



OFFICE OF KIM TRUEBLOOD
COUNTY CLERK
MARATHON COUNTY

ADDENDUM



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.

ADJOURNED ANNUAL MEETING

THE ADJOURNED ANNUAL MEETING of the Marathon County Board of Supervisors, composed of thirty-eight (38) members, will convene at the Marathon County Courthouse, Assembly Room, 500 Forest Street, Wausau, on Tuesday, December 15, 2020 at 7:00 p.m. to consider the following matters:

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

1-408-418-9388 Access code: 962 376 748

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

A. OPENING OF SESSION:

1. Meeting called to order by Chairperson Gibbs at 7:00 p.m., the agenda being duly signed and posted
2. Pledge of Allegiance to the Flag; Followed by a Moment of Silence/Reflection
3. Reading of Notice
4. Request for silencing of cellphones and other electronic devices
5. Roll Call
6. Acknowledgment of visitors
7. 15 Minute Public Comment

Any person who wishes to address the County Board, or one of its committees, during the "Public Comment" portion of 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.

B. REPORTS:

8. ADRC Annual Report to the Community, ADRC Director Jonette Arms

C. CONSENT AGENDA:

9. Approval of minutes from the November 5 & 10, 2020 meetings
10. Referral of bills and communications to respective committees
11. Authorizing the Clerk to issue orders, bills and claims from the last session through this session

D. MEMORIAL:

12. Life and Public Service of Norman "Butch" Brod

E. APPOINTMENTS:

13. Wisconsin Valley Library Service Board of Trustees - Mandy Wright
14. Wisconsin Valley Library Service Board of Trustees - Jessica Burnett
15. Public Library Board – Jeff Campo
16. North Central Community Services Program Board – David Oberbeck

F. ORDINANCES:

17. Amending Chapter 9 of the General Code of Ordinances, Relating to Regulations Relevant to Public Peace and Good Order within Marathon County #O-29-20
18. Town of Rib Falls Rezone, Rick Kersten on behalf of Steve Dahlke #O-30-20

RESOLUTIONS:

G. HEALTH AND HUMAN SERVICES COMMITTEE AND TRANSPORTATION COORDINATING COMMITTEE:

19. 2021 Elderly and Disabled Transportation (85.21) Application [Grant Application](#) #R-70-20

H. ENVIRONMENTAL RESOURCES COMMITTEE AND FORESTRY AND RECREATION COMMITTEE:

20. To Approve the Annual County Forest Work Plan #R-71-20
21. Application for County Forest Acreage Share Loan Payment #R-72-20

I. HUMAN RESOURCES, FINANCE AND PROPERTY COMMITTEE:

22. A Resolution in Support of State Funding for Equitable Return of Utility Tax Collections to Counties and Municipalities as Utility Aid #73-20
23. A Resolution Amending the 2020 Capital Improvement Budget and the 2020-2024 Capital Improvement Program for a Courthouse/Jail Domestic Water System Renovation Project and Make a Transfer from the 2020 Contingency Fund #74-20

J. HEALTH AND HUMAN SERVICES COMMITTEE:

24. Resolution Supporting Increased Funding for Aging and Disability Resource Centers #R-75-20

K. MISCELLANEOUS BUSINESS

25. Announcements and / or Requests
26. Motion to Adjourn

WITNESS: My signature this 15th day of December, 2020

Kim Trueblood
Marathon County Clerk

NOTE: The next meeting of the County Board will be the Educational Meeting scheduled for Tuesday, January 21, 2021 at 7:00 p.m. It will be held in the Assembly Room of the Courthouse.

NOTICE PROVIDED TO: County Board Members
Marathon County Departments
News Media
Posted on County Website: www.co.marathon.wi.us

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 715-261-1500 one business day before the meeting.



Aging and Disability Resource Center of Central Wisconsin

2019 Annual Report to the Community

Presentation to the Marathon County Board of Supervisors

Tuesday, December 15, 2020

7:00 P.M.

Presented by

Jonette N. Arms, Executive Director

Mike Rhea, Director, Resource Center Services – Regional Office Leader Liaison

Kit Ruesch, Quality Manager



Trauma informed Care Organization

We Provide Trustworthy, Welcoming, Collaborative, Respectable, and Empowering Services, Programs, and Opportunities.

MISSION

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- Established community office hours at the Athens Public Library and The Landing, the Woodson YMCA's new 55+ senior center.
- Secured funding to purchase to brand new Meals on Wheels vehicles thanks to generous grants from local Marathon County community foundations.

- Collaborated with the Regional Trauma Advisory Council (RTAC) to develop and implement a web-based referral form that can be utilized by fire department staff and emergency technicians while they are in the field and in return the ADRC-CW will receive an electronically transmitted referral to assist with quick client follow up.
- Trained nearly 400 people in Dementia Friendly/Dementia Friends Community and Business Presentations.
- A Diversity and Inclusivity Initiative was established to improve services to under-served and minority populations. Through this initiative, the ADRC-CW has participated in targeted community events such as Hmong New Year and Indigenous People's Day and held a staff training on the Mennonite community.

- A new Caregiver Newsletter is sent to nearly 200 family caregivers each quarter in Langlade, Lincoln, Marathon, and Wood counties.
- Expanded our advocacy efforts through training, visits to Madison, and meetings with elected officials to ensure the development and funding of services and programs for adults who are aging and disabled.
- Joined with Peyton's Promise and the Girl Scouts to develop Senior Snow Meals, which will provide pre-delivered shelf-stable foods for homebound older adults on harsh winter days when, for safety reasons, the ADRC-CW has to cancel MOW's deliveries.

2019 Total revenue from all funding sources: \$6,548,484

ADRC Grants: \$2,980,791

Aging Grants: \$2,542,965

County Tax Levy: \$858,181

Other: \$23,023

2018 Program Income: \$143,524

Revenue

2018 Program Income

2.2%

County Tax Levy

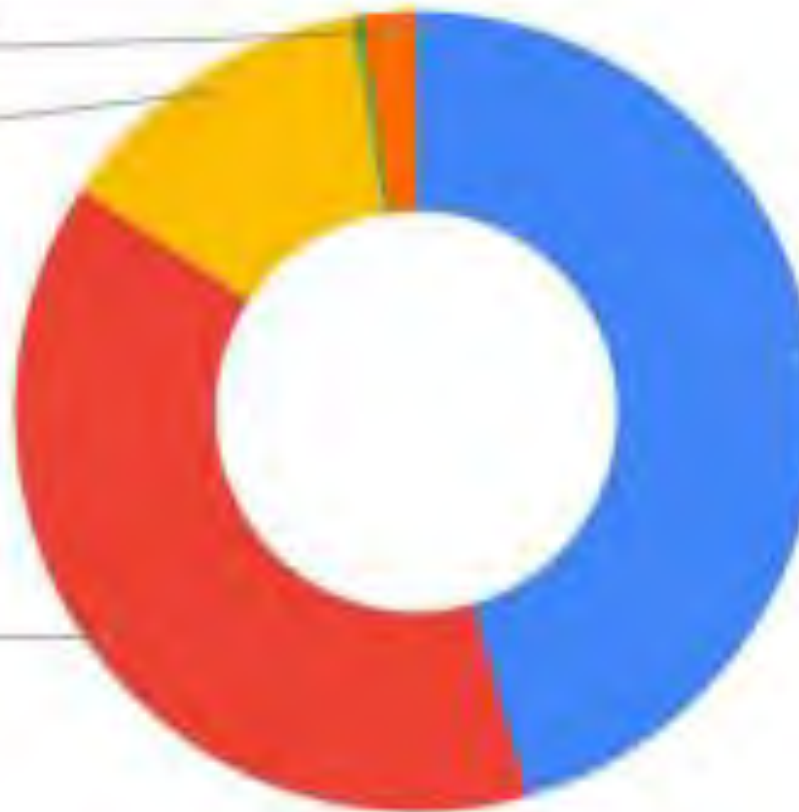
13.1%

Aging Grants

38.8%

ADRC Grants

45.9%



Expenses



2019 Total Expenses: \$6,545,766

Nutrition: \$2,042,644

ADRC Specialists: \$1,935,631

Disability and Elder Benefit Specialists: \$822,850

Caregiver Support: \$433,343

Prevention Services: \$280,142

Administration: \$1,009,408

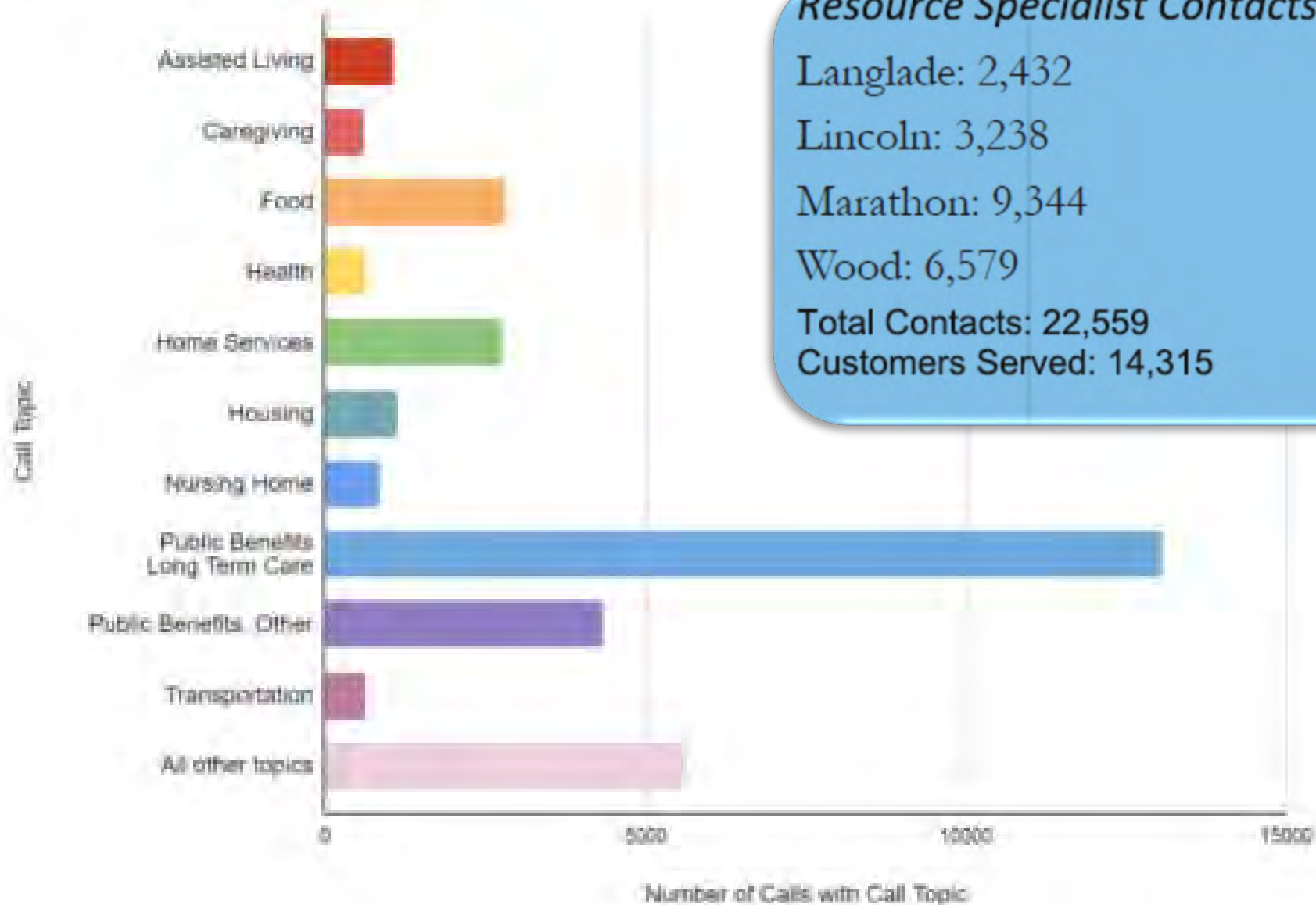
Other: \$21,748

Contacts Made

The ADRC-CW measures the total number of contacts made by the resource and benefit specialists with community members each year. This could be via phone calls, face-to-face meetings in the office or in the customer's home, and any needed follow-ups.

The ADRC has 17 resource specialists and 9 benefit specialists who support customers throughout the region. These specialists field customer phone calls, visit customers in their homes, and provide community outreach through presentations, health fairs, and community-based office hours.

Number of Calls by Topic



Resource Specialist Contacts

Langlade: 2,432

Lincoln: 3,238

Marathon: 9,344

Wood: 6,579

Total Contacts: 22,559

Customers Served: 14,315

Contacts Made



Elder Benefit Specialist Contacts

Langlade: 753

Lincoln: 652

Marathon: 1,034

Wood: 699

Total Number of Contacts: 3,138

Customers Served: 2,017

Disability Benefit Specialist Contacts

Langlade and Lincoln: 423

Marathon: 826

Wood: 821

Total Number of Contacts: 2,070

Customers Served: 200

Care Giver Coordinator Contacts

Total number of customer contacts: 828

Total number of cases managed: 92

Customers served: 220

Community Health Educator Contacts

Total number of participants: 248

Total number of classes: 200

Presentations: 27

Nutrition Program

The ADRC-CW serves lunch at 12 community based senior dining sites throughout the four-county region and also provides home delivered meals through the Meals on Wheels program. We also serve meals through a partnership with local restaurants with the Cafe 60 program.

Meals are available to those 60 years of age or older. Delivered meals are available to those 60 years of age or older, who are homebound or unable to prepare nutritious meals for themselves. There is no cost to participate in these programs, but confidential contributions are accepted.

No eligible participant is denied a meal because of inability to contribute financially.

Nutrition Program



Meals on Wheels

Langlade: 15,899

Lincoln: 25,610

Marathon: 57,525

Wood: 38,296

Total Number of Meals: 137,331

Customers Served: 1,141

Senior Dining Sites

Langlade: 4,211

Lincoln: 6,497

Marathon: 5,670

Wood: 20,428

Total Number of Meals: 39,519

Customers Served: 1,197

Cafe 60

Total Number of Meals: 14,496



Generous Donors and Volunteers



The ADRC-CW gratefully acknowledges the generous donations from private funders, local businesses, and members of the community. There are so many who contribute to the ADRC-CW's continued success in delivering services to aging community members and individuals living with disabilities. We are able to better serve our communities and carry out our mission through the generous gift of time from our volunteers.

B.A. & Esther Greenheck Foundation

Langlade: 77

Community Foundation of North Central Wisconsin

Lincoln: 101

Dudley Foundation, Inc.

Marathon: 57

Dwight & Linda Davis Foundation

Wood: 93

James L. Kemerling Fund

Total volunteers throughout the region: 328

The Judd S. Alexander Foundation, Inc.

Dudley Foundation



REGIONAL

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Questions

Antigo

715-627-6232
1225 Langlade Rd
Antigo, WI 54409

Marshfield

715-384-8479
300 S Peach Ave
Suite 1
Marshfield, WI 54449

Merrill

715-536-0311
607 N Sales St
Suite 206
Merrill, WI 54452

Wausau

715-261-6070
2600 Stewart Ave
Suite 25
Wausau, WI 54401

Wisconsin Rapids

715-421-0014
220 3rd Avenue S
Suite 1
Wisconsin Rapids, WI 54495

Toll Free: 1-888-486-9545 Email: adrc@adrc-cw.org Website: www.adrc-cw.org

WE PROVIDE WELCOMING, TRUSTWORTHY, RESPECTFUL, COLLABORATIVE, AND EMPOWERING SERVICES, PROGRAMS, AND OPPORTUNITIES.



Marathon County Annual Comparison		
January - September 2020		
Service/Program	2020	2019
Call Volumes	20,913	22,179
MOW Meals	56,843	46,642
MOW Unduplicated Customers	670	466
Congregate Dining Meals	4,250	16,929
Congregate Unduplicated Customers	253	404
Resource Specialist Staff Contacts	6,867	7,364
Resource Specialist Unduplicated Contacts	2,565	3,077
Elder Benefit Specialist Total Contacts	305	801
Elder Benefit Specialist Unduplicated Customers	253	487
Disability Benefit Specialists Total Contacts	171	637
Disability Benefit Specialists Unduplicated Customers	47	45
Caregiver Support Case Management Contacts	292	221
Caregiver Support Case Management Customers	43	35
Prevention Program Unduplicated Customers	39	81
Prevention Program Program Hours	420.5	715
Caregiver Training Unduplicated Customers	0	22
Caregiver Training Hours	0	83

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2019

Annual Report to the Community

TRAINING



ADVOCACY

SERVICE



Board of Directors and Advisory Committee

Tim Buttke, Chairman
 Dora Gorski, Vice-chairman
 Norbert Ashbeck
 Vern Cahak
 Sandi Cihlar
 Mike Feirer
 Jim Hampton
 Will Hascall
 Dick Hurlbert
 Doug Machon
 Sharon Rybacki
 Dona Schwichtenberg
 Danielle Yuska

LANGLADE COUNTY:

Douglas Curler
 Carol Krochalk
 Mary Jo Kawalski
 James Posselt

LINCOLN COUNTY:

Nancy Uerling
 Dee Olsen
 Tara Schneider

Arlene Meyer

MARATHON COUNTY:

Tony Omernik
 Barbara Mullen
 Rose Boron

Liz Fischer

WOOD COUNTY:

Bonnie Roggenbauer
 Kathleen Meyer
 Jim Scott
 Ann Egge



ADRC-CW Mission

The Aging & Disability Resource Center of Central Wisconsin promotes choice and independence through personalized education, advocacy, and access to services that prevent, delay, and lessen the impacts of aging and disabilities in the lives of adults.

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Year in Review

Oh, what a year –what a great year of progress and success! 2019 was a year of growth, innovation, and achievement, and our progress is due to all of your efforts. Thank you to our ADRC-CW Board and Advisory Committee members, employees, partners, customers, clients, and friends—for helping us to advance. I am especially honored to work alongside our ADRC-CW family of volunteers who are approximately 300 strong in numbers. Without you, many services, such as our Senior Nutrition and evidence-based prevention programs, would not exist.

As we enter 2020, let us take time to give thanks and celebrate our successes, relish in our accomplishments, and keep steering ahead at the opportunities that await us.

We were able to achieve the following in 2019:



We partnered with Northcentral Technical College to form Medicare Open Enrollment Computer Labs, which assisted people 65 years plus with selecting new or modifying their Medicare Advantage or Part D plan.

We established community office hours at the Athens Public Library and The Landing, the Woodson YMCA's new 55+ senior center.

We secured funding to purchase to brand new Meals on Wheels vehicles thanks to generous grants from local Marathon County community foundations.

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Thank you –and let us embrace what's to come in 2020!

A handwritten signature in black ink that reads "Jonette N. Arms". The signature is written in a cursive, flowing style.

Jonette N. Arms
Executive Director

Overview of Revenue and Expenses

2019 Funding Sources

Total revenue from all funding sources: \$6,548,484

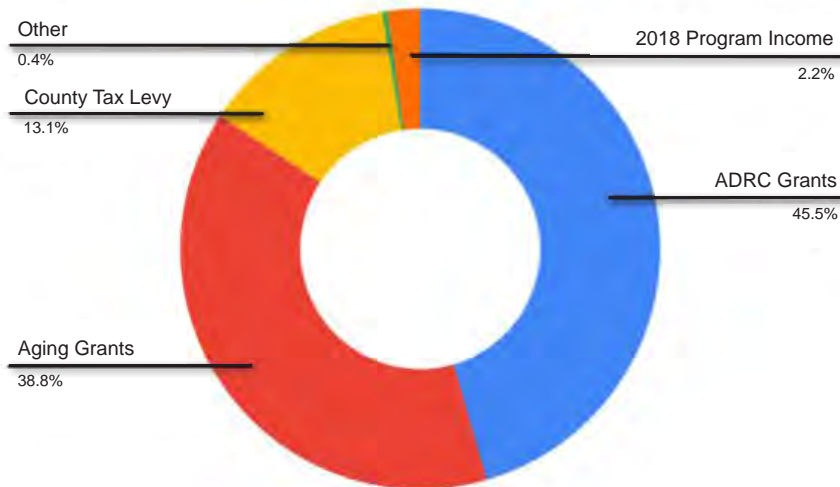
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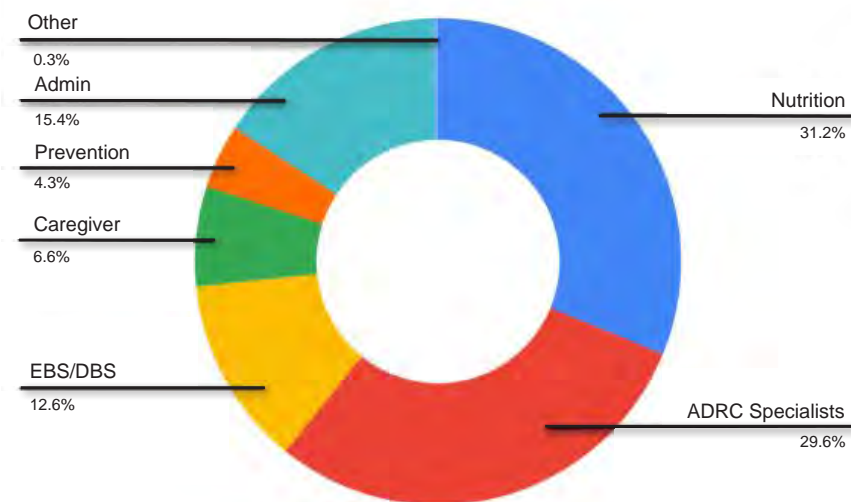
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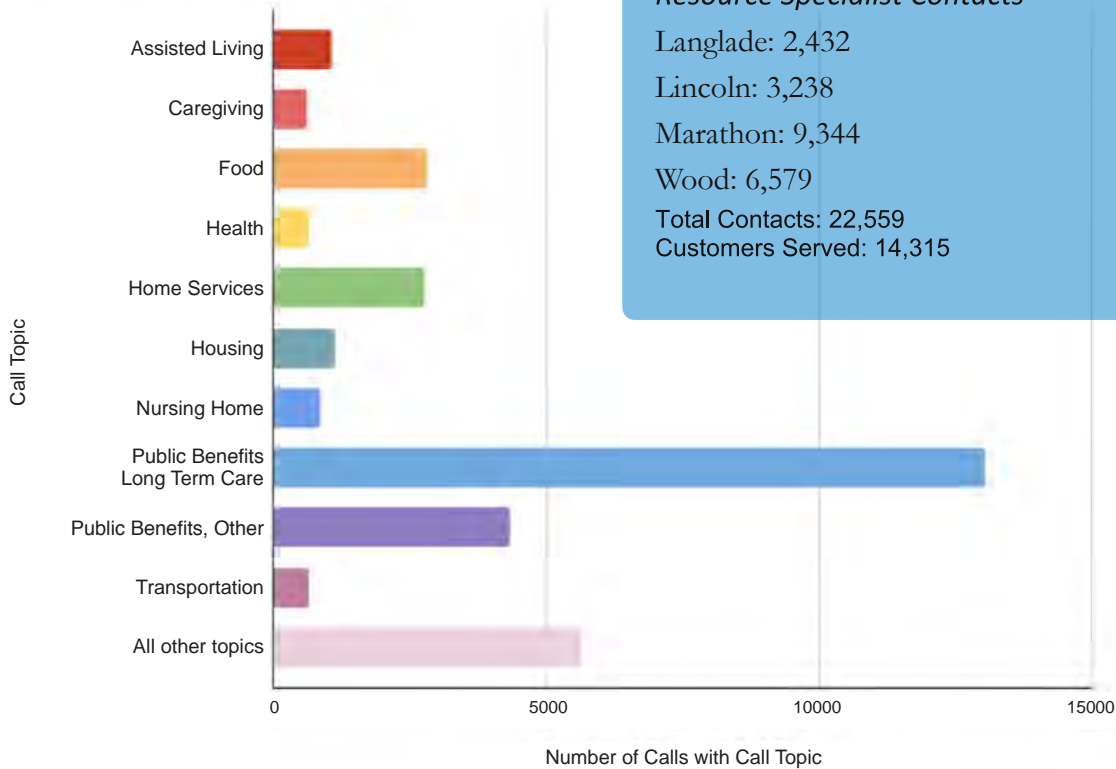


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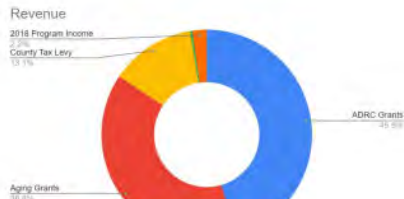


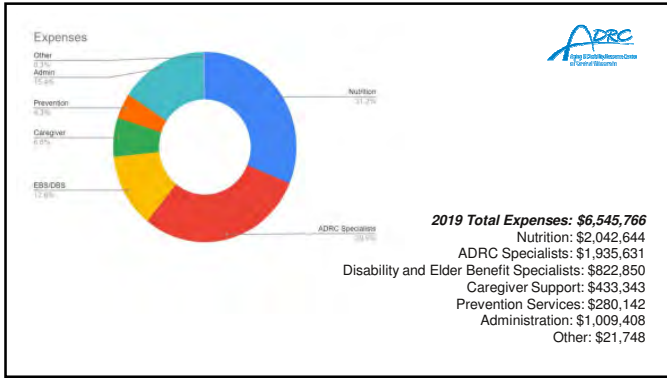
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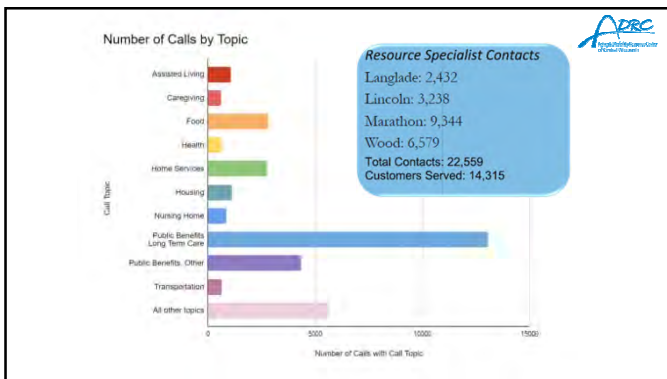




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WE PROVIDE WELCOMING, TRUSTWORTHY, RESPECTFUL, COLLABORATIVE, AND EMPOWERING SERVICES, PROGRAMS, AND OPPORTUNITIES.

WE NEED YOU!

ARE YOU LOOKING FOR A MEANINGFUL AND SAFE WAY TO SUPPORT YOUR COMMUNITY THROUGH VOLUNTEERISM?

DID YOU KNOW THAT VOLUNTEERING FOR MEALS ON WHEELS MAKES A SIGNIFICANT POSITIVE IMPACT IN OUR COMMUNITY?

Meals on Wheels is a program that delivers nutritionally-balanced meals to homebound-limited mobility individuals 60 years+ who are unable to regularly purchase or prepare their own meals.

Please invite others to get involved!

Volunteering once, twice or more a month makes a big difference. You can choose how often you would like to volunteer. There are routes throughout all four of our counties (Langlade, Lincoln, Marathon, and Wood). Meals on Wheels (MOW) routes take about an hour to deliver (1.5 hours for longer routes). Meal pickup times vary but typically are ready between 10:15 am and 10:45 am Monday through Friday.

A typical volunteer day:

1. Arrive between 10:15 am and 10:45 am (depending on location). Pick up packaged meals and route information. There are usually 10-15 customers per route. Volunteers usually deliver the same route so they get to know the stops and customers.
2. Deliver meals and smiles. Yes, people can tell if you are smiling with your mask on!
3. Because we care about our customers and volunteers, we developed a safe delivery process during the pandemic. Volunteers are required to:
 - a. Wear a mask,
 - b. Sanitize their hands between stops,
 - c. Place meal on table,
 - d. Say hello (customers are asked to keep a 6' distance) and
 - e. Leave knowing you made someone's day a lot better!

Getting started:

Fill out a volunteer application. We will complete a background check then schedule a volunteer orientation. For your first route, you will follow a staff or experienced volunteer to get the hang of the route (unless you opt to go alone with your GPS/phone or directions).



MOW volunteer drivers use their own vehicle to deliver the meals, donate their time, and if requested are reimbursed for mileage at the current IRS mileage reimbursement rate.

Connect with us to learn more: 888-486-9545 or email: adrc@adrc-cw.org

APPOINTMENT
Wisconsin Valley Library Service Board of Trustees

I, Kurt Gibbs, Marathon County Board Chair, do hereby, upon approval of the Board of Supervisors, appoint the following individual to the Wisconsin Valley Library Service Board of Trustees, for a three year term to expire December 31, 2023:

Mandy Wright, 2016 Ewing Ave, Wausau, WI 54403

Per diem and mileage/expense reimbursement will not be paid for meeting attendance.

Dated this 15th day of December, 2020.

Kurt Gibbs, Chairperson
County Board of Supervisors

STATE OF WISCONSIN)
)SS.
COUNTY OF MARATHON)

I, Kim Trueblood, County Clerk in and for Marathon County, Wisconsin, hereby certify that the above appointments were confirmed by the Marathon County Board of Supervisors at their Adjourned Annual meeting which was held December 15, 2020.

S E A L

Kim Trueblood
Marathon County Clerk

APPOINTMENT
Wisconsin Valley Library Service Board of Trustees

I, Kurt Gibbs, Marathon County Board Chair, do hereby, upon approval of the Board of Supervisors, appoint the following individual to the Wisconsin Valley Library Service Board of Trustees, to complete an unexpired term ending on December 31, 2021:

Jessica Bennett, 216443 Dallman Road, Hatley, WI 54440

Per diem and mileage/expense reimbursement will not be paid for meeting attendance.

Dated this 15th day of December, 2020.

Kurt Gibbs, Chairperson
County Board of Supervisors

STATE OF WISCONSIN)
)SS.
COUNTY OF MARATHON)

I, Kim Trueblood, County Clerk in and for Marathon County, Wisconsin, hereby certify that the above appointments were confirmed by the Marathon County Board of Supervisors at their Adjourned Annual meeting which was held December 15, 2020.

S E A L

Kim Trueblood
Marathon County Clerk

**APPOINTMENT
Public Library Board**

I, Lance Leonhard, Marathon County Administrator, do hereby, upon approval of the Board of Supervisors, appoint the following individual to the Marathon County Public Library Board for a three year term to expire December 31, 2023:

Name and address: Jeff Campo
 141402 Moon Road
 Mosinee, WI 54455

Per diem and mileage/expense reimbursement will be paid for meeting attendance, to be paid from library budgeted funds.

Dated this 15th day of December, 2020.

Lance Leonhard
Marathon County Administrator

STATE OF WISCONSIN)
)SS.
COUNTY OF MARATHON)

I, Kim Trueblood, County Clerk in and for Marathon County, Wisconsin, hereby certify that the above appointments were confirmed by the Marathon County Board of Supervisors at their Adjourned Annual meeting which was held December 15, 2020.

S E A L

Kim Trueblood
Marathon County Clerk

APPOINTMENT
North Central Community Services Program Board

I, Lance Leonhard, Marathon County Administrator, do hereby, upon approval of the Board of Supervisors, appoint Supervisor David Oberbeck to the North Central Community Services Program Board for a three year term to expire December 31, 2023.

Per diem and mileage/expense reimbursement will be paid to eligible members of the Board.

Dated this 15th day of December, 2020.

Lance Leonhard
Marathon County Administrator

STATE OF WISCONSIN)
)SS.
COUNTY OF MARATHON)

I, Kim Trueblood, County Clerk in and for Marathon County, Wisconsin, hereby certify that the above appointment was confirmed by the Marathon County Board of Supervisors at their Adjourned Annual meeting which was held December 15, 2020.

S E A L

Kim Trueblood
Marathon County Clerk

ORDINANCE #O-29-20

AMENDING CHAPTER 9 OF THE GENERAL CODE OF ORDINANCES, RELATING TO REGULATIONS RELEVANT TO PUBLIC PEACE AND GOOD ORDER WITHIN MARATHON COUNTY

WHEREAS, Chapter 9 of the General Code of Ordinances for Marathon County sets forth regulations related to maintaining public peace and good order within the County; and

WHEREAS, Wis. Stat. §§ 59.54(6) and (22) authorize Marathon County to enact and enforce ordinances to preserve the public peace and good order within the County, including ordinances prohibiting conduct that is the same as or similar to conduct prohibited in the criminal code of the State of Wisconsin; and

WHEREAS, Wis. Stat. § 342.40(3) authorizes Marathon County to enact and enforce ordinances that provide a forfeiture for abandonment of vehicles on public or private property; and

WHEREAS, Wis. Stat. § 118.163(2) authorizes Marathon County to enact a local ordinance that prohibits habitual truancy; and

WHEREAS, Wis. Stat. § 254.92(4) authorizes Marathon County to enact an ordinance that prohibits the purchase or possession of cigarettes, nicotine products, and tobacco products by minors; and

WHEREAS, Wis. Stat. § 101.123(4m) authorizes Marathon County to enact an ordinance prohibiting a person who controls, governs, or directs the activities at a location where smoking is prohibited from allowing any person to smoke at the prohibited location; and

WHEREAS, Wis. Stat. § 125.32(3)(d) authorizes Marathon County to enact an ordinance related to closing hours for premises that sell intoxicating beverages; and

WHEREAS, Wis. Stat. § 59.54(25g) authorizes Marathon County to enact an ordinance prohibiting possession of synthetic cannabinoids; and

WHEREAS, the Marathon County Sheriff's Office has requested the attached revisions to Chapter 9 of the General Code of Marathon County to provide its deputies additional enforcement options; and

WHEREAS, providing Sheriff's Deputies with additional enforcement options in the field would enhance public safety by providing alternative options beyond arrest and criminal charges; and

WHEREAS, the Marathon County District Attorney has reviewed the attached revisions to Chapter 9 of the General Code of Marathon County and has no objection to the proposed revisions; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Marathon does hereby ordain as follows:

1. To amend Chapter 9 of the Marathon County General Code of Ordinances, pursuant to the attached document, in the interests of maintaining public peace and good order in the County.

BE IT FURTHER RESOLVED that the ordinance shall take effect upon passage and publication as required by law.

Dated the 15th day of December, 2020.

PUBLIC SAFETY COMMITTEE

/s/ Matt Bootz, Chair

/s/ Brent Jacobson, Vice Chair

/s/ Bruce Lamont

/s/ Arnold Schlei

/s/ Jenifer Bizzotto

/s/ Jean Maszk

/s/ Allen Opal

Fiscal Impact: None. The proposed changes provide additional regulations and enforcement options for Marathon County Sheriff's Deputies to utilize while in the field but do not require additional funds related to their enforcement.

CHAPTER 9 – PUBLIC PEACE AND GOOD ORDER

IN GENERAL

Sec. 9.01 – Scope, Authority, and Penalties Applicable within this Chapter.

- (1) **Scope.** The Ordinances within Chapter 9 of the Marathon County General Code define offenses against the peace and good order of the State of Wisconsin and residents of Marathon County, or otherwise prohibit conduct that is the same as or similar to that provided by criminal law statutes within the State of Wisconsin.
- (2) **Authority.** The Ordinances within Chapter 9 of the Marathon County General Code are enacted pursuant to the authority delegated to Marathon County pursuant to Wis. Stat. § 59.54(6) and (22), unless otherwise specified.
- (3) **Penalties.** Unless a specific penalty provision is otherwise prescribed for a particular violation, any person found to be in violation of any provision of this chapter, or any order, rule or regulation made hereunder, shall be subject to a penalty as provided in § 25.04 of this General Code.
- (4) **Prosecution.** Pursuant to Wis. Stat. § 978.05(2), the Marathon County District Attorney shall have authority to prosecute all offenses in this Chapter that prohibit conduct that is the same or similar to conduct prohibited by state laws within the District Attorney’s jurisdiction.

Commented [MP1]: Beyond the addition of individual ordinances, the largest change is in the numbering and organization of the ordinances. Offenses have been grouped by category, starting with an ordinances of general applicability to the entire chapter.

Commented [MP2]: The scope section was drafted to allow the chapter to conform with 59.54(6) and (22)

Commented [MP3]: Instead of individually listing authority in each section, I noted the general authority to prohibit conduct against peace and good order and/or substantially similar to criminal offenses.

Commented [MP4]: Moved the penalty section to the beginning and noted its general applicability to the entire chapter unless otherwise noted

Commented [MP5]: Language consistent with 978.05

PART I – OFFENSES AGAINST THE PERSON

Sec. 9.11 - **Battery**

No person shall cause bodily harm to another by an act done with intent to cause bodily harm to that person or another without consent of the person so harmed.

