

MARATHON COUNTY BOARD OF SUPERVISORS
ADJOURNED ORGANIZATIONAL MEETING
Tuesday, August 27, 2019 - 7:00 p.m.
Marathon County Courthouse

1. Call to Order

The meeting was called to order by Chairperson Gibbs at 7:00 p.m., the agenda being duly signed and posted.

2. Pledge of Allegiance

The Pledge of Allegiance to the Flag was recited and the Board stood for a moment of silence/reflection.

3. Reading of Notice

The Clerk read the meeting notice, as follows:

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

B. EDUCATION PRESENTATIONS / REPORTS

7. Progress report on 2019 Administrative Work Plan – Administrator Karger

C. CONSENT AGENDA:

8. Approval of minutes from the July 18 & 23 and August 8, 2019 meetings
9. Referral of bills and communications to respective committees
10. Authorizing the Clerk to issue orders, bills and claims from the last session through this session
11. Confirmation of Appointments:
 - a) Park Commission
 - b) Central Wisconsin Economic Development Board of Directors
12. Denial of Claim
 - a) Samy Abadeer
13. Adoption of Resolutions:
 - a) COUNTY BOARD OF SUPERVISORS:
 1. Changes in Supervisory District Boundaries Resulting From City of Mosinee Annexation #R-40-19
 - b) ENVIRONMENTAL RESOURCES COMMITTEE:
 1. Approval of Town of Emmet Local Zoning Ordinance Amendment #R-43-19

RESOLUTIONS

D. COUNTY BOARD OF SUPERVISORS:

14. To Approve Agreement and Release of Potential Claims by Administrator #R-41-19
MOTION TO GO INTO CLOSED SESSION (roll call vote suggested): The Board will consider a motion to convene in closed session pursuant to 19.85(1)(e) Wis. Stats., “[d]eliberating 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” and 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,” to discuss, with legal counsel present by telephone, the strategies associated with the potential resolution of a potential claim against the county by an employee over which the Board has authority. The Board may authorize certain action in closed session to be taken by Board leadership in relation to negotiation position or strategy. The Board will reconvene in open session immediately following the closed session and take action, if needed, on any matter discussed in closed session.
15. Approving Amendment of 2019 Budget to Transfer Additional Funds From Capital Reserves to Pay Costs Incurred with Respect to Repair and Reconstruction of Marathon County Jail #R-42-19

- E. FORESTRY / RECREATION COMMITTEE, ENVIRONMENTAL RESOURCES COMMITTEE, AND HUMAN RESOURCES, FINANCE, AND PROPERTY COMMITTEE:
 - 16. Purchase of Kerswill Property for County Forest #R-44-19
 - 17. Abolish One Full-Time Assistant Park and Recreation Manager (Chief Ranger) and Create One Full-Time Deputy Sheriff (Recreation and Safety) in the Sheriff's Office #R-45-19
- F. HUMAN RESOURCES, FINANCE, AND PROPERTY COMMITTEE, ENVIRONMENTAL RESOURCES COMMITTEE, AND PARK COMMISSION:
 - 18. Resolution to Accept Donation From the Wausau Area Pickleball Inc. to Construct 6 Pickleball Courts at Marathon Park #R-46-19
- G. EXECUTIVE COMMITTEE:
 - 19. Special Election Not Ordered to Fill Marathon County Clerk Vacancy, Effective September 13, 2019 #R-47-19
- H. INFRASTRUCTURE COMMITTEE:
 - 20. Marathon County Controlled Access Rights, County Road R, Town of Rib Mountain #R-48-19
- I. ORDINANCES:
 - 21. To Create Sec. 2.05(XX) County Administrator Recruitment Task Force #O-15-19
- J. MISCELLANEOUS BUSINESS
 - 20. Announcements or Requests
 - 21. Motion to Adjourn

