



MARATHON COUNTY PARK COMMISSION AGENDA

Date and Time of Meeting: Tuesday, August 1, 2023 at 10:00am

Meeting Location: 900 Pardee Street, Wausau 54401

The meeting site identified above will be open to the public. 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: 2485 555 7868. When you enter the telephone conference, PLEASE PUT YOUR PHONE ON MUTE!

Park Commission Members -

Commissioners: Dawn Herbst, Jean Maszk, Allen Opall, Rick Seefeldt, Kelly Zagrzebski, Lou Larson, Vacant

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

***Parks, Recreation and Forestry Department Mission Statement:** Adaptively manage our park and forest lands for natural resource sustainability while providing healthy recreational opportunities and unique experiences making Marathon County the preferred place to live, work, and play.*

Agenda Items

- 1. Call to Order**
- 2. Public Comment Period – Not to Exceed 15 Minutes – Any Person Who Wishes to Address the Commission Must Provide, Name, Address and the Topic to the President of the Commission No Later than Five Minutes Before the Start of the Meeting. Topics must be relevant to the Committee’s area of jurisdiction.**
- 3. Approval of the Minutes of the June 27, 2023 Park Commission Meeting**
- 4. Policy Issues for Discussion and Committee Determination**
 - A. Discussion and Possible Action by Committee
 1. None
- 5. Operational Functions Required by Statute, Ordinance or Resolution:**
 - A. Discussion and Possible Action by Committee
 1. None
 - B. Discussion and Possible Action by Committee to Forward to the Environmental Resource Committee for its Consideration
 1. Updates to Chapter 19 of the Marathon County General Code
- 6. Policy Issues for Discussion and Committee Determination for Consideration by Environmental Resources Committee**
 - A. Discussion and Possible Action Establishing Dell of Eau Claire Property Line near Group Campground
 - B. Discussion and Possible Action Approving Funding for Ice Arena Architectural Study
- 7. Educational Presentations/Outcome Monitoring Reports**
 - A. Project Update (Dells of Eau Claire, Sports Complex, Camping, Playgrounds)

B. Marathon Park Water Project Update

8. Announcements

- A. Next Meeting Date & Time, Location – Tuesday, September 5, 2023 at 10:30am, 212 River Dr. Room 5, Wausau, WI 54403
- B. Future Agenda Items – Bat HCP Enrollment Program, Lu Lu B Jacobs Memorial Park

9. Adjourn

Signed /s/ Jamie Polley
Presiding Officer or Her
Designee

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 countyclerk@co.marathon.wi.us one business day before the meeting.

FAXED TO DAILY HERALD
COURTHOUSE

THIS NOTICE POSTED AT THE

(Email/Fax City Pages, Marshfield News, Midwest Radio Group)

Date July 26, 2023 Time 1:30 p.m.

By Jodi Luebbe

Date _____ Time _____

By _____

AGENDA SUMMARY

5B1. Discussion and Possible Action by Committee to Forward to the Environmental Resource Committee for its Consideration Amendments to Chapter 19 of the Marathon County General Code
The Park Commission reviewed proposed changes to Chapter 19 at their June 27, 2023 meeting and recommended those changes to the Environmental Resources Committee (ERC). The ERC had several questions related to the proposed changes to 19.07(6)(a)(2) pertaining to hunting in Big Eau Pleine Park. The Committee felt that additional language should be added to this section regarding stand height, stand installation/identification, licensure, and cameras. Attached are the proposed additional changes to Chapter 19 of the Marathon County General Code.

The Park Commission is asked to approve the ordinance revisions and recommend approval of the changes to the Environmental Resources Committee.

6A. Discussion and Possible Action Establishing Dells of Eau Claire Park Boundary Based on Recent Survey and Complete Land Exchange

The adjacent property owner to the Dells of Eau Claire Park, Mr. Tim Micke contacted the County to establish the property line between the park and his property prior to establishing timber management boundaries for management of his property. Department staff then worked with the County Surveyor to verify the park boundary lines. When the survey was complete it was identified that this section was a corrected section, and the property lines did not match what were thought to be the property lines. The attached survey map illustrates the actual property lines in relation to the ancient down barb wire fence line. The correct property lines indicate that the County's privy that serves the group campground is encroaching on Mr. Micke's property. In addition, Mr. Micke completed some brush removal up to the down barb wire fence line on what was found to be county property along his southern property line.

To correct these issues there are a few options:

1. Adjust the property boundary to the new survey and remove the privy
2. Quit claim deed (title conveyance) 0.547 of County land (Detail A) to Mr. Micke and 0.084 of Mr. Micke's land (Detail B) to the County.
3. County purchase 0.084 acres (Detail B) from Mr. Micke
4. Request a 5 or 10 year easement for the parcel containing the privy until the privy could be moved.

The department has assessed the current condition of the privy and has determined that it was installed in 1996 and is currently in working order but would be scheduled for replacement within the next 5 years. This is the only privy that serves the group campground and is necessary to allow for group camping. Replacement of this privy will be approximately \$60,000.

Mr. Micke has been given all four options to consider and would prefer option 2. Option 2 would eliminate the encroachment. Swapping the land via Quit Claim Deed (title conveyance) would be relatively simple and would establish the property boundary along the ancient barb wire fence line that had been believed to be the property boundary previously (see Mr. Micke's email attached). If option 2 is not an option Mr. Micke may consider option 1, 3 or 4.

The Park Commission is asked to evaluate the options and make a motion supporting option 1, 2, 3 or 4. Staff is recommending Option 2 at this time however will pursue option 1, 3 or 4 if necessary.

6B. Discussion and Possible Action Approving Funding for Ice Arena Architectural Study

The County Board approved the Westside Master Plan in February 2023. A component of the plan is to relocate a new Ice Arena to a new location outside of the park. The first step in relocating the ice

arena is to understand the facility and space that is needed for the success of the County and all user groups. To accomplish this the County should complete an Architectural Feasibility Study. During this study the consultant will work with the County to establish the parameters of the facility and identify the County's needs. The consultant will then develop a stakeholder and community engagement process which will include in-person meeting with all user groups to determine their wants and needs of the facility.

Based on the information collected a written facilities program will be developed. This program will outline the recommended facility components, their associated space needs, and square footage requirements. Conceptual facility and site planning options will be provided, and a cost estimate of the ice arena and typical site improvements will be developed.

Staff solicited written quotes for the completion of the architectural feasibility study from four (4) companies that specialize in ice arena development. One proposal was received from JLG Architects. JLG Architects is a reputable company and has designed and built many ice arenas throughout the country. They have the country's only Certified Ice Technician Architect + Certified Ice Rink Manager and are committed to designing ice arenas for operational sustainability and extraordinary visitor/player experiences.

The cost of the study is \$32,500. The County has received a commitment from Wausau Youth Hockey for \$5,000 and the Wausau School District will also seek approval at an upcoming meeting for \$5,000 to support the study. The Parks, Recreation & Forestry Budget has \$10,500 available for the study. Staff is requesting that the County Board identify and approve the allocation of the remaining \$12,000, potentially from ARPA funds. The Park Commission and Environmental Resources Committee are asked to approve the study and recommend identification of a funding source for the remaining \$12,000 project costs to the Human Resources, Finance and Property Committee.

7A. Project Update

Dells of Eau Claire: Beach restroom roof replacement in complete
Several hazard trees were removed.

Sports Complex: Encountered significant damage from sandhill cranes due to grub infestation. Staff treated the area of grubs, and a coyote decoy was installed to deterred further damage. The decoy seems to be working.
MC United Spring/Summer soccer season has concluded and WAYSA has begun.

Camping: Usage remains high within the campgrounds with revenue currently at 57% of budgeted amount

Playgrounds: Bluegill and Mission need soil restoration
Cherokee needs chips and border

7B. Marathon Park Water Project

Marathon Park water project is substantially complete. The Main contractor is complete, concrete and paving work is complete, plumber is finalizing building hook-ups. Parks staff is completing the site restoration.

DRAFT
MARATHON COUNTY PARK COMMISSION

Date and Time of Meeting: June 27, 2023 at 10:30am Location: Room 5 at 212 River Dr., Wausau WI 54403

Park Commissioners present: Dawn Herbst, Jean Maszk, Allen Opall, Rick Seefeldt, Kelly Zagrzebski
Excused: Lou Larson

Staff present: Jamie Polley - Parks, Recreation and Forestry Director, Andy Sims - Assistant Director – Operations,
Tom Lovlien – Forest Administrator

Others present: Brandon Stefanski – Wildlife DNR Biologist-(via Webex), Nick Nowak, Barry Moodie, Mike Hytry,
Sue Hytry, Christi Stellingworth, Faye Blaubach, Mark Blaubach, Janelle Nagrant

1. Call to Order – President Seefeldt called the Park Commission meeting to order at 10:30 am. Official notice and the agenda for the meeting was posted publicly in accordance with the State statutes.