Commented [MP6]: This is an entirely new provision modeled after 940.19(1). This was requested by MCSO to give deputies more flexibility in the field by adding additional enforcement options.

Sec. 9.12 – **Harassment**

- (1) *Course of conduct.* In this section, “course of conduct” means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.
- (2) No person shall, with intent to harass or intimidate another person, do any of the following:
 - i. Strike, shove, kick, or otherwise subject a person to physical contact or threaten to do the same.
 - ii. Engage in a course of conduct or repeatedly commit acts which harass or intimidate a person and which serve no legitimate purpose.

Commented [MP7]: This is an entirely new provision modeled after 947.013(1m). This was requested by MCSO to give deputies more flexibility in the field by adding additional enforcement options.

PART II – PRESERVATION OF PUBLIC PEACE AND GOOD ORDER

Sec. 9.21. - Disorderly conduct.

No person shall, in a public or private place, engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance.

Commented [MP8]: This has not changed other than being renumbered

Sec. 9.22. - Disorderly conduct with a motor vehicle.

- (1) *Definitions.* In this section, a motor vehicle shall mean any self-propelled device for moving persons or property or pulling implements from one place to another, whether such device is operated on land, water or ice.
- (2) No person shall in a public or private place operate a motor vehicle in an abusive, boisterous, unreasonably loud or otherwise disorderly manner under circumstances which tend to cause or provoke a disturbance. Such conduct shall include, but not be limited to because of enumeration, conduct which tends to disturb, annoy or endanger one or more individuals because of unnecessary or deliberate spinning of wheels, squealing of tires, revving of engine, blowing the horn, causing engine to backfire or causing vehicle while commencing to move or in motion to raise one or more of its wheels, tracks or skis off the ground or operate at an unreasonable or imprudent speed.

Commented [MP9]: This has not changed other than being renumbered

Sec. 9.23 – Resisting or Obstructing an Officer

- (1) *Definitions.* In this section:
 - (a) “Obstruct” includes without limitation knowingly giving false information to an officer or knowingly placing physical evidence with intent to mislead the officer in the performance of his or her duty, including the service of any summons or civil process.
 - (b) “Officer” means a peace officer or other public officer or public employee having the authority by virtue of the officer’s or employee’s office or employment to take another into custody.
- (2) No person shall knowingly resist or obstruct an officer while such officer is doing any act in an official capacity and with lawful authority.

Commented [MP10]: This is an entirely new provision modeled after 946.41. This was requested by MCSO to give deputies more flexibility in the field by adding additional enforcement options.

PART III – OFFENSES AGAINST PROPERTY

Sec. 9.31 – Damage to Property

No person shall intentionally cause damage to any physical property of another without the person’s consent.

Commented [MP11]: This is an entirely new provision modeled after 943.01. This was requested by MCSO to give deputies more flexibility in the field by adding additional enforcement options.

Sec. 9.32 - Theft

No person shall intentionally take and carry away, use, transfer, conceal, or retain possession of moveable property of another without the owner's consent and with intent to deprive the owner permanently of possession of such property.

Commented [MP12]: This is an entirely new provision modeled after 943.20. This was requested by MCSO to give deputies more flexibility in the field by adding additional enforcement options.

Sec. 9.33. - Retail theft.

(1) *Definitions.* In this section,

- (a) Merchant includes any "merchant" as defined in Wis. Stat. § 402.104(3), or any innkeeper, motelkeeper or hotelkeeper.
- (ar) Theft detection device means any tag or other device that is used to prevent or detect theft and that is attached to merchandise held for resale by a merchant or to property of a merchant.
- (as) Theft detection device remover means any tool or device used, designed for use or primarily intended for use in removing a theft detection device from merchandise held for resale by a merchant or property of a merchant.
- (at) Theft detection shielding device means any laminated or coated bag or device designed to shield merchandise held for resale by a merchant or property of a merchant from being detected by an electronic or magnetic theft alarm sensor.

Commented [MP13]: This has not changed other than being renumbered

(b) Value of merchandise means:

1. For property of the merchant, the value of the property; or
2. For merchandise held for resale, the merchant's stated price of the merchandise or, in the event of altering, transferring or removing a price marking or causing a cash register or other sales device to reflect less than the merchant's stated price, the difference between the merchant's stated price of the merchandise and the altered price.

(2) No person may do any of the following without the merchant's consent and with intent to deprive the merchant permanently of possession or the full purchase price of the merchandise or property:

- (a) Intentionally alters indicia of price or value of merchandise held for resale by a merchant or property of a merchant.
- (b) Intentionally takes and carries away merchandise held for resale by a merchant or property of a merchant.

- (c) Intentionally transfers merchandise held for resale by a merchant or property of a merchant.
- (d) Intentionally conceals merchandise held for resale by a merchant or property of a merchant.
- (e) Intentionally retains possession of merchandise held for resale by a merchant or property of a merchant.
- (f) While anywhere in the merchant's store, intentionally removes a theft detection device from merchandise held for resale by a merchant or property of a merchant.
- (g) Uses, or possesses with intent to use, a theft detection shielding device to shield merchandise held for resale by a merchant or property of merchant from being detected by an electronic or magnetic theft alarm sensor.
- (h) Uses, or possesses with intent to use, a theft detection device remover to remove a theft detection device from merchandise held for resale by a merchant or property of a merchant.

(3) In addition to the penalties provided for violation of this section in Section 25.04 of this General Code of Ordinances, a judge may order a violator to make restitution under Wis. Stat § 800.093.

Sec. 9.34. - Issuance of worthless checks.

- (1) No person shall issue any check or other order for the payment of money which at the time of issuance he intends shall not be paid.
- (2) Any of the following is prima facie evidence that the person at the time he issued the check or other order for the payment of money intended it should not be paid:
 - (a) Proof that at the time of issuance the person did not have an account with the drawee.
 - (b) Proof that at the time of issuance the person did not have sufficient funds or credit with the drawee and that the person failed within five days after receiving notice of nonpayment or dishonor to pay the check or other order.
 - (c) Proof that when presentment was made within a reasonable time, the person did not have sufficient funds or credit with the drawee and the person failed within five days after receiving notice of nonpayment or dishonor to pay the check or other order.

Commented [MP14]: This has not changed other than being renumbered

- (3) This section does not apply to postdated checks or to a check given for a past consideration, except a payroll check.
- (4) In addition to the other penalties provided for violation of this section, a judge may order a violator to pay restitution under § 973.20, Wis. Stats. A victim may not be compensated under that section and § 943.245, Wis. Stats.
- (5) Violation of this section shall be prosecuted by the office of the District Attorney.

Sec. 9.35 Trespass

- (1) *Trespass to Land*
 - (a) No person shall:
 - i. Enter into any enclosed, cultivated or undeveloped land of another, other than undeveloped land specified in this Section, without the express or implied consent of the owner or occupant.
 - ii. Enter or remain on any land of another after having been notified by the owner or occupant not to enter or remain on the land.
 - iii. Enter any land of another that is occupied by a structure used for agricultural purposes without the express or implied consent of the owner or occupant.
 - iv. Enter or remain on undeveloped land that is an inholding of another after having been notified by the owner or occupant not to enter or remain on the land.
 - v. Enter undeveloped private land from an abutting parcel of land that is owned by the United States, this state or a local governmental unit, or remain on such land, after having been notified by the owner or occupant not to enter or remain on the land.
 - vi. Erect on the land of another signs which are the same as or similar to those described in subsection (6) without obtaining the express consent of the lawful occupant of or holder of legal title to such land.
 - (b) Nothing in this section shall prohibit a representative of a labor union from conferring with any employee provided such conference is conducted in the living quarters of the employee and with the consent of the employee occupants.
 - (c) This section does not apply to any of the following:
 - i. A person entering the land, other than the residence or other buildings or the curtilage of the residence or other building, of another for the purpose of removing a wild animal as authorized under §§ 29.59(2), (3) or (4), Wis. Stats., or successor statutes.
 - ii. A hunter entering land that is required to be open for hunting under §§ 29.59(4m) or 29.598(7m), Wis. Stats., or their successor statutes.
 - (d) Any authorized occupant of employer-provided housing shall have the right to decide who may enter, confer and visit with the occupant in the housing area the occupant occupies.

Commented [MP15]: This is an entirely new provision modeled after 943.213 and 14 and was requested by MCSO to give deputies more flexibility in the field by adding additional enforcement options.

- (e) In determining whether a person has implied consent to enter the land of another a trier of fact shall consider all of the circumstances existing at the time the person entered the land, including all of the following:
 - i. Whether the owner or occupant acquiesced to previous entries by the person or by other persons under similar circumstances.
 - ii. The customary use, if any, of the land by other persons.
 - iii. Whether the owner or occupant represented to the public that the land may be entered for particular purposes.
 - (f) A person has received notice from the owner or occupant within the meaning of this section if he or she has been notified personally, either orally or in writing, or if the land is posted. Land is considered to be posted under this subsection under either of the following procedures:
 - i. If a sign at least 11" square is placed in at least two conspicuous places for every 40 acres to be protected. The sign must carry an appropriate notice and the name of the person giving the notice followed by the word "owner" if the person giving the notice is the holder of legal title to the land and by the word "occupant" if the person giving the notice is not the holder of legal title but is a lawful occupant of the land. None of the colors used in the sign may be blaze orange. Proof that appropriate signs as provided in this paragraph were erected or in existence upon the land to be protected prior to the event complained of shall be prima facie proof that the land to be protected was posted as provided in this paragraph.
 - ii. If markings in a color other than blaze orange and at least one-foot long, including in a contrasting color other than blaze orange the phrase "private land" and the name of the owner, are made in at least two conspicuous places for every 40 acres to be protected.
 - (g) An owner or occupant may give express consent to enter or remain on the land for a specified purpose or subject to specified conditions and it is a violation of this section for a person who received that consent to enter or remain on the land for another purpose or contrary to the specified conditions
- (2) *Trespass to Dwellings.*
- (a) In this section, "dwelling" means a structure or a part of a structure that is used or intended to be used as a home or residence by one or more persons to the exclusion of all others. For the purposes of this section, a dwelling meets that definition regardless of whether the dwelling is currently occupied by a resident.
 - (b) No person may intentionally enter or remain in the dwelling of another without the consent of some person lawfully upon the premises or, if no person is lawfully on the premises, without the consent of the owner of the property that includes the dwelling, under circumstances tending to create or provoke a breach of the peace.

Sec. 9.36 – Abandoned Vehicles

- (1) *Definitions.*

Commented [MP16]: This is an entirely new provision requested by MCSO. The provision would enable deputies to more adequately respond to abandoned vehicles in business parking lots.

(a) “Vehicle” as used in this section includes any motor vehicle, trailer, semitrailer, mobile home, or any other motor vehicle as defined in Wis. Stat. § 340.01(35).

(2) *Authority.* This section is enacted pursuant to Wis. Stat. § 342.40(3).

(3) *Abandoned vehicles prohibited.* No person shall leave unattended any vehicle on any public highway, private or public property or in or on any waters within Marathon County for more than forty-eight (48) hours, unless that person has obtained the permission of the landowner or the Marathon County Sheriff or his or her designee. A vehicle is presumed to be abandoned if it has been left unattended without the permission of the property owner or the Marathon County Sheriff, or his or her representative, for more than forty-eight (48) hours or if other indicia of abandonment is apparent.

PART IV – OFFENSES INVOLVING MINORS

Sec. 9.41. - Violations of alcohol beverage laws by underage persons.

Commented [MP17]: This has not changed other than being renumbered.

(1) *Definitions.* For the purposes of this section, the following terms have the following meanings:

(a) *Adult* means a person who has obtained the age of 17 years old or older.

(b) *Control* means the power to direct, manage, oversee, supervise, organize, conduct, and shall also mean, hosting, allowing or permitted or sponsoring. A person need not be present on the premises to be in control.

(c) *Knowingly permit* means there must be evidence or a reasonable inference from evidence that the person knew or should have known that consumption of alcoholic beverages would occur.

(d) *Premises* shall have the meaning under 125.02(14m), Wis. Stats., and shall also include all public or private property, regardless of whether said property is described in a license or permit.

(2) *Providing alcohol beverages to underage persons.*

(a) *Restrictions.*

i. No person may procure for, sell, dispense or give away alcohol beverages to any underage person not accompanied by his or her parent, guardian or spouse who has attained the legal drinking age.

ii. No license or permittee shall sell, vend, deal or traffic any alcohol beverages to or with any underage person not accompanied by his or her parent, guardian or spouse who has attained the legal drinking age.

iii. No adult may knowingly permit or fail to take action to prevent the illegal consumption of alcohol beverages by an underage person on premises owned by the adult or under the adult's control. This subdivision does not apply to alcohol beverages used exclusively as a part of a religious service.

- iv. No adult may intentionally encourage or contribute to a violation of par. (1) of this ordinance or § 125.07(4)(a) or (b), Wis. Stats.
 - (b) *Penalties.* Section 125.07(1)(b), Wis. Stats., providing penalties for violations of this subsection, is specifically adopted as now written or may be subsequently amended, repealed, created or recreated or renumbered and is incorporated herein by reference.
- (3) *Underage persons.*
- (a) *Restrictions.* No person under the legal drinking age shall consume, possess, buy, sell, trade, use as a beverage, give away or otherwise control any intoxicating liquor or fermented malt beverages or loiter upon the premises of any business establishment licensed for the sale of intoxicating liquor or fermented malt beverages in violation of Ch. 125, Wis. Stats., or any amendments or revisions thereto.
 - (b) *Penalties.* Penalties for violation of this section shall be as specified in Ch. 125, Wis. Stats., including any amendments or revision thereto. Section 938.17(2), Wis. Stats., including any revisions and amendments thereto, is hereby adopted by reference.

Sec. 9.42. - Minor pornography.

- (1) *Prohibited.* No person shall, within the County, knowingly engage in either the public or private business of selling to minors; lending, giving away, showing to or distributing to minors for a monetary consideration; advertising for sale to minors; or placing for sale in such a location so as to allow a minor to buy, handle, read, hear or view any obscene motion picture, live show, sound recording, still picture, photograph, book, magazine, pocket book or pamphlet, the cover or content of which exploits, is devoted to or is principally made up of descriptions or depictions of illicit sex, sexual immorality, sexual conduct, sexual excitement or sado-masochistic abuse or which consists of pictures of a nude human being or partially nude human beings, posed or presented in such a manner so as to provoke or arouse lust, passion or exploit sexual lust or perversion. A work shall be considered obscene if an average person applying contemporary County standards would find that the work, taken as a whole, appeals to the prurient interest in sex or portrays sexual conduct in a patently offensive way and, if taken as a whole, does not have serious literary, artistic, political or scientific value.
- (2) *Definitions.* For the purposes of this section, the following terms shall have the meanings indicated:
 - (a) *Acts knowingly.* A person acts knowingly if he has general knowledge of, or reason to know of, a belief or ground for belief which warrants further inspection or inquiry of the character and content of any material described herein which is reasonably susceptible of examination.
 - (b) *Descriptions or depictions of illicit sex or sexual immorality.*
 - i. Human genitals in the state of sexual stimulation or arousal.

Commented [MP18]: This has not changed other than being renumbered.

- ii. Acts of human masturbation, sexual intercourse or sodomy, fondling or otherwise erotic touching of human genitals, pubic region, buttocks or female breast.
 - (c) *Minor*. Any person under the age of 18 years at the time the illegal act occurs.
 - (d) *Nude or partially nude*. Less than completely opaquely covered human genitals, public region, buttocks, female breast below the point immediately above the top of the areola or human male genitals in a discernibly turgid state, even if completely or opaquely covered.
 - (e) *Sado-masochistic abuse*. Flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.
 - (f) *Sexual conduct*. Acts of masturbation, homosexuality, sexual intercourse or physical contact with a person's clothed or unclothed genitals, public area, buttocks or, if such person is a female, her breast.
 - (g) *Sexual excitement*. Human male or female genitals in a state of sexual stimulation or arousal.
 - (h) *Terms, all other*. All other terms, words or phrases used in this section shall have the meaning as commonly understood within County.
- (3) *Determination of age*. Each person who deals in such products or items as referred to in this section shall have the sole responsibility to personally ascertain the true age of each person to whom he or she makes such items available. To do so such person shall be expected to rely upon an official Wisconsin identification card as distributed through the office of the Register of Deeds of the various counties of Wisconsin.
- (4) *Penalty*. Any person violating this section shall, upon conviction, pay a forfeiture of not less than \$250.00 nor more than \$1,500.00, plus costs per day for each day a violation continues. Forfeitures for second and subsequent offenses shall be not less than \$500.00 nor more than \$2,500.00, plus costs per day for each day a violation continues.

Sec. 9.43. - Truancy

- (1) Any school-aged child is prohibited from being a habitual truant as that term is defined in § 118.16(1)(a), Wis. Stats., or its successor statute.
- (2) In this section, "habitual truant" means a pupil who is absent from his/her school without an acceptable excuse pursuant to the above referenced statute for part or all of five or more days during a school semester.
- (3) Upon a finding of habitual truancy, the court is authorized to enter a Dispositional Order containing some or all of the terms and conditions authorized by § 118.163, Wis. Stats and/or § 938.342, Wis. Stats., or their successor statutes, including, but not limited to:
 - (a) Suspension of the child's operating privilege for not less than 30 days nor more than one year. The court shall immediately take possession of any

Commented [MP19]: This has not changed other than being renumbered, except as further outlined below

suspended license and forward it to the Department of Transportation together with a notice stating the reason for and the duration of the suspension.

- (b) An order for the child to participate in counseling, community service, or a supervised work program as described in § 938.34(5g), Wis. Stats. The costs of any such counseling, supervised work program or other community service work may be assessed against the person, the parent or guardian of the person or both.
 - (c) An order for the child to remain at home except during hours in which the child is attending religious worship or a school program, including travel time required to get to and from the school program or place of worship. The order may permit a child to leave his/her home if the child is accompanied by a parent or guardian.
 - (d) An order for the child to attend school or an educational program as described in § 938.74(7d), Wis. Stats., or its successor statute.
 - (e) Order the department of industry, labor and job development to revoke, under § 103.72, Wis. Stats., a permit under § 103.70, Wis. Stats., authorizing the employment of the person.
 - (f) Order the person to be placed in a teen court program as described in § 938.342(1g)(f), Wis. Stats., or its successor statute.
 - (g) A forfeiture of not more than \$500.00 plus costs, subject to § 938.37, Wis. Stats. All or part of the forfeiture plus costs may be assessed against the person, the parents or guardian of the person, or both.
 - (h) Any other reasonable conditions consistent with this subsection, including a curfew, restrictions as to going to or remaining on specified premises and restrictions on associating with other children or adults.
 - (i) An order placing the person under formal or informal supervision, as described in § 938.34(2), Wis. Stats., for up to one year.
 - (j) An order for the person's parent, guardian or legal custodian to participate in counseling at the parent's, guardian's or legal custodian's own expense or to attend school with the person, or both.
- (4) *School attendance.* No person shall, having under his/her control a child who is between the ages of six and 18 years, allow that child to be in noncompliance with § 118.15, Wis. Stats., or its successor statute.
- (5) *Contributing to truancy.* No person 17 years of age or older, by any act or omission, shall knowingly encourage or contribute to the truancy of a child. An

Commented [MP20]: This is a new subsection requested by MCSO to provide deputies more enforcement options. It mirrors 948.45.

act or omission contributes to the truancy of a child, whether or not the child is so adjudged if the natural and probable consequences of that act or omission would be to cause the child to be truant.

- (6) Pursuant to § 938.355(6m), Wis. Stats., juveniles found to have violated a municipal habitual truancy ordinance enacted pursuant to Ch. 118, Wis. Stats., or who have been found in need of protection or services under § 938.13(6), Wis. Stats., and who subsequently violate the court's dispositional order may, as a sanction, be placed in secured detention for not more than five days for each violation of the court order.

Sec. 9.44. - **Harboring, aiding, abetting and/or assisting minor runaways.**

- (1) No person shall knowingly allow, permit or board any minor child at his residence, business or other property in his control, where the person knows or should have known the minor child to be a runaway, from his parent, guardian or legal custodian.
- (2) No person shall knowingly assist, aid or abet a runaway child to escape apprehension or flee from his parents or authorities including, but not limited to:
 - (a) Provide transportation to such runaway child.
 - (b) Provide money, clothing or any other useful instrument to the runaway child to aid the runaway child in escape.
 - (c) Obstruct by providing false or untrue information regarding the location or plan of the runaway child.
 - (d) Refuse to provide information to law enforcement officers when questioned about the runaway child, which information was known to them at the time and would assist in the apprehension of such runaway child.
 - (e) Assist, aid or abet the runaway child in any other way for the purpose of hindering law enforcement officers or the child's parents, guardian or legal custodian from learning the whereabouts of the child.
- (3) This section does not apply to the recipient of a placement by the Juvenile Court intake staff or the Court, providing that the law enforcement agency who originated the runaway child report is informed of such placement. This section does not apply to any person providing temporary shelter to a runaway for the purpose of protecting the runaway from imminent abuse, provided the person does not withhold information about the whereabouts of the runaway if questioned by law enforcement authorities and reports the whereabouts of a known runaway to law enforcement officers as soon as feasible.

Commented [MP21]: This has not changed other than being renumbered

Sec. 9.45 **Purchase or Possession of Cigarettes, Nicotine Products, and Tobacco Products by Juveniles Prohibited**

- (1) *Authority*. This section is enacted pursuant to Wis. Stat. § 254.92(4).
- (2) *Definitions*. In this section, the following words have the definitions given:
 - (a) "Cigarette" has the meaning given in Wis Stat. § 139.30 (1m).

Commented [MP22]: In addition to being renumbered, this section was modified to add a reference to nicotine products, as defined in Wis Stat. 139.30. 254.92(4), the enabling statute, was modified to include the nicotine products language, so this change reflects the updated statute. It also gives deputies additional options to deal with vape pens and other smoking devices.

- (b) "Nicotine product" has the meaning given in Wis. Stat. § 134.66(1)(f).
- (c) "Tobacco products" has the meaning given in Wis. Stat. § 139.75 (12).

Commented [MP23]: added

- (3) No person under 18 years of age may falsely represent his or her age for the purpose of receiving any cigarette, nicotine product, or tobacco product.

Commented [MP24]: added

- (2) No person under 18 years of age may purchase, attempt to purchase, or possess any cigarette, nicotine product, or tobacco product except as follows:

Commented [MP25]: added

- (a) A person under 18 years of age may purchase or possess cigarettes, nicotine products, or tobacco products for the sole purpose of resale in the course of employment during his or her working hours if employed by a retailer.

Commented [MP26]: added

- (b) A person under 18 years of age, but not under 15 years of age, may purchase, attempt to purchase or possess cigarettes, nicotine products, or tobacco products in the course of his or her participation in an investigation under Wis. Stat. § 254.916 that is conducted in accordance with Wis. Stat. § 254.916 (3).

Commented [MP27]: added

- (2m) No person may purchase cigarettes, tobacco products, or nicotine products on behalf of, or to provide to, any person who is under 18 years of age. Any person who violates this subsection may be:

Commented [MP28]: added

- (a) Required to forfeit not more than \$500 if the person has not committed a previous violation within 30 months of the violation.

- (b) Fined not more than \$500 or imprisoned for not more than 30 days or both if the person has committed a previous violation within 30 months of the violation.

- (c) Fined not more than \$1,000 or imprisoned for not more than 90 days or both if the person has committed 2 previous violations within 30 months of the violation.

- (d) Fined not more than \$10,000 or imprisoned for not more than 9 months or both if the person has committed 3 or more previous violations within 30 months of the violation.

- (3) A law enforcement officer shall seize any cigarette, nicotine product, or tobacco product that has been sold to and is in the possession of a person under 18 years of age.

Commented [MP29]: added

- (4) This section does not apply within any town, village or city that has adopted or adopts an ordinance pursuant to § 254.92 (4), Wis. Stats.

- (5) The disposition of any juvenile adjudged to have violated this section shall be as set forth in § 938.343, Wis. Stats., or its successor statute.

PART V – OFFENSES ON OR INVOLVING COUNTY PROPERTY

Sec. 9.51. - ~~Smoke-free county buildings, property/grounds.~~

Commented [MP30]: this has not changed other than being renumbered

- (1) *Authority.* This ordinance is enacted pursuant to the authority granted in §101.123, Wis. Stats. The county administrator is charged with implementing and enforcing this ordinance.
- (2) *Purpose.* It is the purpose of this section to protect the environment and public health and comfort by prohibiting smoking in county facilities, county property and grounds. Numerous studies have found that tobacco smoke is a major contributor of indoor air pollution, and that breathing second-hand smoke (also known as environmental tobacco smoke) is a cause of disease in healthy non-smokers, including heart disease, stroke, respiratory disease and lung cancer.
- (3) *Definitions.* In this section the following terms have the following meanings:
 - (a) *County Building.* Any enclosed space owned or leased by Marathon County. This includes any building or structure intended to be a permanent accession to real property; that is designed for sheltering people, for storing property, or for working, office or parking space; that in physical appearance is annexed to real property, that is covered by a roof and has more than two substantial walls; that is not readily moved or disassembled; and that is commonly known to be a building or structure because of its appearance and because of the materials with which it is constructed.
 - (b) *Designated County Property/Grounds.* Any real property or grounds owned or leased by or under the jurisdiction of Marathon County that has been identified as tobacco-free by signs, placards, etc.
 - (c) *Person in Charge.* Consistent with Marathon County's personnel policy, department heads with primary responsibility for operations performed at the sites listed in paragraph (5)(b), or their designees. The county administrator and the sheriff share responsibility for compliance for the Marathon County Courthouse. The county administrator is responsible for ensuring compliance at the River Drive sites.
 - (d) *Smoking.* The burning or holding, or inhaling or exhaling of smoke from, any of the following items containing tobacco:
 - i. A lighted cigar.
 - ii. A lighted cigarette.
 - iii. A lighted pipe.
 - iv. Any other lighted smoking equipment.
 - (e) *Substantial wall.* A wall with no opening or with an opening that either does not allow air in from the outside or is less than 25 percent of the wall's surface area.
- (4) *Prohibited Conduct.* It is unlawful for any person to smoke in any county building or on designated county property/grounds.
- (5) *Notification to the Public.*
 - (a) All county buildings, designated county property/grounds and county vehicles/equipment shall be posted in accordance with this section and with § 101.123, Wis. Stats.

- (b) The County Administrator has designated as tobacco-free the property/grounds surrounding the county buildings at the following locations:
 - i. Marathon County Courthouse, 500 Forest Street, Wausau
 - ii. 210 and 212 River Drive, Wausau
 - iii. Social Services, 400 East Thomas Street, Wausau
 - iv. Library Headquarters, 300 N. 1st Street, Wausau
 - v. Parks Maintenance Shop, 900 Pardee Street, Wausau
 - vi. Capital Facilities Building, 1308 West St., Wausau
 - vii. Marathon County Landfill, 18500 E. Hwy. 29, Ringle
 - viii. All Highway Department facilities (Wausau, Stratford, Mosinee, Hatley, Abbotsford)
 - ix. University of Wisconsin-Marathon County, 518 S. 7th Avenue and 625 Stewart Avenue, Wausau
- (c) The County Administrator may make modifications to designated county property/grounds and provide notification to the public as provided above.
- (6) *Enforcement Responsibility.*
 - (a) No person in charge may allow any person to smoke in violation of paragraph (4) at a location that is under the control or direction of the person in charge.
 - (b) A person in charge shall make reasonable efforts to prohibit persons from smoking at a location where smoking is prohibited by doing all of the following:
 - (c) Posting signs setting forth the prohibition and providing other appropriate notification and information concerning the prohibition.
 - (d) Asking the person who is smoking to refrain from smoking and, if the person refuses to do so, asking the person to leave the location.
 - (e) If the person refuses to leave the location after being requested to do so as provided in subparagraph 2., the person in charge shall immediately notify an appropriate law enforcement agency of the violation.
- (7) *Violation-Penalty Enforcement.* Any person who violates paragraph (4) shall be subject to a forfeiture of not less than \$25.00 nor more than \$50.00 for each violation.
- (8) *Effective date.* This ordinance shall become effective on July 5, 2010.

Sec. 9.52 – Littering

- (1) *Definitions.* In this section:
 - (a) “Highway” has the meaning given in Wis. Stat. § 340.01(22).
 - (b) “Vehicle” has the meaning given in Wis. Stat. § 340.01(74).
- (2) No person shall deposit or discharge any garbage, refuse, or litter on or along any highway, in any body of water in the county, on the ice of any body of water of the county, or on any other public or private property.

Commented [MP31]: this is a new section requested by MCSO and enacted pursuant to 59.54(6) to give deputies more enforcement options in the field.

- (3) No person shall permit any garbage, refuse, or litter to be thrown from a vehicle operated by the person.

Sec. 9.53 – Unauthorized Dumping

No person shall dump, deposit, or cause to be deposited, dropped, placed, discharged, left, spilled, or scattered any hazardous waste, industrial waste, infectious waste, garbage, refuse, or other waste material upon any premises owned or leased by Marathon County.

Commented [MP32]: this is a new section, requested by MCSO and enacted pursuant to 59.54(6) to give deputies more enforcement options in the field.

Sec. 9.54 – Prohibition on Dangerous Items – Marathon County Courthouse

- (1) *Definitions.*
 - (a) *Prohibited Item.* In this section, a prohibited item is any personal property that poses a danger to the safety and security of persons working or conducting business within the Marathon County Courthouse.
 - (a) *Security checkpoint.* In this section, security checkpoint is defined as the area inside the public entrance of the Marathon County Courthouse where Marathon County Sheriff's Office deputies initiate security screening of persons entering the building.
- (2) No person, except for law enforcement officers on duty at the time of entry, may enter the Marathon County Courthouse beyond the security checkpoint if the person is found to have in their possession a prohibited item. Marathon County Sheriff's Office deputies are authorized to use discretion to determine whether an item meets the definition of a prohibited item for the purposes of this section.
- (3) Any person found to have intentionally carried or possessed a prohibited item beyond the security checkpoint of the Marathon County Courthouse, after being provided written or verbal notice upon entry into the Courthouse that said item is prohibited under this section, shall be subject to a forfeiture as outlined in Section 25.04 of the General Code.

Commented [MP33]: This is a new section, requested by MCSO to codify the safety and security policies related to the courthouse screening process

SECTION VI – ALCOHOL, TOBACCO, AND NICOTINE

Sec. 9.61 Allowing Patrons to Smoke on Premises

- (1) *Authority.* This section is enacted pursuant to Wis. Stat. § 101.123(4m).
- (2) No person who controls, governs, or directs the activities at a location where smoking is prohibited or regulated under Wis. Stat. § 101.123 may allow any person to smoke at the prohibited or regulated location.
- (3) *Penalty.*

Commented [MP34]: This was added per request of MCSO to give deputies clearer enforcement options for these violations. The penalty provisions mirror state law as required.

- (a) *Warning notice.* If a person who violates this section has not previously received a warning notice for a violation of (2), that person shall receive a written warning notice regarding the violation and is not subject to a forfeiture.
- (b) Any person who violates this section after previously receiving a warning under (3)(a) shall be subject to a forfeiture of \$100 for each violation. No person may be required to forfeit more than \$100 in total for all violations of this section occurring on a single day.
- (4) *Enforcement.* This section may be enforced by the issuance of citations as allowed in sec. 25.04(4) of this General Code of Ordinances.

Sec. 9.62. - Curfew on possession and/or consumption of liquor and malt beverages on public access sites to waters.

Commented [MP35]: This has not changed except for being renumbered

During the period from 6 p.m. on April 1 to 6 a.m. on May 15 of each year, no person may possess containers of intoxicating liquor or fermented malt beverages or consume intoxicating liquor or fermented malt beverages while on or within the boundaries of public access sites to waters within the County when such sites are posted with notice of this curfew and restriction. This curfew shall only apply between the hours of 6 p.m. to 6 a.m. the following day. The phrase "on or within the boundaries of public access sites to waters" is defined as an improved or clearly established public area, such as a road or parking lot, which is upon or connected to a public road and which leads to the edge of the water.

Sec. 9.63. - Restrictions on sale or gift of cigarettes or nicotine or tobacco products.

Commented [MP36]: The only change in this section was to add the reference to nicotine products

- (1) *Definitions.* In this section:
 - (a) "Cigarette" has the meaning given in s. 139.30 (1m).
 - (am) "Direct marketer" has the meaning given in s. 139.30 (2n).
 - (b) "Distributor" means any of the following:
 - 1. A person specified under s. 139.30 (3).
 - 2. A person specified under s. 139.75 (4).
 - (c) "Identification card" means any of the following:
 - 1. A license containing a photograph issued under ch. 343.
 - 2. An identification card issued under s. 343.50.
 - 3. An identification card issued under s. 125.08, 1987 stats.
 - 4. A tribal identification card, as defined in s. 134.695 (1) (cm).
 - (d) "Jobber" has the meaning given in s. 139.30 (6).
 - (e) "Manufacturer" means any of the following:
 - 1. A person specified under s. 139.30 (7).
 - 2. A person specified under s. 139.75 (5).
 - (f) "Nicotine product" means a product that contains nicotine and is not any of the following:
 - 1. A tobacco product.
 - 2. A cigarette.

3. A product that has been approved by the U.S. food and drug administration for sale as a smoking cessation product or for another medical purpose and is being marketed and sold solely for such an approved purpose.

Commented [MP37]: Added pursuant to statutory definition

- (g) "Retailer" means any person licensed under s. 134.65 (1).
- (h) "School" has the meaning given in s. 118.257 (1) (d).
- (hm) "Stamp" has the meaning given in s. 139.30 (13).
- (i) "Subjobber" has the meaning given in s. 139.75 (11).
- (j) "Tobacco products" has the meaning given in s. 139.75 (12).
- (k) "Vending machine" has the meaning given in s. 139.30 (14).
- (L) "Vending machine operator" has the meaning given in s. 139.30 (15).

(2) *Restrictions.*

(a) No retailer, direct marketer, manufacturer, distributor, jobber or subjobber, no agent, employee or independent contractor of a retailer, direct marketer, manufacturer, distributor, jobber or subjobber and no agent or employee of an independent contractor may sell or provide for nominal or no consideration cigarettes, nicotine products, or tobacco products to any person under the age of 18, except as provided in s. 254.92 (2) (a). A vending machine operator is not liable under this paragraph for the purchase of cigarettes, nicotine products, or tobacco products from his or her vending machine by a person under the age of 18 if the vending machine operator was unaware of the purchase.

Commented [MP38]: added

(am) No retailer, direct marketer, manufacturer, distributor, jobber, subjobber, no agent, employee or independent contractor of a retailer, direct marketer, manufacturer, distributor, jobber or subjobber and no agent or employee of an independent contractor may provide for nominal or no consideration cigarettes, nicotine products, or tobacco products to any person except in a place where no person younger than 18 years of age is present or permitted to enter unless the person who is younger than 18 years of age is accompanied by his or her parent or guardian or by his or her spouse who has attained the age of 18 years.

Commented [MP39]: added

(b)

1. A retailer shall post a sign in areas within his or her premises where cigarettes, nicotine products, or tobacco products are sold to consumers stating that the sale of any cigarette, nicotine product, or tobacco product to a person under the age of 18 is unlawful under this section and s. 254.92.

Commented [MP40]: added

Commented [MP41]: added

2. A vending machine operator shall attach a notice in a conspicuous place on the front of his or her vending machines stating that the purchase of any cigarette, nicotine product, or tobacco product by a person under the age of 18 is unlawful under s. 254.92 and that the purchaser is subject to a forfeiture of not to exceed \$50.

Commented [MP42]: added

(cm)

1m. A retailer or vending machine operator may not sell cigarettes, nicotine products, or tobacco products from a vending machine unless the vending machine is located in a place where the retailer or vending machine operator ensures that no person younger than 18 years of age is present or permitted to

Commented [MP43]: added

enter unless he or she is accompanied by his or her parent or guardian or by his or her spouse who has attained the age of 18 years.

2. Notwithstanding subd. 1m., no retailer may place a vending machine within 500 feet of a school.

(e) No retailer or direct marketer may sell cigarettes in a form other than as a package or container on which a stamp is affixed under s. 139.32 (1).