4. Request for Silencing of Cellphones and Other Electronic Devices
 Chairperson Gibbs stated the request.

5. Roll Call
 The Clerk initiated the roll. 35 Supervisors were present as shown:

Supervisor	District	Supervisor	District
Katie Rosenberg.....	1	Sara Guild (8:00)	20
Romey Wagner.....	2	Loren White.....	21
David Nutting	3	Alan Christensen.....	22
John Robinson	4	Chris Voll (excused).....	23
Ka Lo.....	5	Jean Maszk	24
Jeff Johnson.....	6	Sandi Cihlar.....	25
Mary Ann Crosby	7	John Durham	26
Karen Kellbach	8	Thomas Seubert	27
Ashley Lange.....	9	Maynard Tremelling.....	28
Donna Krause	10	Jim Bove.....	29
Alyson Leahy.....	11	Richard Gumz.....	30
Arnold Schlei	12	Allen Drabek.....	31
Matthew Bootz.....	13	Kurt Gibbs.....	32
Rick Seefeldt	14	Tim Buttke.....	33
Randy Fifrick (7:40).....	15	Gary Beaström.....	34
Jeffrey Zriny	16	Jacob Langenhahn.....	35
EJ Stark.....	17	Bill Miller.....	36
Craig McEwen.....	18	Allen Opall	37
Yee Leng Xiong.....	19	Jim Schaefer.....	38

6. Acknowledgement of Visitors
 Chairperson Gibbs acknowledged and welcomed visitors to the meeting.

B. EDUCATION PRESENTATIONS / REPORTS

Administrator Karger gave an update on the 2019 Administrative Work Plan. The report was organized by Committee. Supervisor questions were asked and answered.

C. CONSENT AGENDA

Discussion: None.

Action: MOTION BY LANGENHAHN, SECOND BY ZRINY, TO APPROVE AGENDA ITEMS 8-13(b)(1) AS LISTED ON THE CONSENT AGENDA. MOTION CARRIED ON A ROLL CALL VOTE, 35-0. As part of the consent agenda, minutes of the meetings were approved. The bills and communications were referred to respective committees. The Clerk was authorized to issue orders, bills and claims from the last session through this session. The appointments were confirmed, the claim was denied, and Resolutions #R-40-19 and #R-43-19 were adopted.
Follow Through: None.

**DENIAL OF CLAIM
SAMY ABADER**

Claim for relief and damages related to an incident at ADRC on December 7, 2016. Mr. Abadeer was represented by Matthew S. Mayer of Mallery & Zimmerman, S.C.

**RESOLUTION #R-40-19
CHANGES IN SUPERVISORY DISTRICT BOUNDARIES RESULTING FROM CITY OF
MOSINEE ANNEXATION**

WHEREAS, the revised reapportionment statutes 59.10(3)(c) allow the County Board to consider changes in the boundaries of supervisory districts based on City Annexations which occur after passage of the 10-year county reapportionment plan; and

WHEREAS, duly annexed property described as that part of the City of Mosinee: the following described territory located within the Township of Mosinee, Marathon County, Wisconsin, is hereby annexed to the City of Mosinee, Wisconsin: That Part of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section 25, Township 27 North, Range 6 East, Town of Mosinee, Marathon County, Wisconsin; more particularly described as follows: Commencing at the East 1/4 corner of said Section N 25; Thence S 0°04'31" W along the East line of the Northeast 1/4 of the Southeast 1/4 933.17 Feet; Thence N 89°26'26" W 30.00 Feet to the West line of Rangeline Road and to the Point of Beginning; Thence S 0°04'30" W along the West line of Rangeline Road 157.64 Feet; Thence N 89°10'37" W 205.32 Feet; Thence N 0°07'57" E along the East line of Lot 1 of Block 2 of Stepan Addition 156.69 feet to the South line of Bison Drive; Thence S 89°26'26" E along the South line of Bison Drive 205.15 feet to the Point of Beginning. Subject to all easements, restrictions and rights of way of record and use. (211760 Rangeline Road – PIN: 058-2706-254-0992) should be included in Supervisory District #26, there being two electors residing therein; and

WHEREAS, exact maps of the above-described parcel, along with a certified copy of the City of Mosinee ordinance, have been duly filed with the Clerk of Marathon County; and

WHEREAS, changes in said supervisory district boundaries are allowed by law, provided that the total number of supervisory districts is left unchanged; and

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

That the above-described duly annexed property, now within the City of Mosinee is hereby included in the supervisory district enumerated above.

BE IT FURTHER RESOLVED that the Marathon County Clerk is hereby directed to forward all notices required under Chapter 59, Wisconsin Statutes, to the Secretary of State for the purpose of advising that office of said boundary changes.