2. Public Comment – Nick Nowak, 912 13th Drive, Wausau – is interested in purchasing County owned land adjacent to DC Everest Park.

Barry Moodie, 1657 N. 2nd Drive, Stevens Point – is in favor of establishing an archery hunting season in Big Eau Pleine Park.

Mike Hytry, – 136583 Eau Pleine Park Road, Mosinee – is in favor of establishing an archery hunting season in Big Eau Pleine Park.

Christi Stellingworth – 726 S 4th Ave., Wausau, (also representing Shelly Filber - 315 Cottage St., Wausau) – both do not support the sale of County owned land near DC Everest Park.

Mark Blaubach – 307 Imm St., Wausau – does not support the sale of County owned land near DC Everest Park.

Janelle Nagrant – 207964 Kris Ln., Mosinee – does not support the sale of County owned land near DC Everest Park.

Faye Blaubach, 307 Imm St., – does not support the sale of County owned land near DC Everest Park.

3. Approval of the Minutes of the May 30, 2023 Park Commission Meeting – **Motion** by Maszk, second by Herbst to approve the May 30, 2023 meeting minutes. Motion **carried** by voice vote, vote reflected as 5-0.

4. Policy Issues for Discussion and Committee Determination

A. Discussion and Possible Action by Committee

1. Proclamation Designating July as Park and Recreation Month – The proclamation is designated by the National Parks and Recreation Association. The Park Department has promotions and events during the month to get people outdoors. **Motion** by Maszk, second by Zagrzebski to approve the proclamation designating July as Park and Recreation Month. Motion **carried** by voice vote, vote reflected as 5-0.

2. Establishing an Archery Hunting Season in Big Eau Pleine Park – Staff has been aware that there are many deer in the park. Currently the ordinances don't allow hunting or trapping in the County parks so an ordinance revision must be done if hunting is allowed. Big Eau Pleine Park is a heavily wooded peninsula that is used year-round. The benefits of having a deer hunt to control the deer population for disease management, to reduce crop damage, and for forest regeneration must be weighed with the safety of recreation activities. Staff has recently met with the wildlife biologist, Brandon Stefanski, to discuss options. If the Commission chooses to consider allowing a deer hunt in the park this year, the County could offer a special hunt or it could open the park (or a portion of the park) to archery hunting during the regular archery season that would specify the dates, number of tags available, what can be harvested, etc. Polley discussed the pros and cons of each option. Stefanski suggested following the State Park system guidelines which opens it up for general archery starting November 15. A questionnaire could be placed in the park to find out how many deer were harvested. He would support whatever the County decides, whether it's a special

hunt or not. Discussion occurred on having a special hunt or opening it up to any licensed hunter. Polley said some ordinance wording is needed but the guidelines could be set later. Members discussed and favored having a hunt in the entire park instead of just in the north part of the park. **Motion** by Opall, second by Maszk to establish an archery hunting season in Big Eau Pleine Park from November 15th until the end of archery season. Motion **carried** by voice vote, vote reflected as 5-0.

5. Operational Functions Required by Statute, Ordinance or Resolution:

A. Discussion and Possible Action by Committee - None

B. Discussion and Possible Action by Committee to Forward to the Environmental Resource Committee for its Consideration

1. Updates to Chapter 19 of the Marathon County General Code – Proposed changes include clarifying the smoking regulations as it pertains to parks and park facilities and adding fat tire biking. Staff works to mirror the City and the County park ordinances where possible. The smoking regulations mirror the City park ordinance. In addition, fat tire biking is currently allowed in Big Eau Pleine Park however is not addressed in the park ordinance. Other minor grammatical changes are also included. One additional change in the draft updates is the hunting regulation. After Commission discussion it will read “Archery hunting is permitted in Big Eau Pleine Park only during the open season from November 15 through the Sunday nearest January 6th. Archery hunters must be 100 feet from designated trails and structures. Access to the park for the purpose of hunting is allowed starting at 6am or one hour prior to shooting hours until 11pm”. **Motion** by Zagrzebski, second by Herbst to approve the ordinance changes of the Marathon County General Code as discussed and forward to the Environmental Resource Committee. Motion **carried** by voice vote, vote reflected as 5-0. Discussion occurred. **Motion** amended by Zagrzebski, second by Herbst that the words “Archery hunters must be shooting from an elevated stand” be added to the ordinance. Motion **carried** by voice vote, vote reflected as 5-0. **Motion** by Zagrzebski, second by Maszk to approve the ordinance changes of the Marathon County General Code as discussed and forward to the Environmental Resource Committee. Motion **carried** by voice vote, vote reflected as 5-0.

6. Policy Issues for Discussion and Committee Determination for Consideration by Environmental Resources Committee

A. Discussion and Possible Action Considering the Potential Sale of County Parkland

Polley explained that the Department has been approached by a citizen to purchase County owned land near DC Everest Park. This property was donated to the County in 2002 in conjunction with the County purchasing the adjacent property and is under the Park Commission’s purview. The property does not have any park dedication stipulation however it was purchased to potentially relocate the parking lot for DC Everest Park in the event that the park could be expanded to include additional green space and increases the uses of the park. Staff recommendation would be to not sell County owned property because there is potential for future uses. Polley discussed some of the possible future plans for the park. Discussion followed. **Motion** by Maszk, second by Herbst to not divest of this County owned property at this time. Motion **carried** by voice vote, vote reflected as 5-0.

7. Educational Presentation/Outcome Monitoring Reports for Discussion

A. Project Update – SunnyVale Softball – Sunnyvale Softball Complex hosted the Wausau Slugfest last weekend and was very successful. Shooting Range – culvert replacement is complete including paving by the Highway Department. Big Eau Pleine – Disc golf tee pads complete. Playgrounds – Bluegill and Mission need soil restoration, Cherokee needs chips and border, Eau Claire Dells is fully operational. Kayak Launch – The new ADA launch funded by the Lake Wausau Association has been installed at DC Everest Park.

B. Marathon Park Water Project – The main contractor is complete, concrete work is complete, plumber is working on building hook-ups, and paving will be completed soon. Parks staff is working to complete the site restoration.

C. State of Wisconsin Proclamation: Great Outdoors Month – The Governor has proclaimed July as the Great Outdoors Month which shows how important outdoor recreation is to the State of Wisconsin.

D. Thank You Letter from Sporting Heritage Youth Day – a thank you letter was received from the Coordinator of the Sporting Heritage Youth Day. This is a volunteer group that teaches kids outdoor activities.

8. Announcements

A. Next Meeting Date & Time, Location – Tue., August 1, 2023 at 10:00am, 900 Pardee St., Wausau, WI 54401 followed by a joint meeting with the Fair Board at 11:00am.

B. Future Agenda Items – Bat HCP Enrollment Program

9. Adjourn - Motion by Maszk, second by Opall to adjourn the meeting at 12:00pm. Motion **carried** by voice vote, vote reflected as 5-0.

ORDINANCE #O-__-23

AMENDMENTS TO CHAPTER 19 OF MARATHON COUNTY GENERAL CODE

WHEREAS, Chapter 19 of the Marathon County General Code of Ordinances sets forth regulations and rules relative to County Parks within Marathon County; and

WHEREAS, the Parks, Recreation and Forestry Department seeks to annually review these ordinance chapters to determine whether any sections require updates; and

WHEREAS, on August 1, 2023, the Park Commission approved the attached amendments to Chapter 19 of the Marathon County Code of Ordinances; and

WHEREAS, on August 1, 2023, the Environmental Resources Committee approved the attached amendments to Chapters 19 of the Marathon County Code of Ordinances and forwarded the amendments on to the County Board for consideration and adoption.

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

To amend Chapters 19 of the Marathon County General Code of Ordinances as indicated in the attached documents.

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

Dated the ____ day of August, 2023.

ENVIRONMENTAL RESOURCES COMMITTEE

Fiscal Impact: None. These code amendments do not make an appropriation; increase or decrease an existing appropriation; increase or decrease a fiscal liability; or create, increase, or decrease any anticipated revenue.

Chapter 19 PARKS AND RECREATION

MARATHON COUNTY PARKS

Sec. 19.01. General administration and terms.