(2m) *Training.*

(a) Except as provided in par. (b), at the time that a retailer hires or contracts with an agent, employee, or independent contractor whose duties will include the sale of cigarettes, nicotine products, or tobacco products, the retailer shall provide the agent, employee, or independent contractor with training on compliance with sub. (2) (a) and (am), including training on the penalties under sub. (4) (a) 2. for a violation of sub. (2) (a) or (am). The department of health services shall make available to any retailer on request a training program developed or approved by that department that provides the training required under this paragraph. A retailer may comply with this paragraph by providing the training program developed or approved by the department of health services or by providing a comparable training program approved by that department. At the completion of the training, the retailer and the agent, employee, or independent contractor shall sign a form provided by the department of health services verifying that the agent, employee, or independent contractor has received the training, which the retailer shall retain in the personnel file of the agent, employee, or independent contractor.

Commented [MP44]: added

(b) Paragraph (a) does not apply to an agent, employee, or independent contractor who has received the training described in par. (a) as part of a responsible beverage server training course or a comparable training course, as described in s. 125.04 (5) (a) 5., that was successfully completed by the agent, employee, or independent contractor. The department of health services shall make the training program developed or approved by that department under par. (a) available to the technical college system board, and that board shall include that training program or a comparable training program approved by that department in the curriculum guidelines specified by that board under s. 125.04 (5) (a) 5. The department of health services shall also make the training program developed or approved by that department under par. (a) available to any provider of a comparable training course, as described in s. 125.04 (5) (a) 5., on request, and the department of revenue or the department of safety and professional services may approve a comparable training course under s. 125.04 (5) (a) 5. only if that training course includes the training program developed or approved by the department of health services under par. (a) or a comparable training program approved by that department.

(c) If an agent, employee, or independent contractor who has not received the training described in par. (a) commits a violation of sub. (2) (a) or (am), a governmental regulatory authority, as defined in s. 254.911 (2), may issue a citation based on that violation only to the retailer that hired or contracted with the agent, employee, or independent contractor and not to the agent, employee, or independent contractor who

has not received that training. If an agent, employee, or independent contractor who has received the training described in par. (a) commits a violation of sub. (2) (a) or (am) for which a governmental regulatory authority issues a citation to the retailer that hired or contracted with the agent, employee, or independent contractor, the governmental regulatory authority shall also issue a citation based on that violation to the agent, employee, or independent contractor who has received that training.

(3) *Defense; Sale to Minor.* Proof of all of the following facts by a retailer, manufacturer, distributor, jobber, or subjobber, an agent, employee, or independent contractor of a retailer, manufacturer, distributor, jobber, or subjobber, or an agent or employee of an independent contractor who sells cigarettes, nicotine products, or tobacco products to a person under the age of 18 is a defense to any prosecution, or a complaint made under s. [134.65 \(7\)](#), for a violation of sub. [\(2\) \(a\)](#):

Commented [MP45]: added

(a) That the purchaser falsely represented that he or she had attained the age of 18 and presented an identification card.

(b) That the appearance of the purchaser was such that an ordinary and prudent person would believe that the purchaser had attained the age of 18.

(c) That the sale was made in good faith, in reasonable reliance on the identification card and appearance of the purchaser and in the belief that the purchaser had attained the age of 18.

(4) *Penalties.*

(a)

1. In this paragraph, "violation" means a violation of sub. (2) (a), (am), (cm), or (e) or a local ordinance which strictly conforms to sub. (2) (a), (am), (cm), or (e).

2. A person who commits a violation is subject to a forfeiture of:

a. Not more than \$500 if the person has not committed a previous violation within 12 months of the violation; or

b. Not less than \$200 nor more than \$500 if the person has committed a previous violation within 12 months of the violation.

3. A court shall suspend any license or permit issued under s. 134.65, 139.34 or 139.79 to a person for:

a. Not more than 3 days, if the court finds that the person committed a violation within 12 months after committing one previous violation;

b. Not less than 3 days nor more than 10 days, if the court finds that the person committed a violation within 12 months after committing 2 other violations; or

c. Not less than 15 days nor more than 30 days, if the court finds that the person committed the violation within 12 months after committing 3 or more other violations.

4. The court shall promptly mail notice of a suspension under subd. 3. to the department of revenue and to the clerk of each municipality which has issued a license or permit to the person.

(b) Whoever violates sub. (2) (b) shall forfeit not more than \$25.

(5) Local ordinance. This section does not apply within any town, village or city that has adopted or adopts an ordinance under this subsection pursuant to § 134.66(5), Wis. Stats., or its successor statute.

Sec. 9.64 – Closing Hours

- (1) This section is enacted pursuant to Wis. Stat. §§ 59.54(6), 125.10(1), and 125.32(3)(d).
- (2) No business or premises licensed or permitted to sell alcohol beverages pursuant to Wis. Stat. Chapter 125 may remain open beyond the closing hours set forth in Wis. Stat. § 125.32 (3).
- (3) No business or premises licensed or permitted to sell alcohol beverages pursuant to Wis. Stat. Chapter 125 may allow patrons to remain within the business or premises beyond the closing hours set forth in Wis. Stat. § 125.32 (3).
- (4) Subsection (3) does not apply to any permittee, licensee, employee, salesperson, employee of wholesaler, or service personnel on the premises to perform job-related activities.

Commented [MP46]: this is a new section requested by MCSO to provide a specific enforcement mechanism for this type of violation

SECTION VII – CONTROLLED SUBSTANCES

Sec. 9.71 - Possession of Marijuana/Synthetic Cannabinoids and Drug Paraphernalia

- (1) This section is enacted pursuant to Wis. Stat §§ 59.54(25), (25g), and (25m).
- (2) Any person possessing 25 grams or less of marijuana, as defined in § 961.01(14), Wis. Stats., or its successor statute, or any synthetic cannabinoids, as defined in § 961.14(4)(tb), Wis. Stats., or its successor statute, and subject to the exceptions set forth in § 961.41(3g), Wis. Stats., or its successor statute, shall be subject to a forfeiture as set forth in § 25.04 of this Code.
- (3) Any person using or possessing drug paraphernalia, as defined in § 961.571(1), Wis. Stats., or its successor statute, with the primary intent to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or controlled substance analog, shall be subject to a forfeiture as set forth in § 25.04 of this Code.
- (4) Exceptions.

Commented [MP47]: Per MCSO request, (4), which did not allow the use of this ordinance for persons already convicted for possession of drug paraphernalia, was replaced.

Commented [MP48]: Synthetic cannabinoids were added per 59.52(25g)

Commented [MP49]: This section is added to be consistent with state law and 59.54(25) and (25g).

- a. This section is not applicable to any person charged with possession of more than 25 grams of marijuana.
 - b. If a complaint is issued regarding an allegation of possession of any amount of marijuana following conviction in this state for the possession of marijuana, the subject of that complaint may not be prosecuted under this section unless (1) the charges for violating the state statute are dismissed or the district attorney declines to prosecute the case, and (2) the city, village, or town with jurisdiction over the action has no ordinance enacted under Wis. Stat. § 66.0107(1)(bm) in effect or the city, village, or town with jurisdiction over the action has declined to prosecute or has dismissed the charges for violation of the ordinance enacted under Wis. Stat. § 66.0107(1)(bm).
- (5) This section applies in every municipality within the county.

PART VIII – ANIMAL CONTROL

Sec. 9.81. - Shining animals.

Commented [MP50]: No change beyond renumbering

- (1) *Definitions.*
 - (a) *Department.* The State Department of Natural Resources.
 - (b) *Flashlight.* A battery operated light designed to be carried and held by hand.
 - (c) *Light.* Includes flashlights, automobile lights, spotlights and other lights.
 - (d) *Peace officer.* The meaning designated under § 939.22(22), Wis. Stats.
 - (e) *Shining.* The illumination or attempted illumination of a field, forest or other area by means of light as defined herein for the purpose of locating or attempting to locate wild animals.
- (2) *Presumption.* A person shining a field, forest or other area frequented by wild animals is presumed to be shining wild animals. This presumption may be rebutted by competent evidence to the contrary.
- (3) *Shining deer or bear while hunting or possessing weapons.*
 - (a) *Prohibition.* No person may use or possess with intent to use a light for shining deer or bear while the person is hunting deer or bear or in possession of a firearm, bow and arrow or crossbow and arrow.
 - (b) *Exceptions.* This subsection does not apply to:
 - i. A peace officer acting in his official capacity.
 - ii. An employee of the Department acting in his official capacity.
 - iii. A person authorized by the Department to conduct a game census.
- (4) *Shining wild animals while hunting or possessing weapons.*
 - (a) *Prohibition.* No person may use or possess with intent to use a light for shining wild animals while the person is hunting or in possession of a firearm, bow and arrow or crossbow and arrow.
 - (b) *Exception.* This subsection does not apply to:
 - i. A peace officer acting in his official capacity, an employee of the Department acting in his official capacity or a person authorized by the Department to conduct a game census.

- ii. A person who possesses a flashlight or who uses a flashlight at the point of kill while hunting on foot raccoons, foxes or other unprotected animals during the open season for the animals hunted.

(5) *Shining wild animals after 10 p.m.*

(a) *Prohibition.* No person may use or possess with intent to use a light for shining wild animals between 10 p.m. and 7 a.m.

(b) *Exception.* This subsection does not apply:

- i. To a peace officer acting in his official capacity, an employee of the Department acting in his official capacity or a person authorized by the Department to conduct a game census.
- ii. To a person who possesses a flashlight or who uses a flashlight at the point of kill while hunting on foot raccoons, foxes or other unprotected animals during the open season for the animals hunted.
- iii. To a person who possesses a flashlight or who uses a flashlight while on foot and training a dog to track or hunt raccoons, foxes or other unprotected animals.
- iv. If rules promulgated by the Department specifically permit a person to use or possess a light for shining wild animals during these times.

Sec. 9.62 - Animal control.

Commented [MP51]: No change beyond renumbering

(1) *Animal control.*

(a) No person shall own or keep a dog and allow such dog to run at large. A dog shall be considered as running at large when it is not on the premises of the owner, unless it is on a leash, or being exercised, is in a motor vehicle, or is on property of another who does not object to the presence of the animal.

(b) No person shall own or keep a dog and allow such dog to disturb other people by frequent or habitual howling, barking or yelping. The provision of this section shall not apply to licensed animal kennels, shelters, or hospitals.

(c) This section shall not apply to incorporated cities or villages or to townships enacting an ordinance pursuant to § 60.23(30), Wis. Stats., or its successor statute.

(d) Any person violating the provisions of this section shall be penalized as provided by § 25.04 of this Code. Enforcement shall be by citation. Violation of the section shall be prosecuted by the Office of Corporation Counsel.

(2) *Applicable state statutes.*

(a) State of Wisconsin certified Humane Officers employed by the agency designated by contract with Marathon County to operate an animal shelter on behalf of Marathon County shall be designated as Humane Officers for purposes of Wisconsin Statutes, Chapter 173, and this section shall have all investigative and enforcement authority specified in Wisconsin Statutes, Chapter 173, including the authority to issue abatement

orders pursuant to § 173.11, Wis. Stats. This designation is made pursuant to § 173.03(2), Wis. Stats.

(b) The hearing authorized by § 173.11(3), Wis. Stats., to review abatement orders, if requested, shall be heard by the County Administrator or any other County officers or officials appointed by the County Administrator to so act on a per hearing basis.

(c) Wisconsin Statutes, Chapter 173, or its successor statute, is incorporated herein by specific reference.

PART VII – UNIFORM ADDRESSING

Sec. 9.70. - Uniform addressing system.

Commented [MP52]: No change beyond renumbering

(1) Title. This ordinance [section] is created as the Marathon County Uniform Addressing System Ordinance.

(2) Purpose. This ordinance [section] is enacted for the purpose of establishing and maintaining a county addressing system for Marathon County that defines policies and administrative procedures related to the naming of roads, signing of roads, assigning of addresses, location of address signs, and ongoing maintenance of the system. The intent of this addressing system is to assign each location a unique address which will aid emergency personnel in providing fire protection, emergency medical services, and law enforcement services; and meet other general locational needs such as delivery services of the public. Implementation of the county addressing system will advance the Marathon County Strategic Plan by providing leadership among state, regional, and local public and private entities responsible for safety and emergency response services.

(3) Authorization. This ordinance [section] is enacted under the authority granted to the County in § 59.54(4) and (4m) Wisconsin Statutes.

(4) Application. The provisions of this section shall apply to each road, home, business, farm, structure, or other establishments in the unincorporated areas of the County. Incorporated areas are exempt from this section unless otherwise indicated in any adopted intergovernmental agreement.

(5) Administration.

(a) The policy implementation and tracking of outcomes shall be provided by the Public Safety Committee.

(b) The administrative responsibility of this section shall be administered by the Conservation, Planning, and Zoning (CPZ) Department. CPZ will provide an annual report to the Public Safety Committee which tracks the implementation of the county addressing system relative to policy outcomes, strategic plan objectives, and indicators of success.

(c) The CPZ Director or designee shall have the responsibilities of coordinating the ongoing maintenance of the system. These duties shall include: assignment of addresses, maintenance of an accurate road name listing, update of maps, management of address sign installations, and enforcement of the provisions of this ordinance.

(d) Fee schedule. See department fee schedule as approved by the Public Safety Committee.

(6) Definitions.

(a) Address Sign. An individual address plate placed on a named road or driveway identifying a location address.

(b) Application Form. The form required for assignment of a new address.

(c) Private Road. Any road on private property leading to three or more driveways and/or principle structures.

(d) Road Sign. A sign posted at a road intersection that identifies the road name(s).

(7) Uniform addressing requirements.

(a) County Addressing Grid System.

(1) Marathon County shall establish a uniform addressing grid.

(b) Road Naming Selection. The following uniform criteria are established for naming all roads in the unincorporated areas of Marathon County:

(1) U.S. and State Trunk Highways. Those presently designated by number by State of Wisconsin Department of Transportation, (WIS DOT) shall retain such designation. New U.S. and state trunk highway shall be numbered by (WIS DOT).

(2) County Highways. County Highways shall be designated by letter (e.g. County Road "X"). Changes to or new county highways shall be named by the Marathon County Infrastructure Committee.

(3) County Forest Roads. County Forest Roads shall be designated by number (e.g. County Forest Road "10"). Changes to or new county forest roads shall be named by Marathon County Environmental Resources Committee.

(4) Other Public Roads. All other public roads shall be designated by naming according to the following procedures:

a. All roads named on the official Marathon County Road Naming Map prepared by CPZ which do not duplicate other road names on the County Addressing Grid, shall retain their names.

b. Town boards may, by resolution, name new town roads and submit the name and a map showing its location to CPZ for comparison to existing road names in order to avoid conflicts with other roads having similar or identical names. If there is no conflict, the new name shall be added to the master index of road names and be included on the next official road naming map. If there is a conflict with another road name, CPZ may cooperate with the town board in the selection of a name which does not conflict with other road names in the county.

(5) Private Roads. When consistent with the public interest in providing government and emergency services and on application of the owner, the town may name private roads following the same process that is used in naming public roads. Owner(s) of the lands on which any such private road is located must agree, by written instrument, to maintain approved signs displaying the road name(s) assigned by the department. Owner(s), heirs, successors and assigns, shall not thereafter change the name of any such road without written consent of CPZ.

(c) Road Name Signs.

(1) Road name signs shall be placed at the intersections of all roads, showing the names of the roads in accordance with the official road naming map. Road name signs are the responsibility of the town in which the road is located. Road name signs within private, commercial, business, industrial, apartment, and condominium complexes shall be the sole responsibility of the property owner(s).

(2) The type of lettering, composition, material, color, mounting posts, and accessories shall be in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) by the U.S. Department of Transportation.

(d) Requiring Addresses. Address numbers shall be assigned to the following:

(1) Each home, business, farm, principle structure or other establishment shall have a unique number.

(2) Parcels containing ongoing business operation or public facility.

(3) Any structure not associated with a principal structure, which contains a driveway access point such as radio/television/cell/mobile towers, warehouses, storage facilities, utility buildings, and/or other structures.

(4) Any other parcel as determined by CPZ for emergency response access.

(e) Address Sign. All towns shall have uniform address signs.

(8) Enforcement/penalties.

(a) All persons, firms, corporations, associations, partnerships, bodies politic or other entities capable of being sued that own or have jurisdiction over highways, streets, roads or real property located within the Uniform Addressing System, set forth above, shall comply with said system.

(b) Any violation of any provision of this ordinance shall, upon conviction, be punishable as provided under Section 25.04 of this Code.

CHAPTER 9 – PUBLIC PEACE AND GOOD ORDER

IN GENERAL

Sec. 9.01 – Scope, Authority, and Penalties Applicable within this Chapter.

- (1) *Scope.* The Ordinances within Chapter 9 of the Marathon County General Code define offenses against the peace and good order of the State of Wisconsin and residents of Marathon County, or otherwise prohibit conduct that is the same as or similar to that provided by Wis. Stat. Chapters 940 through 949.
- (2) *Authority.* The Ordinances within Chapter 9 of the Marathon County General Code are enacted pursuant to the authority delegated to Marathon County pursuant to Wis. Stat. § 59.54(6) and (22), unless otherwise specified.
- (3) *Penalties.* Unless a specific penalty provision is otherwise prescribed for a particular violation, any person found to be in violation of any provision of this chapter, or any order, rule or regulation made hereunder, shall be subject to a penalty as provided in § 25.04 of this General Code.
- (4) *Prosecution.* Pursuant to Wis. Stat. § 978.05(2), the Marathon County District Attorney shall have authority to prosecute all offenses in this Chapter that prohibit conduct that is the same or similar to conduct prohibited by state laws within the District Attorney's jurisdiction.

PART I – OFFENSES AGAINST THE PERSON

Sec. 9.11 - Battery

No person shall cause bodily harm to another by an act done with intent to cause bodily harm to that person or another without consent of the person so harmed.

Sec. 9.12 – Harassment

No person shall, with intent to harass or intimidate another person, do any of the following:

- (1) Strike, shove, kick, or otherwise subject a person to physical contact or threaten to do the same.
- (2) Engage in a course of conduct or repeatedly commit acts which harass or intimidate a person and which serve no legitimate purpose.

PART II – PRESERVATION OF PUBLIC PEACE AND GOOD ORDER

Sec. 9.21. - Disorderly conduct.

No person shall, in a public or private place, engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which such conduct tends to cause or provoke a disturbance.

Sec. 9.22. - Disorderly conduct with a motor vehicle.

- (1) *Definitions.* In this section, a motor vehicle shall mean any self-propelled device for moving persons or property or pulling implements from one place to another, whether such device is operated on land, water or ice.
- (2) No person shall in a public or private place operate a motor vehicle in an abusive, boisterous, unreasonably loud or otherwise disorderly manner under circumstances which tend to cause or provoke a disturbance. Such conduct shall include, but not be limited to because of enumeration, conduct which tends to disturb, annoy or endanger one or more individuals because of unnecessary or deliberate spinning of wheels, squealing of tires, revving of engine, blowing the horn, causing engine to backfire or causing vehicle while commencing to move or in motion to raise one or more of its wheels, tracks or skis off the ground or operate at an unreasonable or imprudent speed.

Sec. 9.23 – Resisting or Obstructing an Officer

- (1) *Definitions.* In this section:
 - (a) “Obstruct” includes without limitation knowingly giving false information to an officer or knowingly placing physical evidence with intent to mislead the officer in the performance of his or her duty, including the service of any summons or civil process.
 - (b) “Officer” means a peace officer or other public officer or public employee having the authority by virtue of the officer’s or employee’s office or employment to take another into custody.
- (2) No person shall knowingly resist or obstruct an officer while such officer is doing any act in an official capacity and with lawful authority.

PART III – OFFENSES AGAINST PROPERTY

Sec. 9.31 – Damage to Property

No person shall intentionally cause damage to any physical property of another without the person’s consent.

Sec. 9.32 - Theft

No person shall intentionally take and carry away, use, transfer, conceal, or retain possession of moveable property of another without the owner’s consent and with intent to deprive the owner permanently of possession of such property.

Sec. 9.33. - Retail theft.

(1) *Definitions.* In this section,

- (a) Merchant includes any "merchant" as defined in Wis. Stat. § 402.104(3), or any innkeeper, motelkeeper or hotelkeeper.
- (ar) Theft detection device means any tag or other device that is used to prevent or detect theft and that is attached to merchandise held for resale by a merchant or to property of a merchant.
- (as) Theft detection device remover means any tool or device used, designed for use or primarily intended for use in removing a theft detection device from merchandise held for resale by a merchant or property of a merchant.
- (at) Theft detection shielding device means any laminated or coated bag or device designed to shield merchandise held for resale by a merchant or property of a merchant from being detected by an electronic or magnetic theft alarm sensor.

(b) Value of merchandise means:

1. For property of the merchant, the value of the property; or
2. For merchandise held for resale, the merchant's stated price of the merchandise or, in the event of altering, transferring or removing a price marking or causing a cash register or other sales device to reflect less than the merchant's stated price, the difference between the merchant's stated price of the merchandise and the altered price.

(2) No person may do any of the following without the merchant's consent and with intent to deprive the merchant permanently of possession or the full purchase price of the merchandise or property:

- (a) Intentionally alters indicia of price or value of merchandise held for resale by a merchant or property of a merchant.
- (b) Intentionally takes and carries away merchandise held for resale by a merchant or property of a merchant.
- (c) Intentionally transfers merchandise held for resale by a merchant or property of a merchant.
- (d) Intentionally conceals merchandise held for resale by a merchant or property of a merchant.

- (e) Intentionally retains possession of merchandise held for resale by a merchant or property of a merchant.
- (f) While anywhere in the merchant's store, intentionally removes a theft detection device from merchandise held for resale by a merchant or property of a merchant.
- (g) Uses, or possesses with intent to use, a theft detection shielding device to shield merchandise held for resale by a merchant or property of merchant from being detected by an electronic or magnetic theft alarm sensor.
- (h) Uses, or possesses with intent to use, a theft detection device remover to remove a theft detection device from merchandise held for resale by a merchant or property of a merchant.

(3) In addition to the penalties provided for violation of this section in Section 25.04 of this General Code of Ordinances, a judge may order a violator to make restitution under Wis. Stat § 800.093.

Sec. 9.34. - Issuance of worthless checks.

- (1) No person shall issue any check or other order for the payment of money which at the time of issuance he intends shall not be paid.
- (2) Any of the following is prima facie evidence that the person at the time he issued the check or other order for the payment of money intended it should not be paid:
 - (a) Proof that at the time of issuance the person did not have an account with the drawee.
 - (b) Proof that at the time of issuance the person did not have sufficient funds or credit with the drawee and that the person failed within five days after receiving notice of nonpayment or dishonor to pay the check or other order.
 - (c) Proof that when presentment was made within a reasonable time, the person did not have sufficient funds or credit with the drawee and the person failed within five days after receiving notice of nonpayment or dishonor to pay the check or other order.
- (3) This section does not apply to postdated checks or to a check given for a past consideration, except a payroll check.
- (4) In addition to the other penalties provided for violation of this section, a judge may order a violator to pay restitution under § 973.20, Wis. Stats. A victim may not be compensated under that section and § 943.245, Wis. Stats.

- (5) Violation of this section shall be prosecuted by the office of the District Attorney.

Sec. 9.35 Trespass

(1) *Trespass to Land*

(a) No person shall:

- (a) Enter into any enclosed, cultivated or undeveloped land of another, other than undeveloped land specified in this Section, without the express or implied consent of the owner or occupant.
 - (b) Enter or remain on any land of another after having been notified by the owner or occupant not to enter or remain on the land.
 - (c) Enter any land of another that is occupied by a structure used for agricultural purposes without the express or implied consent of the owner or occupant.
 - (d) Enter or remain on undeveloped land that is an inholding of another after having been notified by the owner or occupant not to enter or remain on the land.
 - (e) Enter undeveloped private land from an abutting parcel of land that is owned by the United States, this state or a local governmental unit, or remain on such land, after having been notified by the owner or occupant not to enter or remain on the land.
 - (f) Erect on the land of another signs which are the same as or similar to those described in subsection (6) without obtaining the express consent of the lawful occupant of or holder of legal title to such land.
- (b) Nothing in this section shall prohibit a representative of a labor union from conferring with any employee provided such conference is conducted in the living quarters of the employee and with the consent of the employee occupants.
- (c) This section does not apply to any of the following:
- (a) A person entering the land, other than the residence or other buildings or the curtilage of the residence or other building, of another for the purpose of removing a wild animal as authorized under §§ 29.59(2), (3) or (4), Wis. Stats., or successor statutes.
 - (b) A hunter entering land that is required to be open for hunting under §§ 29.59(4m) or 29.598(7m), Wis. Stats., or their successor statutes.
- (d) Any authorized occupant of employer-provided housing shall have the right to decide who may enter, confer and visit with the occupant in the housing area the occupant occupies.
- (e) In determining whether a person has implied consent to enter the land of another a trier of fact shall consider all of the circumstances existing at the time the person entered the land, including all of the following:
- (a) Whether the owner or occupant acquiesced to previous entries by the person or by other persons under similar circumstances.
 - (b) The customary use, if any, of the land by other persons.

- (c) Whether the owner or occupant represented to the public that the land may be entered for particular purposes.
 - (f) A person has received notice from the owner or occupant within the meaning of this section if he or she has been notified personally, either orally or in writing, or if the land is posted. Land is considered to be posted under this subsection under either of the following procedures:
 - (a) If a sign at least 11" square is placed in at least two conspicuous places for every 40 acres to be protected. The sign must carry an appropriate notice and the name of the person giving the notice followed by the word "owner" if the person giving the notice is the holder of legal title to the land and by the word "occupant" if the person giving the notice is not the holder of legal title but is a lawful occupant of the land. None of the colors used in the sign may be blaze orange. Proof that appropriate signs as provided in this paragraph were erected or in existence upon the land to be protected prior to the event complained of shall be prima facie proof that the land to be protected was posted as provided in this paragraph.
 - (b) If markings in a color other than blaze orange and at least one-foot long, including in a contrasting color other than blaze orange the phrase "private land" and the name of the owner, are made in at least two conspicuous places for every 40 acres to be protected.
 - (g) An owner or occupant may give express consent to enter or remain on the land for a specified purpose or subject to specified conditions and it is a violation of this section for a person who received that consent to enter or remain on the land for another purpose or contrary to the specified conditions
- (2) *Trespass to Dwellings.*
- (a) In this section, "dwelling" means a structure or a part of a structure that is used or intended to be used as a home or residence by one or more persons to the exclusion of all others. For the purposes of this section, a dwelling meets that definition regardless of whether the dwelling is currently occupied by a resident.
 - (b) No person may intentionally enter or remain in the dwelling of another without the consent of some person lawfully upon the premises or, if no person is lawfully on the premises, without the consent of the owner of the property that includes the dwelling, under circumstances tending to create or provoke a breach of the peace.

Sec. 9.36 – Abandoned Vehicles

(1) *Definitions.*

- (a) "Vehicle" as used in this section includes any motor vehicle, trailer, semitrailer, mobile home, or any other motor vehicle as defined in Wis. Stat. § 340.01(35).

- (2) *Authority.* This section is enacted pursuant to Wis. Stat. § 342.40(3).

- (3) *Abandoned vehicles prohibited.* No person shall leave unattended any vehicle on any public highway, private or public property or in or on any waters within Marathon County for more than forty-eight (48) hours, unless that person has obtained the permission of the landowner or the Marathon County Sheriff or his or her designee. A vehicle is presumed to be abandoned if it has been left unattended without the permission of the property owner or the Marathon County Sheriff, or his or her representative, for more than forty-eight (48) hours or if other indicia of abandonment is apparent.

PART IV – OFFENSES INVOLVING MINORS

Sec. 9.41. - Violations of alcohol beverage laws by underage persons.

- (1) *Definitions.* For the purposes of this section, the following terms have the following meanings:
 - (a) *Adult* means a person who has obtained the age of 17 years old or older.
 - (b) *Control* means the power to direct, manage, oversee, supervise, organize, conduct, and shall also mean, hosting, allowing or permitted or sponsoring. A person need not be present on the premises to be in control.
 - (c) *Knowingly permit* means there must be evidence or a reasonable inference from evidence that the person knew or should have known that consumption of alcoholic beverages would occur.
 - (d) *Premises* shall have the meaning under 125.02(14m), Wis. Stats., and shall also include all public or private property, regardless of whether said property is described in a license or permit.
- (2) *Providing alcohol beverages to underage persons.*
 - (a) *Restrictions.*
 - i. No person may procure for, sell, dispense or give away alcohol beverages to any underage person not accompanied by his or her parent, guardian or spouse who has attained the legal drinking age.
 - ii. No license or permittee shall sell, vend, deal or traffic any alcohol beverages to or with any underage person not accompanied by his or her parent, guardian or spouse who has attained the legal drinking age.
 - iii. No adult may knowingly permit or fail to take action to prevent the illegal consumption of alcohol beverages by an underage person on premises owned by the adult or under the adult's control. This subdivision does not apply to alcohol beverages used exclusively as a part of a religious service.
 - iv. No adult may intentionally encourage or contribute to a violation of par. (1) of this ordinance or § 125.07(4)(a) or (b), Wis. Stats.
 - (b) *Penalties.* Section 125.07(1)(b), Wis. Stats., providing penalties for violations of this subsection, is specifically adopted as now written or may be subsequently amended, repealed, created or recreated or renumbered and is incorporated herein by reference.

- (3) *Underage persons.*
- (a) *Restrictions.* No person under the legal drinking age shall consume, possess, buy, sell, trade, use as a beverage, give away or otherwise control any intoxicating liquor or fermented malt beverages or loiter upon the premises of any business establishment licensed for the sale of intoxicating liquor or fermented malt beverages in violation of Ch. 125, Wis. Stats., or any amendments or revisions thereto.
- (b) *Penalties.* Penalties for violation of this section shall be as specified in Ch. 125, Wis. Stats., including any amendments or revision thereto. Section 938.17(2), Wis. Stats., including any revisions and amendments thereto, is hereby adopted by reference.

Sec. 9.42. - Minor pornography.

- (1) *Prohibited.* No person shall, within the County, knowingly engage in either the public or private business of selling to minors; lending, giving away, showing to or distributing to minors for a monetary consideration; advertising for sale to minors; or placing for sale in such a location so as to allow a minor to buy, handle, read, hear or view any obscene motion picture, live show, sound recording, still picture, photograph, book, magazine, pocket book or pamphlet, the cover or content of which exploits, is devoted to or is principally made up of descriptions or depictions of illicit sex, sexual immorality, sexual conduct, sexual excitement or sado-masochistic abuse or which consists of pictures of a nude human being or partially nude human beings, posed or presented in such a manner so as to provoke or arouse lust, passion or exploit sexual lust or perversion. A work shall be considered obscene if an average person applying contemporary County standards would find that the work, taken as a whole, appeals to the prurient interest in sex or portrays sexual conduct in a patently offensive way and, if taken as a whole, does not have serious literary, artistic, political or scientific value.
- (2) *Definitions.* For the purposes of this section, the following terms shall have the meanings indicated:
- (a) *Acts knowingly.* A person acts knowingly if he has general knowledge of, or reason to know of, a belief or ground for belief which warrants further inspection or inquiry of the character and content of any material described herein which is reasonably susceptible of examination.
- (b) *Descriptions or depictions of illicit sex or sexual immorality.*
- i. Human genitals in the state of sexual stimulation or arousal.
 - ii. Acts of human masturbation, sexual intercourse or sodomy, fondling or otherwise erotic touching of human genitals, pubic region, buttocks or female breast.
- (c) *Minor.* Any person under the age of 18 years at the time the illegal act occurs.
- (d) *Nude or partially nude.* Less than completely opaquely covered human genitals, public region, buttocks, female breast below the point immediately above the top of the areola or human male genitals in a discernibly turgid state, even if completely or opaquely covered.

- (e) *Sado-masochistic abuse*. Flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.
 - (f) *Sexual conduct*. Acts of masturbation, homosexuality, sexual intercourse or physical contact with a person's clothed or unclothed genitals, public area, buttocks or, if such person is a female, her breast.
 - (g) *Sexual excitement*. Human male or female genitals in a state of sexual stimulation or arousal.
 - (h) *Terms, all other*. All other terms, words or phrases used in this section shall have the meaning as commonly understood within County.
- (3) *Determination of age*. Each person who deals in such products or items as referred to in this section shall have the sole responsibility to personally ascertain the true age of each person to whom he or she makes such items available. To do so such person shall be expected to rely upon an official Wisconsin identification card as distributed through the office of the Register of Deeds of the various counties of Wisconsin.
 - (4) *Penalty*. Any person violating this section shall, upon conviction, pay a forfeiture of not less than \$250.00 nor more than \$1,500.00, plus costs per day for each day a violation continues. Forfeitures for second and subsequent offenses shall be not less than \$500.00 nor more than \$2,500.00, plus costs per day for each day a violation continues.

Sec. 9.43. - Truancy

- (1) Any school-aged child is prohibited from being a habitual truant as that term is defined in § 118.16(1)(a), Wis. Stats., or its successor statute.
- (2) In this section, "habitual truant" means a pupil who is absent from his/her school without an acceptable excuse pursuant to the above referenced statute for part or all of five or more days during a school semester.
- (3) Upon a finding of habitual truancy, the court is authorized to enter a Dispositional Order containing some or all of the terms and conditions authorized by § 118.163, Wis. Stats and/or § 938.342, Wis. Stats., or their successor statutes, including, but not limited to:
 - (a) Suspension of the child's operating privilege for not less than 30 days nor more than one year. The court shall immediately take possession of any suspended license and forward it to the Department of Transportation together with a notice stating the reason for and the duration of the suspension.
 - (b) An order for the child to participate in counseling, community service, or a supervised work program as described in § 938.34(5g), Wis. Stats. The costs of any such counseling, supervised work program or other community service work may be assessed against the person, the parent or guardian of the person or both.

- (c) An order for the child to remain at home except during hours in which the child is attending religious worship or a school program, including travel time required to get to and from the school program or place of worship. The order may permit a child to leave his/her home if the child is accompanied by a parent or guardian.
 - (d) An order for the child to attend school or an educational program as described in § 938.74(7d), Wis. Stats., or its successor statute.
 - (e) Order the department of industry, labor and job development to revoke, under § 103.72, Wis. Stats., a permit under § 103.70, Wis. Stats., authorizing the employment of the person.
 - (f) Order the person to be placed in a teen court program as described in § 938.342(1g)(f), Wis. Stats., or its successor statute.
 - (g) A forfeiture of not more than \$500.00 plus costs, subject to § 938.37, Wis. Stats. All or part of the forfeiture plus costs may be assessed against the person, the parents or guardian of the person, or both.
 - (h) Any other reasonable conditions consistent with this subsection, including a curfew, restrictions as to going to or remaining on specified premises and restrictions on associating with other children or adults.
 - (i) An order placing the person under formal or informal supervision, as described in § 938.34(2), Wis. Stats., for up to one year.
 - (j) An order for the person's parent, guardian or legal custodian to participate in counseling at the parent's, guardian's or legal custodian's own expense or to attend school with the person, or both.
- (4) *School attendance.* No person shall, having under his/her control a child who is between the ages of six and 18 years, allow that child to be in noncompliance with § 118.15, Wis. Stats., or its successor statute.
- (5) *Contributing to truancy.* No person 17 years of age or older, by any act or omission, shall knowingly encourage or contribute to the truancy of a child. An act or omission contributes to the truancy of a child, whether or not the child is so adjudged if the natural and probable consequences of that act or omission would be to cause the child to be truant.
- (6) Pursuant to § 938.355(6m), Wis. Stats., juveniles found to have violated a municipal habitual truancy ordinance enacted pursuant to Ch. 118, Wis. Stats., or who have been found in need of protection or services under § 938.13(6), Wis. Stats., and who subsequently violate the court's dispositional order may, as a

sanction, be placed in secured detention for not more than five days for each violation of the court order.

Sec. 9.44. - Harboring, aiding, abetting and/or assisting minor runaways.

- (1) No person shall knowingly allow, permit or board any minor child at his residence, business or other property in his control, where the person knows or should have known the minor child to be a runaway, from his parent, guardian or legal custodian.
- (2) No person shall knowingly assist, aid or abet a runaway child to escape apprehension or flee from his parents or authorities including, but not limited to:
 - (a) Provide transportation to such runaway child.
 - (b) Provide money, clothing or any other useful instrument to the runaway child to aid the runaway child in escape.
 - (c) Obstruct by providing false or untrue information regarding the location or plan of the runaway child.
 - (d) Refuse to provide information to law enforcement officers when questioned about the runaway child, which information was known to them at the time and would assist in the apprehension of such runaway child.
 - (e) Assist, aid or abet the runaway child in any other way for the purpose of hindering law enforcement officers or the child's parents, guardian or legal custodian from learning the whereabouts of the child.
- (3) This section does not apply to the recipient of a placement by the Juvenile Court intake staff or the Court, providing that the law enforcement agency who originated the runaway child report is informed of such placement. This section does not apply to any person providing temporary shelter to a runaway for the purpose of protecting the runaway from imminent abuse, provided the person does not withhold information about the whereabouts of the runaway if questioned by law enforcement authorities and reports the whereabouts of a known runaway to law enforcement officers as soon as feasible.