Dated this 27th day of August, 2019.

COUNTY BOARD OF SUPERVISORS

**RESOLUTION #R-43-19
Approval of Town of Emmet Local Zoning Ordinance Amendment**

WHEREAS, to §60.62(3) Wis. Stats provides that any Zoning Ordinance and/or map adopted by a Town Board and any amendment thereof shall be subject to the approval of the County Board in counties having a county zoning

ordinance, and

WHEREAS, the Town Board of the Town of Emmet has amended their zoning as shown on the attached report, and WHEREAS, the Marathon County Environmental Resources Committee, having considered the request to review amendments of the Town Zoning Ordinance filed by the Clerk of the Town of Emmet, and duly advised action by the Town, hereby recommends that the County Board approves this amendment as attached.

NOW, THEREFORE BE IT RESOLVED, that the Marathon County Board of Supervisors hereby approves the amendment to the Town of Emmet Zoning Ordinance and/or Zoning map as attached and made part of this record, all of which to be filed with the Marathon County Clerk.

Dated this 1st day of August, 2019.

COUNTY BOARD OF SUPERVISORS

The above appointments were confirmed, the claim was denied, and Resolutions #R-40-19 and #R-43-19 were adopted as part of the Consent Agenda.

RESOLUTION #R-41-19

To Approve Agreement and Release of Potential Claims by Administrator

WHEREAS, the Marathon County Board suspended the County Administrator without pay for 30 days in July/August 2016; and

WHEREAS, the Administrator has requested that the Board consider paying him an amount equal to his lost wages during that 30-day time period in lieu of a possible claim by the Administrator against the county related to the suspension; and

WHEREAS, the amount sought by the Administrator is \$8598.66; and

WHEREAS, the Executive Committee and the County Board have considered this potential claim in closed session, with the assistance of legal counsel; and

WHEREAS, the funds necessary to pay the amount of \$8598.66 are currently available in Department of Administration budget, without the need for a budget amendment; and

WHEREAS, the County Board has considered the Administrator's request, in light of the Administrator's service since the suspension, his impending retirement, effective December 30, 2019, the desirability of a Full and Final Release of all claims and the potential costs of litigation; and

WHEREAS, the Agreement, a copy of which is attached hereto, is not effective until such time as the County Board ratifies the Agreement.

NOW, THEREFORE, the Board of Supervisors for the County of Marathon does hereby ordain and resolve as follows:

1. To approve and ratify the Agreement and Release of Claims attached hereto; and
2. To authorize the county board chair to complete the transaction.

BE IT FURTHER ORDAINED AND RESOLVED that the county clerk is directed to issue check(s) pursuant to this resolution and the county treasurer to honor same.

Fiscal Impact: Payment to Administrator = \$8598.66. No budgetary tax levy impact.

Dated this 27th day of August, 2019.

COUNTY BOARD OF SUPERVISORS

Discussion: Request for Closed Session withdrawn. There was discussion about the details of the resolution.

Action: **MOTION BY ROSENBERG, SECOND BY BUTTKE TO ADOPT THE RESOLUTION.**

Action: **MOTION BY LANGENHAHN, SECOND BY MILLER TO END DEBATE. MOTION FAILED 22-13 (2/3 REQUIRED) ON A ROLL CALL VOTE AS FOLLOWS:**

AYE: Beaström, Bootz, Christensen, Cihlar, Crosby, Drabek, Kellbach, Krause, Langenhahn, Lo, Maszk, McEwen, Miller, Nutting, Opall, Schlei, Seefeldt, Seubert, Stark, Tremelling, Wagner, White – 22

NO: Bove, Buttke, Durham, Gibbs, Gumz, Johnson, Lange, Leahy, Robinson, Rosenberg, Schaefer, Xiong, Zriny – 13

Discussion Continued

Action: ORIGINAL MOTION CARRIED 29-7 ON A ROLL CALL VOTE AS FOLLOWS:

AYE: Beastron, Bootz, Bove, Buttke, Christensen, Crosby, Durham, Fifrick, Gibbs, Johnson, Kellbach, Krause, Lange, Leahy, Lo, Maszk, McEwen, Nutting, Opall, Robinson, Rosenberg, Seefeldt, Seubert, Stark, Tremelling, Wagner, White, Xiong, Zriny – 29

NO: Cihlar, Drabek, Gumz, Langenhahn, Miller, Schaefer, Schlei – 7

Follow Through: None.