- (1) *Terms.*
 - (a) *Park Commission.* The term "Park Commission", composed of seven members, ~~is~~ refers to the committee of jurisdiction for Marathon County parklands, hereafter referred to as the "Commission" under this subchapter.
 - (b) *County park.* The terms "County park" and "park" mean all lands and water previously and subsequently acquired by the County for park or recreational purposes or placed under the jurisdiction of the Commission and including without limitation, parks, beaches, and privately owned lands, the use of which has been granted or leased to the County for park, recreational or like public purposes under this subchapter.
- (2) *Scope.*
 - (a) The provisions of this subchapter shall apply to all lands, structures and property owned, leased or administered by the County and under the management, supervision and control of the Commission, except that Marathon Park shall be subject to the right of the Marathon County Agricultural Society to hold an annual fair.
 - (b) The Commission is organized pursuant to §§ 27.02 through 27.05, 27.075 and 27.08, Wis. Stats., and any subsequent amendments thereto.
- (3) *Director.* The Wausau and Marathon County Parks, Recreation, and Forestry Department, whose head shall be the Director, shall be the administrative or executive agency of the Commission. The Director shall be the authorized agent of the Commission as referred to in this subchapter.
- (4) *Closing hours.* No person shall enter or be in any County park between 11:00 p.m. and 6:00 a.m., except registered campers in or en route to designated campgrounds; persons transporting watercraft to and from designated boat landings are permitted at any hour.
- (5) *Fees, charges and deposits.*
 - (a) *Fee schedule.* No person shall use any facility, shelter, land or area for which a fee or charge has been established by the Commission without payment of such a fee or charge.
 - (b) *Deposits.* Shelters or facilities will be reserved upon completion and approval of a use agreement; payment of the rental fee; and payment of the security deposit and/or key deposit if applicable. The key and security deposit will be subject to retention, in whole or part, by the Commission, if the key is not returned; the shelter or facility has been subjected to abuse; inadequately cleaned; or used in violation of current facility use regulations.
- (6) *Additional rules, permits, exceptions.*

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- (a) *Additional rules.* Rules and regulations may be made governing the use and enjoyment of all lands, structures and property owned, leased or administered by the County and under the management, supervision and control of the Commission. Any person who shall violate such rules or regulations or who refuses to subject himself or herself thereto may be excluded from the use of such facilities. No person shall disregard posted rules and regulations or engage in any activity contrary to posted notice.
 - (b) *Permits.* Any person to whom a permit has been issued by the Director shall be bound by the provisions of all ordinances of Marathon County as fully as though the same were inserted in each permit. Any permit issued by the department must be displayed as directed by the Commission.
 - (c) *Exceptions.* Nothing in this chapter shall prohibit or hinder the Commission, its Director, Supervisors, Park Managers, ~~Employees~~Rangers or other authorized agents or any law enforcement officers from performing their official duties.

(7) *Public utilities and private construction.*

- (a) *Public utilities.* The location of all sewers and receivers, gas pipes, water pipes, stopcock boxes, hydrants, lamp posts, telegraph, telephone and electric power posts and lines, manholes, conduit and pumps within any park or parkway shall be subject to the jurisdiction and control of the Commission; and their construction, erection, repair or relocation shall be undertaken only after written permission is received from the Commission.
- (b) *Private construction.*
 1. No curb, whether stone, concrete or grass, shall be cut for the purpose of constructing a private driveway across any parkway border nor for any other purpose, without written permission of the Commission.
 2. The location, width, grade and construction of all paths, driveways and roadways across any sidewalk border along any parkway shall be subject to the approval of and constructed only after written permission is obtained from the Commission.
 3. Every person who receives a permit to open a trench, cut a curb or deposit materials in or upon any park or parkway shall at all times after such work has been commenced or materials deposited and until the same has been completed and all accumulations of materials resulting from such work have been removed so guard and protect the same that persons driving or passing along the roadway or sidewalk in the vicinity of the place where the work is being done shall not be likely to meet with any accident therefrom; and shall from sunset to sunrise while such work is in progress cause the same to be securely fenced and guarded by a warning light or lights placed in a conspicuous position and so secured that the same shall not be extinguished.

(O-7-01; O-8-03; O-16-13; O-4-19; O-05-21)

Sec. 19.02. Public meetings and sales.

- (1) *Public meetings.*
 - (a) Any person desiring to hold a public meeting of any kind in any park shall first obtain a permit from the Commission or its authorized agent. The permit shall be applied for not less than 48 hours prior to the scheduled event.
 - (b) Permits will be granted for the purpose of holding any lawful public assembly in accordance with published regulations governing the reasonable use of parks.
- (2) *Sales.* No person shall sell or offer for sale any goods, merchandise or service in any park, except as authorized by the Commission and when holding proper licenses.

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- (3) *Soliciting boat rides.* No person shall use in any manner the dock, pier, wharf, boat landing, mooring facilities in or the waters in or immediately adjacent to any County park for the purpose of soliciting rides of any kind unless authorized by the Commission.
 - (4) *Posting bills or advertising.* No person shall distribute or post bills or advertisements in any park without written consent of the Commission.

(O-7-01; O-4-19)

Sec. 19.03. Personal conduct and nuisances.

- (1) *Personal conduct.* No person shall engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance in any County park.
- (2) *Property of others.* No person shall disturb, molest or remove the property or personal effects of others.
- (3) *Unreasonable noise.* No person shall make or cause to be made any unreasonably loud sounds or noises under circumstances which tend to annoy or disturb others. No person shall operate any sound truck, loudspeaker, generator, chainsaw, or other device that produces excessive, loud or unusual noises within any County park except upon written permit issued by the Commission or its authorized agent upon such terms and conditions as will ensure that the public peace and order will not be unreasonably disturbed.
- (4) *Jumping and diving.* No person shall jump, dive, or otherwise launch themselves from any bridge, approach, rope or other device similar to a rope swing thereto into any body of water within any County park.
- (5) *Swimming and wading.* No person shall swim or wade within 50 feet of boat launch ramps at any County park except for the express purpose of launching or landing watercraft.
- (6) *Docks and piers.* No person shall use docks or piers adjacent to any boat landing in any manner as to obstruct or hinder the launching, landing, loading or unloading of watercraft.
- (7) *Obstructing.* No person shall knowingly obstruct an ~~employee-ranger~~ or any law enforcement officer while the ~~employee-ranger~~ or law enforcement officer is doing any act in an official capacity and with lawful authority. Obstruct includes without limitation knowingly giving false information with intent to mislead the ~~employee-ranger~~ or law enforcement officer in the performance of duty including the issuance of any citation.

~~(8) *Smoking.* No person may smoke in, or within 50 feet of, the following areas of a County park or outdoor areas of County property or within an area of up to fifty (50) feet of those areas in listed under this section as designated by the Director or his or her designee and posted pursuant to 19.01-6(a):~~

~~(a) Playgrounds.~~

~~(b) Sports fields and sports field seating areas.~~

~~(c) Swimming areas and all inside fenced areas surrounding swimming areas.~~

~~(d) Marathon County Sports Complex located at 602 E Kent Street.~~

~~(e) Those park areas temporarily posted as no smoking by the Director or his or her designee during Parks Department sponsored events.~~

~~(f) Those park areas temporarily posted as no smoking by the Director or his or her designee during an approved event held within the park area and for which no smoking has been requested by the event organizer or sponsor.~~

(O-7-01; O-8-03; O-16-13; O-05-21)

Sec. 19.04. Destruction, entry, cleaning and refuse.

(1) *Destruction and entry.*

- (a) *Deface, remove or destroy.* No person shall disturb, molest, deface, remove or destroy any trees, shrubs, plants, or other natural growth, or natural or archeological feature; disturb or remove shoreline rip-rap; carve on any rocks, archaeological or geological features, signs, walls or structures; drive nails in trees or move, deface or vandalize in any manner any structures including buildings, signs, fences, tables or other County property. Edible fruits, nuts, wild mushrooms and wild asparagus may be picked or gathered without a permit, except on State Natural Areas.
- (b) *Prospecting prohibited.*
 - 1. In this subsection, the term "prospecting" means exploring for the presence of rocks, minerals or fossils by means of relocation, removal or displacement of soil or other organic or inorganic materials.
 - 2. No person may collect, or engage in prospecting for, rocks, minerals, or fossil materials located on any Marathon County Park land or the bed of any body of water located thereon.
- (c) *Entry and manipulation.* No person shall enter in any way any building, installation or area that may be under construction or locked or closed to public use or molest or manipulate any water control structure, dam or culvert or enter or be upon any building, installation or area after the posted closing time or before the posted opening time or contrary to posted notice in any County park.

(2) *Cleaning and refuse.*

- (a) *Washing.* The washing of cars, persons, pets, cooking utensils or clothing is prohibited in any lakes, streams or on any picnic grounds, playgrounds, beaches, recreation areas, boat landings, parking lots or roadways or within 50 feet of any pump, fountain or drinking water outlet in any County park. The washing of persons, cooking utensils and clothing shall be permitted at designated campgrounds or at other authorized and posted locations.
- (b) *Fish and game cleaning.* No person shall clean, butcher, scale or skin any fish, game, livestock or poultry in any County park except that fish may be cleaned at designated fish cleaning tables provided for such purposes. Refuse from such cleaning operations shall be suitably wrapped or packaged and deposited in the refuse containers provided for that purpose.
- (c) *Refuse.*
 - 1. No person shall deposit or leave any garbage, sewage, or other waste material upon any body of water or other area in any County park except in an appropriate solid waste or recycling container.
 - 2. No person shall upset or turn over the contents of any solid waste or recycling container in any County park.
 - 3. Charcoal residue or wood ash shall be left in a grate or fireplace until cool or placed in receptacles provided for such purposes.
 - 4. No person shall deposit or leave any residential or commercial belongings or waste material in any waste receptacle or other area in any County park.
- (d) *Dispensing beverages.* No vendor shall dispense beverages in any cup, glass, flask, bottle or other container made of glass or other shatterable material designed or used for holding a beverage at any outdoor fair, game, attraction, event, or public function. This prohibition does not apply to vendors at any of the above-listed activities serving sit-down meals where the beverage containers are washed

and reused. All beverage vendors at any of the above-listed activities shall use recyclable beverage containers and provide adequate collection facilities for the recycling of all beverage containers so used.