Sec. 9.45 Purchase or Possession of Cigarettes, Nicotine Products, and Tobacco Products by Juveniles Prohibited

- (1) *Authority.* This section is enacted pursuant to Wis. Stat. § 254.92(4).
- (2) *Definitions.* In this section, the following words have the definitions given:
 - (a) "Cigarette" has the meaning given in Wis Stat. § 139.30 (1m).
 - (b) "Nicotine product" has the meaning given in Wis. Stat. § 134.66(1)(f).
 - (c) "Tobacco products" has the meaning given in Wis. Stat. § 139.75 (12).
- (3) No person under 18 years of age may falsely represent his or her age for the purpose of receiving any cigarette, nicotine product, or tobacco product.
- (2) No person under 18 years of age may purchase, attempt to purchase, or possess any cigarette, nicotine product, or tobacco product except as follows:

- (a) A person under 18 years of age may purchase or possess cigarettes, nicotine products, or tobacco products for the sole purpose of resale in the course of employment during his or her working hours if employed by a retailer.
- (b) A person under 18 years of age, but not under 15 years of age, may purchase, attempt to purchase or possess cigarettes, nicotine products, or tobacco products in the course of his or her participation in an investigation under Wis. Stat. § 254.916 that is conducted in accordance with Wis. Stat. § 254.916 (3).
- (2m) No person may purchase cigarettes, tobacco products, or nicotine products on behalf of, or to provide to, any person who is under 18 years of age. Any person who violates this subsection may be:
- (a) Required to forfeit not more than \$500 if the person has not committed a previous violation within 30 months of the violation.
- (b) Fined not more than \$500 or imprisoned for not more than 30 days or both if the person has committed a previous violation within 30 months of the violation.
- (c) Fined not more than \$1,000 or imprisoned for not more than 90 days or both if the person has committed 2 previous violations within 30 months of the violation.
- (d) Fined not more than \$10,000 or imprisoned for not more than 9 months or both if the person has committed 3 or more previous violations within 30 months of the violation.
- (3) A law enforcement officer shall seize any cigarette, nicotine product, or tobacco product that has been sold to and is in the possession of a person under 18 years of age.
- (4) This section does not apply within any town, village or city that has adopted or adopts an ordinance pursuant to § 254.92 (4), Wis. Stats.
- (5) The disposition of any juvenile adjudged to have violated this section shall be as set forth in § 938.343, Wis. Stats., or its successor statute.

PART V – OFFENSES ON OR INVOLVING COUNTY PROPERTY

Sec. 9.51. - Smoke-free county buildings, property/grounds.

- (1) *Authority.* This ordinance is enacted pursuant to the authority granted in §101.123, Wis. Stats. The county administrator is charged with implementing and enforcing this ordinance.
- (2) *Purpose.* It is the purpose of this section to protect the environment and public health and comfort by prohibiting smoking in county facilities, county property and grounds. Numerous studies have found that tobacco smoke is a major contributor of indoor air pollution, and that breathing second-hand smoke (also

known as environmental tobacco smoke) is a cause of disease in healthy non-smokers, including heart disease, stroke, respiratory disease and lung cancer.

- (3) *Definitions.* In this section the following terms have the following meanings:
- (a) *County Building.* Any enclosed space owned or leased by Marathon County. This includes any building or structure intended to be a permanent accession to real property; that is designed for sheltering people, for storing property, or for working, office or parking space; that in physical appearance is annexed to real property, that is covered by a roof and has more than two substantial walls; that is not readily moved or disassembled; and that is commonly known to be a building or structure because of its appearance and because of the materials with which it is constructed.
 - (b) *Designated County Property/Grounds.* Any real property or grounds owned or leased by or under the jurisdiction of Marathon County that has been identified as tobacco-free by signs, placards, etc.
 - (c) *Person in Charge.* Consistent with Marathon County's personnel policy, department heads with primary responsibility for operations performed at the sites listed in paragraph (5)(b), or their designees. The county administrator and the sheriff share responsibility for compliance for the Marathon County Courthouse. The county administrator is responsible for ensuring compliance at the River Drive sites.
 - (d) *Smoking.* The burning or holding, or inhaling or exhaling of smoke from, any of the following items containing tobacco:
 - i. A lighted cigar.
 - ii. A lighted cigarette.
 - iii. A lighted pipe.
 - iv. Any other lighted smoking equipment.
 - (e) *Substantial wall.* A wall with no opening or with an opening that either does not allow air in from the outside or is less than 25 percent of the wall's surface area.
- (4) *Prohibited Conduct.* It is unlawful for any person to smoke in any county building or on designated county property/grounds.
- (5) *Notification to the Public.*
- (a) All county buildings, designated county property/grounds and county vehicles/equipment shall be posted in accordance with this section and with § 101.123, Wis. Stats.
 - (b) The County Administrator has designated as tobacco-free the property/grounds surrounding the county buildings at the following locations:
 - i. Marathon County Courthouse, 500 Forest Street, Wausau
 - ii. 210 and 212 River Drive, Wausau
 - iii. Social Services, 400 East Thomas Street, Wausau
 - iv. Library Headquarters, 300 N. 1st Street, Wausau
 - v. Parks Maintenance Shop, 900 Pardee Street, Wausau
 - vi. Capital Facilities Building, 1308 West St., Wausau

- vii. Marathon County Landfill, 18500 E. Hwy. 29, Ringle
 - viii. All Highway Department facilities (Wausau, Stratford, Mosinee, Hatley, Abbotsford)
 - ix. University of Wisconsin-Marathon County, 518 S. 7th Avenue and 625 Stewart Avenue, Wausau
- (c) The County Administrator may make modifications to designated county property/grounds and provide notification to the public as provided above.
- (6) *Enforcement Responsibility.*
- (a) No person in charge may allow any person to smoke in violation of paragraph (4) at a location that is under the control or direction of the person in charge.
 - (b) A person in charge shall make reasonable efforts to prohibit persons from smoking at a location where smoking is prohibited by doing all of the following:
 - (c) Posting signs setting forth the prohibition and providing other appropriate notification and information concerning the prohibition.
 - (d) Asking the person who is smoking to refrain from smoking and, if the person refuses to do so, asking the person to leave the location.
 - (e) If the person refuses to leave the location after being requested to do so as provided in subparagraph 2., the person in charge shall immediately notify an appropriate law enforcement agency of the violation.
- (7) *Violation-Penalty Enforcement.* Any person who violates paragraph (4) shall be subject to a forfeiture of not less than \$25.00 nor more than \$50.00 for each violation.
- (8) *Effective date.* This ordinance shall become effective on July 5, 2010.

Sec. 9.52 – Littering

- (1) *Definitions.* In this section:
- (a) “Highway” has the meaning given in Wis. Stat. § 340.01(22).
 - (b) “Vehicle” has the meaning given in Wis. Stat. § 340.01(74).
- (2) No person shall deposit or discharge any garbage, refuse, or litter on or along any highway, in any body of water in the county, on the ice of any body of water of the county, or on any other public or private property.
- (3) No person shall permit any garbage, refuse, or litter to be thrown from a vehicle operated by the person.

Sec. 9.53 – Unauthorized Dumping

No person shall dump, deposit, or cause to be deposited, dropped, placed, discharged, left, spilled, or scattered any hazardous waste, industrial waste, infectious waste, garbage, refuse, or other waste material upon any premises owned or leased by Marathon County.

Sec. 9.54 – Prohibition on Dangerous Items – Marathon County Courthouse

- (1) *Definitions.*
 - (a) *Prohibited Item.* In this section, a prohibited item is any personal property that poses a danger to the safety and security of persons working or conducting business within the Marathon County Courthouse.
 - (b) *Security checkpoint.* In this section, security checkpoint is defined as the area inside the public entrance of the Marathon County Courthouse where Marathon County Sheriff's Office deputies initiate security screening of persons entering the building.
- (2) No person, except for law enforcement officers on duty at the time of entry, may enter the Marathon County Courthouse beyond the security checkpoint if the person is found to have in their possession a prohibited item. Marathon County Sheriff's Office deputies are authorized to use discretion to determine whether an item meets the definition of a prohibited item for the purposes of this section.
- (3) Any person found to have intentionally carried or possessed a prohibited item beyond the security checkpoint of the Marathon County Courthouse, after being provided written or verbal notice upon entry into the Courthouse that said item is prohibited under this section, shall be subject to a forfeiture as outlined in Section 25.04 of the General Code.

SECTION VI – ALCOHOL, TOBACCO, AND NICOTINE

Sec. 9.61 Allowing Patrons to Smoke on Premises

- (1) *Authority.* This section is enacted pursuant to Wis. Stat. § 101.123(4m).
- (2) No person who controls, governs, or directs the activities at a location where smoking is prohibited or regulated under Wis. Stat. § 101.123 may allow any person to smoke at the prohibited or regulated location.
- (3) *Penalty.*
 - (a) *Warning notice.* If a person who violates this section has not previously received a warning notice for a violation of (2), that person shall receive a written warning notice regarding the violation and is not subject to a forfeiture.
 - (b) Any person who violates this section after previously receiving a warning under (3)(a) shall be subject to a forfeiture of \$100 for each violation. No person may be required to forfeit more than \$100 in total for all violations of this section occurring on a single day.

- (4) *Enforcement.* This section may be enforced by the issuance of citations as allowed in sec. 25.04(4) of this General Code of Ordinances.

Sec. 9.62. - Curfew on possession and/or consumption of liquor and malt beverages on public access sites to waters.

During the period from 6 p.m. on April 1 to 6 a.m. on May 15 of each year, no person may possess containers of intoxicating liquor or fermented malt beverages or consume intoxicating liquor or fermented malt beverages while on or within the boundaries of public access sites to waters within the County when such sites are posted with notice of this curfew and restriction. This curfew shall only apply between the hours of 6 p.m. to 6 a.m. the following day. The phrase "on or within the boundaries of public access sites to waters" is defined as an improved or clearly established public area, such as a road or parking lot, which is upon or connected to a public road and which leads to the edge of the water.

Sec. 9.63. - Restrictions on sale or gift of cigarettes or nicotine or tobacco products.

(1) *Definitions.* In this section:

- (a) "Cigarette" has the meaning given in s. 139.30 (1m).
- (am) "Direct marketer" has the meaning given in s. 139.30 (2n).
- (b) "Distributor" means any of the following:
 - 1. A person specified under s. 139.30 (3).
 - 2. A person specified under s. 139.75 (4).
- (c) "Identification card" means any of the following:
 - 1. A license containing a photograph issued under ch. 343.
 - 2. An identification card issued under s. 343.50.
 - 3. An identification card issued under s. 125.08, 1987 stats.
 - 4. A tribal identification card, as defined in s. 134.695 (1) (cm).
- (d) "Jobber" has the meaning given in s. 139.30 (6).
- (e) "Manufacturer" means any of the following:
 - 1. A person specified under s. 139.30 (7).
 - 2. A person specified under s. 139.75 (5).
- (f) "Nicotine product" means a product that contains nicotine and is not any of the following:
 - 1. A tobacco product.
 - 2. A cigarette.
 - 3. A product that has been approved by the U.S. food and drug administration for sale as a smoking cessation product or for another medical purpose and is being marketed and sold solely for such an approved purpose.
- (g) "Retailer" means any person licensed under s. 134.65 (1).
- (h) "School" has the meaning given in s. 118.257 (1) (d).
- (hm) "Stamp" has the meaning given in s. 139.30 (13).
- (i) "Subjobber" has the meaning given in s. 139.75 (11).
- (j) "Tobacco products" has the meaning given in s. 139.75 (12).
- (k) "Vending machine" has the meaning given in s. 139.30 (14).
- (L) "Vending machine operator" has the meaning given in s. 139.30 (15).

(2) *Restrictions.*

(a) No retailer, direct marketer, manufacturer, distributor, jobber or subjobber, no agent, employee or independent contractor of a retailer, direct marketer, manufacturer, distributor, jobber or subjobber and no agent or employee of an independent contractor may sell or provide for nominal or no consideration cigarettes, nicotine products, or tobacco products to any person under the age of 18, except as provided in s. 254.92 (2) (a). A vending machine operator is not liable under this paragraph for the purchase of cigarettes, nicotine products, or tobacco products from his or her vending machine by a person under the age of 18 if the vending machine operator was unaware of the purchase.

(am) No retailer, direct marketer, manufacturer, distributor, jobber, subjobber, no agent, employee or independent contractor of a retailer, direct marketer, manufacturer, distributor, jobber or subjobber and no agent or employee of an independent contractor may provide for nominal or no consideration cigarettes, nicotine products, or tobacco products to any person except in a place where no person younger than 18 years of age is present or permitted to enter unless the person who is younger than 18 years of age is accompanied by his or her parent or guardian or by his or her spouse who has attained the age of 18 years.

(b)

1. A retailer shall post a sign in areas within his or her premises where cigarettes, nicotine products, or tobacco products are sold to consumers stating that the sale of any cigarette, nicotine product, or tobacco product to a person under the age of 18 is unlawful under this section and s. 254.92.

2. A vending machine operator shall attach a notice in a conspicuous place on the front of his or her vending machines stating that the purchase of any cigarette, nicotine product, or tobacco product by a person under the age of 18 is unlawful under s. 254.92 and that the purchaser is subject to a forfeiture of not to exceed \$50.

(cm)

1m. A retailer or vending machine operator may not sell cigarettes, nicotine products, or tobacco products from a vending machine unless the vending machine is located in a place where the retailer or vending machine operator ensures that no person younger than 18 years of age is present or permitted to enter unless he or she is accompanied by his or her parent or guardian or by his or her spouse who has attained the age of 18 years.

2. Notwithstanding subd. 1m., no retailer may place a vending machine within 500 feet of a school.

(e) No retailer or direct marketer may sell cigarettes in a form other than as a package or container on which a stamp is affixed under s. 139.32 (1).

(2m) *Training.*

(a) Except as provided in par. (b), at the time that a retailer hires or contracts with an agent, employee, or independent contractor whose duties will include the sale of cigarettes, nicotine products, or tobacco products, the retailer shall provide the agent, employee, or independent contractor with training on compliance with sub. (2) (a) and (am), including training on the penalties under sub. (4) (a) 2. for a violation of sub. (2) (a) or (am). The department of health services shall make available to any retailer on request a training program developed or approved by that department that provides the training required under this paragraph. A retailer may comply with this paragraph by providing the training program developed or approved by the department of health services or by providing a comparable training program approved by that department. At the completion of the training, the retailer and the agent, employee, or independent contractor shall sign a form provided by the department of health services verifying that the agent, employee, or independent contractor has received the training, which the retailer shall retain in the personnel file of the agent, employee, or independent contractor.

(b) Paragraph (a) does not apply to an agent, employee, or independent contractor who has received the training described in par. (a) as part of a responsible beverage server training course or a comparable training course, as described in s. 125.04 (5) (a) 5., that was successfully completed by the agent, employee, or independent contractor. The department of health services shall make the training program developed or approved by that department under par. (a) available to the technical college system board, and that board shall include that training program or a comparable training program approved by that department in the curriculum guidelines specified by that board under s. 125.04 (5) (a) 5. The department of health services shall also make the training program developed or approved by that department under par. (a) available to any provider of a comparable training course, as described in s. 125.04 (5) (a) 5., on request, and the department of revenue or the department of safety and professional services may approve a comparable training course under s. 125.04 (5) (a) 5. only if that training course includes the training program developed or approved by the department of health services under par. (a) or a comparable training program approved by that department.

(c) If an agent, employee, or independent contractor who has not received the training described in par. (a) commits a violation of sub. (2) (a) or (am), a governmental regulatory authority, as defined in s. 254.911 (2), may issue a citation based on that violation only to the retailer that hired or contracted with the agent, employee, or independent contractor and not to the agent, employee, or independent contractor who has not received that training. If an agent, employee, or independent contractor who has received the training described in par. (a) commits a violation of sub. (2) (a) or (am) for which a governmental regulatory authority issues a citation to the retailer that hired or contracted with the agent, employee, or independent contractor, the governmental regulatory authority shall also issue a citation based on that violation to the agent, employee, or independent contractor who has received that training.

(3) *Defense; Sale to Minor.* Proof of all of the following facts by a retailer, manufacturer, distributor, jobber, or subjobber, an agent, employee, or independent contractor of a retailer, manufacturer, distributor, jobber, or subjobber, or an agent or employee of an

independent contractor who sells cigarettes, nicotine products, or tobacco products to a person under the age of 18 is a defense to any prosecution, or a complaint made under s. [134.65 \(7\)](#), for a violation of sub. [\(2\) \(a\)](#):

- (a) That the purchaser falsely represented that he or she had attained the age of 18 and presented an identification card.
- (b) That the appearance of the purchaser was such that an ordinary and prudent person would believe that the purchaser had attained the age of 18.
- (c) That the sale was made in good faith, in reasonable reliance on the identification card and appearance of the purchaser and in the belief that the purchaser had attained the age of 18.

(4) *Penalties.*

(a)

1. In this paragraph, "violation" means a violation of sub. (2) (a), (am), (cm), or (e) or a local ordinance which strictly conforms to sub. (2) (a), (am), (cm), or (e).
2. A person who commits a violation is subject to a forfeiture of:
 - a. Not more than \$500 if the person has not committed a previous violation within 12 months of the violation; or
 - b. Not less than \$200 nor more than \$500 if the person has committed a previous violation within 12 months of the violation.
3. A court shall suspend any license or permit issued under s. 134.65, 139.34 or 139.79 to a person for:
 - a. Not more than 3 days, if the court finds that the person committed a violation within 12 months after committing one previous violation;
 - b. Not less than 3 days nor more than 10 days, if the court finds that the person committed a violation within 12 months after committing 2 other violations; or
 - c. Not less than 15 days nor more than 30 days, if the court finds that the person committed the violation within 12 months after committing 3 or more other violations.
4. The court shall promptly mail notice of a suspension under subd. [3.](#) to the department of revenue and to the clerk of each municipality which has issued a license or permit to the person.

(b) Whoever violates sub. (2) (b) shall forfeit not more than \$25. (5) Local ordinance. This section does not apply within any town, village or city that has adopted or adopts an ordinance under this subsection pursuant to § 134.66(5), Wis. Stats., or its successor statute.

Sec. 9.64 – Closing Hours

- (1) This section is enacted pursuant to Wis. Stat. §§ 59.54(6), 125.10(1), and 125.32(3)(d).
- (2) No business or premises licensed or permitted to sell alcohol beverages pursuant to Wis. Stat. Chapter 125 may remain open beyond the closing hours set forth in Wis. Stat. § 125.32 (3).
- (3) No business or premises licensed or permitted to sell alcohol beverages pursuant to Wis. Stat. Chapter 125 may allow patrons to remain within the business or premises beyond the closing hours set forth in Wis. Stat. § 125.32 (3).
- (4) Subsection (3) does not apply to any permittee, licensee, employee, salesperson, employee of wholesaler, or service personnel on the premises to perform job-related activities.

SECTION VII – CONTROLLED SUBSTANCES

Sec. 9.71 - Possession of Marijuana/Synthetic Cannabinoids and Drug Paraphernalia

- (1) This section is enacted pursuant to Wis. Stat §§ 59.54(25), (25g), and (25m).
- (2) Any person possessing 25 grams or less of marijuana, as defined in § 961.01(14), Wis. Stats., or its successor statute, or any synthetic cannabinoids, as defined in § 961.14(4)(tb), Wis. Stats., or its successor statute, and subject to the exceptions set forth in § 961.41(3g), Wis. Stats., or its successor statute, shall be subject to a forfeiture as set forth in § 25.04 of this Code.
- (3) Any person using or possessing drug paraphernalia, as defined in § 961.571(1), Wis. Stats., or its successor statute, with the primary intent to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance or controlled substance analog, shall be subject to a forfeiture as set forth in § 25.04 of this Code.
- (4) *Exceptions.*
 - a. This section is not applicable to any person charged with possession of more than 25 grams of marijuana.
 - b. If a complaint is issued regarding an allegation of possession of any amount of marijuana following conviction in this state for the possession of marijuana, the subject of that complaint may not be prosecuted under this section unless (1) the charges for violating the state statute are dismissed or the district attorney declines to prosecute the case, and (2) the city, village, or town with jurisdiction over the action has no ordinance enacted under Wis. Stat. § 66.0107(1)(bm) in effect or the city, village, or town with jurisdiction over the action has declined to prosecute or has dismissed the charges for violation of the ordinance enacted under Wis. Stat. § 66.0107(1)(bm).

- (5) This section applies in every municipality within the county.

PART VIII – ANIMAL CONTROL

Sec. 9.81. - Shining animals.

- (1) *Definitions.*
- (a) *Department.* The State Department of Natural Resources.
 - (b) *Flashlight.* A battery operated light designed to be carried and held by hand.
 - (c) *Light.* Includes flashlights, automobile lights, spotlights and other lights.
 - (d) *Peace officer.* The meaning designated under § 939.22(22), Wis. Stats.
 - (e) *Shining.* The illumination or attempted illumination of a field, forest or other area by means of light as defined herein for the purpose of locating or attempting to locate wild animals.
- (2) *Presumption.* A person shining a field, forest or other area frequented by wild animals is presumed to be shining wild animals. This presumption may be rebutted by competent evidence to the contrary.
- (3) *Shining deer or bear while hunting or possessing weapons.*
- (a) *Prohibition.* No person may use or possess with intent to use a light for shining deer or bear while the person is hunting deer or bear or in possession of a firearm, bow and arrow or crossbow and arrow.
 - (b) *Exceptions.* This subsection does not apply to:
 - i. A peace officer acting in his official capacity.
 - ii. An employee of the Department acting in his official capacity.
 - iii. A person authorized by the Department to conduct a game census.
- (4) *Shining wild animals while hunting or possessing weapons.*
- (a) *Prohibition.* No person may use or possess with intent to use a light for shining wild animals while the person is hunting or in possession of a firearm, bow and arrow or crossbow and arrow.
 - (b) *Exception.* This subsection does not apply to:
 - i. A peace officer acting in his official capacity, an employee of the Department acting in his official capacity or a person authorized by the Department to conduct a game census.
 - ii. A person who possesses a flashlight or who uses a flashlight at the point of kill while hunting on foot raccoons, foxes or other unprotected animals during the open season for the animals hunted.
- (5) *Shining wild animals after 10 p.m.*
- (a) *Prohibition.* No person may use or possess with intent to use a light for shining wild animals between 10 p.m. and 7 a.m.
 - (b) *Exception.* This subsection does not apply to:
 - i. To a peace officer acting in his official capacity, an employee of the Department acting in his official capacity or a person authorized by the Department to conduct a game census.
 - ii. To a person who possesses a flashlight or who uses a flashlight at the point of kill while hunting on foot raccoons, foxes or other unprotected animals during the open season for the animals hunted.

- iii. To a person who possesses a flashlight or who uses a flashlight while on foot and training a dog to track or hunt raccoons, foxes or other unprotected animals.
- iv. If rules promulgated by the Department specifically permit a person to use or possess a light for shining wild animals during these times.

Sec. 9.82 - Animal control.

(1) Animal control.

(a) No person shall own or keep a dog and allow such dog to run at large. A dog shall be considered as running at large when it is not on the premises of the owner, unless it is on a leash, or being exercised, is in a motor vehicle, or is on property of another who does not object to the presence of the animal.

(b) No person shall own or keep a dog and allow such dog to disturb other people by frequent or habitual howling, barking or yelping. The provision of this section shall not apply to licensed animal kennels, shelters, or hospitals.

(c) This section shall not apply to incorporated cities or villages or to townships enacting an ordinance pursuant to § 60.23(30), Wis. Stats., or its successor statute.

(d) Any person violating the provisions of this section shall be penalized as provided by § 25.04 of this Code. Enforcement shall be by citation. Violation of the section shall be prosecuted by the Office of Corporation Counsel.

(2) Applicable state statutes.

(a) State of Wisconsin certified Humane Officers employed by the agency designated by contract with Marathon County to operate an animal shelter on behalf of Marathon County shall be designated as Humane Officers for purposes of Wisconsin Statutes, Chapter 173, and this section shall have all investigative and enforcement authority specified in Wisconsin Statutes, Chapter 173, including the authority to issue abatement orders pursuant to § 173.11, Wis. Stats. This designation is made pursuant to § 173.03(2), Wis. Stats.

(b) The hearing authorized by § 173.11(3), Wis. Stats., to review abatement orders, if requested, shall be heard by the County Administrator or any other County officers or officials appointed by the County Administrator to so act on a per hearing basis.

(c) Wisconsin Statutes, Chapter 173, or its successor statute, is incorporated herein by specific reference.

PART IX– UNIFORM ADDRESSING

Sec. 9.90. - Uniform addressing system.

(1) Title. This ordinance [section] is created as the Marathon County Uniform Addressing System Ordinance.

(2) Purpose. This ordinance [section] is enacted for the purpose of establishing and maintaining a county addressing system for Marathon County that defines policies and administrative procedures related to the naming of roads, signing of roads, assigning of addresses, location of address signs, and ongoing maintenance of the system. The intent of this addressing system is to assign each location a unique address which will aid emergency personal in providing fire protection, emergency medical services, and law enforcement services; and meet other general locational needs such as delivery services of the public. Implementation of the county addressing system will advance the Marathon County Strategic Plan by providing leadership among state, regional, and local public and private entities responsible for safety and emergency response services.

(3) Authorization. This ordinance [section] is enacted under the authority granted to the County in § 59.54(4) and (4m) Wisconsin Statutes.

(4) Application. The provisions of this section shall apply to each road, home, business, farm, structure, or other establishments in the unincorporated areas of the County. Incorporated areas are exempt from this section unless otherwise indicated in any adopted intergovernmental agreement.

(5) Administration.

(a) The policy implementation and tracking of outcomes shall be provided by the Public Safety Committee.

(b) The administrative responsibility of this section shall be administered by the Conservation, Planning, and Zoning (CPZ) Department. CPZ will provide an annual report to the Public Safety Committee which tracks the implementation of the county addressing system relative to policy outcomes, strategic plan objectives, and indicators of success.

(c) The CPZ Director or designee shall have the responsibilities of coordinating the ongoing maintenance of the system. These duties shall include: assignment of addresses, maintenance of an accurate road name listing, update of maps, management of address sign installations, and enforcement of the provisions of this ordinance.

(d) Fee schedule. See department fee schedule as approved by the Public Safety Committee.

(6) Definitions.

(a) Address Sign. An individual address plate placed on a named road or driveway identifying a location address.

(b) Application Form. The form required for assignment of a new address.

(c) Private Road. Any road on private property leading to three or more driveways and/or principle structures.

(d) Road Sign. A sign posted at a road intersection that identifies the road name(s).

(7) Uniform addressing requirements.

(a) County Addressing Grid System.

(1) Marathon County shall establish a uniform addressing grid.

(b) Road Naming Selection. The following uniform criteria are established for naming all roads in the unincorporated areas of Marathon County:

(1) U.S. and State Trunk Highways. Those presently designated by number by State of Wisconsin Department of Transportation, (WIS DOT) shall retain such designation. New U.S. and state trunk highway shall be numbered by (WIS DOT).

(2) County Highways. County Highways shall be designated by letter (e.g. County Road "X"). Changes to or new county highways shall be named by the Marathon County Infrastructure Committee.

(3) County Forest Roads. County Forest Roads shall be designated by number (e.g. County Forest Road "10"). Changes to or new county forest roads shall be named by Marathon County Environmental Resources Committee.

(4) Other Public Roads. All other public roads shall be designated by naming according to the following procedures:

a. All roads named on the official Marathon County Road Naming Map prepared by CPZ which do not duplicate other road names on the County Addressing Grid, shall retain their names.

b. Town boards may, by resolution, name new town roads and submit the name and a map showing its location to CPZ for comparison to existing road names in order to avoid conflicts with other roads having similar or identical names. If there is no conflict, the new name shall be added to the master index of road names and be included on the next official road naming map. If there is a conflict with another road name, CPZ may cooperate with the town board in the selection of a name which does not conflict with other road names in the county.

(5) Private Roads. When consistent with the public interest in providing government and emergency services and on application of the owner, the town may name private roads following the same process that is used in naming public roads. Owner(s) of the lands on which any such private road is located must agree, by written instrument, to maintain approved signs displaying the road name(s) assigned by the department. Owner(s), heirs, successors and assigns, shall not thereafter change the name of any such road without written consent of CPZ.

(c) Road Name Signs.

(1) Road name signs shall be placed at the intersections of all roads, showing the names of the roads in accordance with the official road naming map. Road name signs are the responsibility of the town in which the road is located. Road name signs within private, commercial, business, industrial, apartment, and condominium complexes shall be the sole responsibility of the property owner(s).

(2) The type of lettering, composition, material, color, mounting posts, and accessories shall be in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) by the U.S. Department of Transportation.

(d) Requiring Addresses. Address numbers shall be assigned to the following:

(1) Each home, business, farm, principal structure or other establishment shall have a unique number.

(2) Parcels containing ongoing business operation or public facility.

(3) Any structure not associated with a principal structure, which contains a driveway access point such as radio/television/cell/mobile towers, warehouses, storage facilities, utility buildings, and/or other structures.

(4) Any other parcel as determined by CPZ for emergency response access.

(e) Address Sign. All towns shall have uniform address signs.

(8) Enforcement/penalties.

(a) All persons, firms, corporations, associations, partnerships, bodies politic or other entities capable of being sued that own or have jurisdiction over highways, streets, roads or real property located within the Uniform Addressing System, set forth above, shall comply with said system.

(b) Any violation of any provision of this ordinance shall, upon conviction, be punishable as provided under Section 25.04 of this Code.

ORDINANCE # O -30-20

Town of Rib Falls Rezone

WHEREAS, the Marathon County Board of Supervisors has been petitioned to amend the General Code of Ordinances for Marathon County Chapter 17 Zoning Code by Rick Kersten (Central Wisconsin Lumber & Tie INC.) on behalf of Steve Dahlke to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to L-I Light Industrial described as part of the S ½ of the SE ¼ of Section 24, Township 29 North, Range 05 East, Town of Rib Falls. The area proposed to be rezoned (approximately 4.975 acres) is described as part of Lot 1 (17.495 acres) on the Preliminary Certified Survey Map (CSM) submitted as a part of the rezone petition. Parcel address 136924 County Road U, Marathon WI 54448. Part of parent parcel PIN# 066.2905.244.0993

WHEREAS, the petition was referred to the Marathon County Environmental Resources Committee (the Committee) for public hearing; and

WHEREAS, the Committee, on due notice, conducted a public hearing thereon, pursuant to Section 59.69, Wisconsin Statutes on December 1, 2020 to consider the petition to amend Chapter 17; and

WHEREAS, the Committee being duly informed of the facts pertinent to the changes proposed, having reviewed the staff report, and duly advised of the recommendations of the Town of Rib Falls hereby recommends the petition be GRANTED AS APPLIED FOR

NOW, THEREFORE, the County Board of Supervisors of the County of Marathon does ordain as follows: The General Code of Ordinances for Marathon County Chapter 17 Zoning Code (and accompanying Zoning Map) is amended as stated above.

Dated this 1st day of December, 2020

ENVIRONMENTAL RESOURCES COMMITTEE

/s/ Randy Fifrick

/s/ Rick Seefeldt

/s/ Arnold Schlei

/s/ Allen Drabek


/s/ Sara Guild

/s/ Bill Conway

/s/ David Oberbeck

Dated this 15th day of December, 2020

Kurt Gibbs – Marathon County Board Chair

A vertical blue decorative graphic on the left side of the page, consisting of several overlapping, semi-transparent rectangular shapes of varying shades of blue, creating a layered effect.

The following Certified
Survey Map was updated
AFTER the Ordinance was
passed by ERC.

CERTIFIED SURVEY MAP

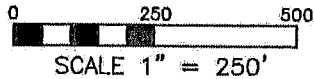
MARATHON COUNTY NO. _____

PART OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 5 EAST, TOWN OF RIB FALLS, MARATHON COUNTY, WISCONSIN.

VREELAND ASSOCIATES, INC.	
6103 DAWN STREET WESTON, WI. 54476	
PH (715) 241-0947	tim@vreelandassociates.us
OWNER:	
CENTRAL WI LUMBER & TIE & STEVEN DAHLKE	
FILE #: K-255 KERSTEN	
DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND	

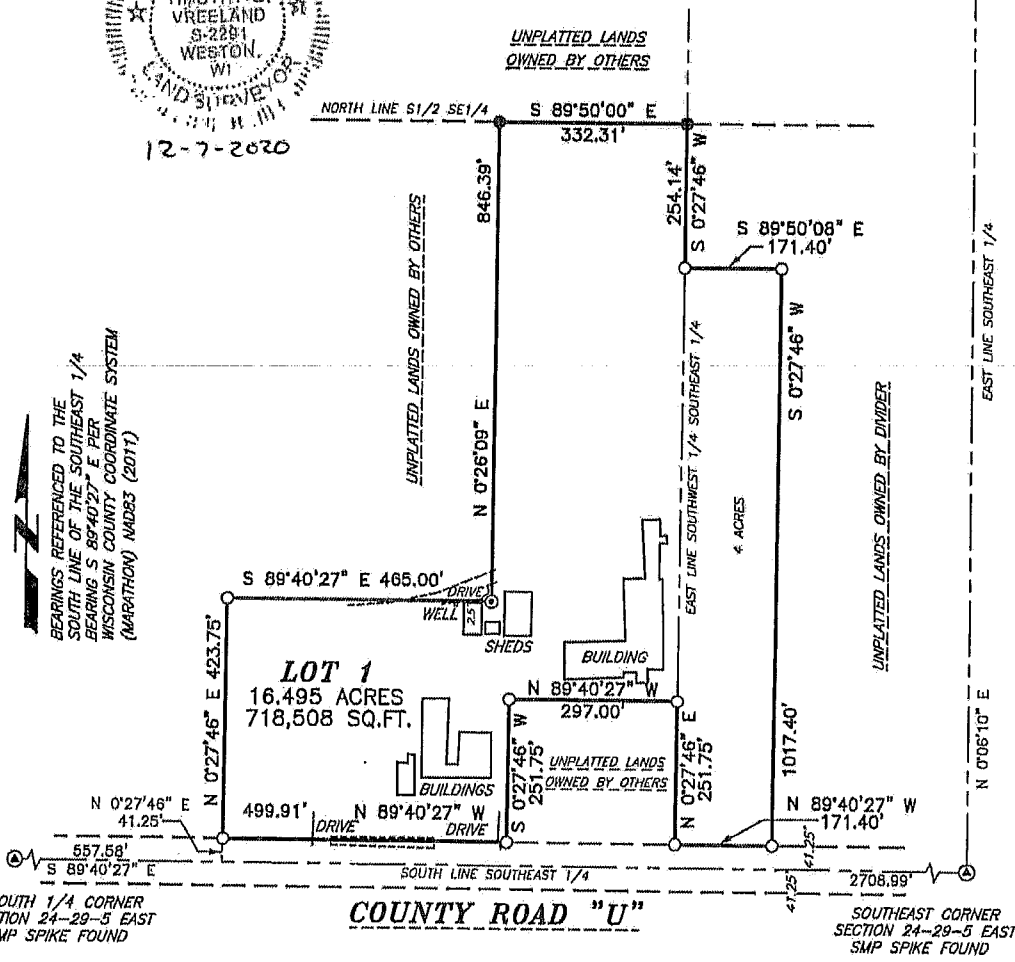
SHEET 1 OF 2 SHEETS

EAST 1/4 CORNER SECTION 24-29-5 EAST SMP SPIKE FOUND



LEGEND

- ⊙ = GOVERNMENT CORNER LOCATION PER COUNTY SURVEY RECORDS
- = 1.315" OUTSIDE DIAMETER x 24" IRON PIPE 1.68 POUNDS PER FOOT SET
- = 1.5" OUTSIDE DIAMETER IRON PIPE FOUND IN PLACE
- ⊖ = 3/4" x 18" REBAR 1,502 POUNDS PER FOOT SET



BEARINGS REFERENCED TO THE SOUTH LINE OF THE SOUTHEAST 1/4 BEARING S 89°40'27" E PER WISCONSIN COUNTY COORDINATE SYSTEM (MARATHON) NAD83 (2011)

CERTIFIED SURVEY MAP

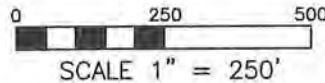
MARATHON COUNTY NO. _____

PART OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF
SECTION 24, TOWNSHIP 29 NORTH, RANGE 5 EAST,
TOWN OF RIB FALLS, MARATHON COUNTY, WISCONSIN.