RESOLUTION #R-42-19

Approving Amendment of 2019 Budget to Transfer Additional Funds From Capital Reserves to Pay Costs Incurred with Respect to Repair and Reconstruction of Marathon County Jail

WHEREAS, on August 8, 2019, the Marathon County Board of Supervisors met in special session and passed Resolution # R-39-19; and

WHEREAS, said Resolution declared that an emergency exists with respect to the integrity of the Marathon County Jail structure; and

WHEREAS, the Resolution also amended the 2019 budget by authorizing funds to be transferred from General Fund Working Capital Reserves to pay for temporary shoring and engineering services to “determine a plan for permanent repair and to estimate the cost of said repair;” and

WHEREAS, Marathon County Administration together with Marathon County Facilities and Capital Management and the Marathon County Sheriff’s Office were directed to return to the Board at its next meeting to report on progress, including, if possible, a more precise estimate of the costs of permanent repair; and

WHEREAS, said departments continue to jointly request funding to pay for professional services and construction costs as well as other operational costs incurred with respect to 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. The emergency declared respect to the integrity of the Marathon County Jail structure on August 8, 2019, in Resolution # R-39-19, continues to exist.
- B. In addition to the budget amendment previously authorized, additional funds shall be transferred from General Fund Working Capital Reserve into a separate sub-fund for payment of capital project costs related to permanent repair and reconstruction of the jail in an amount not to exceed \$1,500,000. (amount per amendment)
- C. In addition to the budget amendment previously authorized, additional funds shall be transferred from General Fund Working Capital Reserve into a separate sub-fund for payment of operational costs related to the repair and reconstruction of the jail (e.g. out-of-county placement, electronic monitoring, wages, transport and prisoner medical expenses) in an amount not to exceed \$ 425,000.

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 22nd day of August, 2019.

COUNTY BOARD OF SUPERVISORS

Discussion: Administrator Karger updated County Board on the progress of the shoring. That process is completed and came in at less than the original estimated cost. The cost of the permanent repair to the Jail will be \$1,500,000 and will take approximately six weeks to complete. To delay the project until March, which would be the required timeframe to allow the bid process, would cost an additional \$500,000 + for housing of inmates, plus an additional \$121,000 + to winterize the existing structure, insulate pipes, etc. There will be an amendment motion needed to insert the \$1,500,000 figure into the resolution.

Supervisor Bootz requested to abstain due to his employment, and that request was granted.

Question regarding whether the County would have the ability to recoup anything from the original contractor for faulty construction. The Administrator stated that is something that could possibly be addressed down the road.

Action: MOTION BY CHRISTENSEN, SECOND BY OPALL TO ADOPT THE RESOLUTION.

Action: MOTION BY JOHNSON, SECOND BY NUTTING TO AMEND THE RESOLUTION TO INCLUDE THE \$1,500,000 AMOUNT FOR THE REPAIR. MOTION CARRIED 35-0 WITH 1 ABSTENTION (BOOTZ) ON A ROLL CALL VOTE.

Action: ORIGINAL MOTION CARRIED 35-0 WITH 1 ABSTENTION (BOOTZ) ON A ROLL CALL VOTE.

Follow Through: None.

**RESOLUTION #R-44-19
PURCHASE OF KERSWILL PROPERTY FOR COUNTY FOREST**

WHEREAS, on December 18, 2018, the Marathon County Board of Supervisors approved Resolution #R-60-18 authorizing the application for funding through the Knowles-Nelson Stewardship Land Acquisition Grant program, secure an appraisal and negotiate the purchase with a landowner of 199.84 acres in the Town of Hewitt, Marathon County, Wisconsin; and

WHEREAS, Randy and Denice Kerswill has accepted Marathon County's offer at the appraised value of \$349,000.00 for 199.84 acres under the terms of the attached Offer to Purchase; and

WHEREAS, the property is further described in addendum A attached to the Offer to Purchase; and