(O-7-01; O-8-03; O-17-14; O-05-21; O-38-22)

Sec. 19.05. Vehicles.

(1) Vehicular traffic.

- (a) No person shall operate any vehicle at a speed in excess of 15 mph or contrary to official traffic signs in any County park or County trail unless governed by § 7.125 of Marathon County Code of Ordinances.
- (b) No person shall 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, conduct which tends to disturb, annoy or endanger one or more persons 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 in any County park.
- (c) No person shall operate or park any motor vehicle except as provided in this subchapter, upon any bridle path, hiking trail, beach area, playground, picnic area or any other area other than established roads, parking areas, boat ramps and service areas or contrary to posted notice or within any park seasonally closed to vehicular traffic.
- (d) No person shall operate a snowmobile as defined in § 340.01(58a), Wis. Stats., in any County park, except on snowmobile trails approved by or for events authorized by the Commission.
- (e) No person shall operate an ATV or UTV as defined in § 340.01(2g), Wis. Stats., in any County park, except on established roads.
- (f) No other motorized vehicles other than an ATV or UTV shall be operated on a designated ATV/UTV trail on park property or County trail with the exception of authorized personnel in the performance of their duties.
- (g) No person may operate a motorized vehicle on County property when rules pertaining to the operation of motorized vehicles are posted by the Commission or its authorized agent.

(2) Parking.

- (a) No person shall park, stop or leave standing, whether attended or unattended, any vehicle, obstruction or watercraft:
 - 1. In any manner as to block, obstruct or limit the use of any road, trail, sidewalk, parking lot, boat landing, waterway or winter sport facility.
 - 2. Outside of any area provided for such purposes when it is practical to use such areas.
 - 3. Contrary to posted notice.
- (b) No person shall park, stop or leave standing any vehicle, whether attended or unattended, whether temporarily or otherwise, in areas reserved, by official traffic signs indicating the restriction, for vehicles displaying registration plates or identification cards which designates the vehicle as a vehicle used by a physically disabled person as defined in § 346.505, Wis. Stats.
- (c) No person shall park, stop or leave standing any vehicle, whether attended or unattended, whether temporary or otherwise, in areas designated as fire lanes with signs or marked curbs.

-
- (d) The forfeiture for a violation of paragraph (a) shall be \$10.00. The forfeiture for a violation of paragraph (b) or (c) shall be \$30.00. In the event that the violator fails to appear in court on the date and time indicated on the citation, or fails to enter a "not guilty" plea by mail by the court date, or fails to stipulate to the violation by posting the forfeiture required in the office of the Marathon County Clerk of Courts, at the address indicated on the citation by the court date, said forfeiture shall be ordered by the court in default and shall be increased by the amount of \$30.00 as a penalty for failure to pay in a timely fashion, for a total forfeiture of \$40.00 for a violation of paragraph (a) and \$60.00 for a violation of paragraph (b) or (c).
 - (e) The provisions of § 345.28, Wis. Stats., and any subsequent amendments thereto, are specifically adopted and incorporated herein by reference. If the alleged violator fails to pay the amount of the forfeiture as provided herein, or to appear in court, the County may take any or all of the actions authorized under § 345.28, Wis. Stats.
 - (f) The registered owner of a vehicle is deemed to have authorized the parking of a vehicle found parked in violation of this subsection.
- (3) *Abandoned vehicles.* No person shall leave any vehicle unattended without approval of the Commission or its authorized agent for more than 48 hours under such circumstance as to cause the vehicle to reasonably appear to have been abandoned. An abandoned vehicle shall constitute a public nuisance and be subject to removal at the owner's expense. Removal of the vehicle shall not relieve the owner or the operator of the vehicle from any penalty incurred because of such violation.
- (O-7-01; O-8-03; O-05-21; O-38-22)

Sec. 19.06. Fires, fireworks, firearms, projectiles.

- (1) *Fires.*
 - (a) Marathon Park.
 - 1. Except for cooking with charcoal, gas or liquid fuel on commercially manufactured portable metal grills or stoves, there shall be no open fires in Marathon Park, except as provided in paragraph 3.
 - 2. Portable metal grills and stoves acceptable in Marathon Park shall include only commercially manufactured devices intended for cooking. Homemade devices or manufactured portable fire places or other manufactured devices, which have been modified by the user, shall not be used.
 - 3. Fires other than those provided for in paragraph 1 may be made by permit only. Said permit must be obtained from the Wausau City Fire Department pursuant to the Wausau Municipal Code.
 - (b) Other County Parks.
 - 1. No person shall start, tend or maintain any fire or burn any refuse except at designated fireplaces, fire rings or permanent grills within any county park other than Marathon Park.
 - 2. Fires for cooking or heating may be made in portable metal stoves, heaters, grills or fireplaces at picnic areas or designated campgrounds.
 - (c) No person shall abandon any fire or leave any fire unattended or throw away any matches, cigarettes, cigars, pipe ashes or embers without first extinguishing them. No person shall start, tend or use in any manner any fire contrary to posted notice in any county park.
- (2) *Fireworks.* No person shall possess or discharge any fireworks regulated by § 167.10(1), Wis. Stats. in any County park except that exhibitions of fireworks given under the direction or by the permission of the Commission or its authorized agent are permitted.

(3) *Firearms.*

- (a) No person shall discharge any firearm as defined in § 167.31(1)(c), Wis. Stats., or airgun as defined in § 939.22, Wis. Stats., or any bow in any County park, except that portion of Shooting Range Park north of Four Mile Creek where the use of firearms, airguns or bows is permitted on designated ranges in accordance with posted regulations.
- (b) Unless other facts and circumstances that indicate a criminal or malicious intent on the part of the person apply, a person is not in violation of, and may not be charged with a violation of, this section for loading, carrying, or going armed with a firearm, without regard to whether the firearm is loaded or is concealed or openly carried.
- (c) This section does not apply and may not be enforced if the actor's conduct is justified or, had it been subject to a criminal penalty, would have been subject to a defense described in § 939.45, Wis. Stats.
- (d) No person, except a law enforcement officer, shall enter any building, facility, or location open to the public that is restricted by state law or posted as a no firearms or concealed weapons location while possessing, carrying, or concealing a firearm or weapon, whether with or without a state permit.

(4) *Shooting range park.*

- (a) No person shall discharge any firearm, airgun or bow in any area within Shooting Range Park not specifically designated for such use or contrary to posted regulations or contrary to verbal orders given by the Rangemaster on duty. This paragraph shall apply to any person discharging any firearm at a rate of fire deemed unsafe in the judgment of the Rangemaster, including bump firing to simulate the discharge of automatic firearms.
- (b) No person shall possess or discharge any fully automatic or machine gun or load or discharge any firearm deemed unsafe in the judgment of the Rangemaster or load any firearm with or discharge any armor piercing or incendiary ammunition at Shooting Range Park. This paragraph shall not apply to authorized military or law enforcement training exercises.
- (c) No person shall engage in any sport or activity while in possession of an uncased firearm, airgun or bow which, in the judgment of any law enforcement officer or the Rangemaster, constitutes a safety hazard.

(5) *Throwing or shooting projectiles.* No person shall throw or shoot an arrow, knife, stone, paintball or other projectile, by hand or any other means, in any County park. This subsection shall not apply to arrows used on archery ranges authorized by the Commission.

(O-17-98; O-7-01; O-8-03; O-10-11; O-16-13)

Sec. 19.07. Animals.

(1) *Animals in public facilities.*

- (a) *Restricted.* No person having immediate custody, care or control of a dog or other animal, shall permit said animal to enter and/or remain in any public park building, bathing beach, the Marathon County Sports Complex, the Marathon Park Amphitheater or playground safety surface area in any County park, except assistance dogs or animals being used or trained to assist emergency services workers or as authorized by the Commission or their designee.
- (b) *Definitions.* The following terms shall have the meanings indicated:
Assistance dog. Any dog that has been or is being trained as a guide dog, hearing dog, or service dog. Such terms are further defined as follows:

Guide dog. Any dog that has been or is being specially trained to aid a particular blind or visually impaired person.

