

**OFFICIAL NOTICE AND AGENDA
of a meeting of the County Board,
Committee, Agency, Corporation, or a
sub-unit thereof.**



MARATHON COUNTY, WISCONSIN

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.*

A SPECIAL MEETING OF THE MARATHON COUNTY BOARD OF SUPERVISORS will be held at the Marathon County Courthouse, Assembly Room, 500 Forest Street, in the City of Wausau, at 7:00 p.m. on Thursday, August 8, 2019.

AGENDA

1. Meeting called to order at 7:00 p.m. by Chairperson Gibbs, 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 to Silence Cell Phones and Other Electronic Devices
5. Roll Call
6. Acknowledgement of Visitors
7. Resolution – Determination By County Board That an Emergency Exists With Respect to Repair and Reconstruction of the Marathon County Jail and Authorization of Transfer of Funds from Capital Reserves to Pay for Repair and Reconstruction - #R-39-19
8. Announcements and / or Requests
9. Adjournment

Any person planning to attend this meeting who needs some type of special accommodation in order to participate should call the County Clerk's Office at 261-1500 or e-mail infomarathon@co.marathon.wi.us one business day before the meeting.

FAXED TO DAILY HERALD

Date _____ Time _____ AM/PM
BY _____

Signed: _____ /s/ Kurt Gibbs
Presiding Officer or Designee

THIS NOTICE POSTED AT THE COURTHOUSE
Date _____ Time _____ AM/PM

RESOLUTION #R- 39 -19

**DETERMINATION BY COUNTY BOARD THAT AN EMERGENCY EXISTS WITH
RESPECT TO REPAIR AND RECONSTRUCTION
OF THE MARATHON COUNTY JAIL AND AUTHORIZATION OF TRANSFER OF
FUNDS FROM CAPITAL RESERVES TO PAY FOR REPAIR AND
RECONSTRUCTION**

WHEREAS, Wis. Stats. §59.52(29)(a) and the Marathon County Procurement Code require counties to bid all public work that is estimated to exceed \$25,000 in value; and

WHEREAS, public work includes any contract for construction, repair, remodeling or improvement of any public work or building or the furnishing of any supplies or material of any kind for said purposes; and

WHEREAS, the requirement of procurement through public bidding is not mandatory, pursuant to Wis. Stats. §59.52(29)(b) and §3.05(5) Gen Code of Ord. for Marathon County, for “the repair or reconstruction of public facilities when damage or threatened damage thereto creates an emergency, as determined by resolution of the [County Board], in which public health or welfare of the county is endangered;” and

WHEREAS, Marathon County Administration together with Marathon County Facilities and Capital Management and the Marathon County Sheriff’s Office have received the opinion of an engineering consultant regarding the risk for collapse of a portion of the Marathon County Jail, unless preventative action is taken as soon as possible; and

WHEREAS, said departments have jointly requested authority from the Board to act without public bidding to procure engineering, construction contracting and financial advisor services as well as materials for the repair and reconstruction of the Marathon County Jail.

WHEREAS, Wis. Stats. § 65.90(5)(a), dictates that appropriations in the Marathon County budget may not be modified unless authorized by a vote of two-thirds of the entire membership of the County Board of Supervisors..

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED by the Board of Supervisors of the County of Marathon that:

- A. An emergency exists with respect to the integrity of the Marathon County Jail structure, which endangers public health and welfare, pursuant to Wis. Stats. §59.52(29)(b) and §3.05(5) Gen Code of Ord. for Marathon County.
- B. Public bidding of engineering, construction contracting and financial advisor services as well as materials for repair and reconstruction of the Marathon County Jail is not required in order to deal with the emergency defined above.
- C. This resolution shall remain in effect until the Board, by specific resolution, determines that an emergency no longer exists.
- D. Costs incurred by the county pursuant to this resolution shall be funded by a transfer from General Fund Working Capital Reserve into separate sub-funds for operation and capital in an amount not to exceed \$ [TBD by County Board].

E. The Marathon County Finance Department shall track expenditures made as a result of the need to repair and reconstruct the Jail, including but not limited to, costs of the services and materials procured for this purpose as well as other operational expenses incurred. The County Board shall have the option to backfill the Reserve Fund through bonding or other funding sources, as permitted by law.

BE IT FURTHER RESOLVED that the County Board of Supervisors hereby authorizes and directs appropriate Marathon County staff to take all actions necessary to carry out the intent of this resolution.

BE IT FURTHER RESOLVED that the County Board of Supervisors hereby authorizes and directs the Marathon County Clerk to issue checks pursuant to this resolution and the Marathon County Treasurer to honor said checks.

Respectfully submitted this 8th day of August, 2019.

COUNTY BOARD

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Fiscal Impact: Unknown at this time. The need for emergency funds will likely affect the priorities and amounts previously budgeted for both capital and operations, including but not limited to, the following:

- 1) Sheriff transport of prisoners
- 2) Out-of-county placement
- 3) Prisoner medical expenses
- 4) Additional Sheriff's Office staff overtime
- 5) Capital Improvement Program (CIP) rankings
- 6) Ongoing Capital projects
- 7) Funds borrowed for CIP projects
- 8) Miscellaneous operating costs associated with the project planning, engineering and construction (e.g. meetings, temporary signage, reassigned parking).

Adequate funds are currently available in accessible reserves. Additional budget transfers or financing resolutions will be brought forward to be separately reviewed for approval by the County Board once the scope and nature of the project are better defined.

Kim Trueblood

From: Brad Karger
Sent: Thursday, August 8, 2019 12:06 PM
To: County Board Members
Cc: Kristi Palmer; Scott Corbett; Lance Leonhard; Kim Trueblood
Subject: Information About the Jail Structural Issues and Repair

The temporary shoring and permanent repair of the Jail structural issues are a “moving target”. Here is the best information I have right now:

1. I don't have a firm amount from a contractor of how much the full temporary shoring and long term repair will cost. However, the estimate we received this morning for the temporary shoring is between \$444,574 and \$584,966. At this time, our best estimate of the full cost of the temporary shoring and permanent repair is between \$1,250,000 and \$2,000,000. Our intention is to pay the costs with working capital reserves and to borrow to backfill the working capital reserve account.
2. The delay that will be caused by fully following our procurement ordinance will be 5 months. I said 6 to 8 weeks in the Wausau Daily Herald article and I was wrong.
3. The “ tradeoff” you are asked to consider tonight involves the possibility of paying more for the construction and engineering services than we would if market forces and competition were in play, but also you need to consider the cost of housing inmates in other counties. The best information I have is that additional inmate housing will be in the ballpark of \$325,000 for an additional 5 months and the non-monetary strain on our system that a 5 month delay will cause.
4. We clearly have an emergency situation and a 5 month delay can only increase our risk to safety.