VREELAND ASSOCIATES, INC. 6103 DAWN STREET WESTON, WI. 54476 PH (715) 241-0947 tim@vreelandassociates.us
OWNER: CENTRAL WI LUMBER & TIE & STEVEN DAHLKE
FILE #: K-255 KERSTEN
DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND

SHEET 1 OF 2 SHEETS

EAST 1/4 CORNER
SECTION 24-29-5 EAST
SMP SPIKE FOUND

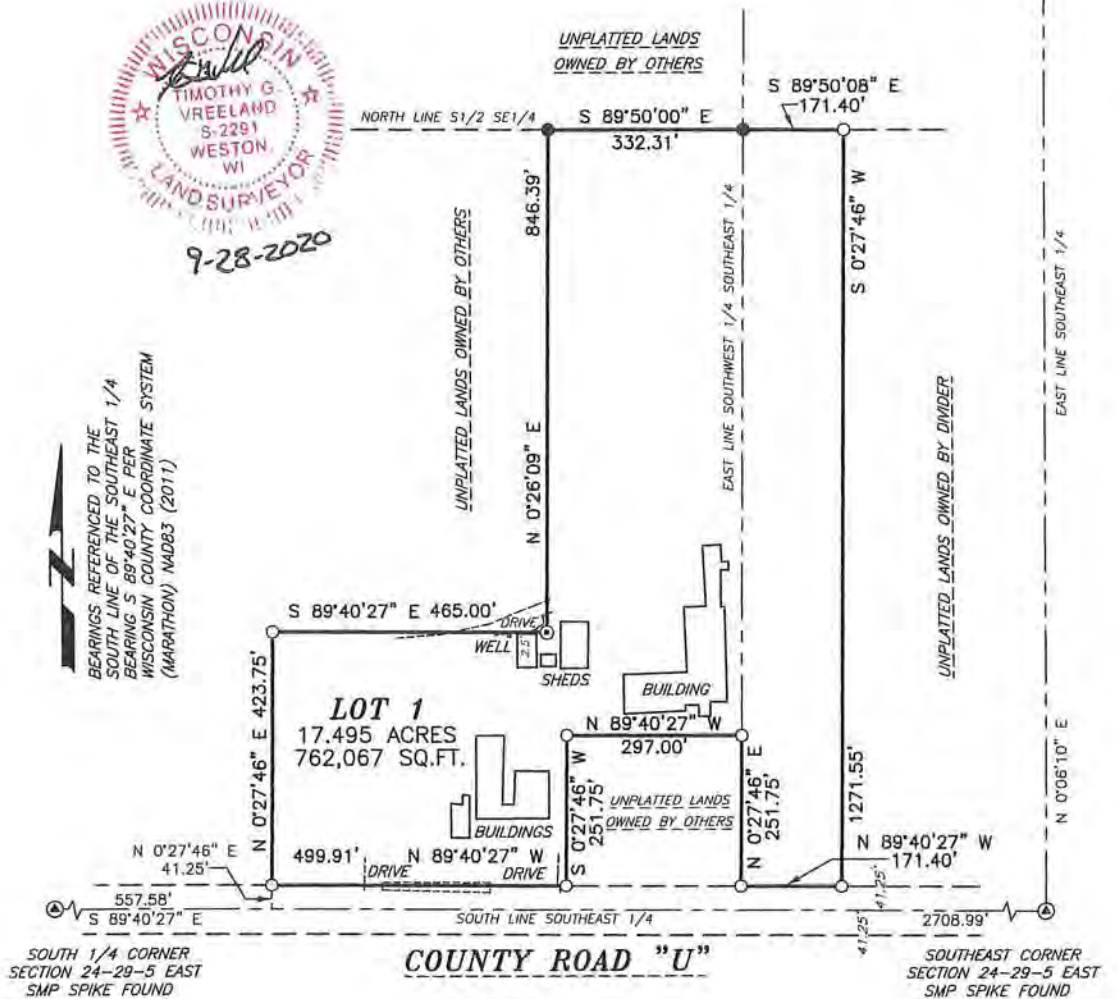


LEGEND

- ⊙ = GOVERNMENT CORNER LOCATION
PER COUNTY SURVEY RECORDS
- = 1.315" OUTSIDE DIAMETER x 24"
IRON PIPE 1.68 POUNDS PER FOOT SET
- = 1.5" OUTSIDE DIAMETER IRON
PIPE FOUND IN PLACE
- ⊙ = 3/4" x 18" REBAR 1.502
POUNDS PER FOOT SET



BEARINGS REFERENCED TO THE
SOUTH LINE OF THE SOUTHEAST 1/4
BEARING S 89°40'27" E PER
WISCONSIN COUNTY COORDINATE SYSTEM
(MARATHON) MAD83 (2011)



CERTIFIED SURVEY MAP
MARATHON COUNTY NO. _____

PART OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 5 EAST, TOWN OF RIB FALLS, MARATHON COUNTY, WISCONSIN.

SHEET 2 OF 2 SHEETS

SURVEYORS CERTIFICATE

I, TIMOTHY G. VREELAND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF RICK KERSTEN, I SURVEYED, MAPPED AND DIVIDED THAT PART OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 5 EAST, TOWN OF RIB FALLS, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/2 CORNER OF SAID SECTION 24; THENCE S 89°40'27" E ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 557.58 FEET; THENCE N 0°27'46" E 41.25 FEET TO THE NORTH LINE OF COUNTY ROAD "Q" AND TO THE POINT OF BEGINNING; THENCE CONTINUING N 0°27'46" E 423.75 FEET; THENCE S 89°40'27" E 465.00 FEET; THENCE N 0°26'09" E 846.39 FEET; THENCE S 89°50'00" E ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 332.31 FEET; THENCE S 89°50'08" E ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 171.40 FEET; THENCE S 0°27'46" W 1271.55 FEET TO THE NORTH LINE OF COUNTY ROAD "U"; THENCE N 89°40'27" W ALONG THE NORTH LINE OF COUNTY ROAD "Q" 171.40 FEET; THENCE N 0°27'46" E 251.75 FEET; THENCE N 89°40'27" W 297.00 FEET; THENCE S 0°27'46" W 251.75 FEET TO THE NORTH LINE OF COUNTY ROAD "Q"; THENCE N 89°40'27" W ALONG THE NORTH LINE OF COUNTY ROAD "U" 499.91 FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND USE.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION AND THE CERTIFIED SURVEY MAP THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH SECTION 236.34 OF THE WISCONSIN STATUTES IN SURVEYING, MAPPING AND DIVIDING THE LANDS, CHAPTER A-E 7 OF THE WISCONSIN ADMINISTRATIVE CODE AND THE LAND DIVISION ORDINANCE OF THE TOWN OF RIB FALLS, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.



DATED THIS 28TH DAY OF SEPTEMBER, 2020
SURVEY PERFORMED SEPTEMBER 15TH, 2020

TIMOTHY G. VREELAND P.L.S. 2291

RECEIVED
NOV 11 2020
MARATHON CO. CONSERVATION
PLANNING & ZONING DEPT

STATE OF WISCONSIN
MARATHON COUNTY
TOWN OF RIB FALLS

TOWN OF RIB FALLS: RESOLUTION 2020-05 ON ZONING ORDINANCE AMENDMENT

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Alysia Seliger, Clerk of the Town of Rib Falls, Marathon County, State of Wisconsin, do hereby certify that the following is a true and correct copy of a resolution adopted by the Town of Rib Falls Town Board at a meeting held on the 10th day of November 2020.

RESOLUTION

WHEREAS, Section 59.69(5)(e)3., Wisconsin Statutes, provides that if a town affected by a proposed amendment disapproves of the proposed amendment, the town board may file a certified copy of a resolution adopted by such board disapproving of the petition with the Environmental Resources Committee prior to, at or within ten (10) days after the public hearing, and

WHEREAS, if the town board of the town affected in the case of an ordinance relating to the location of boundaries of districts files such a resolution, the Environmental Resources Committee may not recommend to the County Board approval of the petition without change, but may only recommend approval with change or recommend disapproval.

NOW, THEREFORE BE IT RESOLVED that the Town of Rib Falls Town Board considered on the 10th day of November 2020, petition by Rick Kersten (Central Wisconsin Lumber & Tie INC.) on behalf of Steve Dahlke to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to L-1 Light Industrial described as part of the S ½ of the SE ¼ of Section 24, Township 29 North, Range 05 East, Town of Rib Falls. The area proposed to be rezoned (approximately 4.975 acres) is described as part of Lot 1 (17.495 acres) on the Preliminary Certified Survey Map (CSM) submitted as a part of the rezone petition. Parcel address 136924 County Road U, Marathon WI 54448. Part of parent parcel PIN# 066.2905.244.0993

The Town of Rib Falls hereby has considered the following standards for rezoning above property
Note: Talked to Rick Kersten on November 9, 2020: Andy Johnson

- 1. Has the applicant provided what public facilities and/or services currently serve the proposed development, what additional services may be required, and how the additional services will be provided?**

No Yes. Explain: The intent of the rezone request is to provide a land base that will support an expansion of an existing business. At this time, the potential facility expansion limited to 5 acres of site. At this time, no additional public services or infrastructure are required. Note that additional buildings may be added that are consistent with the business.

2. Has the applicant demonstrated how the provision of the public facilities will not be an unreasonable burden to local government?

No Yes Explain: NA

3. Has the applicant determined that the land is suitable for the development proposed?

No Yes Explain: The land is located on a County Trunk roadway and less than 0.5 miles from a State Highway intersection which makes for good access.

Wetlands: No mapped wetlands

Wetland Indicator Soils: Site includes units of RcB (Rietbrock silt loam)

Soil type: RcB (Rietbrock silt loam) and FgB (Fenwood-Rozelleville silt loam)

Bedrock; Commonly less than 5 ft below surface grade

4. Has the applicant demonstrated what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas?

No Yes

No irreplaceable natural areas are impacted. Town did discuss issues such as sanitary systems, stormwater and construction site erosion, and wetland considerations would be to be processed with local and State agencies.

5. Is there any potential for conflict with existing land uses in the area?

No Yes Explain: The business is located near an active farm and residential area. The business site has operated in the Town for many years.

6. Has the applicant demonstrated the need for the proposed development at this location? Explain.

No Yes Explain: The business needs additional, contiguous land to expand facilities for lumber processing and storage.

7. Has the applicant demonstrated the availability of alternative locations? Be specific

No Yes Explain: To expand adjacent to the existing facilities, the land to the north and east seem the most reasonable.

8. Is cropland is being consumed by this zone change? What is the productivity of the agricultural lands involved?

No Yes Explain: Some cropland may be converted to other uses. The soil type is Fenwood-Rozelleville which is a productive soil.

9. Has the applicant explained how the proposed development will be located to minimize the amount of agricultural land converted?

No Yes Explain: The proposed expansion of facility space would be limited to approximately 5 acres.

10. Is proposed rezone request consistent with the town's adopted Comprehensive Plan? Explain.

No Yes Explain: The Rib Falls Comprehensive Plan does recognize the following considerations:

- a. Community Character – the support of business that preserves working lands (woodland and cropland) and rural character.
- b. Community Services – the zoning proposal will have minimal impact or demands on community services such as sanitary system, public water supply systems, fire service, and solid waste management.
- c. Transportation and Infrastructure – the business access roads are County and State roadways. No demand for Town road support is required.
- d. Land use – there will be the loss of farmland as the site/facilities are expanded. This is balanced with the developed of a business that supports local woodland management.
- e. Natural Resources – the facility does not threaten unique natural resources, groundwater, or surface water features of the Town.
- f. Economic Activities – the Town supports the development of existing local business, as well as businesses that support land-based activities such as woodland management.

11. Is there anything else the Town wishes to present or comment on regarding this application to the Marathon County Environmental Resources (ERC) Committee?

X No Yes Explain:

The Town of Rib Falls recommends: Approval Disapproval of the amendment and/or zone change.

OR

Requests an Extension* for the following reasons:

*Wis. Stats §59.69(5)(e), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty (30) days beyond the date of the public hearing g. The extension must be by Town Board Resolution and remains in effect until the Town Board adopt s a resolution rescinding the extension.

Clerk Alycia Seliger / WDC

Town Board [Signature]

Byron J. DeBouaf

John J. Hummer

NOTE: If you recommend disapproval of this request, please make every effort to send a representative to the Environmental Resources Committee Public Hearing. Town input at the hearing is always appreciated.

Please return this fom1 before November 20, 2020 to:

Marathon County Conservation, Planning and Zoning Department 210 River Drive Wausau, WI 54403

RESOLUTION # R-70-20

2021 ELDERLY AND DISABLED TRANSPORTATION (85.21) APPLICATION

WHEREAS, Section 85.21 of the Wisconsin Statutes authorizes the Wisconsin Department of Transportation to make grants to the counties of Wisconsin for the purpose of assisting them in providing specialized transportation services to the elderly and the disabled; and

WHEREAS, each grant must be matched with a local share of not less than 20% of the amount of the grant; and

WHEREAS, this body considers that the provision of specialized transportation services would improve and promote the maintenance of human dignity and self-sufficiency of the elderly and the disabled.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Marathon does ordain as follows:

- 1) Authorizes Dave Mack, Program Manager of Conservation, Planning, and Zoning, to prepare and submit to the Wisconsin Department of Transportation an application for assistance during 2021 under Section 85.21 of the Wisconsin Statutes, in conformance with the requirements issued by that Department.
- 2) Authorizes the obligation of funds in the amount of \$72,390.00 in order to provide the required local match.
- 3) Authorizes Kurt Gibbs, County Board Chairperson, to execute a state aid contract with the Wisconsin Department of Transportation under Section 85.21 of the Wisconsin Statutes on behalf of Marathon County.

Dated this 15th day December 2020.

TRANSPORTATION COORDINATING COMMITTEE

/s/Tim Buttke, ADRC Board Member – Chair /s/Supervisor Will Harris - Vice Chair
/s/Supervisor Bruce Lamont /s/Supervisor Ka Lo /s/Supervisor Jeff Johnson
/s/Romey Wagner, 51.42 Board Member /s/Greg Seubert, Transportation Provider
/s/Kathi Zoern, Elderly and Disabled Advocate /s/Ben Lee, Consumer and Agencies Advocate

HEALTH AND HUMAN SERVICES COMMITTEE

/s/Tim Buttke, Chair /s/Michelle Van Krey, Vice Chair /s/Tom Seubert
/s/Kelley Gabor /s/Donna Krause /s/Dennis Gonnering /s/William Harris

Total allocation for 85.21 transportation program for 2021:

State allocation: \$361,951.00

Local match @ 20%: \$72,390.00

FISCAL IMPACT STATEMENT: The required local match for transportation services under the s.85.21 program have been budgeted for 2021.



December 15, 2020

85.21 Program Manager
Bureau of Transit, Local Roads, Railroads & Harbors
Wisconsin Department of Transportation
PO Box 7913
Madison, WI 53707-7913

MARATHON COUNTY 2021 SPECIALIZED TRANSPORTATION ASSISTANCE PROGRAM APPLICATION

Marathon County hereby makes an application for \$361,951.00 in state assistance under Section s.85.21 of the Wisconsin Statutes to provide specialized transportation services for the seniors and individuals with disabilities in 2021. The County assures that \$72,390.00 in local funds have been budgeted and will be available as the share required to match the 85.21 grant.

The applicant affirms that the information submitted in this application is true and correct.

Sincerely,

Kurt Gibbs, Chairperson
Marathon County Board of Supervisors

Enclosure: 2021 Specialized Transportation Application

2021 APPLICANT INFORMATION FORM

For additional information on this Application Workbook,
please refer to the §85.21 Application Guidelines for CY2021

County of MARATHON

Primary Contact for this Grant Program

<i>Name</i>	David Mack		
<i>Telephone Number</i>	715-261-6043	Extension	
<i>Email Address</i>	dave.mack@co.marathon.wi.us		

Application Preparer (if different than primary contact)

<i>Name</i>	same as above		
<i>Organization</i>			
<i>Telephone Number</i>		Extension	
<i>Email Address</i>			

Applicant Status DM

Place your initials in box to the right to certify your eligibility - You are certifying that the applicant is a county government or an agency of the county department. Private non-profits or Aging Units organized as a non-profit under Wis. Stat. 46.82(1)(a)3 are not eligible to apply for this grant.

Organization Info DM

Place your initials in the box certifying all organization information, including contacts and titles, have been updated in the BlackCat Online Grant Management System (GMS) and are true and correct to the best of your knowledge.

Federal Grant Match Please place an "X" next to any federal grant that will be using §85.21 funds as local match.

5310 <input type="checkbox"/>	5307 <input type="checkbox"/>	5311 <input type="checkbox"/>
Other (Please explain) None		

Coordination Please identify the county's coordinated plan name, goal(s) and page number(s) in which your §85.21 project(s) is/are derived.

Title of Coordinated Plan:	Marathon County Locally Developed, Coordinated Public Transit - Human Service Transportation Plan 2019-2023
The goal(s) and/or strategies from which your project is included:	Strategy #3, Update County-wide human service transit needs assessment to gain better understanding of the current unmet needs for transportation services and how to better focus efforts to meet those needs. Expand study to include employment related needs. Actions: Utilize 85.21 grant funding for match to apply for 5304 discretionary planning funds. Strategy #8, Maintain and expand existing services through support of program operations, maintenance, repair and scheduled replacement of vehicle fleet as appropriate. Actions: Continue to make use fo 85.21 grants to maintain and expand the level of transportation service within the County. Continue to apply for 5310 capital grants to maintain and expand the human service transportation vehicle fleet within Marathon County, and explore ways to increase the number of volunteer drivers available to the program.
Page number(s) of the Coordinated plan in which the goals may be referenced:	Pages 9 and 10.

Assessibility Please indicate whether or not §85.21 state aid will be used for the transportation of persons who cannot walk or persons who walk with assistance during the calendar year.

YES	<input checked="" type="checkbox"/>	
NO	<input type="checkbox"/>	(If no, please explain how the Americans with Disabilities Act (ADA) requirements for equivalency of service between ambulatory and non-ambulatory passengers will be met.)

APPLICANT CHECKLIST

County of **Marathon**

Required Components	Complete
Update Contact Information in BlackCat Online Grant Management System	X
Upload completed application workbook:	X
Application Information Form	X
Complete Vehicle Inventory <i>(regardless of funding source)</i>	X
Third Party Contracts	X
Trust Fund Plan (for counties with a signed board resolution)	X
Project Descriptions and Budgets	X
Review Summary T ab	X
Upload Transmittal Letter	X
Upload Public Hearing and Notice	X
Upload Local Review Form	X
<i><u>If applicable</u></i> : Upload Third Party Contracts &/or Leases to the Resources T ab	

VEHICLE INVENTORY

County of **Marathon**

Instructions: Please provide your **entire** specialized transit vehicle inventory.
 (Include all vehicles used to transport seniors or individuals with disabilities.)

Vehicle Type <i>(Minivan, Medium Bus, etc.)</i>	Model Year	Current Mileage	No. of Ambulatory / Wheelchair Positions <i>(Ambulatory/Non-Ambulatory)</i>	Funding Source (mark with X)			Place "X" in box to indicate if vehicle is leased to another party.
				5310	85.21	Other	
Chevrolet/Glavel	2012	45,969	8/2			x	<input type="checkbox"/>
Chevrolet/Glavel	2012	47,102	8/2			x	<input type="checkbox"/>
Chevrolet/Glavel	2012	46,689	8/2			x	<input type="checkbox"/>
Chevrolet/Glavel	2012	46,006	8/2			x	<input type="checkbox"/>
1 Ford HSV	2013	82,043	6/3	x			<input type="checkbox"/>
2 Ford HSV	2013	101,057	6/3	x			<input type="checkbox"/>
3 Ford Starcraft	2015	62,072	8/3	x			<input type="checkbox"/>
49 Ford Starcraft	2007	2,390	12/2	x			<input type="checkbox"/>
50 Ford Starcraft	2007	101,131	9/1	x			<input type="checkbox"/>
60 GMC Startran	2007	72,012	26/2	x			<input type="checkbox"/>
62 Ford Starcraft	2008	54,525	4/2	x			<input type="checkbox"/>
63 International SB	2009	110,582	32/2	x			<input type="checkbox"/>
64 International SB	2009	96,449	32/2	x			<input type="checkbox"/>
65 Ford Starcraft	2010	74,392	12 amb	x			<input type="checkbox"/>
66 Ford Starcraft	2010	71,262	7/1	x			<input type="checkbox"/>
67 Ford Starcraft	2010	67,794	7/1	x			<input type="checkbox"/>
68 GMC Startran	2010	62,917	30/2	x			<input type="checkbox"/>
69 International SB	2011	62,913	30/2	x			<input type="checkbox"/>
5 Ford Starcraft	2017	32,118	8/3	x			<input type="checkbox"/>
57 Ford Transit	2019	4,132	7/1	x			<input type="checkbox"/>
76 Supreme Bus	2010	87,433	10/2	x			<input type="checkbox"/>
100 Ford Starcraft	2019	10,808	12	x			<input type="checkbox"/>
101 Ford Starcraft	2019	5,348	6/2	x			<input type="checkbox"/>
109 Chevy Titan	2015	149,008	10/2	x			<input type="checkbox"/>
110 Chevy Titan	2015	147,465	10/2	x			<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>
							<input type="checkbox"/>

TRUST FUND SPENDING PLAN

County of **MARATHON**

Instructions: Please record your plan on how your county will spend down their trust fund over the next three years.
Be as specific as possible. Do NOT include 2020 purchases made with trust funds.

Expenditure Item <i>If non-vehicle capital purchase, please provide description on second page below.</i>	Planned year of purchase (YYYY)	Project Cost
Purchase 7 bus ADA compatible bus Shelters for key stop locaiton on 5 different routes.	2021	\$45,000.00
Purchase cameras and GPS equipment of fleet vehicles	2021	\$60,000.00
Local Cost Share for 5304 Grant for Elderly and Disabled Needs Assessment	2021	\$6,000.00
Total projected cost of 3-year plan		\$ 111,000.00

<i>Estimated amount of state aid to be held in trust on 12/31/2020</i>	\$190,000.00
--	---------------------

<i>Will auto calculate based on year entered above</i>	<i>Enter the amount of funds to be added for the</i>	<i>Estimated balance on 12/31/21 =</i>
Spending plan for 2021 = \$ 111,000.00	Funds added for 2021 =	\$ 79,000.00
Spending plan for 2022 = \$ -	Funds added for 2022 =	\$ 79,000.00
Spending plan for 2023 = \$ -	Funds added for 2023 =	\$ 79,000.00

Date complete **December 15, 2020**

Prepared by David Mack, CPZ Planning Manager

Narrative for non-vehicle equipment purchases. **Please explain why you are requesting WisDOT approval for an exception. If already received WisDOT approval, please list date approval received. (Hint: Use ALT and Enter to start a new paragraph.)*

1. Metro Ride will purchase seven (7) ADA compatible bus shelters to be located on 5 different routes in the system. Current shelters are old and not in compliance with current ADA requirements. A simple replacement is being done. 2. NCHC will purchase 24 external cameras and GPS units for Fleet monitoring and security. 3. Use of Trust fund dollars to provide the local match for the 5304 grant to fund the Elderly and Disabled Needs Assessment.

For additional space to complete your narrative, please scroll down to second page.

PROJECT 1 DESCRIPTION

County of **MARATHON**

Instructions

- Use this section to describe a specific project that will use s.85.21 funds.
- Hint: Alt and Enter will go to the next line.
- Be sure to complete all three pages for each project.

Project Name **North Central Health Care (NCHC)**

Third Party Provider North Central Health Care

Date contract last updated N/A

Type of Service (Place an "x" next to the type of service you will be providing for this project.)

Volunteer Driver	X	Voucher Program	
Vehicle Purchase		Management Study	
Planning Study		Brief description of Study	
Other (provide explanation)	Some of NCHC drivers are also paid staff		

General Project Summary (Provide a brief description of this project. Use ALT and Enter to start a new paragraph.)

NCHC paratransit services is public transportation for persons over 60 or persons with disabilities. Access to this service is limited to persons whose physical and mental disability prevents them from riding the Metro Ride buses or the Metro Ride Paratransit Program. NCHC services were also designed to meet the needs of clients that live outside the Metro Ride Paratransit service area or those that are in need of door-through-door services who does not have other resources for transportation. The NCHC service area is all parts of Marathon County including the service area of Metro Ride Paratransit service. The overlap in service is based on NCHC providing door-through-door services county wide and Metro Ride providing curb-to-curb service in their area only.

PROJECT DESCRIPTION, Continued

Geography of Service

(List the counties, as well as cities/areas that are serviced through this project. Use ALT and Enter to start a new line.)

All cities, villages and towns in Marathon County

Service Hours *(Indicate your general hours of service for this project.)*

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Start Time	based on volunteer availability	8:00 am	8:00 am	8:00 am	8:00 am	8:00 am	based on volunteer availability
End Time	based on volunteer availability	based on volunteer availability	based on volunteer availability	based on volunteer availability	based on volunteer availability	based on volunteer availability	based on volunteer availability

Additional description *(if applicable)* If no volunteer drivers are available, NCHC may contract with taxi services for the desired trips.

Service Requests *(Briefly describe how your service is requested for this project.)*

Clients, healthcare providers, advocates, and families can call in advance of the appointments for services Monday through Friday, 7:00 am to 5:00 pm.

Passenger Eligibility *(Briefly indicate passenger eligibility requirements for this project.)*

Marathon County residents 60 years old or older or developmentally disabled go through an application process

Passenger Revenue *(Briefly describe passenger revenue requirements for this project.)*

Marathon County Transportation Program through NCHC has a range of copy costs based on mileage from the pickup location (costs are one way).

PROJECT BUDGET

Section Description	Amount
---------------------	--------

Annual Expenditures

Enter the amount of **total** expenditures for this project.

Total Expenses **\$531,000**

Please note: Breakdown of expenses is not required at this time. You will provide the breakdown of actual expenses in the **Annual Financial Report that you will submit at the end of the calendar year.*

Annual Revenue

Enter the amount for **each** funding source that will be used for this project.

**When complete, please scroll to bottom of this page to ensure the Expenditures minus Revenue equals \$0.*

A. \$85.21 funds from annual allocation	Total from A.	\$260,605
B. \$85.21 funds from trust fund	Total from B.	\$60,000
C. County Match Funds	Total from C.	\$52,121
D. Passenger Revenue	Total from D.	
E. Older American Act (OAA) funding	Total from E.	
F. \$5310 Operating or Mobility Management funds	Total from F.	
G. Other funds	Total from G.	\$158,274

(Provide name and/or description and record total amount in the box to the right of the description. Include sources such as other grants and/or programs.)

1.	Self pay client Revenue (copays)	Total	\$54,000
2.	Contracted Services	Total	\$104,274
3.		Total	
4.		Total	
5.		Total	

Revenue Total **\$531,000**

Expenditures should equal revenue	\$0
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PROJECT 2 DESCRIPTION

County of **MARATHON**

Instructions

- Use this section to describe a specific project that will use s.85.21 funds.
- Hint: Alt and Enter will go to the next line.
- Be sure to complete all three pages for each project.

Project Name

Metro Ride

Third Party Provider

Wausau Area Transit Ssystem, dba, Metro Ride

Date contract last updated

N/A

Type of Service

(Place an "x" next to the type of service you will be providing for this project.)

Volunteer Driver	<input type="checkbox"/>	Voucher Program	<input type="checkbox"/>
Vehicle Purchase	<input type="checkbox"/>	Management Study	<input type="checkbox"/>
Planning Study	<input type="checkbox"/>	<i>Brief description of Study</i> <input style="width: 100%; height: 20px;" type="text"/>	
Other <i>(provide explanation)</i>	ADA Paratransit Service		

General Project Summary *(Provide a brief description of this project. Use ALT and Enter to start a new paragraph.)*

Metro Ride Paratransit service is an origin-destination service provided pursuant to the Americans with Disabilities Act (ADA). It is available to persons who are unable, because fo a physical or mental disability, to access the Metro Ride fixed route bus service. The service area includes all areas within 3/4 of a mile from a Metro Ride regular fixed route within the City of Wausau. Paratransit servcie hours are the same as the fixed route bus service hours, from 6:30 am to 6:30 pm.

PROJECT DESCRIPTION, Continued

Geography of Service

(List the counties, as well as cities/areas that are serviced through this project. Use ALT and Enter to start a new line.)

Only in the City of Wausau

Service Hours *(Indicate your general hours of service for this project.)*

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Start Time	N/A	6:30 am	6:30 am	6:30 am	6:30 am	6:30 am	N/A
End Time	N/A	6:30 pm	6:30 pm	6:30 pm	6:30 pm	6:30 pm	N/A

Additional description
(if applicable)

None

Service Requests *(Briefly describe how your service is requested for this project.)*

Ride requests must be made no later than 4:30 pm on the day prior to the desired trip. Requests are taken via telephone by Metro Ride staff. Requests on Holidays and weekends may be made via voicemail.

Passenger Eligibility *(Briefly indicate passenger eligibility requirements for this project.)*

The program is available to persons who are unable, because of a physical or mental disability, to navigate to and from Metro Ride bus stops or to board, alight or ride a Metro Ride transit bus. Applying for the program involves the completion of a paper application, which includes a verification from a medical professional. Eligibility determinations are made by Metro Ride staff.

Passenger Revenue *(Briefly describe passenger revenue requirements for this project.)*

ADA paratransit fares cannot exceed twice the regular adult fare for the fixed route bus service. The Metro Ride adult fare is \$1.75 and the paratransit fare is \$2.25

PROJECT BUDGET

Section Description	Amount
---------------------	--------

Annual Expenditures

Enter the amount of **total** expenditures for this project.

Total Expenses \$261,995

Please note: Breakdown of expenses is not required at this time. You will provide the breakdown of actual expenses in the **Annual Financial Report that you will submit at the end of the calendar year.*

Annual Revenue

Enter the amount for **each** funding source that will be used for this project.

**When complete, please scroll to bottom of this page to ensure the Expenditures minus Revenue equals \$0.*

A. \$85.21 funds from annual allocation	Total from A.	\$72,390
B. \$85.21 funds from trust fund	Total from B.	\$45,000
C. County Match Funds	Total from C.	\$14,478
D. Passenger Revenue	Total from D.	\$12,208
E. Older American Act (OAA) funding	Total from E.	
F. \$5310 Operating or Mobility Management funds	Total from F.	
G. Other funds	Total from G.	\$117,919

(Provide name and/or description and record total amount in the box to the right of the description. Include sources such as other grants and/or programs.)

1.	State Operating Assistance s.85.20	Total	\$52,079
2.	Federal Operating Assistance S. 5307	Total	\$65,098
3.	City of Wausau	Total	\$742
4.		Total	
5.		Total	

Revenue Total \$261,995

Expenditures should equal revenue	\$0
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PROJECT 3 DESCRIPTION

County of **MARATHON**

Instructions

- Use this section to describe a specific project that will use s.85.21 funds.
- Hint: Alt and Enter will go to the next line.
- Be sure to complete all three pages for each project.

Project Name **Marathon County CPZ Department (CPZ)**

Third Party Provider N/A

Date contract last updated N/A

Type of Service *(Place an "x" next to the type of service you will be providing for this project.)*

Volunteer Driver		Voucher Program	
Vehicle Purchase		Management Study	
Planning Study		<i>Brief description of Study</i>	
Other <i>(provide explanation)</i>	Grant administration by recipient		

General Project Summary *(Provide a brief description of this project. Use ALT and Enter to start a new paragraph.)*

Marathon County CPZ Department provides grant administration services for the County and the two project components of this entire program, Metro Ride and NCHC. CPZ staff is also the staff to the Transportation Coordinating Committee that oversees the County Program. Funds will be used for salaries of participating staff.

PROJECT DESCRIPTION, Continued

Geography of Service

(List the counties, as well as cities/areas that are serviced through this project. Use ALT and Enter to start a new line.)

N/A

Service Hours *(Indicate your general hours of service for this project.)*

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Start Time	N/A	8:00 am	8:00 am	8:00 am	8:00 am	8:00 am	N/A
End Time	N/A	4:30 pm	4:30 pm	4:30 pm	4:30 pm	4:30 pm	N/A

Additional description
(if applicable)

N/A

Service Requests *(Briefly describe how your service is requested for this project.)*

Not Applicable

Passenger Eligibility *(Briefly indicate passenger eligibility requirements for this project.)*

Not Applicable

Passenger Revenue *(Briefly describe passenger revenue requirements for this project.)*

Not Applicable

Annual Expenditures

Enter the amount of **total** expenditures for this project.

Total Expenses

Please note: Breakdown of expenses is not required at this time. You will provide the breakdown of actual expenses in the **Annual Financial Report that you will submit at the end of the calendar year.*

Annual Revenue

Enter the amount for **each** funding source that will be used for this project.

**When complete, please scroll to bottom of this page to ensure the Expenditures minus Revenue equals \$0.*

A. \$85.21 funds from annual allocation	Total from A.	<input type="text" value="\$28,956"/>
B. \$85.21 funds from trust fund	Total from B.	<input type="text" value="\$6,000"/>
C. County Match Funds	Total from C.	<input type="text" value="\$5,791"/>
D. Passenger Revenue	Total from D.	<input type="text"/>
E. Older American Act (OAA) funding	Total from E.	<input type="text"/>
F. \$5310 Operating or Mobility Management funds	Total from F.	<input type="text"/>
G. Other funds	Total from G.	<input type="text" value="\$0"/>

(Provide name and/or description and record total amount in the box to the right of the description. Include sources such as other grants and/or programs.)

1.	<input type="text"/>	Total	<input type="text"/>
2.	<input type="text"/>	Total	<input type="text"/>
3.	<input type="text"/>	Total	<input type="text"/>
4.	<input type="text"/>	Total	<input type="text"/>
5.	<input type="text"/>	Total	<input type="text"/>

Revenue Total

Expenditures should equal revenue	<input type="text" value="\$0"/>
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**COUNTY ELDERLY TRANSPORTATION
2021 PROJECT BUDGET SUMMARY**

County of

MARATHON

Project Name

North Central Health
Care (NCHC)

Metro Ride

Marathon County
CPZ Department
(CPZ)

Totals

Project Expenses

Total Project Expenses	\$531,000.00	\$261,995.00	\$40,747.00	\$833,742.00
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Project Revenue by Funding Source

§85.21 Annual Allocation	\$260,605.00	\$72,390.00	\$28,956.00	\$361,951.00
§85.21 Trust Fund	\$60,000.00	\$45,000.00	\$6,000.00	\$111,000.00
County funds	\$52,121.00	\$14,478.00	\$5,791.00	\$72,390.00
Passenger Revenue	\$0.00	\$12,208.00	\$0.00	\$12,208.00
Older American Act (OAA)	\$0.00	\$0.00	\$0.00	\$0.00
§5310 grant funds	\$0.00	\$0.00	\$0.00	\$0.00
Total from other funds	\$158,274.00	\$117,919.00	\$0.00	\$276,193.00
1.	\$54,000.00	\$52,079.00	\$0.00	\$106,079.00
2.	\$104,274.00	\$65,098.00	\$0.00	\$169,372.00
	\$0.00	\$0.00	\$0.00	\$0.00
	\$0.00	\$0.00	\$0.00	\$0.00

Expenses - revenue =	\$0.00	\$0.00	\$0.00	\$0.00
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LOCAL REVIEW FORM

Are the committees or commissions on aging, county aging unit and boards (created under ss. 51.42 and 51.437, Stats.) part of the county's Transportation Coordination Committee or equivalent?

Yes

No

If you selected No, you **MUST** include evidence of their review of this application and upload to the Online Grant Management section for "Local Review" with this form.

Such evidence may include:

- Written endorsements
- Recommendations or criticism
- Minutes of meetings attended by the above organizations at which the application was discussed

PUBLIC NOTICE AND HEARING FORMS

Be sure to complete the following components:

1. Publication Notice (Page 1)
 - a. Date of publication.
 - b. Copy of publication in the paper.
2. Public Hearing (Page 2)
 - a. Date of public hearing.
 - b. Provide a summary of comments made during the public hearing as they relate to the application. If none, type **None**.
3. Attach **a copy of the meeting minutes** during which the approval for the application was granted.