Hearing dog. Any dog that has been or is being specially trained to aid a particular deaf or hard of hearing person.

Service dog. Any dog that has been or is being specially trained to aid a person with a disability other than sight or hearing.

- (2) *Animals running at large.* No person shall allow a dog or other animal to run at large in any County park. The animal shall be considered as running at large unless it is on a leash no more than 16 feet in length, is in or upon a vehicle, is in or on the property of its owner or another who does not object to the presence of such animal, or is part of a 4-H project, is on a display for judging purposes, is in an itinerant or transient carnival, circus or other like show, is in a dog or cat show or trial, or is part of the program of a public or private educational institution as authorized by the Commission or in designated areas as set by the Commission.
- (3) *Howling animals.* No person shall own, keep, possess or harbor a dog or other animal in any County park which by frequent or habitual howling, yelping, barking or wailing disturbs other persons.
- (4) *Animal feces.*
 - (a) The owner or person having immediate care, custody or control of a dog or other animal shall promptly remove and dispose of, in a sanitary manner, any feces left or deposited by the animal upon any County park.
 - (b) No person shall permit a dog or other animal to be in any County park unless such person has, in his immediate possession, an appropriate means of removing animal feces.
- (5) *Horses.*
 - (a) No person shall ride or use a horse or other beast of burden in any manner in any County park, except on designated bridle trails or for events authorized by the Commission.
 - (b) No person shall ride or use a horse or other beast of burden in a careless, negligent or reckless manner so as to create a nuisance or to endanger the life, property or person of others.
- (6) *Hunting and trapping.*
 - (a) *Restricted.* No person shall take, catch, kill, hunt, trap, pursue or otherwise disturb any wild animals or birds in any County park, except
 1. ~~that~~ waterfowl, as that term is defined herein, may be hunted from a blind, as that term is defined herein, in accordance with applicable State statutes and applicable provisions of the Wisconsin Administrative Code setting forth regulations of the Department of Natural Resources, placed below the ordinary high watermark, as that term is defined herein, at Big Eau Pleine and Ashley Parks. A blind may be established not more than seven days prior to the opening of the waterfowl hunting season and must be removed by the owner within seven days after the close of the season. Any blind on park property used in hunting waterfowl must bear the name, address, and phone number of the owner affixed permanently to the blind in lettering one inch square or larger.
 2. Archery hunting is permitted in Big Eau Pleine Park only during the open season from November 15 through the Sunday nearest January 6. No special hunting access permit is needed to hunt with a bow or crossbow in Big Eau Pleine Park. All hunting license requirements apply. Archery hunters must:
 - a. Be 100 yards from designated use areas such as picnic areas, campgrounds, beaches, buildings and designated trails.
 - b. Hunting must take place from an elevated platform of no less than six (6) feet off of the ground.

c. Access to the park for the purpose of hunting is allowed starting at 6 a.m. or one hour prior to shooting hours until one hour after shooting hours.

d. Tree stands. No person shall construct, cause to be constructed, use or occupy any elevated scaffold or other elevated device commonly referred to as a tree stand on any lands owned or under the control of the County, except that portable tree stands may be used, provided that they are completely removed from the tree each day at the close of hunting hours and provided that such portable tree stands are not in any manner bolted, nailed, screwed or fastened to the tree and provided that such portable tree stands cause no permanent or temporary damage to the trees in which they are placed. Portable tree stands may be left in the woods provided that they have the name, address, and phone number of the owner permanently affixed to the stand in the English language and shall be clearly visible and kept legible at all times. Portable tree stands without such identifying information shall be subject to immediate removal by County officials. Portable tree stands may not be brought in prior to the season starting and must be removed by the owner the last day of the archery deer hunting season established by the Wisconsin Department of Natural Resources.

e. Trail cameras. No person shall place or use any camera or other device commonly referred to as a trail camera on park lands owned or under the control of the County.

f. High Visibility Clothing. High Visibility Clothing or Blaze Orange is required for archery only areas during any gun deer season established by the Wisconsin Department of Natural Resources.

(b) *Definitions.* The following terms shall have the meanings indicated:

Archery hunting. The act of pursuing or taking wild game animals using a bow and arrow, bows include crossbows.

Blind. Any permanent structure used in hunting waterfowl, which is not removed at the end of hunting hours each day.

Ordinary high watermark. The point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark, such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation or other easily recognized characteristic. Where the bank or shore at any particular place is of such character that it is difficult or impossible to ascertain where the point of ordinary high-water is, recourse may be had to the opposite bank of a stream or to other places on the shore of a lake or flowage to determine whether a given stage of water is above or below the ordinary high watermark.

Waterfowl. Includes wild geese, brant, wild ducks, rails, coots, gallinules, jacksnipe, woodcock, plovers, sandpipers and wild swan.

(c) *Penalty.* Violations of this subsection shall be punishable as provided in § 19.14 of this chapter relating to hunting and trapping violations.

(O-15-90; O-7-01; O-8-03; O-16-13; O-13-15; O-05-21; O-40-21)

Sec. 19.08. Athletics.

- (1) *Golf and archery.* No person shall use golf or archery equipment within any County park or parkway except upon golf facilities or archery ranges established by the Commission.
- (2) *Roller skates, skateboards, and scooters.* No person shall ride, push or travel upon roller skates, in-line skates, skateboards, or scooters within any public buildings or on any facilities not specifically intended for

such use including, but not limited to: tennis courts, benches, tables, bleachers or on docks and piers adjacent to any boat landing within any County park, except in designated areas and in accordance with posted regulations.

- (3) *Ice skating.* No person shall play or practice hockey, broomball or any other games or sports that may interfere with casual ice skaters, when casual skaters are present on outdoor ice skating rinks established by the Commission, except hockey and broomball may be played on designated hockey rinks.
- (4) *Hiking, walking or running on groomed ski, fat tire bike and snowshoe trails.* No person shall hike, walk or run on any designated groomed cross-country ski, fat tire bike or ~~and~~ snowshoe trails during that period of the year when such trails are open or being groomed for opening for cross-country skiing, fat tire biking or snowshoeing unless in the case of an emergency or injury.

(a) Definitions. The following terms shall have the meaning indicated:":

1. Fat tire bike. Any bike that has tires that are 3.8 inches wide or larger

2. Snowshoe. A flat device resembling a racket, which is attached to the sole of a boot and used for walking on snow.

(O-7-01; O-8-03; O-05-21; O-38-22)

Sec. 19.09. Beaches.

- (1) *Food and beverage.* No person shall carry or consume any food or beverages on any bathing beach or in the water adjacent to any bathing beach in any County park except in designated areas.
- (2) *Boundary buoys.* No person shall disturb or molest a bathing beach boundary buoy or marker in any swimming beach in any County park or moor or cause to be within that area of water enclosed by boundary buoys any boat, raft or craft used to transport persons.
- (3) *Beach athletics.* Except in locations designated for such purpose, no person shall engage in any athletic game or sport or in any activity upon a bathing beach or in the water when injury or inconvenience to others might result therefrom.
- (4) *Bathing dress.* No swimmer or bather shall enter the water or onto any bathing beach unless clothed in a suitable bathing dress or suit.
- (5) *Changing clothing.* No person shall change clothes, except in beach houses or other enclosed places.
- (6) *Fishing.* No person may fish in any marked swimming beach area.
- (7) *Glass containers.* Container made of glass or other shatterable material are prohibited.

(O-7-01; O-05-21)

Sec. 19.10. Camping.

- (1) *Definitions.* The following terms shall have the meanings indicated:

Campground, designated. Any tract of land designated exclusively for camping.

Campground, general. Any tract of land designated for camping by camping parties.

Campground, group. A campground which may be reserved for use by an assemblage of one or more families, nonfamily groups or juvenile groups.

Camping or camp. The use of a shelter such as a tent, trailer, motor vehicle, tarpaulin, bedroll or sleeping bag for temporary residence or sleeping purposes.

Camping party. Any individual, family, or nonfamily group occupying a campsite.

Camping unit. Any single shelter except bedrolls and sleeping bags used for a camp by a camping party.

Campsite. A segment of a campground which is designated for camping use by a camping unit or camping party.

Closed shelter. Any building or structure capable of being closed to public access and reserved for public or private group activities.

Family. A camping party composed of a parent or parents with their unemancipated children.

Individual group. A camping party of not more than five unrelated persons occupying one camp site.

Juvenile group. A camping party composed of not more than ten juveniles under the leadership of an adult.

Nonfamily group. A camping party composed of five or less persons who do not meet the definition of family.

(2) *Camping regulations.*

(a) *Camping prohibited.* Camping is prohibited in all County parks, except at designated campgrounds, or other areas authorized by the Commission.

(b) *Designated campgrounds.* Designated campgrounds are those general and group campgrounds in Big Eau Pleine, Dells of the Eau Claire and Marathon Parks.

