitted with the application.
- (12) *Conditions for Issuing License.* Before a license shall be issued under this section, the applicant shall first meet the following conditions. These conditions are required to ensure that the health, safety and welfare of the citizens of the County and the individuals attending the assembly are protected.
- (a) The applicant shall determine the maximum number of persons who will be assembled or admitted to the location of the assembly, provided that the maximum number shall not exceed the maximum number which can reasonably assemble at the location of the assembly in consideration of the nature of the assembly and provide that, where the assembly is to continue overnight, the maximum number shall not be more than is allowed to sleep within the boundaries of the location of the assembly by the zoning or health ordinances applicable.
  - (b) The applicant shall provide proof that the applicant will furnish the following at the applicant's own expense before the assembly commences:
    - i. *Fencing.* When determined to be reasonably necessary to protect health, safety, and welfare of the attendees, the community, and/or neighboring property owners, a fencing for the proposed assembly location, showing a fence of sufficient height and strength to prevent in excess of the maximum permissible number of people from gaining access to the assembly grounds shall be required. The fence shall completely enclose the assembly grounds and have sufficient gates so that emergency ingress and egress is provided. No fence shall be constructed within two feet of road right of way.
    - ii. *Illumination.* If the assembly is to continue during hours of darkness, illumination sufficient to light the entire area of the assembly, but not to shine unreasonably beyond the boundaries of the enclosed location of the assembly, shall be required. Required lighting equipment shall be installed in advance of the assembly.
    - iii. *Parking.*

1. Parking sufficient to provide parking space for the maximum number of people to be assembled at the rate of at least one parking space for every four persons is required. The parking shall have available parking for the design of the parking area as shown in the below table per vehicle.

| Parking Pattern (degrees) | Maneuvering Lane Width               | Parking Space Width | Parking Space Length |
|---------------------------|--------------------------------------|---------------------|----------------------|
| 0° (parallel)             | 12 feet (one way)<br>24 feet (2 way) | 9 feet              | 23 feet              |
| 1° - 90° (angled)         | 12 feet (one way)<br>20 feet (2 way) | 9.5 feet            | 19 feet              |

iv. *Potable Water.*

1. Potable water sufficient for the maximum number of people to be assembled must be available for the duration of the assembly.
2. For purposes of this ordinance, "Safe Water" complies with NR 809 Wisconsin Administrative Code, specifically Bacteria and Nitrate, though not excluding other contaminants that are identified as a potential concern based on geography, geology, or other information.
3. Any well, whether newly constructed or existing, that is intended to be used for potable water, must meet the current water standards as defined in NR 809 Wisconsin Administrative Code. The source, quality, quantity, and means of dispensing of water shall be stated in the Potable Water plan.

v. *Toilets.* The following toilet and lavatory facilities are required:

1. Permanent toilet facilities, portable toilets, or a combination of both, meeting all State and local specifications, that:
  - a. Have separate enclosed toilets sufficient for the maximum number of people to be assembled.
  - b. Are placed at convenient locations throughout the grounds.
  - c. Have an efficient, sanitary means of disposing waste matter, to include frequency of cleaning or pumping.
2. Handwashing stations and sufficient supply of soap and paper towels shall be provided with each toilet or group of toilets. handwash sink cleaning or maintenance and garbage removal must be provided to ensure an efficient, sanitary means of handwashing sufficient for the maximum number of people to be assembled.

vi. *Solid Waste.* The following is required for disposal of waste:

1. Any garbage or recyclable solid waste must be disposed in compliance with State and local laws and regulations at the rate of at least 2.5 lbs. of solid waste per person per day, together with a plan for holding, collecting, and removing all such waste at least once each day of the assembly. The applicant shall provide sufficient receptacles with lids that can be secured to inhibit the access of pests and shall state specifically how garbage and other refuse is to be disposed.
2. The applicant shall have a plan \*for clean-up of the assembly site and surrounding area at the conclusion of the assembly.