Date of notice publication:	November 2, 2020 and November 5, 2020
<p style="margin: 0;">2021 SPECIALIZED TRANSPORTATION PROGRAM FOR THE ELDERLY AND DISABLED PUBLIC HEARING NOTICE</p> <p style="margin: 0;">Notice is hereby given that a public hearing will be held by Marathon County on November 12, 2020 at 4:00 p.m. in the Conservation, Planning & Zoning Department large conference room, 210 River Drive, Wausau, WI for the purpose of considering an application for financial assistance from the State of Wisconsin pursuant to Section 85.21 of the Wisconsin Statutes, "2021 Specialized Transportation Program for the Elderly and Disabled." Project elements under consideration include the following:</p> <p style="margin: 0;">A) Transportation services for the elderly provided by Metro Ride and North Central Health Care on behalf of Marathon County.</p> <p style="margin: 0;">B) Transportation services for the developmentally disabled also provided by Metro Ride and North Central Health Care on behalf of Marathon County.</p> <p style="margin: 0;">C) Transportation services for persons who reside within the Metro Ride regular bus route but are unable to ride a regular transit bus provided by Metro Ride Paratransit System.</p> <p style="margin: 0;">D) Marathon County is eligible to receive \$361,951 from the State with a local match of \$72,390.</p> <p style="margin: 0;">At the hearing interested persons will have an</p>	

opportunity to be heard with respect to the proposed project. Interested persons may submit oral or written comments regarding the project at the hearing, or may submit written comments to David Mack, Conservation, Planning and Zoning Director, 210 River Drive, Wausau, Wisconsin, 54403.

A draft copy of the application is available for public inspection at the offices of the Conservation, Planning & Zoning Department at 210 River Drive Wausau WI 54403, the Marathon County Clerk's Office, Courthouse, 500 Forest Street, Wausau, WI, 54403 or on the Marathon County Website www.co.marathon.wi.us.

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 715-261-1500 or e-mail infomarathon@mail.co.marathon.wi.us one business day before the meeting.

David Mack, Program Manager Marathon County Conservation, Planning, and Zoning

Published on November 2nd and November 5th

Run: Nov. 2, 5, 2020 WNAXLP

Date of public hearing:	November 12, 2020
<p><i>(Provide a summary of any public comments that were made at the meeting regarding the application.)</i></p> <p>None</p> <p>No Comments were received</p>	

Don't forget to attach a **copy the meeting minutes** during which the approval for the application was granted.

**ELDERLY AND DISABLED SPECIALIZED
TRANSPORTATION PROGRAM (85.21)**

**NOVEMBER 12, 2020
PUBLIC HEARING MINUTES**

Attending: David Mack, Brenda Iczkowski

The hearing was called to order at 4:05 p.m. by Mack.

The Public Notice for the hearing was published in the Daily Herald on November 2 and November 5, 2020 indicating time and place. Mack indicated that a draft application has been available for review in the County Clerk's Office and that the completed/final application will be available for review at any time in the Marathon County Department of Conservation, Planning and Zoning.

Marathon County is making an application for \$361,951.00 in state assistance under Section 85.21 of Wisconsin Statutes. The application assures that a local match of \$72,390.00 has been budgeted for as required. Mack indicated that the application consists of three (3) projects as follows:

North Central Health Care:	\$260,605.00
Metro Ride	\$ 72,390.00
Marathon County CPZ	\$ 28,956.00

The purpose of the grant is to assist counties in providing specialized transportation services to the elderly and disabled persons, and to 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 public hearing is being conducted to provide the public an opportunity to offer testimony, either oral or written, on the draft application. The floor was then opened for testimony and/or comments.

With no public in attendance, no comments or questions were received; the public hearing was closed at 4:15 p.m.

Respectfully submitted,



David Mack
Program Manager for the Conservation, Planning and Zoning Department
DTM:BI



**Transportation Coordinating Committee
Minutes
Wednesday, November 18, 2020
Large Conference Room
210 River Drive, Wausau, WI**

<u>Attendance:</u>	<u>Present</u>	<u>Absent</u>
Tim Buttke	X (Webex)	
Will Harris	X (Webex)	
Jeff Johnson		X
Ka Lo	X (Webex)	
Greg Seubert	X (Webex)	
Kathi Zoern	X (Webex)	
Bruce Lamont	X (Webex)	
Ben Lee	X (Webex)	

Also Present: Dave Mack, Andrew Lynch, Brenda Iczkowski – Conservation, Planning, and Zoning (CPZ); Jenny McKenzie NCHC; Darryl Landeau – NCWRPC

1. Call to Order

The agenda being properly posted and the presence of a quorum, the meeting was called to order by Chair Buttke on November 18, 2020 at 3:30 PM.

2. Introductions- Introductions and members were welcomed.

3. Public Comments – No public present.

4. Approve Minutes of the September 23, 2020 Meeting

Action: MOTION / SECOND BY LAMONT / LO TO APPROVE THE MINUTES OF THE SEPTEMBER 23, 2020, MEETING AS DISTRIBUTED. MOTION CARRIED BY VOICE VOTE, NO DISSENT.

5. Educational Presentations/ outcome Monitoring Reports and Possible Action

A. Financial and Service Delivery Report – NCHC

Discussion: Included in the packet is the Analysis of Demand Transportation for September and October 2020. For September, the total trips were 566 with trips budgeted at 1142. The cost per trip is \$43.46 and budgeted amount is \$31.53. For October, the total trips were 575 with trips. McKenzie stated there are around 15-20 applications per week being received and approved for people to use the system but they are not utilizing the rides.

Action: FOR INFORMATIONAL PURPOSES ONLY.

Follow through: NCHC staff will continue to inform the committee regarding its services and financial information.

B. Financial and Service Delivery Report - MetroRide

Discussion: Included in the packet is the Paratransit Operations Report ending September 30, 2020. Year to date rides a day are 6.48 with budgeted at 19 a ride per day which is down 25%. Ambulatory is 682 and Non-Ambulatory is 569. The cost per trip is \$80.02 which is mostly for the cost of overhead, specifically for drivers being paid a minimum of 2 hours and may only provide 1 ride in that timeframe. The ridership continues to be low due to the COVID-19 pandemic. Also the passenger fares are not being collected.

Action: FOR INFORMATIONAL PURPOSES ONLY.

Follow through: Metro Ride staff will continue to inform the committee regarding its services and financial information.

C. Status of NCHC Vehicle Camera System

Discussion: Mack refreshed the committee on the spending of the Trust Funds that were agreed to be used for projects in 2019. Metro Ride was going to purchase 7 bus shelters and NCHC would purchase cameras for their vehicles. McKenzie demoed the cameras that were to be purchased but the contract that was presented, was turned down by NCHC administration due to issues revolving around HIPPA laws. Issues regarding the storage of records and the videotaping of transported passengers for medical purposes was at issue. It was suggested that an RFP be submitted that would be for only forward facing cameras and not to view the passengers. NCHC will continue to keep the committee informed.

Action: NONE AT THIS TIME.

Follow through: FOR INFORMATIONAL PURPOSES ONLY.

6. Policy Issues Discussion and Committee Determination to the Health and Human Services Committee for its Consideration and Possible Action

A. 85.21 Elderly and Disabled Transportation Grant Application

Discussion: Mack reviewed the draft 2021 85.21 Elderly and Disabled Transportation Grant application that is included in the packet. The application asks for \$361,951.00 in state assistance to provide specialized transportation services for elderly and individuals with disabilities in 2021. Local funds of \$72,390 have been budgeted and approved by the County Board for 2021. The Public Hearing was held last week and there wasn't anyone in attendance. It is estimated there is approximately \$190,000 in the Trust Fund and the state only wants the committee to have a maximum of \$80,000 held in the Trust account. The application reflects the use of the Trust Fund money in 2021.

Action: **MOTION / SECOND BY ZOERN / SEUBERT TO APPROVE THE 2020 85.21 ELDERLY AND DISABLED TRANSPORTATION GRANT APPLICATION AND FORWARD ONTO HEALTH AND HUMAN SERVICES COMMITTEE FOR APPROVAL. MOTION CARRIED BY VOICE VOTE, NO DISSENT.**

Follow through: Staff will forward the approved 85.21 grant application to the Health and Human Services Committee for approval and then to County Board for approval.

7. Meeting Time, Location, Agenda Items:

The next meeting will be scheduled for January 20, 2021 at 3:30 in the CPZ Large Conference Room, 210 River Drive, Wausau.

Agenda items: Status of NCHC Vehicle Camera System

8. Adjourn

Action: There being no further business to discuss, **MOTION / SECOND BY LAMONT / LEE TO ADJOURN THE MEETING AT 4:12 PM. MOTION CARRIED BY VOICE VOTE, NO DISSENT.**

Submitted by:
David Mack
DM: BI
November 19, 2020

RESOLUTION #R - 71 - 20

TO APPROVE THE ANNUAL COUNTY FOREST WORK PLAN

WHEREAS, Marathon County has lands enrolled in the Wisconsin County Forest Land Program commonly referred to as the Marathon County Forest; and

WHEREAS, the Marathon County Forest Comprehensive Land Use Plan requires an annual work plan to be approved by the Marathon County Board of Supervisors to be eligible for certain grant funding per §28.11(5)(b), Wis. Stats.; and

WHEREAS, the Forestry/Recreation Committee approved the 2021 Forestry Division Work Plan at its regular meeting held December 1, 2020; and

WHEREAS, the Marathon County Board of Supervisors adopted the 2021 Wausau and Marathon County Parks, Recreation and Forestry Department Budget at its budget meeting November 10, 2020.

NOW, THEREFORE BE IT RESOLVED, the County Board of Supervisors of the County of Marathon does hereby ordain and resolve as follows: To approve and adopt the attached 2021 Forestry Division Work Plan.

BE IT FURTHER ORDAINED AND RESOLVED, that the County Clerk is directed to issue checks pursuant to this resolution and the Treasurer to honor said checks.

Dated this 15th day of December, 2020.

FORESTRY/RECREATION COMMITTEE

/s/Arnold Schlei, Chair /s/Rick Seefeldt, Vice Chair /s/Tom Rosenberg

ENVIRONMENTAL RESOURCES COMMITTEE

/s/Jacob Langenhahn Chair /s/Sara Guild Vice Chair /s/Rick Seefeldt
/s/Bill Conway /s/Allen Drabek /s/Randy Fifrick /s/Arnold Schlei /s/David Oberbeck

Fiscal Impact Estimate: No Budgetary Tax Levy Impact. If the Resolution is not approved, the County would lose \$64,791.00 State Grant Funds.

2021 MARATHON COUNTY FOREST WILDLIFE WORK PLAN

This represents the 2021 Annual Wildlife Work Plan, pursuant to the fifteen-year Comprehensive Plan for the Marathon County Forest.

Personnel

Assistance to the County Forest Administrator and DNR Liaison Forester will be provided in all wildlife matters concerning the County Forest. The DNR Wildlife Biologist and Wildlife Technician positions assigned to Marathon County were filled throughout 2020. However, Covid related work restrictions throughout the spring and early summer restricted DNR staff's ability to accomplish some of the planned work.

Flowage Management

Flowages were managed to keep water levels stable throughout the year. Waterfowl production and sightings were variable on Marathon County flowages. Beaver issues and damage were down from previous years, but their presence in some flowages prevented water manipulation activities.

Dike Maintenance:

Muskrat and beaver holes on the flowage dikes are usually patched to maintain their integrity. The dikes were checked in 2020, but rodent damage was minimal, and repairs were not needed. Nienow, Lower Nienow, Leo, Lower Leo, Swamp and Whiskey flowage dike tops in the Harrison-Hewitt unit were mowed during the summer.

The USDA-Wildlife Services was not contracted to trap and remove problem beaver in 2020 on flowages due to funding constraints. The USDA did remove beaver at East Flowage and Steinke Pond at Bitzke Refuge during their normal trapping efforts on County Forest. A private trapper also removed several beaver out of Birch flowage during the fall of 2020. In 2021, DNR plans to contract with USDA-Wildlife Services to trap beaver on the flowages due to increasing beaver damage.

Bern Flowage:

Bern flowage is chronically affected by floating cattail masses that have moved to the Northeast side of the flowage. These cattail masses occasionally plug the dam. Contractors have removed cattails for several years along the dike and weir with an excavator. This technique has proven to be effective at keeping the water flowing and water levels stable. There are still cattails that need to be removed from the flowage as they move closer to the weir. A contractor removed cattails during November of 2020 and will continue to remove cattails in 2021 as needed. Additional options of removing cattail are being explored by DNR wildlife management and County Forestry staff.

Wild Rice:

Wild rice production was down on Lower Nienow flowage compared to previous years. Patches of rice were seen at Nienow, Leo and Swamp flowages in the Harrison-Hewitt unit and the East #2 and Birch flowages at Nine Mile. Rice production at Lower Leo was excellent following a 2019 planting.

In October of 2020, managers purchased 109 lbs. of wild rice and seeded Lower Leo, Nienow, Lower Nienow and Swamp flowages.

Flowage Management:

Planned flowage management for 2021 includes a continuation of the flowage drawdown rotation. All the flowages will benefit from being drawn down periodically (~ every 5 years). Drawdowns reduce undesirable plant species, allow desirable plant species to germinate and return nutrients to the soil. The drawdown plan for 2020 called for drawdowns on Steinke, Nienow and Nine Mile East #2 flowages. All the boards were left pulled at Steinke flowage and was drawn down most of the year after the beaver dam was removed. Nienow flowage and Nine Mile East #2 were not brought down due to beaver and Covid work restrictions. In 2021, managers plan to draw down Nienow flowage and Nine Mile East #2.

Herbicide treatments:

No herbicide treatments took place by DNR wildlife management staff in 2020.

Forest Management

Openings Management:

Maintaining early successional habitat, such as grass openings, is an important part of Central Wisconsin forest management. In 2020, 13 forest openings were mowed in the Harrison-Hewitt, Ringle and Leather Camp units. Twenty-seven openings were scheduled to be managed in 2020. The openings not managed will be added to future work plans.



Openings mowed in Ringle in 2020

In 2021, wildlife staff plan to manage twenty-one openings in the Harrison-Hewitt and Nine Mile units. We were also awarded a \$2,500 grant from the Ruffed Grouse Society that will allow for renovations of twenty degraded openings in Kronenwetter and Leather Camp over a two-year period. This renovation project will enhance 15-20 acres of wildlife openings in those two units.

Trails:

Several forest trails (~ 1 mile) on the Harrison-Hewitt, Ringle and Leather Camp units were seeded with a clover/grass mix in the summer of 2020. Seeding trails post-logging prevents erosion and provides a

valuable food source for ruffed grouse and other game and non-game species. Trails and log landings will be seeded in Marathon County in 2021 as requested by Marathon County Forestry staff.

Alder Management:

Poor conditions prevented planned alder management from being accomplished during the winter of 2019-20. Managers have set a goal of mowing 10-20 acres of alder during the winter of 2020-21. Meeting these goals will rely on acceptable weather conditions as well as having equipment and an operator available. A contractor will likely be hired to accomplish this work. Multiple sites in Leather Camp County Forest Unit have been identified for alder mowing.

Grasslands/ Hoffman Farm

In 2020, managers planned to conduct a prescribed burn on the Hoffman Farm unit south of County Road G. Due to very wet conditions and burn priorities, this burn was not accomplished.

The large burn unit south of County Road G is recommended to be burned during the fall of 2021. The firebreak will need to be installed during the summer of 2021 to accomplish this burn.

2020/2021 Nickel-an-Acre Budget

The following table lists the 2020 Nickel-an-Acre project budgets and expenses. It also includes proposed 2021 projects and the associated spending plan.

Project Activity	2020 Budgeted	2020 Expended	2021 Budgeted
Flowage Maintenance (dikes, spillways, structures)	\$500	\$278.70	\$300
Flowage Maintenance (brush/cattail removal-dikes)	\$500	\$0	\$300
Wildlife Opening Maintenance	\$500	\$446.21	\$900
Trail Seeding	\$100	\$0	\$100
Wild Rice Seeding	\$400	\$529.28	\$500
Alder Management	\$500	\$0	\$500
Totals	\$2,500	\$1254.19	\$2,600

After all expenses are subtracted, the Nickel-an-Acre account balance at the end of 2020 should be \$2228.88. This will increase to \$3,639.95 after deposit of the 2021 allotment.

Submitted by:

/s/Paul Napierala _____
Paul Napierala, DNR Wildlife Technician, Marathon County

Approved by:

/s/ Tom Lovlien _____
Tom Lovlien, Marathon County Forest Administrator

/s/Arnold Schlei _____
Arnold Schlei, Chairperson, Marathon County Forestry/Recreation Committee

/s/Chad Keranen _____
Chad Keranen, DNR Forestry Liaison, Wausau

Wausau and Marathon County Parks, Recreation, and Forestry Department Forestry Division 2021 Work Plan

Personnel:	Forest Administrator	1.00 FTE
	County Forester	0.80 FTE
	Director	0.06 FTE
	Department Clerical Support	0.50 FTE
	Maintenance Specialist (labor)	0.26 FTE
	Maintenance Technician (labor)	0.26 FTE
	Recreational Officer (Sheriff)	0.04 FTE
	DNR Cooperative Assistance (State Funded)	0.35 FTE
	 Total	 3.27 FTE

A. Timber Management:

1. Evaluate a minimum of 5% of the forest (1550 acres) and update compartment reconnaissance.
2. Establish and advertise 625-675 acres of timber for sale. Timber sale acreage and locations are determined using the Wisconsin Forest Inventory and Reporting System (WisFIRS) and proposed long-term harvest goals chapter 2000 of the County Fifteen Year Comprehensive Plan. Specific locations and details about timber harvests scheduled for the coming year can be obtained by contacting the County Parks, Recreation and Forestry Office.
3. Administer the cutting and scaling of 30 timber sales on 2024 acres established on County Forest Land with an estimated stumpage value of \$1,288,537.69.
4. Administer the cutting and scaling of one timber sale on 23 acres at Mission Lake Park with an estimated stumpage value of \$7,381.96.
5. Allow forest succession to naturally convert some oak and aspen stands to hardwood.
6. Complete deer browse surveys at Big Eau Pleine Park and on County forest lands to determine to what extent tree regeneration is being affected.
7. Classify habitat types on a minimum of 1000 acres.
8. Calculate allowable harvest levels out 20 and 30 years to ensure sustainability.
9. Evaluate 35-40 year-old aspen stands to determine feasibility of harvesting stands early to improve age class distribution and stabilize harvest levels.
10. Issue approximately 25 firewood permits.
11. Release 2019 planting of white pine and white spruce at Kronenwetter Forest Unit.
12. Release 2020 plantings of red pine at the Miller and Nine Mile Forest Units.
13. Evaluate release needs for all acres of red pine planted since 2012. Release plantations by mechanical or herbicides as needed.

14. Continue to assist the Wisconsin Department of Natural Resources with an oak wilt study to confirm the frill-girdle-herbicide method to stop the disease from spreading through interconnected root systems.
15. Complete forest inventories and management recommendations on park properties.
16. Continue implementing the policy on annosum root rot disease requiring contractors to spray conifer stumps with fungicide to prevent infection according to DNR recommendations.
17. Establish a timber sale at Big Eau Pleine Park.
18. Monitor timber sales for unauthorized timber removal using the video detection system.
19. Monitor, evaluate, and treat oak wilt pockets in Nine Mile and other Forest Units.
20. Monitor, evaluate, and treat invasive species on the forest.
21. Apply techniques that reduce the ash component in forest stands on County forest and Park lands according to DNR recommendations due to Emerald Ash borer being found in the County for the first time in 2017.

B. Road, Trail, and Facility Construction and Maintenance:

1. Continue the contract with APHIS for beaver control.
2. Inspect county forest and park boundaries as needed to control encroaching uses from neighboring private land owners.
3. Contract with professional land surveyors to complete surveys where needed to facilitate administration between County Forest and private lands.
4. Mow 50 miles of hunter walking trails and associated wildlife openings.
5. Mow all forest road ditches in the County Forest.
6. Maintain pit toilets at Bitzke Nature Trail, Burma Road and Nine Mile Forest Units.
7. Continue to assist law enforcement for illegal tree stands, unauthorized motorized use, and dumping on County Forest property.
8. Continue to assist law enforcement to enforce seasonal closures and ordinance violations at Nine Mile and other Forest Units.
9. Resurface up to 2 miles of trails in Nine Mile and Burma Forest Units.
10. Maintain 6.48 miles of certified County Forest Roads.
11. Fabricate and install gates where needed.
12. Place granite on roads and trails in Forest Units to patch holes as needed.
13. Check the National Heritage Inventory Database (NHI) and the Wildlife Action Plan for endangered resources on any project that occurs on the County Forest.
14. Complete a County Conservation Aids project at Duane Corbin Shooting Range Park that replaces archery shooting platforms and targets.
15. Complete a County Conservation Aids Project at DC Everest County Park that replaces boat planks and asphalt near the landing.
16. Replace culverts in Leathercamp, Kronenwetter, Nine Mile and Burma Forest Units as needed.
17. Continue mitigation of the 2010 flood using a FEMA grant at the Bern Forest Unit.
18. Complete an Archeological search on any proposed project on County Forest lands.

C. Land and Equipment:

1. Negotiate the purchase of additional lands to enter as County Forest that will improve blocking, facilitate management and aligns with the Marathon County Strategic and County Forest Comprehensive Land Use Plans.
2. Maintain all vehicles and equipment.

D. Developed Recreation (Non-Motorized):

1. Participate in the planning, administration and approval of all trail construction, expansions, relocations, and maintenance on County Forest Lands.
2. Monitor reconstruction of 2 km of the Nine Mile ski trail to improve trail profile and surface characteristics.
3. Assist park facilities division in administering intensive recreation at Nine Mile.
4. Utilize volunteers to brush up to 20 km of ski trail.
5. Monitor the non-motorized recreation on County Forest Land.

E. Developed Recreation (Motorized):

1. Participate in the planning, administration, and approval of all trail construction, expansions, relocations, and maintenance on County Forest Lands.
2. Monitor and approve reconstruction of the Burma Road Forest ATV/UTV trails.
3. The Central Wisconsin Trailblazers ATV/UTV club will maintain 11 miles of ATV/UTV trail in the Burma Road Forest to include brushing, grading, signing, and mowing.
4. Assess all trails and land in the Burma Road Forest to protect the resource from excessive soil erosion and to prevent illegal off-trail use.
5. Volunteers will brush up to 42 miles of snowmobile trail on County Forest Land.
6. Monitor the snowmobile program on County Forest Land.
7. Monitor and enforce ordinances pertaining to the unauthorized motorized use (ATV/UTV) on all County Forest Units.

F. Wildlife Management (Partially Grant funded):

1. Complete work identified in the DNR annual wildlife work plan. (See attached plan).
2. Mow flowage dikes, forest trails and select openings for brush control.
3. Seed select forest trails following timber sales to enhance wildlife habitat.
4. Improve forest opening condition through mechanical and chemical applications.
5. Cooperate with the DNR on identifying tag alder to shear in the Harrison-Hewitt and Leathercamp Forest Units.
6. Cooperate with the Ruffed Grouse Society and the United States Fish and Wildlife Service on tag alder shearing in Harrison-Hewitt Forest Unit.

G. Administration and GIS:

1. Implement the 2021-2035 County Forest Comprehensive Land Use Plan.
2. Develop and improve the Forestry Division portion on the Department's web page.
3. Continue to work with the Forest Citizen's Advisory Subcommittee for county forests to address issues of concern including use conflicts at Nine Mile during the fall season, the sustainability of mountain biking, equestrian user needs, and the impact of forest management on hunting.
4. Amend the County Forest Comprehensive Land Use Plan to reflect ordinance, boundary, and policy changes.
5. Continue implementing marking guidelines, Best Management Practices for Invasive Species and Biomass Harvesting guidelines on the County Forest.
6. Attend the Annual DNR integrated planning meeting to evaluate, maintain, and improve the County/DNR partnership.
7. Develop interpretive displays explaining the benefits of sustainable forest management for display at recreation areas.
8. Monitor and administer all road use, land use, and other agreements/leases currently on County Forest Lands. Develop new agreements or leases when appropriate.
9. Implement and monitor third party Sustainable Forestry Initiative (SFI) forest certification on the Marathon County Forest.
10. Coordinate integration of the County Forest Comprehensive Land Use Plan with the Marathon County Comprehensive and Strategic Plans.
11. Continue to implement the DNR Wisconsin Forest Inventory Reporting System (WisFIRS).
12. Follow the Bern Flowage emergency action plan, if required, due to flooding.
13. Review county zoning to ensure alignment with the County Forest Comprehensive Land Use Plan.
14. Apply for grants and permits that accomplish County Forest and Park land improvements.
15. Supervise the County Forester and other seasonal employees.
16. Continue to be part of the senior administration team working on strategic planning and other initiatives to meet Department and County goals.
17. Work with next County Forest Liaison Forester to ensure a smooth transition following the transfer of the current liaison to another DNR position.

H. Public Outreach/Professional Development (Public Outreach dependent on Covid)

1. Participate in school career programs and make at least two classroom presentations on forestry and natural resource management.
2. Attend County sponsored training including IDEAS, inclusivity and other management as required.
3. Participate in job shadows introducing students into the forestry profession.
4. Continue to assist the public with insect, disease, and timber management information.

5. Give tours on the County Forest including UW-Stevens Point and the Forestry/Recreation Committee as time allows.
6. Attend appropriate professional development training.
7. Maintain membership in the Society of American Foresters.
8. Attend Forest Certification training as required.
9. Continue to work with the Wisconsin County Forests Association (WCFA) by serving as a member of the Legislative/Forest Certification Committee on issues affecting County Forests.
10. Continue involvement on numerous WCFA committee's advancing the practice of forestry.
11. Participate in the revision of the WCFA strategic plan 2022-2027.
12. Continue updating maps to be included in new Forest Unit brochures and website for the public.
13. Revise and develop recreational maps for the public including cross country skiing, snowmobiling, equestrian and single track mountain biking for County Park and Forest lands.

RESOLUTION #R- 72 - 20

APPLICATION FOR COUNTY FOREST ACREAGE SHARE LOAN PAYMENT

WHEREAS, Counties having lands entered as “County Forest Lands”, under the provisions of Sec. 28.11(4)(b), Wis. Stats., annually receive from the state a non-interest bearing loan to be used for the purchase, development, preservation and maintenance of such lands; and

WHEREAS, said loan monies are repaid through a 20% severance tax on timber revenue coming from County Forest Lands unless a higher rate is mutually agreed to by the County and the department; and

WHEREAS, the current provisions of Sec. 28.11 (8)(b)1 make it possible for the County, at its option to receive not more than 50 cents per acre to meet the needs identified in its County Forest Comprehensive Land Use Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Marathon, in consideration of meeting the needs identified in its County Forest Comprehensive Land Use Plan hereby request the Department of Natural Resources to provide the 2021 payment to the County on the basis of 50 cents for each acre of Marathon County Forest Lands; and

BE IT FURTHER ORDAINED AND RESOLVED that the Clerk is hereby authorized and directed to file this request with the Department of Natural Resources prior to December 31st preceding the year in which said payment is being requested to be made.

Dated this 15th day of December, 2020.

FORESTRY/RECREATION COMMITTEE

/s/Arnold Schlei, Chair /s/Rick Seefeldt, Vice Chair /s/Tom Rosenberg

ENVIRONMENTAL RESOURCES COMMITTEE

/s/Jacob Langenhahn Chair /s/Sara Guild Vice Chair /s/Rick Seefeldt
/s/Bill Conway /s/Allen Drabek /s/Randy Fifrick /s/Arnold Schlei /s/David Oberbeck

Fiscal Impact: Wausau and Marathon County Parks, Recreation, and Forestry Department will receive \$14,911.16 as an interest free loan to be used for forest maintenance, development and land acquisition.

RESOLUTION # R-73-20

A RESOLUTION IN SUPPORT OF STATE FUNDING FOR EQUITABLE RETURN OF UTILITY TAX COLLECTIONS TO COUNTIES AND MUNICIPALITIES AS UTILITY AID

WHEREAS, shared revenue utility aid payments help counties and municipalities pay for services provided to tax-exempt utility property; and

WHEREAS, these payments-in-lieu of taxes are made to offset the loss of property taxes associated with the utilities also viewed as partial compensation for the air, pollution, noise, traffic congestion, property maintenance, emergency services and land use limitations caused by the presence of utility property; and

WHEREAS, the state has typically retained about eighty percent of utility tax collections for use as General Purpose Revenue (GPR), rather than return those dollars to counties and municipalities where the utilities are located; and

WHEREAS, in 2019-20 the state collected \$351.4 million in utility taxes, but only returned \$75.6 million to local governments as utility aid; and

WHEREAS, in 2020 Marathon County received \$1,790,455 in utility aid payments through the shared revenue program; and

WHEREAS, payments generated through the current utility aid formula have largely been stagnant, both as a percentage of tax collections and in the actual dollars distributed to counties and municipalities. Stagnant or declining aid results in a shift in the tax burden to owners of the remaining taxable property.

THEREFORE BE IT RESOLVED, that the Marathon County Board of Supervisors hereby encourages the Governor and legislature to include a provision in the 2021-23 budget plan to provide for a fairer, more equitable return of utility tax collections to counties and municipalities as utility aid with an increase built into the utility aid formula to account for inflation.

Signed this 15th day of December, 2020.

HUMAN RESOURCES, FINANCE AND PROPERTY COMMITTEE

/s/ John Robinson, Chair

/s/ Alyson Leahy, Vice Chair

/s/ Jonathan Fisher

/s/ EJ Stark

/s/ Yee Leng Xiong

/s/ Craig McEwen

/s/ Kurt Gibbs

Fiscal Impact: None. Any change in State policy would be would be addressed through budget process.

Resolution # R- 74 -20

**A RESOLUTION AMENDING
THE 2020 CAPITAL IMPROVEMENT BUDGET AND
THE 2020-2024 CAPITAL IMPROVEMENT PROGRAM FOR A COURTHOUSE/JAIL
DOMESTIC WATER SYSTEM RENOVATION PROJECT AND MAKE A TRANSFER FROM
THE 2020 CONTINGENCY FUND**

- WHEREAS,** the Board of Supervisors of Marathon County approved the 2020–2024 Capital Improvement Program and Budget; and
- WHEREAS,** the Capital Improvement Program is a dynamic process and subject, pursuant to Resolution R-89-91, to periodic review and/or amendment; and,
- WHEREAS,** there is currently a need to amend the 2020 CIP to complete the courthouse/jail domestic water system renovation project in the 2020 CIP; and
- WHEREAS,** the total amount of the project will be \$84,530; and
- WHEREAS,** there is currently an unencumbered balance in the 2020 Contingent Fund of \$450,000; and
- WHEREAS,** there is a request to transfer from the 2020 Contingency Fund the amount of \$84,530 to cover the cost of domestic water heater project; and
- WHEREAS,** the Human Resources, Finance and Property Committee has reviewed the request and has recommended approval of the transfer from the 2020 Contingency Fund in the amount of \$ 84,530; and
- WHEREAS,** the Human Resources, Finance and Property Committee has reviewed the request and has recommended approval to amend the 2020 CIP for the water heater project; and
- WHEREAS,** the Finance, Property and Facilities Committee of the Board of Supervisors of Marathon County recommends amending the 2020-2024 Capital Improvement Program for the courthouse/jail domestic water system renovation project and the budget transfer from the Contingency Fund for the project as follows:
1. Fund \$84,530 from the 2020 Contingent Fund GL code 101 13199120
 2. To Capital Outlay account 2020 CIP for the amount of \$84,530 in GL code 602 938 98193 Other Cap Equip-Maint Dept

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Marathon does hereby resolve and ordain to amend the 2020–2024 Capital Improvement Program as indicated above.

Dated this 15th day of December, 2020

HUMAN RESOURCES, FINANCE, AND PROPERTY COMMITTEE

/s/ John Robinson, Chair

/s/ Alyson Leahy, Vice Chair

/s/ Jonathan Fisher

/s/ EJ Stark

/s/ Yee Leng Xiong

/s/ Craig McEwen

/s/ Kurt Gibbs

Fiscal Impact: This reflects an amendment to the 2020 CIP Budget and will change the 2020–2024 program and funding of 2020 CIP projects. The amendment will not add additional tax levy. The 2020 CIP be amended to record the Courthouse/Jail Domestic Water Heater renovation Project and will allocate \$84,530 for the Project from the 2020 Contingency Fund.

#R-75-20

RESOLUTION SUPPORTING INCREASED FUNDING FOR AGING AND DISABILITY RESOURCE CENTERS

WHEREAS, Aging and Disability Resource Centers (ADRC) are the first place to go to get accurate unbiased information on all aspects of life related to aging or living with a disability; and

WHEREAS, ADRC services include providing information and assistance, options and benefits counseling, coordinating short-term services, conducting functional screens, and enrollment processing and counseling; and

WHEREAS, in Wisconsin, there are currently 34 single-county ADRCs, 12 multi-county/tribal ADRCs, and seven tribal Aging and Disability Resource Specialists that work with an ADRC; and

WHEREAS, ADRCs serve the fastest growing demographic of our state's population; and

WHEREAS, the funding method for ADRCs has not been revised in more than a decade, and funding for ADRCs has not increased since 2006; and

WHEREAS, it has become evident that ADRC funding needs revision for a number of reasons, including:

- The current inequitable distribution of funding among ADRCs.
- The need to increase funding so that all ADRCs may effectively meet their mission, as outlined in the Scope of Services contract addendum; and

WHEREAS, the Office for Resource Center Development (ORCD) within the Department of Health Services (DHS) established a stakeholder advisory group in 2017 to discuss ADRC funding; and

WHEREAS, the stakeholder advisory group identified a number of issues with the current funding formula, such as:

- Dollars are distributed based on the date of ADRC establishment - older ADRCs (Generation One) receive more funding than ADRCs established at a later date (Generation Two and Three ADRCs);
- The current formula does not take into account elements associated with health and social inequity that require a greater need for ADRC services;
- The current formula does not adjust with need – Wisconsin's aging and disability populations continue to grow and are expected to grow significantly over the next 20 years;
- The current formula does not account for needed cost of living adjustments; and

WHEREAS, a significant state GPR investment is needed to implement the recommendations of the stakeholder advisory group; and

WHEREAS, such a significant state investment would provide consistency in ADRC funding statewide, cover the services required and recommended in the Scope of Services contract addendum, and equalize services among ADRCs; and

WHEREAS, the work of the stakeholder advisory group complements the work of the Governor's Task Force on Caregiving; and

WHEREAS, according to the Wisconsin Department of Health Services Projected Population data for 2020, older adults 60 years plus are 26 percent of Marathon County's total population and this percentage is expected to increase to 30 percent by 2030; and

WHEREAS, according to the Wisconsin Department of Health Services 2014 Projected Population data for people 18-64 living with disabilities, comprise 5.4 percent of Marathon County's total population.

WHEREAS, the Marathon County Board of Supervisors recognizes that the growing aging population will place increased demands and costs on health care, public health, and long-term care systems; and

WHEREAS, the Marathon County Board of Supervisors believe it is imperative that Wisconsin ADRCs are funded adequately and equitably, consequently easing the burden on these systems.

NOW, THEREFORE, BE IT RESOLVED that the Marathon County Board of Supervisors does hereby support the following increases in the 2021-23 state biennial budget to ensure access to critical services provided by ADRCs to Wisconsin's aging and disability populations:

- Provide an additional \$27,410,000 GPR in funding to our state's ADRCs. It is important to note that the proposed change in the ADRC allocation methodology cannot occur unless the full \$27.4 million is allocated.
- Provide additional funding to expand/equalize ADRC services across the state:
 - Expand Dementia Care Specialist Funding Statewide: \$3,320,000
 - Fully Fund Elder Benefit Specialists Statewide: \$2,300,000
 - Expand Caregiver Support and Programs: \$3,600,000
 - Expand Health Promotion Services: \$6,000,000
 - Expand Care Transition Services: \$6,000,000
 - Fund Aging and Disability Resources in Tribes: \$1,180,000
 - Fully Fund Aging and Disability Resource Support Systems: \$2,650,000; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Governor Tony Evers, DOA Secretary Joel Brennan, DHS Secretary-designee Andrea Palm, the Wisconsin Counties Association and all area legislators.