(c) *Camping permit.* No person shall set up camp prior to completing and displaying a camping permit. All camping fees shall be prepaid for the permit period prior to occupying the campsite as provided in subsection 19.01(5)(a) of this chapter relating to a fee or charge established by the Commission.

(d) *Camping limited, designated campgrounds.* No person shall camp and no camping unit shall remain in a designated campground for a period greater than 14 consecutive days. The camping unit shall be removed from the property for at least 7 days before being eligible to return.

(e) *Campsite occupancy.*

1. No more than one camping party shall occupy a single campsite.

2. No camping party consisting of a nonfamily group shall exceed five persons.

(f) *Campsite changes.* No camping party shall move from its assigned campsite to another campsite without prior approval.

(g) *Camping permit expiration.* All camping permits expire at 3 p.m. on the last day of the permit period.

(h) *Camping permit extensions.* Extensions within the 14 day limit may be granted on camping permits. Extensions shall be obtained prior to 10 a.m. on the expiration date of the permit.

(i) *Campsite entry hours.* No camping party shall start setting up or taking down its camping unit between the hours of 11 p.m. and 6 a.m.

(j) *Campsite parking.* No person shall park any motor vehicle outside the parking area designated at each campsite and not more than two motor vehicles are permitted to any campsite except that as many as five motorcycles are permitted for members of a camping party registered as a nonfamily group.

(k) *Campsite reservations.* Campsite reservations will be accepted only for group campgrounds and designated campsites within a general campground.

-
- (l) *Camping party membership.* No person shall obtain a camping permit for use by a camping party of which he is not a member in a general campground.
 - (m) *Campsite capacity.* No more than two sleeping units may occupy a campsite. Two units may consist of one travel trailer, pickup truck camper or motor home and one tent or two tents with no camper. Pickup campers or motor homes towing a trailer shall be treated as a single unit.
 - (n) *Camping contrary to posted notice.* No person shall camp on any lands under the management, supervision or control of the Commission contrary to posted notice.
 - (o) *Camping violations.* Violation of any State law or any rules of the Commission by a member of a camping party is cause for revocation of the camping permit.
 - (p) *Campground quiet hours.* No person shall make or cause to be made any unreasonable sounds or noises in or adjacent to any designated campground as provided in subsection 19.03(3) of this chapter between the hours of 10:00 p.m. and 6:00 a.m. Beaches and shelters are closed after park hours except in cases of emergency.

(O-7-01; O-8-03; O-16-13; O-05-21; O-38-22)

Sec. 19.11. Boating.

- (1) *Mission Lake boating regulations.*
 - (a) *Speed limit.* No person shall operate any watercraft in excess of five mph on Mission Lake, Town of Reid.
 - (b) *Mooring.* No person shall moor any watercraft for more than 24 hours on the water adjacent to or on the shore of Mission Lake Park.
- (2) *Motorboats, Sunny Vale Lake.* No person shall operate a motorboat of any kind in any manner on Sunny Vale Lake within Sunny Vale Park.
- (3) *State boating and water safety laws adopted.* The statutory provisions describing and defining regulations with respect to water traffic, boats, boating and related water activities and safety found in § 30.68, Wis. Stats., Restricted Areas, are hereby adopted and by reference made a part of this section.

Sec. 19.12. Jurisdiction over minors and underage persons.

Any and all County ordinances conferring jurisdiction on the Circuit Court for persons 12 years of age or older, including all subsequent amendments and/or revisions thereto, are hereby adopted and by reference made a part of this section.

(O-7-01)

Sec. 19.13. Legal action.

- (1) *Civil action.* Whenever an arrest shall have been made or any violation shall occur, the District Attorney shall prosecute as provided by law.
- (2) *Arrest powers.* Any law enforcement officer of the County or any of its municipal subdivisions may without a warrant arrest any offender whom he may detect in the violation of any of the provisions of this chapter and take the person so arrested immediately before a magistrate having competent jurisdiction and he shall have at all times the right to enter the premises of any building, structure or enclosure in any park or parkway, including such grounds, buildings, structures or enclosures which may be leased or set aside for private or

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(Supp. No. 50)

exclusive use of any individual or group of individuals for the purpose of arresting violators and may use all necessary means to attain that end.

(3) *Citation.*

- (a) *Authority to issue.* Citations for violations of this chapter may be issued by any law enforcement officer or by the Director and those administrative, supervisory or managerial Wausau and Marathon County Parks, Recreation, and Forestry Department personnel delegated by the Director and listed below:

[Assistant Director of Operations;](#)

Assistant [Parks and Recreation](#) Directors [of Community Services;](#)

Facility Managers;

Motorized Recreation Coordinator.

- (b) *Format.* The citation issued for violations of this chapter shall be Parks, Recreation and Forestry Department Form P-451, "Uniform Citation" or equivalent, except for certain violations of §§ 19.12 and 19.23, where State Form GF-116, "Wisconsin Uniform Citation Underage Alcohol Offenses or Harassment" or current equivalent, shall be used.

(O-7-01; O-8-03; O-16-13; O-12-15; O-05-21)

Sec. 19.14. Schedule of cash deposits, County parks.

Section	Title	Deposit
19.01(4)	Closing Hours	\$30.00
19.01(5)	Fees, Charges and Deposits	20.00
19.01(6)(a)	Additional Rules	20.00
19.01(7)(b)	Private Construction	50.00
19.02(1)	Public Meetings	40.00
19.02(2)	Sales	40.00
19.02(3)	Soliciting Boat Rides	40.00
19.02(4)	Posting Bills or Advertising	40.00
19.03(1)	Personal Conduct	40.00
19.03(2)	Property of Others	50.00
19.03(3)	Unreasonable Noise	20.00
19.03(4)	Jumping and Diving	20.00
19.03(5)	Swimming and Wading	10.00
19.03(6)	Docks and Piers	10.00
19.03(7)	Obstructing	40.00
19.04(1)(a)	Deface, Remove or Destroy (Plus Restitution for Damages)	50.00
19.04(1)(b)	Prospecting Prohibited	50.00
19.04(1)(c)	Entry and Manipulation	30.00
19.04(2)(a)	Washing	20.00
19.04(2)(b)	Fish and Game Cleaning	20.00
19.04(2)(c)	Refuse	50.00

19.04(2)(d)	Dispensing Beverages	50.00
19.05(1)	Vehicular Traffic	40.00
19.05(3)	Abandoned Vehicles	40.00
19.06(1)	Fires	30.00
19.06(2)	Fireworks	30.00
19.06(3)	Firearms	50.00
19.06(4)	Shooting Range Park	50.00
19.06(5)	Throwing or Shooting Projectiles	30.00
19.07(1)	Animals in Public Facilities	10.00
19.07(2)	Animals Running at Large	10.00
19.07(3)	Howling Animals	10.00
19.07(4)	Animal Feces	10.00
19.07(5)	Horses	10.00
19.07(6)	Hunting and Trapping	50.00
19.08	Athletics	10.00
19.09(1)	Food and Beverage	10.00
19.09(2)	Boundary Buoys	50.00
19.09(3)	Beach Athletics	10.00
19.09(4)	Bathing Dress	10.00
19.09(5)	Changing Clothing	10.00
19.10(2)(a)	Camping Prohibited	20.00
19.10(2)(c)	Camping Limited, Camping Permit	20.00
19.10(2)(d)	Camping Limited, Designated Campgrounds	20.00
19.10(2)(e)	Campsite Occupancy	20.00
19.10(2)(f)	Campsite Changes	10.00
19.10(2)(g)	Camping Permit Expiration	10.00
19.10(2)(i)	Campsite Entry Hours	10.00
19.10(2)(j)	Campsite Parking	10.00
19.10(2)(l)	Camping Party Membership	10.00
19.10(2)(m)	Campsite Capacity	10.00
19.10(2)(n)	Camping Contrary to Posted Notice	20.00
19.10(2)(p)	Campground Quiet Hours	20.00
19.11(1)	Mission Lake Boating Regulations	30.00
19.11(2)	Motor Boats, Sunny Vale Lake	30.00
19.11(3)	State Boating and Water Safety Laws Adopted	50.00

(O-7-01; O-8-03; O-16-13; O-17-15; O-4-19)

EXHIBIT MAP DELLS OF THE FAU CLAIRE COUNTY PARK

Township 29 North, Range 10 East, Section 7, Town of Plover, Marathon County, Wisconsin

SW 1/4 - FRAC NW 1/4

UNPLATTED LANDS
OWNED BY OTHERS

SEE DETAIL B

SE - NW

DEED V257-P552

DEED V238-P640

WEST 1/4 CORNER
SECTION 7
IB 1.25"

N89° 17' 49"E

EAST-WEST CENTER QUARTER LINE

SOUTH LINE FOLLOWS ANCIENT DOWN BARB WIRE FENCE

SEE DETAIL A

PROJECTED INTERSECTION
OF ANCIENT DOWN FENCES

1441.22'