WHEREAS, the Human Resources, Finance and Property Committee, Environmental Resources Committee and the Forestry/Recreation Committee recommends purchasing the Kerswill property to meet the objectives of the Marathon County Forest Comprehensive Plan; and

WHEREAS, Objective 5.2 of the 2018 – 2022 Marathon County Strategic Plan promotes sound land use decisions that conserve and preserve natural resources in decisions with economic development and growth; and

WHEREAS, "C and F" of the Strategic Plan are to acquire land for public park and forest use to retain natural landscapes and protect natural resources; and

WHEREAS, this purchase of land meets outcome measure 3 of the Strategic Plan of acquiring an average of 320 acres of land per year for the Marathon County Parks and Forests system; and

WHEREAS, the County Board has the authority to acquire said property for the purpose of establishing County forest land pursuant to Wis. Stats. 59.52(6) and 28.10; and

WHEREAS, acquisition of this property would perpetually provide forest products to our local economy, revenues to the County, outdoor recreation opportunities to the public, and improve property administration on the County Forest; and

WHEREAS, the leadership of the Town of Hewitt supports the County acquiring the property; and

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 RESOLVED that the County Board of Supervisors of the County of Marathon does hereby ordain as follows:

1. To authorize the purchase of the Kerswill property in accordance with the terms and conditions of the Accepted Offer to Purchase;
2. That the County Forest blocking boundaries listed and described in Chapter 900 of the Marathon County Forest Comprehensive Land Use Plan 2006 – 2020 be amended to include this property;
3. Direct the property to be entered under Wis. Stats. 28.11 and be designated as regular County forest lands;
4. To authorize the proper County officials to execute the documents necessary to complete this transaction.
5. To create the budget transfer to modify the 2019 land purchase – State grant fund to reflect additional state grant money to fund purchase.

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

Dated this 27th day of August, 2019.

FORESTRY / RECREATION COMMITTEE, ENVIRONMENTAL RESOURCES COMMITTEE, AND
HUMAN RESOURCES, FINANCE AND PROPERTY COMMITTEE

Discussion: None.

Action: MOTION BY LANGENHAHN, SECOND BY SEEFELDT TO ADOPT THE RESOLUTION. MOTION CARRIED ON A ROLL CALL VOTE, 36-0.

FOLLOW THROUGH: None.

RESOLUTION #R-45-19

Abolish One Full-Time Assistant Park and Recreation Manager (Chief Ranger) and Create One Full-Time Deputy Sheriff (Recreation and Safety) in the Sheriff's Office

WHEREAS, the Parks, Recreation, and Forestry Department has identified an opportunity to reorganize some safety and recreational programs in part due to an employee retirement that will result in improved safety and recreational experiences for the public; and

WHEREAS, this request from the Parks, Recreation, and Forestry Department was referred to the Human Resources, Finance, and Property Committee for review, pursuant to §4.20 of the General Code of Ordinances for Marathon County; and

WHEREAS, the Human Resources, Finance, and Property Committee has reviewed the proposed change at their meeting on 8/19/2019, and recommends its adoption.

WHEREAS, the Environmental Resources Committee has reviewed the proposed new structure at their meeting on 8/01/2019, and recommends its adoption.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Marathon does ordain the following and approves the implementation of the position abolishment/creation as follows:

1. Abolish one full-time Assistant Park and Recreation Manager (Chief Ranger), Pay Grade C42 and Create One Full-Time Deputy Sheriff (Safety and Recreation), in the Sheriff's Office per Deputy Sheriff's Association Labor Agreement;
2. Effective as soon as practicable, upon the approval of this resolution.

DATED: August 27, 2019

FORESTRY / RECREATION COMMITTEE, ENVIRONMENTAL RESOURCES COMMITTEE, AND HUMAN RESOURCES, FINANCE AND PROPERTY COMMITTEE

Discussion: None.

Action: MOTION BY SCHAEFER, SECOND BY FIFRICK TO ADOPT THE RESOLUTION. MOTION CARRIED ON A ROLL CALL VOTE, 36-0.

Follow Through: None.