HEALTH AND HUMAN SERVICE COMMITTEE

/s/ Tim Buttke, Chair /s/ Michelle Van Krey, Vice Chair /s/ Tom Seubert /s/ Kelley Gabor

/s/ Donna Krause /s/ Dennis Gonnering /s/ William Harris

Fiscal Impact: None



DRAFT MINUTES
OF
STANDING COMMITTEES



**Marathon County
Environmental Resources Committee Minutes
Tuesday, December 1, 2020
210 River Drive, Wausau WI**

Attendance:	<u>Member</u>	<u>Present</u>	<u>Not present</u>
<i>Chair</i>	Jacob Langenhahn.....	X	
<i>Vice-Chair</i>	Sara Guild.....	X	
	Rick Seefeldt		X (<i>excused</i>)
	Bill Conway	X	
	Allen Drabek	X	
	Randy Fifrick.....	X	
	Arnold Schlei	X	
	Dave Oberbeck.....	X	
	Marilyn Bhend	X	
	Eric Vogel		X (<i>excused</i>)

} via Webex or phone

Also present via Webex or phone: Paul Daigle, Dominique Swangstu, Lane Loveland, Dave Decker, Kirk Langfoss, Jeff Pritchard, Jared Mader, Jana Suriano and Cindy Kraeger– Conservation, Planning, and Zoning (CPZ); Jean Kopplin – City-County IT, Jason Hake – Deputy Administrator, Jamie Polley, Tom Lovlien – Park, Recreation and Forestry (PRF), Andrew Craig – WI DNR; Rachel Whitehair – UW Extension; Brian Kowalski – City Pages; Peter Weinschenk – Record Review.

1. **Call to order** – Called to order by Vice Chair Guild at 3:05 p.m. via WEBEX.
2. **Public Comment** – None.
3. **Approval of November 3, 2020 Committee minutes**

Motion / second by Schlei / Fifrick to approve of the November 3, 2020 Environmental Resources Committee minutes as distributed.

Motion **carried** by voice vote, no dissent.

4. **Operational Functions required by Statute, Ordinance, or Resolution:**

A. **Public Hearings, Review, Possible Actions, and Possible Recommendations to the County Board for its Consideration (County Zoning changes)**

1. Rick Kersten (Central Wisconsin Lumber and Tie INC) on behalf of Steve Dahlke – G-A General Agriculture to L-I Light Industrial – Town of Rib Falls

Discussion: Swangstu was sworn in and noted the staff report and decision sheet had been included in the packet. Swangstu reviewed the rezone request of 4.975 acres shown as part of Lot 1 of the Preliminary Certified Map submitted with the petition. The rezone request is related to the expansion of an existing lumber yard/sawmill. Swangstu additionally reviewed the reasoning behind why CPZ staff are recommending approval of the rezone request, citing the rezone standards, requirements, pertinent site characteristics, the towns input regarding its Comprehensive Plan, as well as the parcels proximity to STH 107 which minimizes the potential impact the sawmill expansion may have on town or county roads in the area. Swangstu read an email received from James Griesbach – Marathon County Highway Commissioner regarding the seasonal weight restrictions on County Hwy u from the driveway of the sawmill east to State Highway 107 allowing trucks to travel from STH 107 to the mill. If the rezone of the described parcel gong from G-A to L-I falls outside of the current posting no change will be made to the seasonal posting unless the change to the seasonal postings are approved by the Marathon County Infrastructure Committee. Swangstu noted that there doesn't appear to be any issues with the existing seasonal limits given the location of the proposed rezone. Additionally, all federal, state, and local permits and approvals are required prior to the start of construction or significant earthwork on the area proposed to be rezoned.

The Town of Rib Falls has reviewed the application and recommends approval without any concerns.

There was no additional testimony in favor or opposed to this rezone request. Testimony portion of the hearing was closed at 3:28 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Ffrrick / Schlei to recommend approval to County Board, of the Rick Kersten (Central Wisconsin Lumber and Tie INC) rezone request. The Committee determined the rezone is consistent with the Marathon County and Town comprehensive plans, and is not located in the Farmland Preservation Zoning District. Adequate facilities are present or will be provided and providing any necessary public facilities will not burden local government. The rezone should not result in any adverse effect on natural areas. The committee made their recommendation of approval based on the information, findings of fact, and conclusions of law as described in the CPZ staff report included in the ERC packet.

Motion **carried** by voice vote, no dissent.

Follow through: Forward to County Board for action at their next regularly scheduled meeting.

Chair Langenhahn arrives and resumes Chair position.

2. The draft Marathon County 2021-2030 Land and Water Resource Management (LWRM) Plan:
The LWRM Plan identifies the existing land and water resource concerns related to soil erosion, surface and ground water pollution with the greatest impacts to Marathon County. The plan also outlines the goals, objectives, strategies, and defined outcomes to address the highest priorities. This includes an implementation strategy and defined accountability, monitoring and tracking efforts

Discussion: Daigle was sworn in and provided a brief overview background on the importance and development of the Plan. The ERC Committee has the ability to listen to public comment, followed by their own input and questions following the public hearing session today and the next scheduled ERC meeting where the hearing will be re-opened. Langenhahn asked for clarification on Chapter 4 page 127 Item #4 if CPZ "staff notifies landowners prior to site visits". Daigle responded that CPZ notifies property owners in advance of any property inspections and also the Castle Doctrine comes into play with employee safety. State law does allow staff access to private property for environmental issues, but staff discuss property access with corporation counsel if the landowner does not cooperate. Langenhahn also questioned landowners being notified of other compliance issues not related to the issue being addressed by the site visit. Daigle clarified that landowners are notified prior to any property inspection that if violations are found they need to be addressed.

Daigle read into the record the email received from Peter Weinschenk, Edgar WI as opposed to the plan for various reasons, but included the Editorial from the Record Review titled "Scrap the Plan".

Action: **Motion** / second by Conway / Drabek to postpone the Marathon County 2021-2030 Land and Water Resource Management Plan public hearing to the next scheduled Committee meeting.

Motion **carried** by voice vote, no dissent.

Follow through: Bring back to the Committee at the next scheduled Committee meeting.

- B. Review and Possible Recommendation to County Board for its Consideration (Town Zoning changes pursuant to §60.62(3) Wis. Stats.) – None.

- C. Review and Possible Recommendations to County Board for its Consideration

1. Resolution: Approval of the 2021 County Forest Annual Work Plan

Discussion: The annual resolution and 2021 Work Plan were included in the meeting packet and briefly reviewed. Both have been approved by the Forestry and Recreation Committee. Action is required to forward these to County Board for its consideration. County Board approval is necessary to be eligible for grant funds

Action: **Motion** / second by Ffrrick / Schlei to approve the 2021 County Forest Work Plan and forward the resolution to County Board for its consideration.

Motion **carried** by voice vote, no dissent.

Follow through: The resolution and work program will be forwarded to County Board for its consideration.

2. Resolution: Approval of the 2021 County Forest Acreage Share Loan Payment

Discussion: The annual resolution was included in the meeting packet; if adopted, the interest free

loan may be used for the purchase, development, preservation and maintenance of forest lands.

Action: **Motion** / second by Fifrick / Drabek to approve the 2021 County Forest Acreage Share Loan Payment and forward to County Board for its consideration.

Motion **carried** by voice vote, no dissent.

Follow through: The resolution will be forwarded to County Board for its consideration at their next regularly scheduled meeting.

D. Review and Possible Action

1. Approval of a proposed public road - Town of McMillan

Discussion: Decker stated the Certified Survey Map (CSM) was including in the meeting packet in which the developer is proposing a dedicated public road with a temporary cul-de-sac that is longer than 850'. The proposed public road is approximately over 2800' long to the end of the temporary cul-de-sac. The Town of McMillan plans to eventually extend the proposed road to County Road "T". The proposed CSM meets all of the zoning requirements for RR zoning district. The Town of McMillan Board approved and signed the proposed CSM. Decker additionally reviewed the reasoning behind why CPZ staff are recommending approval of the proposed CSM allowing for the proposed town road to exceed the maximum allowable length of a dead end road with a cul-de-sac.

Action: **Motion** / second by Schlei /Fifrick to approve the proposed town road to exceed the maximum allowable length of a dead end road with a cul-de-sac. Motion **carried** by voice vote, no dissent.

Follow through: Approve and sign proposed CSM for recording.

2. Review recommended updates to Average Cost worksheet for land conservation practices

Discussion: Daigle discussed the update of average cost share reimbursement rates for farmers. These average costs are used when calculating project costs associated with cost shared conservation practices. State law requires committee approval to use this as a cost control measure. The last update of these average costs occurred in 2018.

Action: **Motion** / second by Conway /Guild to approve the Marathon County 2021 Average Cost for cost share reimbursement.

Follow through: None.

5. **Educational Presentations/Outcome Monitoring Reports and Committee Discussion**

A. Department Updates: Conservation Planning and Zoning (CPZ)

1. Update on Town Comprehensive Plans

Discussion: Pritchard reviewed the Comprehensive Planning Guidance document that was included in the meeting packet. After Towns update their plans, CPZ staff does receive the updated Town Plan which is also updated on the Town's website.

Action: None.

2. McMillan Marsh Lease Amendment (Lovlien)

Discussion: Lovlien discussed the amendment to the McMillan Marsh lease to include six, 40 acre parcels. County Administrator, Lance Leonhard has signed the amendment which will be forwarded to the Department of Natural Resources.

Action: None.

Follow through: Forward the McMillan Marsh Lease Amendment to the Department of Natural Resources.

6. **Policy Issues Discussion and Committee Determination to the County Board for its Consideration** – None.

7. **Next meeting date, time & location and future agenda items:**

Tuesday, January 5, 2021 3:00 p.m. 212 River Drive Room 5 Wausau WI

Environmental Resources Committee Minutes
December 1, 2020

- A. Committee members are asked to bring ideas for future discussion
 - B. Announcements/Requests/Correspondence
 - Summary of revisions to Chapter 17
8. **Adjourn – Motion** / second by Schlei / Guild to **adjourn** at 4:55 p.m. Motion **carried** by voice vote, no dissent.

Paul Daigle, Land and Water Program Director

For Jacob Langenhahn, Chair

cc: (via email/web site) ERC members; County Administrator; Corporation Counsel; County Clerk

PD/cek



**MARATHON COUNTY
EXTENSION, EDUCATION & ECONOMIC DEVELOPMENT
COMMITTEE**

MINUTES

Thursday, November 5, 2020, at 4:00 p.m.

Employee Resources Conference Room C-149, Courthouse, 500 Forest Street, Wausau WI

Attendance:	Present	Absent
Sara Guild, Chair	W	
Ka Lo, Vice Chair	W	
Gary Beastron	W	
Becky Buch	W	
Tom Rosenberg	X	
Rick Seefeldt	W	
Chris Voll		EX

Others Present: Lance Leonhard, Jason Hake, Kurt Gibbs, Toshia Ranallo, Mary Palmer
VIA WEB/Phone: Vicki, Resch, Jane Spencer, Craig McEwen, Jason Hausler, Ann Hamline, Lee Webster, Brian Kowalski, Ann Herda-Rapp

1. **Call Meeting to Order**
 The Extension, Education & Economic Development Committee meeting was called to order at 4:00 p.m. by Chair Guild.
2. **Public Comment:** Lee Webster, Wausau School District, regarding recent referendums from the Wausau School District.
3. **Approval of the Minutes** of the September 3, 2020, Extension, Education & Economic Development Committee (EEED) Meeting.
MOTION BY ROSENBERG, SECOND BY LO, TO APPROVE THE MINUTES OF THE SEPTEMBER 3, 2020, EXTENSION, EDUCATION AND ECONOMIC DEVELOPMENT COMMITTEE MEETING. MOTION CARRIED.
4. **Policy Issues Discussion and Potential Committee Determination:** None
5. **Operational Functions required by Statute, Ordinance or Resolution:**
 - A. Discussion and Possible Action by Committee
 1. Deliberating on its strategy for negotiating the sale or lease of property located at 615 Garfield Avenue (UW-Stevens Point, Wausau Campus Dormitory) in the City of Wausau.
 - a) The Committee may, if appropriate, consider a motion (Roll Call Vote Recommended) to convene in closed session, pursuant to s. 19.85(1)(e), Wis. Stats., for the purposes of deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.
 2. **MOTION BY ROSENBERG, SECOND BY SEEFELDT TO RECONVENE IN CLOSED SESSION, PURSUANT TO S. 19.85(1)(E), WIS. STATS., FOR THE PURPOSES OF DELIBERATING OR NEGOTIATING THE PURCHASE OF PUBLIC PROPERTIES, THE INVESTING OF PUBLIC FUNDS, OR CONDUCTING OTHER SPECIFIED PUBLIC BUSINESS, WHENEVER COMPETITIVE OR BARGAINING REASONS REQUIRE A CLOSED SESSION**

ROLL CALL TAKEN:

Sara Guild, Chair	y
Ka Lo, Vice Chair	Y
Gary Beaström	Y
Becky Buch	Y
Tom Rosenberg	Y
Rick Seefeldt	Y
Chris Voll	n/a

Discussion:

Deliberating on its strategy for negotiating the sale or lease of property located at 615 Garfield Avenue (UW-Stevens Point, Wausau Campus Dormitory) in the City of Wausau

Action:

No action taken in closed session.

- a) Motion to return to open session (Roll call not necessary)

Action:

**MOTION BY ROSENBERG; SECOND BY BEASTROM TO MOVE BACK INTO OPEN SESSION.
MOTION CARRIED.**

Follow Through:

- No follow through needed.

- b) Possible Announcements or Action Resulting from Closed Session

Announcement: Information will be provided to the HR/Finance/Property committee to continue the discussion looking into any and all options for suitable housing for the future success of the campus.

6. Educational Presentations and Committee Discussion

A. North Central Wisconsin Workforce Development Board (NCWWDB) Update

Discussion:

Part of our Strategic Plan says we should collaborate with the Workforce Development Board and identify areas where we can work together.

Jane Spencer, NCWWDB Director, presented on the Workforce Development Board and what they do. They offer employment and training services for adults, youth/young adults, and dislocated workers and assistance needed such as creating a resume. Some additional programs are Windows to Work – Offender Reentry Program; LifeWork\$-Summer Youth Employment Program; Support to Communities/Opioid Recovery Grant, and Employer Alliances.

Jane asked that if there is a need in the Marathon County community, please reach out to them. Or if you see something is being missed, let them know too.

If anyone has suggestions on how we can support each other, let Chair Guild know.

Jane also provided a current EMSI economic overview report. This can be updated anytime and Derrick is the person who can reach out to at NCWWDB.

Follow Through:

- No follow through needed.

B. MCDEVCO Updates

- Business Support Efforts During COVID
- Broadband Expansion Support Opportunities

Discussion:

Vicki Resech, Executive Director, gave a presentation on Pivotal Moments – Navigating the Crossroads 2019- 2020 for MCDEVCO (Marathon County Development Corporation). The highlights of 2019-2020 were given throughout the county on many of the collaborations made.

MCDEVCO has a full staff and are ready to help with any projects such as possible assistance with funding related to broadband.

Follow Through:

No follow through needed.

C. Review of EEED Committee's Strategic Plan Objectives and Recent Activities

Discussion:

Vice-chair McEwen asked that the new tool be used to track accomplishments on the objectives assigned to this committee. He is looking for a consistent way for all standing committees to share information. We are about 2 ½ years through the strategic plan. Extension, Education & Economic Development has the lead on objectives: 8.7; 10.6; 10.8 and 10.10

There has been a lot of activity on these objectives. Review the updated strategic plan document also.

Follow Through:

- Vice Chair McEwen asked that the template be shared with the rest of the committee. Administrator Leonhard will send that out tonight.
- The partially completed form will be brought back at a future meeting.

D. Reports from Committee-Affiliated Departments and Organizations

1. UW Madison Division of Extension

Discussion:

Jason Hausler – Two months of written reports were in the packet. Please be sure to review them.

He mentioned the Rural Health Resolution going to County Board. Their division has been working on the rural health initiatives and will pursue this in the future through Health & Human Services and Extension, Education & Economic Development committees. He provided data points to Supervisor Cihlar.

212 River Drive – All three departments in that building are working together to do consolidation. Their Division will be shifting some staff to the main office and will have reuse for that space for veterans. The HUD program will come in a couple days a week. They are re-strategizing the use of the building.

Follow Through:

No follow through needed.

2. UW-Stevens Point Wausau

Discussion:

- Ann Herda-Rapp, Wausau Campus Executive – There are a number of new initiatives on campus: a grant with the Medical College of Wisconsin to feed the physician pipeline. they are working to identify students from underserved populations with more locally grown physicians.
- The Wausau campus will be the only campus for the Master's program. We are the hub and hope practicing social workers will go back for their master's degree.
- Assist students who lost jobs and are suffering significant hardships
- Enrollment is up – 10% new students; 8% continuing students (first time in 10 years)
- Covid – the campus will be a community testing site for covid. (407 tests given two days a week) at the fieldhouse. Free testing to members of the public. It is the antigen quick test. If positive or negative with symptoms, would be referred to other location for further testing.

Follow Through:

No follow through needed.

3. Marathon County Public Library

Discussion:

No report. Chair Guild has been forwarding e-mails on the Library Task Force to the committee.

Follow Through:

No follow through needed.

7. Announcements, Next Meeting Date and Time:

A. Future committee calendar

- The next meeting will be Thursday, December 3, 2020 at 4:00 p.m. Let Toshia Ranallo and/or Chair Sara Guild know if you are unable to attend.
- Announcement:

8. Adjourn

There being no further business to discuss, **MOTION BY SEEFELDT, SECOND BY LO TO ADJOURN THE MEETING. MEETING ADJOURNED AT 6:10 P.M. MOTION CARRIED.**

Minutes prepared
by Mary Palmer

DRAFT



MARATHON COUNTY EXECUTIVE COMMITTEE MINUTES

Friday, November 6, 2020, 4:00 p.m.

Courthouse Assembly Room (WEBEX), Courthouse, 500 Forest St, Wausau WI 54403

Attendance:	Present	Absent	Vice-Chairs	
Kurt Gibbs, Chair	X			
Craig McEwen, Vice-Chair	W			
Matt Bootz	W		Brent Jacobson	W
Tim Buttke	W		Michelle Van Krey	W
Randy Fifrick	W		Sandi Cihlar	W
Sara Guild	W		Ka Lo	N/A
Jacob Langenhahn	W			
Alyson Leahy	W			
John Robinson	W			
E J Stark	W			

Also Present: Lance Leonhard, Jason Hake, Scott Corbett, William Harris, Toshia Ranallo, Mary Palmer,
Web/Phone: Chuck Ghidorzi, Dave Eckmann, Peter Whencheck,

1. Call Meeting to Order

Meeting was called to order by Chair Kurt Gibbs at 4:00 p.m.

2. Public Comment: None

3. Approval of October 8, 2020, Executive Committee Meeting Minutes

MOTION BY ROBINSON; SECOND BY LANGENHAHN, TO APPROVE THE OCTOBER 8, 2020, EXECUTIVE COMMITTEE MEETINGS MINUTES. MOTION CARRIED.

4. Policy Issues Discussion and Committee Determination

A. Downtown Wausau Mall renovation project

1. Does the Committee support the Administrator signing a letter of support for the project?

Discussion:

The City of Wausau Mall Renovation Project presentation was given by Greater Wausau Commerce President/CEO Dave Eckmann and Wausau Opportunity Zone Managing Director Chuck Ghidorzi. The video that was shared during the course of the meeting is accessible at the following link - <https://www.youtube.com/watch?v=vb78352nUCU>. Also shared were the following two documents "[Unlocking our Potential](#)" and the "[Financial Outlook](#)", which summarizes the costs to the mall staying open, as opposed to opportunities from the mall site becoming a new mixed-use development. A request was made and being considered to combine TID 7 and 12.

Follow through:

Administrator Leonard will forward to the committee the proposed letter of support, and the two documents shared during the presentation. The discussion was postponed until the next Executive Committee meeting.

B. **Possibly Apply for Community Development Block Grant-Coronavirus Funds (CDBG-CV)**

Discussion:

Supervisor Harris gave a presentation on a Community Development Block Grant-Coronavirus Funds (CDBG-CV). The Wisconsin Department of Administration (DOA) – Division of Energy, Housing and Community Resources (DEHCR) oversees this grant. This program is designed to help local governments and communities respond to and recover from the health and economic impacts of COVID-19. To be considered for CDBG-CV grant funding, the completed and signed Intent to Apply must be received via email no later than 4:00 PM on Friday, November 20, 2020.

Applications will be scored and ranked by a panel of reviewers based on scoring criteria, including *Delivery Strategy, Readiness to Implement, and Distress Factors*. DEHCR anticipates inviting final applications from the highest scoring applicants no later than December 18, 2020. Once final invitation decisions have been made, invitation to submit final application letters will be sent to local Governments. Unsuccessful local governments will be contacted and notified. Final applications are due to the DEHCR on February 26, 2021. If a community declines an award or there are other factors, additional funds may be awarded based on application rankings.

Action:

MOTION BY ROBINSON; SECONDED BY McEWEN TO POSTPONE THE DISCUSSION UNTIL THE NEXT EXECUTIVE MEETING SCHEDULED FOR 11/10/2020. MOTION CARRIED

5. Operational Functions Required by Statute, Ordinance, or Resolution – None

6. Educational Presentations/Outcome Monitoring Reports

A. Update on 2020 Administration Work Plan and Preliminary 2021 Administration Work Plan

Discussion:

Administrator Leonard gave a presentation on the [2020 Administration Work Plan and the Preliminary 2021 Administration Work Plan](#). He encouraged the committee members to review the 2021 Work Plan for any additional information needed. Chair Gibbs commended Administrator Leonard on all his hard work he put forth throughout this year.

B. Discussion on Opioid Litigation

- MOTION BY BUTTKE; SECONDED BY LANGENHAHN TO CONVENE IN CLOSED SESSION, PURSUANT TO WIS. STAT., SEC. 19.85(1)(G), “[C]ONFERRING WITH LEGAL COUNSEL FOR THE GOVERNMENTAL BODY WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE BODY WITH RESPECT TO LITIGATION IN WHICH IT IS OR IS LIKELY TO BECOME INVOLVED.” A ROLL CALL VOTE WAS PERFORMED AND MOTION CARRIED.**

Roll Call Vote:

Kurt Gibbs, Chair	Y
Craig McEwen, Vice-Chair	Y
Matt Bootz	Y
Tim Buttke	Y
Randy Fifrick	Y
Sara Guild	Y
Jacob Langenhahn	Y
Alyson Leahy	Y
John Robinson	Excused
E J Stark	Y

- Motion to return to Open Session (Roll Call Not Necessary)
MOTION BY McEWEN; SECOND BY BOOTZ TO RETURN TO OPEN SESSION. MOTION CARRIED.

- Possible Announcements or Action Resulting from Closed Session
Chair Gibbs stated litigation is continuing.

7. Next Meeting Time, Location, Agenda Items and Reports to the County Board

- Committee members are asked to bring ideas for future discussion and educational presentations for the County Board – email agenda items to Chair Gibbs
- Next regular meeting: Thursday, December 10, 2020 at 4:00 p.m. in the Courthouse and WebEx/Phone

8. Announcements: None

9. Adjournment

There being no further business to discuss, **MOTION BY MCEWEN; SECOND BY ROBINSON TO ADJOURN THE MEETING.** Meeting adjourned at 6:33p.m.

Respectfully submitted by,
Mary Palmer and Toshia Ranallo



MARATHON COUNTY EXECUTIVE COMMITTEE MINUTES

Friday, November 12, 2020, 4:00 p.m.

Courthouse Assembly Room (WEBEX), Courthouse, 500 Forest St, Wausau WI 54403

Attendance:	Present	Absent	Vice-Chairs
Kurt Gibbs, Chair	X		
Craig McEwen, Vice-Chair	W		
Matt Bootz	W		Brent Jacobson W
Tim Buttke	W		Michelle Van Krey W
Randy Fifrick	W		Sandi Cihlar W
Sara Guild	W		Ka Lo W
Jacob Langenhahn	W		
Alyson Leahy	W		
John Robinson	W		
E J Stark	W		

Also Present: Lance Leonhard, Jason Hake, Mike Puerner, John Graveen, Toshia Ranallo, Mary Palmer,

Web/Phone: Jean Maszk, MaryAnne Groat, Tammy Stratz, Katie Rosenberg

1. Call Meeting to Order

Meeting was called to order by Chair Kurt Gibbs at 4:00 p.m.

2. Public Comment: None

3. Policy Issues Discussion and Committee Determination

A. Downtown Wausau Mall renovation project

1. Does the Committee support the Administrator signing a letter of support for the project?

Discussion:

Chair Gibbs directed the committee to discuss the question of whether to or not to support the project. He stated that the values of the TIFs and TIDs and how the city funds it, is a discussion for the Finance Committee. Bootz, Robinson, and Gibbs indicated they support the letter.

Action:

MOTION BY ROBINSON; SECOND BY McEWEN TO AUTHORIZE ADMINISTRATOR LEONHARD TO SIGN THE LETTER OF SUPPORT FOR THE PROJECT. MOTION CARRIED. Mayor Rosenberg thanked the committee for approving this letter.

- B. Possibly Apply for Community Development Block Grant-Coronavirus Funds (CDBG-CV) - (Supervisor William Harris and Community Development Manager Tammy Stratz for the City of Wausau).

Discussion:

Supervisor Harris verified the County would not be in competition with Wausau for this grant and 13% could be used for administration expenses. To prepare for the grant the county would need to identify the scope, tentative budget, create a narrative, and a time table. Once the funds are administered and the contract is signed, the county has two years to distribute the funds.

The committee discussed the capacity of in-house resources, including the number of staff members and time needed. They would like to ensure there are minimal disruptions to these departments. It was suggested to reach out to county partnerships such as MCDEVCO and North Central Community Action for assistance as they are already familiar with CDBG

processes.

Administrator Leonhard suggested having this grant housed in either the veteran's office, finance department, or social services.

Action:

MOTION BY ROBINSON; SECOND BY BUTTKE TO REACH OUT TO COUNTY PARTERSHIPS AND IN-HOUSE DEPARTMENTS TO ASSIST IN THE GRANT PROCESS AND SUBMIT THE LETTER OF INTENT, ONLY IF IT IS DOABLE WITH MINIMAL DISRUPTIONS TO IN-HOUSE DEPARMENTS. MOTION CARRIED.

4. Next Meeting Time, Location, Agenda Items and Reports to the County Board

- Committee members are asked to bring ideas for future discussion and educational presentations for the County Board – email agenda items to Chair Gibbs
- Next regular meeting: Thursday, December 10, 2020 at 4:00 p.m. in the Courthouse and WebEx/Phone

5. Announcements: None

6. Adjournment

There being no further business to discuss, **MOTION BY McEWEN; SECOND BY BUTTKE TO ADJOURN THE MEETING.** Meeting adjourned at 4:55 p.m.

Respectfully submitted by,
Toshia Ranallo



MARATHON COUNTY EXECUTIVE COMMITTEE MINUTES

Date & Time of Meeting: **Thursday, December 10, 2020, at 4:00 p.m.**

Meeting Location: Courthouse Assembly Room, B-105, 500 Forest Street, Wausau WI

MEMBERS	PRESENT	ABSENT	VICE-CHAIRS	PRESENT
Kurt Gibbs, Chair		Excused	Brent Jacobson	W
Craig McEwen, Vice-Chair	X		Michelle Van Krey	
Matt Bootz		Excused	Sandi Cihlar	W
Tim Buttke	W		Ka Lo	
Randy Fifrick	W			
Sara Guild	W			
Jacob Langenhahn	W			
Alyson Leahy	W			
John Robinson	W			
E J Stark	W			

Also Present: Lance Leonhard, Jason Hake, Toshia Ranallo, Mary Palmer, Scott Corbett, others
Web/Phone: John Happli, Others

1. **Call Meeting to Order** - The meeting was called to order by **Vice Chair McEwen at 4:00 p.m.**
2. **Public Comment (15 Minutes)** - None
3. **Approval of the November 6, 2020, Executive Committee Meeting Minutes** – Motion by **J. Langenhahn** seconded by **R.Fifrick** to approve the minutes as printed. Motion carried.
4. **Policy Issues Discussion and Committee Determination** - None
5. **Operational Functions Required by Statute, Ordinance, or Resolution** - None
6. **Educational Presentations/Outcome Monitoring Reports**

A. Update on Broadband Task Force

Discussion: J. Robinson gave the following update: Marathon County is partnering with area internet service providers on two projects to expand high speed internet access in Marathon County. These projects would significantly increase access to high speed internet throughout the County. The first phase is with Wittenberg Telephone for the Town of Reid and a small portion of the Town of Ringle, southwest of the Village of Hatley. This project would provide high speed fiber service to 85 residences and 3 businesses in this area. The County is also partnering with Bug Tussel Wireless, Northwoods Connect and Network Professionals. A State of Wisconsin Public Service Commission grant was submitted on December 1, 2020 to assist in these efforts. The collaborative Marathon County Wireless Broadband Expansion Project includes fixed wireless infrastructure at 19 existing and proposed tower locations. The northern tier of Marathon County is a priority area due to the current lack of high speed internet, cellular, and landline phone service.

Follow through: No follow through needed.

B. Update on County Board Size Task Force

Discussion: J. Robinson indicated it will be the recommendation of the Board Size Task Force committee to remain a 38 member board. This committee reviewed 118 comments from citizens. There were an overwhelming support to continue as a 38 member board due to distress in government, remaining a diverse board, and concerns that resident’s voices would be lessened with a smaller board. In January, Robinson indicated there will be a report presented first to the Executive Committee and then

forwarded onto the County Board. It will be brought before the county board again in February for possible action.

Follow through: No follow through needed.

C. Review of WCUTA Resolution

Discussion: J. Robinson explained this resolution was generated to try and get counties and municipalities that have utilities to take a stand and ask for an increase in utility payments. The HR Finance Committee recently discussed and supports this resolution.

Follow through: No follow through needed.

D. NCCAP Annual Reporting

Discussion: Administrator Leonhard stated North Central Community Action Program (NCCAP) was one of five identified non-profits in the 2020 budget that administration was directed to work with, to move from what had been an expressed allocation of funding through the county board budget process, to a contract for services model for that same amount of direct funding that had been provided for in the budget. This report is one example of a summary of their efforts. Administrator Leonhard will continue to work with the other 4 non-profits for similar reports.

Follow through: No follow through needed.

E. Administrator's 2021 Work Plan

Discussion: The Full board will be asked to approve the work plan in January. Administrator Leonhard requests the committee review the document, identify any tasks that might have been excluded, and prioritize and rank the items. He asked the committee to provide any information to him and Chair Gibbs.

Follow through: Administrator Leonhard will email the committee the most updated version of the [2021 Work Plan](#).

7. Next Meeting Date & Time, Location, Future Agenda Items

- Committee members are asked to bring ideas for future discussion and educational presentations for the County Board.
- Next Meeting: **Thursday, January 14, 2021, at 4:00 p.m.** in the Courthouse Assembly Room

8. Announcements – McEwen, thanked Mary palmer for her years of service and congratulated her and wished her well during her retirement.

9. Adjournment – Motion by J. Robinson seconded by Buttke to adjourn the meeting at 4:35 p.m.

Respectfully submitted by,
Toshia Ranallo



MARATHON COUNTY HEALTH AND HUMAN SERVICES COMMITTEE MEETING

MINUTES

Wednesday, November 4, 2020 at 4:00 p.m.

Employee Resources Conference Room C-149, Courthouse, 500 Forest Street, Wausau WI 54403

Attendance:	Present	Absent
Tim Buttke, Chair	X	
Michelle Van Krey, Vice Chair	W	
Kelley Gabor		X
Dennis Gonnering	W	
William Harris	W	
Donna Krause	X	
Tom Seubert	W	

Also Present: Lance Leonhard, Jason Hake, Toshia Ranallo, Mary Palmer, Kurt Gibbs
Via Web or Phone – Sandi Cihlar, Craig McEwen, Joan Theurer, Ruth Heinzl, Brian Kowalski, John Robinson, Vicki Tylka, Jill Geoffroy

1. **Call Meeting to Order**
Chair Tim Buttke called the meeting to order at 4:00 p.m.
2. **Public Comment:** None
3. **Approval of the September 30, 2020, Committee meeting minutes.**
MOTION BY KRAUSE; SECOND BY GONNERING, TO APPROVE THE SEPTEMBER 30, 2020, HEALTH & HUMAN SERVICES COMMITTEE MEETING MINUTES. MOTION CARRIED.
4. **Policy Issues for Discussion and Possible Action:** None
5. **Operational Functions required by Statute, Ordinance, or Resolution:**
A. Resolution Declaring Every Third Thursday in November as Rural Health Day (November 19, 2020)

Discussion:
 Supervisor Sandi Cihlar gave the background on this initiative. She referenced an article on the stress and high rate of suicide of farmer, ranchers and agricultural workers. She commented that the fourth Whereas in the resolution needed modification for accuracy. It was changed to: *WHEREAS, the Wisconsin Office of Rural Health, the National Organization of State Offices of Rural Health, the Marathon County Farm Bureau, and the National Farm Medicine Center in Marshfield, UW-Madison Division Extension have joined together to acknowledge the assets of rural America while raising awareness of the unique health issues of rural America during National Rural Health Day on the Third Thursday of November.*

Action:
MOTION BY GONNERING; SECOND BY KRAUSE TO APPROVE THE RESOLUTION AS MODIFIED AND FORWARD TO COUNTY BOARD FOR FURTHER CONSIDERATION. MOTION CARRIED.

Follow up:
 Send to County Board for consideration

6. **Educational Presentations and Committee Discussion**

A. Public Engagement Strategies for Local Communicable Disease Ordinance (Buttke)

1. Report from Chair Buttke on discussion evaluating next steps

Discussion:

The workgroup on public engagement strategies for a local communicable disease ordinance met to discuss setting a listening session. The workgroup is comprised of Supervisors John Robinson and Tim Buttke, Joan Theurer, Health Officer and Administrator Lance Leonhard. They also collaborated with Eric Giordano of the Wisconsin Institute of Public Policy Service (WIPPS), as he has experience leading dialogues with the community on tough subjects. He is putting together a proposal and will be taken to HR/Finance, possibly in December.

The listening session(s) will help each side understand the other side of the issues. One result could be behavior change. How do we drive behavior change? Consensus within the workgroup is that we need to do a better job as a county. There is another viewpoint of those that don't do anything. Can we accept this, if nothing changes? What if an ordinance passes? What's our next step? Enforcement is larger than we think. It includes not only law enforcement, but 911, attorneys, District Attorney, Corporation Counsel, Courts, etc.

The Wausau Area Chamber of Commerce does have a program asking businesses to sign on that they are carrying on best practices for staff and customers – a Safety Pledge. There is not uniformity across all businesses.

Let's gather information, let people know their opinions do matter, and develop an inquiring process.

Follow up:

No follow up needed.

B. Level III Health Department Certification Review by Department of Health Services

Discussion:

Health Officer, Joan Theurer, asked the committee if they remember nothing else about the health department is the 3 "P's" Prevention, Population and Partnership. This is what local health departments are about. They look into what is causing people to become ill, why do they die early and how can it be prevented. They are responsible for the jurisdiction they serve, which is their county. Local health departments are guided by State Administrative rule under Chapter DHS 140 and have a choice to be a level 1, 2 or 3. Most counties our size are level 2 or 3. Marathon County has been a level 3 since 1998. Portions of Chapter DHS 140 were reviewed explaining the different levels. A handout from the Public Health National Center for Innovations (PHNCI) was also reviewed.

COVID has had a great impact on public health. Awareness has been made on the disparities in the community. It created new opportunities for partnerships that wouldn't have otherwise been engaged, such as weekly meetings with municipalities.

The committee was asked to remember what the Health Department does, what's expected by State Statute and remember the three "P's".

Follow up:

No follow through needed.

C. Wisconsin Changes Policy relative to Medicaid Coverage for Incarcerated Individuals (Leonhard)

1. What does this mean for inmates? <https://www.dhs.wisconsin.gov/news/releases/101620.htm>

Discussion:

Supervisors have been working with the Wisconsin Counties Association (WCA) and National Association of Counties (NACo) to only suspend Medicaid for incarcerated individuals. States have the option to suspend or terminate benefits upon incarceration. Wisconsin has been a termination state. When inmates are released from custody, they need to reapply for those benefits. At Federal prisons, benefits are suspended and upon release benefits are restored without any additional paperwork. There were positions in the community helping people apply and reapply for benefits.

There were constant technology, cognitive issues, and no paperwork.

In early 2019 then Deputy Administrator Leonhard found a reference that individual counties could become a suspended county within a termination state and this was put on the Administration Work Plan. After several meetings with the state they were looking to move the state to become a suspension state. He was very happy to report that the state did make the change at the end of October, 2020.

Follow up:

No follow up needed.