CALCULATED
CENTER-WEST
1/16 CORNER

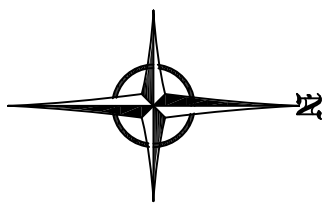
N89° 17' 49"E
1417.90'

N89° 20' 37"W

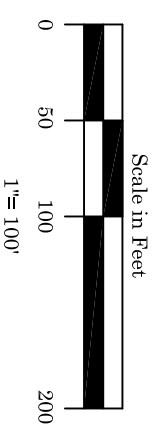
NE - SW

DETAIL A 23845 ft sq +/-
PARCEL 1 0.547 acres +/-

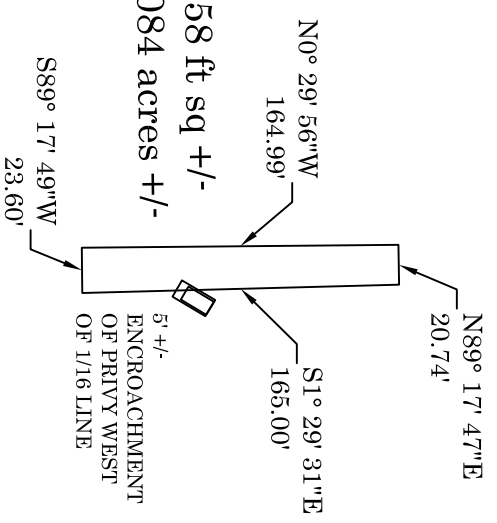
DETAIL B
PARCEL 2



Bearings referenced to the Marathon County
Coordinate System (WCCS) in NAD 83 (2011) with
the South line of the Fractional Northwest 1/4
measured to bear N89°17'49"E.



3658 ft sq +/-
0.084 acres +/-



NW 1/4 - FRAC SW 1/4

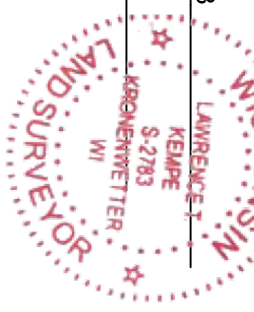
UNPLATTED LANDS
OWNED BY
MARATHON COUNTY

SURVEYOR'S CERTIFICATE:

I, Lawrence T. Kempe, PLS S-2783, do hereby certify to the best of my knowledge and belief, that at the direction of Tom Lovlien, Marathon County Forest Administrator, I have surveyed and mapped the lands described hereon. I further certify that said survey and map thereof made are a correct and accurate representation of the exterior boundaries of said land and the I have fully complied with the provisions of Wisconsin Administrative Code A-E7 in surveying and mapping said lands.

Dated this 6th day of July, 2023

Lawrence T. Kempe
Lawrence T. Kempe
Marathon County Survey Technician
WI PLS S-2783



RESOLUTION APPROVING LAND EXCHANGE TO ESTABLISH DELLS OF EAU CLAIRE PROPERTY LINE

WHEREAS, Wis. Stat. § 59.52(6)(a) authorizes the Marathon County Board of Supervisors to acquire real property for public use or public purpose of any nature, and Wis. Stat. § 59.52(6)(c) permits the Marathon County Board of Supervisors to sell or convey county property on such terms that the board approves; and

WHEREAS, Mr. Tim Micke, owner of property adjacent to the Dells of Eau Claire County Park, has contacted Marathon County to clarify and establish the property line between his property and the park property prior to establishing timber management boundaries for management of his property. Wausau and Marathon County Parks, Recreation and Forestry staff worked with the Marathon County Surveyor to verify the boundary lines of the Dells of Eau Claire County Park; during this verification process, a survey conducted relative to these boundary lines illustrated that the privy site that serves the Dells of Eau Claire County Park campground is encroaching on Mr. Micke's property, while Mr. Micke completed brush removal on what was determined to be county-owned property; and

WHEREAS, options to correct these issues were presented to the Marathon County Park Commission on August 1, 2023. These options included adjustment of the property boundary to the new survey lines and removal of the existing privy, authorizing an exchange of property with Mr. Micke to convey title to the land on which the privy is located to the County and to convey title to the land upon which brush removal was completed to Mr. Micke, a purchase by the County of the land upon which the privy is located without a land swap and conveyance of a five or ten year easement to the County for the land upon which the privy is located allowing time for the privy to be moved; and

WHEREAS, on August 1, 2023, the Park Commission recommended that the County pursue a land exchange whereby Marathon County would convey .547 acres of county property to Mr. Micke (detail A in the attached map of survey) and Mr. Micke would convey .084 acres of his property to the County (detail B in the attached map of survey). This land exchange would clarify property boundaries and permit continued operation of the Dells of Eau Claire Campground; and

WHEREAS, on August 1, 2023, the Environmental Resources Committee recommended that the County pursue a land exchange whereby Marathon County would convey .547 acres of county property to Mr. Micke (detail A in the attached map of survey) and Mr. Micke would convey .084 acres of his property to the County (detail B in the attached map of survey); and

WHEREAS, on August 9, 2023, the Human Resources, Finance and Property Committee recommended that the County pursue a land exchange whereby Marathon County would convey .547 acres of county property to Mr. Micke (detail A in the attached map of survey) and Mr. Micke would convey .084 acres of his property to the County (detail B in the attached map of survey).

NOW, THEREFORE, BE IT RESOLVED that the Marathon County Board of Supervisors authorizes the Parks, Recreation and Forestry Director and Corporation Counsel, along with appropriate County staff, to complete a land exchange via Quit Claim Deed with Tim Micke whereby Marathon County would convey .547 acres of county property to Mr. Micke (detail A in the attached map of survey) and Mr. Micke would convey .084 acres of his property to the County (detail B in the attached map of survey). Said land exchange shall be contingent upon Corporation Counsel and Mr. Micke negotiating a hold harmless agreement relative to actions of trespass relative to the land as it existed prior to the land exchange.

BE IT FURTHER RESOLVED that proper county officials are authorized to execute documents necessary to finalize the exchange of properties identified in this Resolution, and the County Board of Supervisors directs county staff to complete the transaction identified herein.

Respectfully submitted this 22nd day of August, 2023.

PARKS COMMISSION

_____	_____
_____	_____
_____	_____
_____	_____

ENVIRONMENTAL RESOURCES COMMITTEE

_____	_____
_____	_____
_____	_____
_____	_____

HUMAN RESOURCES, FINANCE AND PROPERTY COMMITTEE

_____	_____
_____	_____
_____	_____
_____	_____

Fiscal Note: None. This resolution, and the resulting transactions, do not make an appropriation; increase or decrease an existing appropriation; increase or decrease a fiscal liability; or create, increase, or decrease any anticipated revenue.

Legal Note: This resolution requires a simple majority vote of the County Board.

Jamie Polley

From: Timothy Micke <micke1961@live.com>
Sent: Tuesday, July 25, 2023 10:57 AM
To: Jamie Polley
Cc: timothyamicke@gmail.com; Dave Decker; Andrew Sims; Tom Lovlien; Jodi Luebbe
Subject: [EXTERNAL] Re: Dells/Micke Property Boundary

Hi Jamie,
Yes. It is fine to use the information in this email thread for the committee packet. I will be at the meeting as well.
Sincerely,
Tim

On Jul 25, 2023, at 9:59 AM, Jamie Polley <Jamie.Polley@co.marathon.wi.us> wrote:

Hi Tim,
Thank you so much for this detailed response. We will proceed as we had planned with the request for the land exchange. I wanted to make sure all options were reviewed so that the Committee can see what is available and understand the preferred option. Do you mind if I include the below email in the agenda packet?

Thank you,

Jamie Polley
Parks, Recreation & Forestry Director

<image001.jpg>

212 River Drive, Suite 2
Wausau, WI 54403
(715)261-1554 Office
(715)261-4163 Fax
Jamie.polley@co.marathon.wi.us
www.co.marathon.wi.us/parks.asp

From: Timothy Micke <micke1961@live.com>
Sent: Monday, July 24, 2023 8:18 PM
To: Jamie Polley <Jamie.Polley@co.marathon.wi.us>
Cc: timothyamicke@gmail.com; Dave Decker <Dave.Decker@co.marathon.wi.us>; Andrew Sims <Andrew.Sims@co.marathon.wi.us>; Tom Lovlien <Tom.Lovlien@co.marathon.wi.us>; Jodi Luebbe <Jodi.Luebbe@co.marathon.wi.us>
Subject: [EXTERNAL] Re: Dells/Micke Property Boundary

Hi Jamie,
The best option for us remains #2. Looking at the 80-90 year history after the 40 was sold to to the county in 1936 by the owners of the land we now own, the fence lines that are currently set and what we re-established is the obvious solution to the property boundary we have in common. In the 30 years we have owned our land, there has been no question to the boundaries in question so we would like to

make that official with a quit claim deed. The 1/2 acre in our favor has been managed with the rest of our 40 to the north not to the 40 to the south. In turn, we agree that your egress with the pit toilet would be best accommodated by a quit claim deed so that you can claim full ownership of your part of the boundary dispute. I have researched the topic of adverse possession and feel that it would be mutually beneficial for option #2 for both parties and feel that current statute supports this reasoning. We have spent parts of two years following the current fence lines with the clearing of brush and trees to establish this current fence-line property boundary. No county efforts have been provided other than surveying work which we brought to the county's attention. Understandably the original survey of 1853 established the boundaries that we and previous owners felt were accurate and we wish to continue to honor those properly boundaries. What we have described is the best option for now and future. Option #2. Understandably, the survey of 1853, was the best that could be done at that time. Since then, the fence lines have not be questioned for over 80 years. Therefore, making the quit claim deeds for option #2 makes the most sense, historically and ethically.