RESOLUTION #R-46-19

Resolution to Accept Donation From the Wausau Area Pickleball Inc. to Construct 6 Pickleball Courts at Marathon Park

WHEREAS, Marathon County is the owner of two tennis courts located in Marathon Park; and

WHEREAS, the Wausau Area Pickleball Inc. is donating funds and American Asphalt, Inc. and County Materials, Corp. are donating labor and materials for the construction of six pickleball courts to replace the two tennis courts at no cost to the County; and

WHEREAS, §59.52 (19) Wis. Stats., authorizes the county board to accept donations, gifts or grants for any public governmental purpose within the powers of the county; and

WHEREAS, §59.52 (29)(a), Wis. Stats., exempts public works projects from biddings requirements where materials and labor are donated; and

WHEREAS, §65.90 (5)(a), Wis. Stats., permits amendment of the budget by a 2/3 majority vote of the entire membership of the county board; and

WHEREAS, this project has been approved by the Marathon County Parks Commission, the Environmental Resources Committee; and the Marathon County CIP Committee on July 23; and

WHEREAS, at its August 19, 2019 meeting, the Human Resources and Finance and Property Committee has reviewed and approved acceptance of the foregoing donation as an amendment to the 2019 CIP budget.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors for the County of Marathon does hereby ordain and resolve to accept the donation of funds, materials, and labor for the purpose of converting two tennis courts into six pickleball courts, located in Marathon Park.

BE IT FURTHER RESOLVED, that the 2019 budget is amended to account for the acceptance of this donation and completion of this project within the current budget year.

SUBMITTED this 27th day of August, 2019.

HUMAN RESOURCES, FINANCE, AND PROPERTY COMMITTEE, ENVIRONMENTAL RESOURCES COMMITTEE, AND PARK COMMISSION

Discussion: Nick Ockwig, Executive Director for Badger State Games, addressed the economic impact this donation will provide to the County. Questions asked and answered by Jamie Polley, Parks Director.

Action: MOTION BY STARK, SECOND BY JOHNSON TO ADOPT THE RESOLUTION. MOTION CARRIED ON A ROLL CALL VOTE, 36-1, WITH SUPERVISOR MILLER VOTING NO.

Follow Through: None.

RESOLUTION #R-47-19

Special Election Not Ordered to Fill Marathon County Clerk Vacancy, Effective September 13, 2019

WHEREAS, Marathon County Clerk, Nan Kottke, has tendered her resignation to the Marathon County Sheriff and the Marathon County Board of Supervisors, effective Friday, September 13, 2019, pursuant to § 17.01(7), Stats.; and WHEREAS, to § 17.21(3), Stats., empowers the County Board to appoint a successor to fill the vacancy “for the residue of the unexpired term unless a special election is ordered by the County Board, in which case the person appointed shall serve until his or her successor is elected and qualified;” and

WHEREAS, because the resignation is effective September 13, 2019, a special election, if ordered, would take place during the April Election in 2020; and

WHEREAS, at its meeting of August 13, 2019, the Executive Committee has reviewed this matter and has voted to place before the board a resolution declining to order a special election.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Marathon does hereby determine that it shall NOT order a special election to fill the vacancy created by the resignation of the County Clerk, Nan Kottke, which will be effective September 13, 2019.

BE IT FURTHER RESOLVED that the County Board Chairman is hereby authorized to conduct recruitment and to nominate a qualified person to fill the vacancy for approval by the County Board pursuant to law.

BE IT FURTHER RESOLVED that the appropriate Marathon County Officers are hereby directed and authorized to execute the terms of this Resolution.

Dated this 27th day of August, 2019.

EXECUTIVE COMMITTEE

Discussion: There was an expressed concern that following the appointment process would take away the voice of the people in the selection of the new County Clerk. Clerk Kottke addressed the board regarding the importance of filling the position quickly and not putting it off until Spring, which by state statute, would be the first time a Special Election could be held. Chair Gibbs stated that interviews are scheduled and are open for any Board member to attend.

Action: MOTION BY SCHAEFER, SECOND BY WAGNER TO ADOPT THE RESOLUTION. MOTION CARRIED 32-5 ON A ROLL CALL VOTE AS FOLLOWS:

AYE: Beastro, Bootz, Buttke, Christensen, Cihlar, Crosby, Drabek, Durham, Fifrick, Gibbs, Guild, Gumz, Kellbach, Krause, Lange, Langenhahn, Leahy, Maszk, McEwen, Miller, Nutting, Opall, Robinson, Schaefer, Schlei, Seefeldt, Seubert, Stark, Wagner, White, Xiong, Zriny – 32

NO: Bove, Johnson, Lo, Rosenberg, Tremelling – 5

Follow Through: None.