D. The Strategic Plan and the Role of the Health & Human Services Committee

Discussion:

Vice-Chair McEwen is touching base with all standing committees on their leadership role in the Strategic Plan. We are about half way through the plan (2 ½ years). Has there been any progress made on objectives 3.3, 3.7 and 7.2, which Health & Human Services has the lead? He's reminding committee chairs that they should monitor these objectives and keep track of the progress. In September a template was developed to prioritize and keep track of the Environmental Resources Committee's objectives. Each committee should look at the objectives they are lead on and report the progress.

Follow up:

The Objectives Template will be shared with all committee members. This will be put on each agenda moving forward.

7. Next Meeting Logistics and Topics:

A. Committee members are asked to bring ideas for future discussion

- Future items for discussion:
 - Update/Review Health & Human Services Committee's Lead Strategic Plan Objectives
 - John Shutske (Jason Hausler) Could provide a future presentation on Rural Health and/or Farm Stress
- Next meeting Wednesday, December 2, 2020, at 4:00 p.m.

8. Announcements: None were given

9. Adjournment

There being no further business to discuss, **CHAIR BUTTKE ADJOURNED THE MEETING AT 5:19 P.M.**

Minutes Prepared
By Mary Palmer



MARATHON COUNTY HEALTH AND HUMAN SERVICES COMMITTEE MEETING

MINUTES

Wednesday, December 2, 2020 at 4:00 p.m.

WEBEX/Assembly Room, Courthouse, 500 Forest Street, Wausau WI 54403

	Present	Absent
Tim Buttke, Chair	X	
Michelle Van Krey, Vice Chair	W	
Kelley Gabor	W	
Dennis Gonnering	W	
William Harris	W	
Donna Krause		excused
Tom Seubert	W	

Also Present: Lance Leonhard, Jason Hake, Toshia Ranallo, Mary Palmer, Kurt Gibbs, Scott Corbett
Via Web or Phone – Dave Mack, Jonette Arms, Sandi Cihlar, Eric Giordano, Joan Theurer, Vicki Tylka, Mike Rhea, Jennifer Cummings, John Robinson,

1. **Call Meeting to Order**

Chair Tim Buttke called the meeting to order at 4:00 p.m.

2. **Public Comment:** None

3. **Approval of the November 4, 2020, Committee meeting minutes.**

MOTION BY VAN KREY; SECOND BY GONNERING, TO APPROVE THE NOVEMBER 4, 2020, HEALTH & HUMAN SERVICES COMMITTEE MEETING MINUTES. MOTION CARRIED.

4. **Policy Issues for Discussion and Possible Action:** None

5. **Operational Functions required by Statute, Ordinance, or Resolution:**

A. **Resolution and Letter of Support to Increase Funding for Aging and Disability Resource Centers**

Discussion: Jonette Arms requested the committee review and approve a resolution that will increase state funding for ADRC's across Wisconsin. This initiative is supported by the Dept. of Health Services (DHS) and WI Counties Associations. Marathon County is a regional ADRC including Langlade, Lincoln, and Wood Counties. ADRC's are categorized by generations, 1 (receiving the most funds); 2 (receiving less); and 3 (receiving the least). Marathon County is a first generation ADRC. Wood County is a 2nd generation, and Lincoln and Langlade were never classified. DHS put together a committee to identify and create a formula to get ADRC's throughout the state to a higher level in order to provide all their services required under contract. \$27.4 million was calculated to be spread across all the ADRC's in Wisconsin. Review of the resolution and materials can be accessed [here](#).

Action: **MOTION BY HARRIS SECONDED BY GABOR TO APPROVE RESOLUTION SUPPORTING INCREASED FUNDING FOR AGING AND DISABILITY RESOURCE CENTERS. MOTION CARRIED.**

Follow up: Forward to County Clerk

6. **Educational Presentations and Committee Discussion**

A. **Elderly and Disabled Transportation (Wis. Stats. 85.21) Grant Application**

Discussion: Dave Mack explained the 85.21 grant which is a specialized transportation assistance program that provides services for seniors and individuals with disabilities. The application indicates the County assures \$72,390 in local funds have been budgeted for, and will be available as the required share match.

Follow up: Action on approving the grant application and resolution will be discussed at a special meeting on

December 15th at 6:30 p.m. before it is presented to the County Board.

B. Stepped Enforcement Process under Administrative Code 145

Discussion: Joan Theurer continues to bring awareness to the committee in regards to the Health Officer's authorities and enforcement powers that relate to communicable disease control. In October she received a guidance document linked to Administrative Code 145. This document can be used in the absence of a communicable disease ordinance and can be supplemented, or support an ordinance. These enforcement actions outline are not new, and have been utilized in the past for diseases like tuberculosis. The document is intended to aide health officers, corporation counsel, and county administrators using the following three steps: An advisory, issuing guidelines to individuals, establishments, etc.; issuing a directive to those who do not comply; and petitioning the court.

Theurer identified challenges and indicated that when recommendations are made, majority of residents are supportive of preventative controls that are asked of them. However with COVID-19, there is a segment of the population that feels it is an infringement on their rights. It is also assumed that health departments and county government have the necessary resources and staff to carry out what is required. Time is one of the most important challenges identified. TB is a lengthy disease versus Covid is short term.

Scott Corbett indicated he recently attended a webinar with other corporation counsels around the state, and there isn't anyone pursuing these types of enforcement actions. He encouraged the committee to inform him if they hear of any cases through media or any other sources.

Follow up: No follow up needed.

C. Responding to the Housing Needs of our Covid Positive Homeless Population

Discussion: Administrator Leonhard indicated him and his team of J. Theurer, V. Tylka, and S. Corbett are in the process of working with the City of Wausau to provide shelter to those who are refused entry at other housing resources due to COVID-19. They are also looking into food provisions and 24/7 monitored care during the isolation time frame. The estimated housing component cost is \$20,000. Leonhard indicated there are funding resources in place already and based on financial rules, he is not asking the committee to take any action or make any budget amendments at this time.

Follow up: No follow up needed.

D. Update on Discussions with WIPPS Relative to Community Conversation about COVID-19

Discussion: Eric Giordano gave a brief [presentation](#) on how to engage county residents in meaningful and civil dialogue to lower the temperature around the highly contentious issue of reducing the spread of COVID-19.

Comments:

Getting together with all groups to have discussions to see where people's opinions are and why people are feeling a certain way and then address concerns.

Where do people trust where they are getting there information from? CDC, Health Department, media, etc.

What if the consensus is that masks do not work, where do we go from here if the consensus is opposite of what the CDC suggests?

We hope to get a dialogue but don't think there would be consensus, what we would have is a better understanding of concerns, sources of information and opportunity to dialogue with hope at the end of the day there is some kind of agreement.

How would this be implemented? Moving forward with clinical disease ordinance?

We don't have enough people to enforce, we need to get people to change behavior. How do we try to engage people to change behavior?

Give people opportunities to respond to topics like a Qualtrics Questionnaire, their opinions on masks, vaccinations, etc. and then take their info and frame it to 3 options.

What is the tradeoff, what are we willing to accept?

Follow up:

The workgroup will continue to have discussions and move forward in this process.

E. Review and Update Health and Human Services Committee's Lead Strategic Plan Objectives

Discussion: Buttke explained he will continue to work with Administrator Leonhard and Deputy Administrator Hake on the process and will be forth coming as they move forward.

Follow up:

No follow up needed.

7. Next Meeting Logistics and Topics:

A. Committee members are asked to bring ideas for future discussion

- Next meeting Wednesday, January 6, 2020, at 4:00 p.m.

8. Announcements: None

9. Adjournment

There being no further business to discuss, Chair Buttke adjourned the meeting at p.m.

Respectfully submitted by,
Toshia Ranallo

DRAFT



MARATHON COUNTY HUMAN RESOURCES, FINANCE & PROPERTY COMMITTEE MEETING MINUTES

Date & Time of Meeting: Tuesday, November 10, 2020; 3:30 p.m.

Meeting Location: Marathon County Courthouse, County Board Assembly Room 500 Forest Street, Wausau WI 54403

Members: John Robinson-WebEx, Chair; Alyson Leahy-WebEx, Vice-Chair; Craig McEwen-WebEx, Kurt Gibbs, Yee Leng Xiong-WebEx, Jonathan Fisher-WebEx, EJ Stark-WebEx

Others: Kristi Palmer, Lance Leonhard, Jason Hake, Connie Beyersdorff, Steve Cherek, Theresa Wetzstn, Supervisor Jacobson, Supervisor Bootz, Scott Corbett, Dejan Adzic, James Griesbach, Gerry Klein, Sheriff Parks, James Griesbach, Brian Grefe, Chief Deputy Billeb

1. Call to Order-Please silence your cellphone
2. Public Comment Period-None
3. Approval of the Minutes of the October 20, 2020 Human Resources, Finance and Property Committee Meeting
Motion by McEwen and seconded by Fisher to approve the minutes; vote unanimous
4. Educational Presentations/Outcome Monitoring Reports
 - A. Introduction of Connie Beyersdorff-Marathon County Treasurer-County Board Chairman Gibbs introduced County Treasurer Connie Beyersdorff. She has previously served as the Town of Texas Clerk and Chairman Gibbs welcomed her on behalf of the Finance Committee.
 - B. 2021 Budget Update-Leonhard made announcements that there is a loss of revenue at Lakeview Plaza and that there will be a loss of revenue at 326 River Drive for the USDA Federal agency. USDA is no longer interested in a short-term lease and we will not receive the approximately \$64,000 rental income from the USDA. County Administrator Leonhard discussed transferring duties within the County Treasurer, County Clerk and Corporation Counsel's office to create a new 1.0 FTE and eliminate the established but not filled Treasurer's office .625 FTE.
 - C. Update on the Use and Reimbursement of Routes to Recovery Funding-We will make a reimbursement request for the full amount of the Routes to Recovery grant that was allocated to the County plus additional expenditures that are related to departments that are eligible for reimbursement.
 - D. Development of a General Policy that the County Should Utilize When Considering Divestment if Real Property, including Site specific considerations-We would like to know what items the committee would find helpful in regards to as we look at property that we might target for divestment. Gibbs-1. Property value as determine by highest and best use, 2. Potential use of property and opportunities to serve the citizens of the County and 3. Potential economic development for properties and would County properties fit in to the economic development plan. These are criteria I would like to evaluate when looking at the disposition of County properties. Leahy-Do we have anything as a policy today? Corbett-This is something we have been looking at and our research has found several AG opinions on sale of real property. If there is some kind of discount in the sale of property then we would need to evaluation if there is a "public purpose" for the property. Fisher-What about employees that are now and in the future working from home? Are we managing office space for the employees working from home? Are there challenges with the property in regards to items such as environmental clean-up or other future liabilities with the property?
5. Operational Functions required by Statute, Ordinance, or Resolution:
 - A. Discussion and Possible Action by Human Resources and Finance and Property Committee
 1. Approval of the October 2020 Claims and Questioned Costs-Palmer
Motion by Gibbs and seconded by Stark to approve the October claims and questioned costs; vote unanimous
 2. Interdepartmental Budget Transfers
Motion by Gibbs and Seconded by Fisher to approve the Interdepartmental transfers; vote unanimous
 - B. Discussion and Possible Action by Committee to Forward to the County Board for consideration:
 1. Review of proposed amendments to the 2021 Annual Budget received from County Board Supervisors to assess whether this committee supports the amendment in light of our financial environment, future priorities, and long-range goals.

Supervisor Jacobson has provided a proposed budget amendment. Supervisor Bootz and I (*Jacobson*) would like to take a more holistic approach to these items. The issue with my amendment is that two of the funding sources are from one-time funding source. Therefore, I am willing to withdraw the amendment that I brought forward and I want to stress as Vice Chair of Public Safety that we need to look at this issue and develop a resolution. I think we should take a serious look at with the UniverCity funding and what they will be doing for us

with the \$40,000 allocated to this program next year. I do want to withdraw my amendment and focus on this issue at Public Safety Committee over the next 12 months. Bootz-I would like to make a request that Supervisors that want *to create 2021* proposed public safety *budget* amendments to give the Public Safety Committee until June 1, 2020 to come back with a proposal.

Gibbs-I want to extend my sincere thank you for the thought out approach to this issue and coming up with approach to systematic budgeting to solve these budget issues in a thoughtful manner. There are multiple departments with multiple needs and we have not had an analysis on what this most critical. Policy question- Does the County choose to fund in the future State Mandated Funded positions (fund state employees at the County's cost). Leahy-I think we are maximizing our resources but these are State positions and Marathon County cannot be the only County that has these funding issues and I think we need to engage WCA and others to help solve this issue.

Stark has brought forward a proposed budget amendment. I think it short sighted to evaluate this for another 6 months and I would like this committee to consider my budget amendment and if the committee chooses not to move it forward, I will move it forward by myself.

Motion by Stark to move this proposed budget amendment forward

The motion died do to a lack of a seconded

Stark-There is no data that has been studied and evaluated on these programs (SSTOP and Start Right).

C. Discussion and Possible Action by Committee to Forward to the County Board for its consideration

1. Discussion and Possible Action- Amendment to Section 3.05(3) of the County's General Code of Ordinance *Small Purchase Procedure-Postponed from October*

Corporation Counsel laid out the criteria very well. Gibbs-Is there an opportunity to provide education to this committee in regards to when a purchase is a public works project or regular purchase? I am asking for more education on this item before approving the amendment to the Ordinance. Corbett-We can provide education on this topic.

Motion by Gibbs and seconded by McEwen to postpone until further education can be provided to the committee in order to make a recommendation; vote unanimous

6. Policy Issues Discussion and Committee Determination-none

7. Announcements: Next Meeting Date-December 8, 2020 at 3:30 p.m.

8. Adjourn-Motion by McEwen and seconded by Fisher to adjourn at 5:05 pm; vote unanimous



MARATHON COUNTY HUMAN RESOURCES, FINANCE & PROPERTY COMMITTEE MEETING MINUTES-DRAFT

Date & Time of Meeting: Tuesday, December 8, 2020; 3:30 p.m.

Meeting Location: Marathon County Courthouse, County Board Assembly Room 500 Forest Street, Wausau WI 54403

Members: John Robinson, Chair; Alyson Leahy-WebEx, Vice-Chair; Craig McEwen-WebEx, Kurt Gibbs-in person, Yee Leng Xiong-, Jonathan Fisher-WebEx, EJ Stark-WebEx

Others: Kristi Palmer, Jason Hake, Lance Leonhard, Terry Kaiser, Diane Hanson, Frank Matel, Connie Beyersdorff, Dave Mack, Dejan Adzic, Scott Corbett, Gerry Klein

1. Call to Order by Supervisor Robinson-Please silence your cellphone
2. Public Comment Period -None
3. Approval of the Minutes of the November 10, 2020 Human Resources, Finance and Property Committee Meeting Motion by Gibbs and seconded by McEwen to approve the minutes of November 10; vote unanimous
4. Educational Presentations/Outcome Monitoring Reports
 - A. Discussion on the progress of the County's Strategic Plan-Vice Chair McEwen
Vice Chairman McEwen-Discussed the County's Strategic Plan. HRFC has been a support committee for objectives 7.1, 10.6 and 10.12.
 - B. Update on Routes to Recovery Reimbursement
Palmer updated the Committee on the reimbursement status from the Routes to Recovery grant through the State of Wisconsin. The County has been reimbursed its total reimbursement of \$2,399,043.43. Gibbs-Thank you to the local municipalities that reallocated funding to the County.
 - C. 2021 Human Resources, Finance and Property Committee Work Plan
Robinson encourages the Committee members to review the topics listed in the packet for consideration at the committee level in 2021. One item not on the list is inclusivity in the workplace. Gibbs-We are involved in each TIF project and I struggle when we support or do not support TIF. The County should evaluate is the current legislative statutes are acceptable or are there changes that would be appropriate. If there are extensions, what is the guidance we give our representative in regards to these proposals? I think we should go out for RFP on Property Insurance for the County. Robinson-I would like to look at customer service expectation for staff so that the public can be directed to staff whether working remotely or on-site. Fisher-The CIP items should be identified As new construction or repair and maintenance projects. Gibbs-once we have the updated listed, we should have committee members prioritize the list as to what they feel are the top issues. By the end of the week, we will provide the committee members an update list and ranking form by the end of this week to prioritize the topics for 2021.
5. Operational Functions required by Statute, Ordinance, or Resolution:
 - A. Discussion and Possible Action by Human Resources and Finance and Property Committee
 1. Approval of the November 2020 Claims and Questioned Costs-Palmer
Motion by Gibbs and seconded by Leahy to approve the November claims; vote unanimous
 2. Interdepartmental Budget Transfers-None
 3. Review of the 2021 Budget Process-Opportunities for Improvement
Robinson-In reviewing the 2021 budget process, I think we could provide additional information on the Capital Improvement Plan. Gibbs-One of the concerns that we have budget and a total number budgeted by department and some supervisors would like more details such as the line items that are being budgeted. Robinson-Keep this in mind in regards to Priority Based Budgeting (PBB). This should provide program based budgeting. Leahy-Perhaps the budget process should be started earlier as the line item decision are being made. Gibbs-I don't want to mix Policy making with operations. How do we bring in PBB and not dwell on the whether or not the departments ordered too many pencils? The program measurements are critical and that is what PBB does to assist us in our policy setting role. Leonhard-Did you find having all proposed budget amendments moving through the HRFC for discussion? Having the opportunity to review the potential budget amendments by the HRFC it gives the committee the opportunity to look at the pros and cons prior to moving the budget amendment to the County Board.



MARATHON COUNTY HUMAN RESOURCES, FINANCE & PROPERTY COMMITTEE MEETING MINUTES-DRAFT

Date & Time of Meeting: Tuesday, December 8, 2020; 3:30 p.m.

page 2

- B. Discussion and Possible Action by Committee to Forward to the County Board for consideration:
 1. Resolution to Amend the 2021 CIP for Marathon County Courthouse/Jail Domestic Water System

Renovation and Countywide LiDAR Data Capture Projects

There are two additional projects that requested to be included in the 2021 CIP and there is no additional funding available therefore, it is recommended that they are funded through borrowing. Gibbs-If this data is invaluable to the other municipalities, wouldn't there be an opportunity to recover the costs of these services? We currently have a 2 foot LiDAR detail and that the 1 foot contour would be beneficial to them (municipalities), should this be a program that municipalities share in the cost to complete? Gibbs-Is there a timeline when the funding for cost-share goes away? The questions: are-what would be the cost a 6 inch flyover of the whole County (not just Wausau)? Do we need a 1 foot contour or is 2 foot acceptable? We need to sign a commitment letter stating that we are completing the project but I believe that USGS is willing to work with us. The fly over will happen in April so sooner is better. Would we still have access to the USGS grant funds if we choose to go to the 6 inch level of detail, will the funding still be available? The airplane will fly at the same level and to obtain same contour levels and the airplane would need to fly at a different level to get the 6 inch contours. Motion by Gibbs and seconded by Fisher to delay action until our next HRFC meeting and have answers to questions posed to staff; vote unanimous

Terry Kaiser provided information that the domestic water heater that heats water at the jail is leaking. The plan is to create a more efficient system.

Motion by Gibbs and seconded by Fisher to amend the 2020 CIP and fund the domestic water heater project with the 2020 Contingency fund; vote unanimous

Robinson-in RFP request to cost to operate the new water heaters

2. Resolution in Support of State Funding for Equitable Return of Utility Tax Collections to the Counties and Municipalities as Utility Aid

The State of Wisconsin shares a portion of the tax for the utility in payment in lieu of taxes. The aid that is shared back to the municipalities for the cost of services that the municipality spends to support the utility.

Motion by Gibbs and seconded by Leahy to approve the County resolution and forward to the County Board; vote unanimous

6. Policy Issues Discussion and Committee Determination-none

7. Announcements: 2021 HRFC Schedule-Next Meeting Date-January 12, 2021 at 3:30 p.m.

Robinson announced that Kristi Palmer in her role as the State Wisconsin Investments Board, will be the chairman of the Finance and Audit Committee for the State of Wisconsin Investment Board

8. Adjourn-Motion by Stark and seconded by Gibbs to adjourn at 5:53 pm



MARATHON COUNTY INFRASTRUCTURE COMMITTEE MEETING MINUTES

Thursday, November 5, 2020, 9:00 a.m.
Marathon County Highway Department, Wausau, WI

Attendance:	Present	Excused	Absent
Randy Fifrick, Chair			x
Sandi Cihlar, Vice-Chair	x		
John Robinson	x		
Jeff Johnson	x		
Alan Christensen	x		
Richard Gumz	x		
Chris Dickinson	x		

Also Present: James Griesbach, Kevin Lang, Kendra Pergolski, Gerry Klein, Brian Grefe, Dave Mack, Lance Leonhard, Andrew Lynch, Peter Weinschenk, Jason Hake

- 1. Call Meeting to Order:** The meeting was called to order by Vice-Chair Cihlar at 9:01 a.m.
- 2. Public Comment:** N/A
- 3. Approval of the Minutes of the November 5, 2020, Infrastructure Committee Meetings**
MOTION BY CHRISTENSEN, SECOND BY ROBINSON, TO APPROVE THE MINUTES OF THE NOVEMBER 5, 2020, INFRASTRUCTURE COMMITTEE MEETING. MOTION CARRIED.
- 4. Policy Issues Discussion and Potential Committee Determination:**
 - Update 2021 Wisconsin Department of Transportation Routine Maintenance Agreement
Discussion: Commissioner Griesbach reviewed with the committee the agreement highlighting projects and the benefits behind them.
Action: MOTION BY GUMZ, SECOND BY CHRISTENSEN, TO APPROVE THE 2021 WISCONSIN DEPARTMENT OF TRANSPORTATION ROUTINE MAINTENANCE AGREEMENT. MOTION CARRIED.
Follow through: N/A
- 5. Operational Functions required by Statute, Ordinance, or Resolution: N/A**
- 6. Educational Presentations and Committee Discussion: N/A**
 - Update on Broadband
Discussion: Robinson advised the committee of the PSC grant deadline and expounded on the four selected projects with the highest priority being expansion to underserved areas.
 - Work Agreement Between Marathon County and North Central Wisconsin Regional Planning Commission on 2050 Long Term Transportation Plan
Discussion: The committee discussed the Long Term Transportation Plan, specifically zoning in on the Bike/Pedestrian accommodation. Administrator Leonhard advised the committee that the reason for discussion is to see if there are any areas of concern or questions as to why things were not addressed.
 - 2021 Asphalt Awards
Discussion: Lang reviewed with the committee that American Asphalt of Wisconsin had been awarded the 2021 asphalt bid.

D. CCIT Update

Discussion: Report provided. Klein did emphasize the importance of taking the online video provided by CCIT regarding phishing scams.

E. Commissioner's Report

Discussion: Griesbach informed the committee what the crews are currently doing including: putting up snow fence, brushing leaves/cutting branches, and preparing for winter weather.

7. **Announcements:**

- A. Future meetings and location, agenda topics
January 7, 9:00 AM, 1430 West Street, Wausau

8. **Adjourn**

**MOTION TO ADJOURN BY GUMZ, SECOND BY CHRISTENSEN. MOTION CARRIED.
MEETING ADJOURNED AT 10:00 AM.**

Minutes prepared

By Kendra Pergolski on December 3, 2020.

DRAFT



MARATHON COUNTY PUBLIC SAFETY COMMITTEE MINUTES

Wednesday, November 4, 2020, at 2:00 p.m.

Employee Resources Conference Room-C-149, Courthouse, 500 Forest St, Wausau

Attendance:

<u>Members</u>	<u>Present</u>	<u>Absent</u>
Matt Bootz, Chair	W	
Brent Jacobson, Vice-Chair	W	
Jenifer Bizzotto		EX
Bruce Lamont	W	
Jean Maszk	W	
Allen Opall	W	
Arnie Schlei	W	

Others Present: Lance Leonhard, Kurt Gibbs, Jason Hake, Laura Yarie, Toshia Ranallo, Mary Palmer

Via Web or Phone: Ruth Heinzl, EJ Stark, Bill Millhausen, Theresa Wetzsteon, Sandra LaDu, Chad Billeb, Shawn Jaeger, Dean, Craig McEwen

1. Call Meeting to Order

The meeting was called to order by Chair Matt Bootz at 2:00 p.m.

2. Public Comment (15 minute limit) – None

3. Approval of the Minutes of the Public Safety Meeting on September 30, 2020

MOTION BY JACOBSON; SECOND BY MASZK TO APPROVE THE MINUTES OF THE SEPTEMBER 30, 2020 COMMITTEE MEETING. MOTION CARRIED.

4. Policy Issues Discussion and Committee Determination to the County Board for its Consideration

A. Resolution Requesting the State of Wisconsin to Annually Allocate Funds to Public Safety Answering Points

Discussion:

Chief Deputy Billeb gave the history that all phones pay a fee to a fund to be used for 9-1-1 answering points. Seventy-five cents per phone and 38 cents on other electronic retail sales. The money is still collected, but not dispersed to local 9-1-1 agencies. Some money is available for new projects, but because Marathon County is forward thinking and we have already started upgrades, we are not able to access any of these funds. The request is to ask for \$15 million annually for grants to the Public Safety Answering Points (PSAPS). We need to invest further in text, video, etc.

Action:

MOTION BY JACOBSON; SECOND BY MASK TO SUPPORT THE RESOLUTION TO ANNUALLY ALLOCATE \$15 MILLION IN FUNDS TO PSAPS AND FORWARD TO THE FULL BOARD FOR APPROVAL. MOTION CARRIED.

Follow through:

Forward to County Board for approval.

5. Operational Functions Required by Statute, Ordinance or Resolution - None

6. Educational Presentations/Outcome Monitoring Reports

A. Update on Impact of Recent Legislation on Operating While Intoxicated Treatment Court and Next Steps Relative to Treatment Court Operations Planning

Discussion:

Laura Yarie, Justice Systems Coordinator, gave the history of our OWI Court. It was designed to work with felony 4th, 5th and 6th high risk offenders. A team made up of all court related departments/agencies work together to review applications to the program by looking at assessments to mental health, AODA history, their motivation and willingness to participate. If accepted to the program, the individual pleads guilty which is then imposed and stayed and then they are placed on probation. This model is treatment and accountability which leads to success. Rewards and sanctions are given quickly so the accountability piece is extremely important. Data given on the success of the program is very high.

On March 1, 2020 a law was passed that 5th and 6th offenders must serve one and one-half years in prison. There is no option to give these high risk offenders probation. Our judges would like an amendment to the Act that if a person is participating in an established program, that the prison time can be waived.

Other counties that have OWI Courts were not established on the criteria that we were with the National Institute of Corrections and do not follow their criteria. Those courts are working with 3rd and 4th offenders and those higher go to prison.

Follow through:

No follow through needed.

B. Wisconsin Changes Policy relative to Medicaid Coverage for Incarcerated Individuals

Discussion:

Supervisors have been working with the Wisconsin Counties Association (WCA) and National Association of Counties (NACo) to only suspend Medicaid for incarcerated individuals. States have the option to suspend or terminate benefits upon incarceration. Wisconsin has been a termination state. When inmates are released from custody, they need to reapply for those benefits. At Federal prisons, benefits are suspended and upon release benefits are restored without any additional paperwork.

There were positions in the community helping people apply and reapply for benefits. There were constant technology, cognitive issues, and no paperwork. We were looking to become a suspended county within a termination state.

Follow through:

No follow through needed.

1. What does this mean for inmates?

<https://www.dhs.wisconsin.gov/news/releases/101620.htm>

Discussion:

In early October 2020, Wisconsin switched to become a suspended state. Benefits will automatically go back in place upon release. This will save time, money and frustration for the newly released.

Follow through:

No follow through needed.

C. Update from Sheriff's Office on COVID-19 Mitigation Efforts Within the Jail

Discussion:

Sandra LaDu, Jail Administrator – Covid is a day to day situation. New arrivals are tested. The first person that tested positive in the jail was at the end of July. Everyone was tested and he was the only person that came back positive. (28 possible) – Since July there had been about 8 with varying symptoms or were a-symptomatic. All recovered.

Last Thursday, an inmate in the long term pod tested positive and they tested 56 people. Forty tested positive in the jail. They have various medical staff available for all levels of COVID. On October 23 all are doing well. Staff have tested positive. Officers have no contact with other shifts.

If we would have a staffing issue, there is a plan to go down to minimums. We have some flexibility to

pull staff from the juvenile facilities, if necessary.

Follow through:

No follow through needed.

D. Status of the District Attorney's Office in light of the County's Prioritization and Upcoming Judicial System Changes

Discussion:

Theresa Wetzsteon, District Attorney for Marathon County - Building off the OWI court discussion. She feels there is a line drawn in the sand that prosecutors are state employees and the county is not going to let the State of Wisconsin shirk its responsibilities when it comes to staff.

For the past two years the DA has been asking for additional positions (1 Assistant District Attorney and 1 legal secretary) to be paid for by the County. There has not been funding for those positions either year. No new County positions were approved for the 2021 budget.

Looking for funding for her positions, the D.A. pointed out that the County is spending \$165,000 each year for OWI Court on 5th and 6th offenders who are on their way to prison. If sent to prison, the state would be responsible for these offenders. It's the state's dime. By working with 5th and 6th offenders the County is supplementing the state with county tax levy dollars and county resources on a regular basis. It's a double standard.

The DA's office workload is increasing due to body cameras and Marsy's Law and now we will get a 6th court branch.

Non-mandatory programs that DA personnel participate in, such as the Restorative Justice program, will be a program her staff won't be participating in any longer. She also points out that the SSTOP (Safe Streets Treatment Options Program) costs \$118,000 per year of tax levy funds. Is it a smart allocation of her resources to participate in and maintain integrity of the program? She does not support continuation of this program.

Supervisors have the option to amend the budget at County Board. There is a form that was sent out to complete. County Board Chair Gibbs pointed out that all programs need to be looked at. Prior to the pandemic there was going to be a system-wide review of all programs. There hasn't been enough staff for this. We cannot, especially at the last minute, put one program against another. We need to look at the total picture.

In the future we are going to look at system budgeting, which may help and also Priority Based Budgeting.

Follow through:

No follow through needed.

7. Next Meeting Time, Location, Announcements and Agenda Items

- A. Next meeting: December 2, 2020 at 2:00 p.m.
- B. Announcements: None

8. Adjournment

**MOTION BY MASZK; SECOND BY OPALL TO ADJOURN THE MEETING. MOTION CARRIED.
(3:36 pm)**

Respectfully submitted by,
Mary Palmer



MARATHON COUNTY PUBLIC SAFETY COMMITTEE MINUTES

Wednesday, December 2, 2020, at 2:00 p.m.

WEBEX/Assembly Room, B-105, Courthouse, 500 Forest St, Wausau

<u>Members</u>	<u>Present</u>	<u>Absent</u>
Matt Bootz, Chair	X	
Brent Jacobson, Vice-Chair	X	
Jenifer Bizzotto	X	
Bruce Lamont	X	
Jean Maszk	X	
Allen Opall		X
Arnie Schlei	X	

Others Present: Lance Leonhard, Kurt Gibbs, Jason Hake, Laura Yarie, Toshia Ranallo, Mary Palmer
Via Web or Phone: Ruth Heinzl, Theresa Wetzsteon, Sandra LaDu, Chad Billeb, Dan Karchma, Kara Weiland, Mike Puerner, Mai Thao. John Happli, Kelly Schremp,

1. Call Meeting to Order

The meeting was called to order by Chair Matt Bootz at 2:00 p.m.

2. Public Comment (15 minute limit) – None.

3. Approval of the Minutes of the Public Safety Meeting on November 4, 2020 MOTION BY J. MASZK; SECOND BY J. BIZZOTTO TO APPROVE THE MINUTES OF THE NOVEMBER 4, 2020 COMMITTEE MEETING. MOTION CARRIED.

4. Policy Issues Discussion and Committee Determination to the County Board for its Consideration

- A. Proposed Amendments to marathon County Code of Ordinances – Chapter 9 (Public Peace and Good Order)

Discussion: Mike Puerner explained the purpose of the proposed changes to *Chapter 9 Public Peace and Good Order* is not to expand the amount of offenses that are prosecuted, but instead to enhance the toolkit for officers to use more discretion when they are in the field. The committee reviewed the [recommended amendments](#).

5. Operational Functions Required by Statute, Ordinance or Resolution

- A. Resolution amending Chapter 9 Of The General Code Of Ordinances, Relating To Regulations Relevant To Public Peace And Good Order Within Marathon County

Discussion: See above.

Action: MOTION BY J. MASZK SECONDED BY B. LAMONT TO APPROVE RESOLUTION AMENDING CHAPTER 9 OF THE GENERAL CODE OF ORDINANCES, RELATING TO REGULATIONS RELEVANT TO PUBLIC PEACE AND GOOD ORDER WITHIN MARATHON COUNTY. MOTION CARRIED.

Follow through: Forward to County Board for approval.

6. Educational Presentations/Outcome Monitoring Reports

- A. Diversion Programs – What are they, who do they serve, and how do they impact our justice system?

Discussion: A presentation was given by District Attorney Theresa Wetzsteon and Ruth Heinzl. Diversion Programs are not mandated by state statute and are solely the discretion of the District Attorney's office. The District Attorney prioritizes public safety first, victim rights, then harm reduction. The purpose of Diversion programs is to give options to the normal criminal justice process. Offenders are treated as individuals instead of presuming they are all doing the same type of crime.

The first decision point is the arrest decision. Marathon County's Law Enforcement uses two alternative diversion programs. The Crisis Intervention Team who responds to mental health crises which officers try to deescalate a situation or take the person to treatment, verses taking them to jail. The second is the Proxy Program which helps law enforcement use discretion whether or not to give a citation versus arrest.

The charging decision is the second decision point. The prosecutor uses their discretion to determine whether or not to charge the case or if they should refer to diversion. Marathon County is one of very few counties to have a Pre-Charge Diversion Program. This helps defendants keep their records cleaner as well as de-clogging the Clerk of Courts and District Attorney's offices.

The third decision point is at the plea negotiation stage. The prosecutor uses their discretion on whether to propose an alternative plea offer of diversion, allowing the defendant to complete treatment and repair harm in lieu of a criminal conviction.

Wetzsteon encouraged the committee to reach out to her or Heinzl if they have further questions. The YouTube video presentation can be assessed [here](#).

Follow through:

No follow through needed.

B. Law Enforcement Appreciation Project (LEAP)

Discussion: Kara Weiland gave a brief overview on a new nonprofit organization through the Community Foundation called Law Enforcement Appreciation Project (L.E.A.P). Dan Karchma further explained the mission is to show appreciation and support for the law enforcement community throughout Marathon County. They intend to raise funds to show appreciate in ways such as providing beverages or snacks for all patrol officers while on duty on a regular basis throughout the county. Additionally, this project will provide the citizens of Marathon County the opportunity to anonymously show their financial support for Law Enforcement. More information can be obtained on the Community Foundation website or on the L.E.A.P Facebook page.

Follow through:

No follow through needed.

C. Update on our Evidence-Based Decision-Making Pretrial Assessment & Case Management Planning and Pilot

Discussion: Laura Yarie gave a [presentation](#) on Pretrial Assessments and Case Management. She has been working with the National institute of Corrections and the WI Dept. of Justice for five plus years discussing decision points within the criminal justice system. Marathon County has many options for diversion and individualizes the process for those coming through the system. In 2007 a coordinator position was added to the District Attorney's office to expand the number of people being diverted. Case Management was also expanded through ATTIC Correctional Services. A full YouTube presentation can be viewed [here](#).

Follow through:

No follow through needed.

D. Review of Draft System Budgeting Approach and Timeline

Discussion: Chair Bootz, explained Supervisor Jacobson and he are moving forward with the plan discussed at the last budget meeting. They will be sitting down with all parties and will have something in June. Administrator Leonhard and Deputy Administrator Hake will be putting together system budgeting strategies and will be looking for feedback from the committee and stake holders. Deputy Administrator Hake gave a brief [presentation](#) of the timeline for systematic budgeting. Administrator Leonhard indicated there are groups working well together and coming up with good ideas that generates solutions, savings, and investment in culture. Chair Gibbs thanked Leonhard, Hake, and department heads for their participation.

Follow through:

No follow through needed.

7. Next Meeting Time, Location, Announcements and Agenda Items

A. Next meeting: January 6, 2020 at 2:00 p.m.

B. Announcements: None

8. Adjournment- MOTION BY A. SCHLEI; SECOND BY J. BIZZOTTO TO ADJOURN THE MEETING AT 341 P.M.. MOTION CARRIED.

Respectfully submitted by,
Toshia Ranallo

DRAFT