Sincerely,
Tim and Sandy Micke

Thank you for the info on the future meeting date, we will attend.

On Jul 24, 2023, at 12:32 PM, Jamie Polley <Jamie.Polley@co.marathon.wi.us> wrote:

Hello Mr. Micke,
Thank you very much for working with us on the property lines of the Dells of Eau Claire Park. We will be taking this to the Park Commission on Tuesday August 1 at 10:00am. The location of the meeting will be 900 Pardee St Wausau, WI 54401. We will email you the meeting packet as well.

Previously Tom had sent you three options we were seeking your feedback on. Since that email one additional option that has come up for you to consider. It would be you granting the County a 5 or 10 year easement for the 0.084 acres to allow time for the Privy to be moved. Once moved the new property boundary would be restored. Having this additional option do you still prefer the land swap? If you could get back to me by this week Wednesday that would be greatly appreciated.

Thank you,

Jamie Polley
Parks, Recreation & Forestry Director

<image001.jpg>

212 River Drive, Suite 2
Wausau, WI 54403
(715)261-1554 Office
(715)261-4163 Fax
Jamie.polley@co.marathon.wi.us
www.co.marathon.wi.us/parks.asp

From: Tom Lovlien <Tom.Lovlien@co.marathon.wi.us>
Sent: Friday, July 14, 2023 10:23 AM

To: Jamie Polley <Jamie.Polley@co.marathon.wi.us>
Cc: Dave Decker <Dave.Decker@co.marathon.wi.us>; Andrew Sims
<Andrew.Sims@co.marathon.wi.us>
Subject: Dells/Micke Property Boundary

Jamie,

Mr. Micke called this morning, and his preferred option would be #2 below, quit claim back and forth the .547 acres for the .084 acres following the exhibit map attached. He asked this be added to the Parks Commission agenda and he be notified of the date, time, and location of the meeting so he could attend for the discussion and to answer any questions.

I said that I'd forward his request on to you and that someone would get back to him next week. If I can help further, please let me know. Thanks, Tom.

From: Timothy Micke <micke1961@live.com>
Sent: Saturday, July 8, 2023 7:43 PM
To: Tom Lovlien <Tom.Lovlien@co.marathon.wi.us>; timothymicke@gmail.com
Cc: Dave Decker <Dave.Decker@co.marathon.wi.us>; Jamie Polley
<Jamie.Polley@co.marathon.wi.us>
Subject: [EXTERNAL] Re: Dells/Micke Property Boundary

Tom,
Thanks for your prompt work with the county surveyor on this project.
My wife and I will take a couple of days to discuss options to find a mutual beneficial outcome for us and the county.
This discovery initiated by us has been quite a learning experience.
We note the August 1 future meeting and will be in contact with you next week after we return from camping.
Again, your assistance has been greatly appreciated.
Sincerely,
Tim & Sandy Micke

cc: Dave Decker, Jamie Polly

=====

Timothy A. Micke

236841 Eau Claire River Rd

Aniwa, WI 54408

715-449-9790

micke1961@live.com

From: Tom Lovlien <Tom.Lovlien@co.marathon.wi.us>
Sent: Thursday, July 6, 2023 4:25 PM
To: micke1961@live.com <micke1961@live.com>; timothyamicke@gmail.com <timothyamicke@gmail.com>
Cc: Dave Decker <Dave.Decker@co.marathon.wi.us>; Jamie Polley <Jamie.Polley@co.marathon.wi.us>
Subject: Dells/Micke Property Boundary

Hi Tim,

Attached is an exhibit map of the work the County Surveyor has completed. I spoke with Director Polley, and she confirmed that any decisions on land will require Park Commission action. The next meeting will be August 1. After your review of the map please give me a call so we can discuss the potential options outlined below to remedy the situation. The pit toilet was installed in 1996 and could be nearing the end of its useful life that could help determine what is decided.

Options include:

1. Removal of the pit toilet and adjust the property boundary to the new survey.
2. Quit claim deed of the property Detail "A" (.547 acres) to you and then quit claim property Detail "B" (.084 acres) to County.
3. County purchase of the .084 acres (Detail "B") that has the pit toilet. (Would you consider this?)

The Park Commission will ultimately make the final decision and we need to be prepared to have all the options laid out for them for them. Thanks again for meeting with me yesterday. Please let me know if you have questions. I look forward to hearing from you. Thanks, Tom.

Thomas Lovlien
Marathon County Forest Administrator

<image001.jpg>

212 River Drive, Suite 2
Wausau, WI 54403
(715)261-1584 Office
(715)261-1565 Fax
Tom.lovlien@co.marathon.wi.us

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May 16, 2023

Ms. Jamie Polley

Parks, Recreation & Forestry Director
212 River Drive, Suite 2
Wausau, WI 54403

Via Email: jamie.polley@co.marathon.wi.us

RE: Proposal for providing a feasibility study for concept planning of a new ice arena in Wausau

Dear Jamie:

It was a pleasure talking to you a few weeks back about the possibility of a new ice arena in Wausau. As mentioned during our conversation JLG recommends a study be performed to understand the needs of the community, project scope, and budget. JLG Architects is pleased to submit the following proposal for providing a comprehensive study consisting of; stakeholder engagement meetings, program development, concept planning, and cost estimating for development of an ice arena project.

Scope of Services

JLG Architects will provide the following services:

1. JLG Our team will gather input from the city, county, and key staff. In conjunction with project representatives, we will also develop a stakeholder and community engagement process including opportunities for in-person feedback. You know your community better than anyone else. While we can offer insights that come from our experience with other communities, we have found that reaching out to community leaders and organizations—and asking for their help in making sure all are heard—is the most effective way to engage all voices. There is not a one-size-fits-all approach; each community is unique and, in consultation with you, we will address how best to gather and respond to all voices. This may include any number of engagement methods such as a public open house, small group meetings or one-on-one interviews—or a new approach suggested by a community leader, but as yet undefined.
2. JLG Architects will develop a written facilities building program based on information collected during leadership, staff, stakeholder, and community input meetings. This program outlines recommended facility components—to meet current and future program needs—and their associated, specific space needs and square footage requirements. This is the basis for concept plan development.
3. JLG will provide conceptual facility and site planning options, based upon information gathered from the engagement process and programming phase. Conceptual planning will illustrate potential approaches—creating options for the ice arena and site planning ideas—and provide additional information for development of project cost estimates.

JLG Architects will deliver the following:

- Stakeholder engagement process and notes.
- Program summary that lists individual spaces and their square-footage requirements
- Concept floor plan, and sections of the ice arena. The floor plan will show room layouts, sizes, and have overall dimensions.
- Concept architectural site plan.
- 2 computer renderings: 1 interior and 2 exterior.
- Cost estimate of ice arena and typical site improvement budget.

Compensation

JLG Architects proposes the following fee, inclusive of the scope of services listed above:

Stakeholder Engagement	\$8,500
Programming	\$2,500
Concept Floor Plans and Sections	\$11,000
Renderings	\$7,000
Cost estimating	\$2,000
Fee	\$31,000
Reimbursable Expenses (estimated)	\$1,500
Total with estimated expenses	\$32,500*

Note: If the study becomes a project and JLG Architects is selected as the group to provide professional services, we will credit the project \$20,000 on the first invoice for professional services.

Reimbursable Expenses

The above reimbursable expense fee includes the following: printing, postage, mileage, hotel, car rental, postage, courier service, and printing associated with project development and design.

Schedule

JLG Architects is ready to start work on this project. Once the contract is signed JLG will consult with the client team to develop a mutually agreed upon schedule.

Acceptance

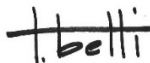
JLG Architects proposes this letter form of agreement as the basis for the contract. This Fee Proposal is accepted by the undersigned.

Signature

Date:

We very much appreciate the opportunity to be involved with this exciting project.

Sincerely,



Thomas J Betti, AIA, NCARB
Senior Principal Architect