RESOLUTION #R-48-19

Marathon County Controlled Access Rights, County Road R, Town of Rib Mountain

WHEREAS, Marathon County maintains county authority to control highway access rights; and
WHEREAS, Marathon County recognizes the need to maintain proper and safe road access; and
WHEREAS, Marathon County has purchased the access rights along County Road "R", more specifically Parcels 5 and 9 as shown in R/W Project Number 6675-00-01 on plat sheet 4.5, dated July 8, 2002; and
WHEREAS, Wisconsin State Statute 83.027(13) states "A controlled-access highway shall remain such until vacated by the order of county board";

WHEREAS, the Marathon County Infrastructure Committee has approved moving the release of access rights from the current locations in R/W Project Number 6675-00-01 to new locations that are approximately 455' and 996' southeast of Snowflake Lane on the above referenced properties;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Marathon does hereby ordain as follows: To move its release of the access rights from their current locations as shown on R/W Project Number 6675-00-01 sheet 4.5 for parcels 5 & 9 to new locations approximately 455' and 996' southeast of Snowflake Lane; and

BE IT FURTHER RESOLVED the access shall remain with the parcels with subsequent owners; and
BE IT FURTHER RESOLVED that the landowners shall be responsible for any costs associated with said access, including, but not limited to; curb and gutter, pedestrian ramps and required appurtenances, utilities, multi-use trail and all current and future maintenance costs.

Date: August 27, 2019.

INFRASTRUCTURE COMMITTEE

Discussion: None.

Action: MOTION BY ROBINSON, SECOND BY OPALL TO ADOPT THE RESOLUTION. MOTION CARRIED ON A ROLL CALL VOTE, 37-0.

Follow Through: None.

ORDINANCE #O-15-19

To Create Sec. 2.05(XX) County Administrator Task Force

WHEREAS, on April 10, 2018, the Board of Supervisors for the County of Marathon adopted Sec. 2.01(14) of the General Code of Ordinances for Marathon County establishing the mechanism for the creation of governance subgroups; and

WHEREAS, in August 2019, the Marathon County Executive Committee met to discuss the need for formulating a process to recruit and hire a county administrator in light of the current Administrator's retirement, effective December 30, 2019; and

WHEREAS, the committee determined that a task force should be organized to develop a process for recruitment and hiring and to make recommendations the committee regarding viable candidates.

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED by the Board of Supervisors of the County of Marathon that Sec. 2.05(XX) of the General Code of Ordinances is hereby created as provided in the attached charter.

BE IT FURTHER ORDAINED AND RESOLVED that the Task Force will begin meeting in September 2019 and shall sunset upon the completion of the hiring of a new administrator.

BE IT FURTHER ORDAINED AND RESOLVED that expense reimbursement and travel for task force members who represent Marathon County shall be subject to Rule 20 of the Marathon County Board Rules of Procedure.

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

Respectfully submitted this 27th day of August, 2019

EXECUTIVE COMMITTEE

COUNTY ADMINISTRATOR RECRUITMENT AND SELECTION TASK FORCE

1. Mission/Purpose Statement: The Task Force is created to establish and oversee a recruitment and selection process to fill the position of Marathon County Administrator. Additionally, the Task Force shall engage outside counsel to draft and negotiate an Employment Agreement with the top candidate to fill the County

Administrator position. Ultimately, both the County Administrator position appointment and the Employment Agreement must be approved by majority vote of the County Board consistent with 59.18 County Administrator, (8) Vacancy, How Filled.