- 
- vii. *Camping.* If the assembly is to continue overnight and includes camping for attendees, campsites must be in compliance with all State and local requirements, specifically ATCP 79.
  - viii. *Fire protection.* Fire protection services, including alarms, extinguishing devices and fire lanes and escapes as required to meet all state and local standards.
  - ix. *Sound control and amplification plan.* The applicant shall provide a plan relative to sound control and amplification.
  - x. *Medical services.* medical services and on-site first aide in a fixed, sheltered location.
  - xi. *Security.*
    - 1. Adequate security for the maximum number of people to be assembled at the rate of at least three on-duty licensed security guards for every 1,000 people during all hours of the assembly. Security personnel shall be either Wisconsin peace officers or private guards licensed in the State of Wisconsin. The application to become a licensed security officer in the State of Wisconsin can be found at <https://dsps.wi.gov/Credentialing/Business/fm2271.pdf>.
  - xii. *Reserved Park spaces.* If an event is scheduled to take place in a County owned park, the applicant shall contact the Parks, Recreation, and Forestry Department to reserve the needed space and provide proof of rental of the facility or space with the application. The applicant shall identify any areas in the reserved location that will not be open to the public and shall provide a statement and map showing the area to be utilized.
  - xiii. *Alcohol.* The applicant shall provide for at least 1 licensed bartender for each separate beverage station that is serving alcohol.
- (13) *Insurance and Indemnification.* An applicant shall execute and file with its application under (11) the following:
- (a) An agreement which shall indemnify and hold harmless the County or any of its agents, officers, servants, and employees from any liability or causes of action which might arise by reason of granting this license. Such agreement is included in the application certification portion of the application document that is required to be signed for a completed application.
  - (b) Certificates of proof of insurance issued by insurance companies licensed to transact business in the State of Wisconsin providing that the applicant and the assembly are covered by a comprehensive general liability policy providing a minimum coverage of \$2,000,000 aggregate coverage; fire legal liability policy in the amount of \$2,000,000; and worker's compensation insurance as required by Wisconsin law.
- (14) *Issuance.* The granting of a license under the provisions of this section shall not in any way be construed as allowing the erection of facilities which will cause the site to be regarded as a regularly established place of assembly. Any structure or building constructed in relation to an activity for which a license has been granted shall not in any way be regarded as permanent or lead to the facility being exempted pursuant to this section.
- (15) *Processing the application.* The completed application for a license shall be processed within 30 days of receipt and shall be issued or denied by the Conservation, Planning, and Zoning Department within that time period.

---

(16) *Appeal.*

- (a) Any determination of the Conservation, Planning and Zoning Department relative to the issuance of a license under this section may be appealed in writing to the Marathon County Administrator.
- (b) Any appeal under this subsection must be made within five business days of the determination appealed by requesting an appeal in writing to the Marathon County Administrator. An appeal is considered made at the time it is received by the office of the Marathon County Administrator.
- (c) An appeal under this subsection may be submitted by an individual, group, or organization to whom a license has been denied or by a Township in which an event is intended to take place. The appeal must state, in writing, the grounds upon which the appeal is being made. No party may appeal the issuance of a license under this section based upon a disagreement with the content, message, or viewpoint of the event or assembly.
- (d) Upon receipt of a timely written appeal, the Marathon County Administrator shall issue a written decision relative to any appeal under this subsection within five business days.

(17) *Revocation.* The license may be revoked by the Zoning Administrator, County Health Officer or the Sheriff at any time if any of the conditions necessary for the issuing of or contained in the license are not complied with or if any condition previously met ceases to be complied with.

(18) *Enforcement.*

- (a) The provisions of this section may be enforced by injunction in any court of competent jurisdiction. The Corporation Counsel shall have full power to conduct legal proceedings under this section and shall represent the legal interests of the County throughout the application process.

(19) *Public nuisance.* Holding of an assembly in violation of any provision or condition contained in this section shall be deemed a public nuisance and may be abated as such.

- (a) Any person who violates this section or any condition upon which a license under this section is granted may be fined not less than \$1000 nor more than \$25,000 for each violation. Each day of violation shall be considered a separate offense.
- (b) Citations for violations of this section may be issued by any law enforcement officer or by Zoning Administrator or County Health Officer.

(20) *Deposit of license fees.*

- (a) All license fees shall be deposited with the County Treasurer.