2. Membership: The County Board Chair shall chair the Task Force. Additional members shall include:
 - A. Vice Chair of the County Board
 - B. A County Board member still in their first term of office.
 - C. A representative of the business community, preferably with human resource management experience.
 - D. A representative of higher education.
 - E. A representative of municipal government (city, village, town)
 - F. A representative of the legal community, preferably with experience in municipal law.
3. Statutory Responsibilities: Task Force members shall conduct their work consistent with Wisconsin Statutes 59.18 County Administrator with particular notice to these subsections:
 - (2) Duties and Powers
 - (6) Qualifications for Appointment
 - (7) Removal

Additionally, the Task Force is responsible for seeing that candidate employment applications/materials are held confidential until a determination of finalists for the position is made. Once the list of applicants is narrowed to less than five candidates Section 19.36(7) Identities of Applicants for Public Positions may require the public release of the applicants' materials of the finalist candidates by the Task Force.

4. Term: The Task Force shall begin its work immediately following the adoption of its charter and confirmation of its membership. The term will extend to March 31, 2020.
5. Reporting Relationships: The Task Force reports to the Executive Committee and shall provide a monthly update on progress each month that the Task Force exists. The County Board Chair shall be responsible for keeping the County Board of Supervisors updated on the progress of the recruitment and selection process.
6. Duties and Responsibilities: The Task Force shall develop recommendations to Executive Committee regarding the following:
 - A. Update the Marathon County Administrator job description to ensure that the most important job duties and responsibilities are listed and that the educational and experiential requirements of the position are substantially related to success in the position.
 - B. Establish and oversee a process where educational degrees are confirmed, prior and current employers are contacted and asked for job related information about the candidate, personal references are contacted and all of the information is compiled into a report that can be considered by the County Board of Supervisors in the process of confirming an appointment.
 - C. Identifying a list of competencies critical to success in the position. An example of "competencies" developed for the Deputy County Administrator position are:

As a leader in the County system, the Deputy County Administrator needs a broad range of competencies. Those listed in this section are particularly important to success on the job:

Influencing skills including:

- Promoting own position and ideas with confidence and enthusiasm.
- Anticipate the positions and reactions of others accurately.
- Knowing whom to involve and when.

Promoting collaboration by:

- Building team cohesiveness by establishing communications and reinforcing shared values.
- Inviting and building on the ideas of others.
- Promoting teamwork among groups and discouraging "them vs. us" thinking.

Engaging and inspiring others by:

- Fostering a sense of urgency, ownership, and personal commitment to work.
- Creating a work environment that encourages others to do their best.

Financial skills including:

- Ability to prepare realistic estimates of budget, staff and other resources.
- Make prudent decisions regarding significant expenditures.

Additionally, the selected candidate must be able to:

- Effectively prioritize their own work and manage their time.
- Identify underlying issues and root causes of problems.
- Make decisions based on sound logic and rationale.
- Understand the unique role of County Government in Wisconsin and our relationships with other units of government.
- Understand the legal environment and make decisions that are consistent with local, state and federal laws, rules and regulations.

These competencies shall be considered when creating interview questions and evaluating the responses of candidates.

- D. Establishing an interview team to do an initial screening interview of candidates with the goal of identifying the top 3 – 5 finalists who will advance to a second interview conducted by the Executive Committee. The interview team shall include representatives of the Marathon County community and shall not be limited to officials or employees of Marathon County.
- E. Suggest a set of job related interview questions and evaluation guidelines to both the initial screening interview team and the Executive Committee that are consistent with all laws prohibiting discrimination in employment.
- F. Establish a process for attracting job applicants including and not limited to:
 - Advertisements of the position with the Wisconsin Counties Association, National Association of Counties and Wisconsin City-County Managers Association.
 - Development of recruitment materials that markets both the Marathon County Administrator position and also Marathon County community, as a desirable place to live, and the accomplishments of Marathon County government in building a strong work culture and in providing high quality public services to its residents.

Discussion: There was a question regarding the requirement for the County Board member to be someone who is in their first term.

Action: MOTION BY ZRINY, SECOND BY STARK. MOTION CARRIED ON A ROLL CALL VOTE, 36-1, WITH GUMZ VOTING NO.

Follow Through: None.

ANNOUNCEMENTS

- The Clerk requested signatures from appropriate committee members.
- Vice Chair McEwen reminded members of the Rules Committee to submit the survey.

ADJOURNMENT

MOTION BY OPALL, SECOND BY SEEFELDT TO ADJOURN. MEETING ADJOURNED AT 8:30 PM.

- Minutes prepared by Kim Trueblood, Administrative Specialist

