

MARQUETTE COUNTY BOARD OF SUPERVISORS

Agenda for July 20, 2021 at 7:00 p.m.

Virtual by use of Webex and in-person

County Board Room – Services Center – 480 Underwood Avenue, Montello, Wisconsin

The MIS Director will place the remote access information on the Marquette County Government page on Facebook at least one day prior to this meeting.

<https://marquettecounty.my.webex.com/marquettecounty.my/j.php?MTID=md092909f1ad0b299576a3d2>

45b33e840

Meeting number (access code): 182 910 0100

Meeting password: XBrPdcKR428 (92773257 from phones and video systems)

Phone: 1-408-418-9388

Note: All agenda items below involve the potential for discussion and action unless stated otherwise. Reports will have no action taken unless noted.

1. Call to Order and Roll Call
2. Moment of Silence and Pledge of Allegiance
3. Review and Approve Agenda
4. Review and Approve Minutes from the June 15, 2021 County Board Meeting
5. Citizen Inquiries and Concerns, Introductions, Employee Recognition (No action to be taken)-Certificate of Appreciation for Carol Jaksic and Certificate of Appreciation for Gary Sorensen
6. Standing Committee Reports and Other Informational Reports:
 - A. Agriculture & Extension Education Committee
 - B. Land & Water Conservation Committee
 - C. Highway Committee
 - D. Executive & Finance Committee
 - E. Parks & Rural Planning Committee
 - F. Property Committee
 - G. Judicial & Public Safety Committee
 - H. Planning & Zoning Committee
 - I. Human Services Board
 - J. Board of Health
 - K. Other Reports by Members of the Board
7. Consent Agenda- Resolution 31-2021 and committee appointments
8. Separate Consideration of Resolutions- 32-2021 through 35-2021
9. The committee may go to closed session under state statute 19.85(1) (g) "Conferring 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". (former Skrzypek Property and Opioid litigation)
10. The Committee will reconvene in open session under section 19.85 (2) if a vote is needed on items discussed in closed session. (former Skrzypek Property and Opioid litigation)
11. Stipulation and Agreement for Phase II Testing
12. Fiscal and Personnel Reports, Correspondence, Grant Updates – Administrator
13. Corporation Counsel Report
14. Announcements & Calendar Planning
15. Adjournment Subject to the Call of the Chairperson

Anyone who requires special accommodation because of disability please contact the County Clerk's office, (608) 297-3016, at least 24 hours before the scheduled meeting time so appropriate arrangements can be made.

July 20, 2021 – Consent Agenda and Resolutions Synopsis

Agenda item # 7- Consent Agenda:

The motion, provided no member chooses to pull individual matters described off the Consent Agenda, would be:

Move to approve resolution 31-2021 and move to approve the following appointments: Rachel Nelson to the Regional CCS Committee and Damaris Thome to fill the unexpired term of Diane Zellmer beginning in August 2021 to the Human Services Board, expiring with the original term date of May of 2023.

Resolution 31-2021: If adopted, the Marquette County Board of Supervisors approves the Outdoor Recreation Plan extension for one year, extending until May of 2022.

Agenda item # 8 – Resolutions subject to separate consideration

Resolution 32-2021: If adopted, Marquette County Board of Supervisors approves an agreement with Marquette-Adams Telephone Cooperative for a contribution of Marquette County's ARPA funds in an amount not to exceed \$1,745,005.

Resolution 33-3021: If adopted, Marquette County Board of Supervisors approves the amendment to Marquette County Code of Ordinances Chapter 80-Public Property- to conform with Fairgrounds permitting process.

Resolution 34-2021: If adopted, Marquette County Board of Supervisors approves the amendment to Marquette County Code of Ordinances Chapter 2-Rules of the County Board- regarding citizen comments and remote and livestream meetings.

Resolution 35-2021: If adopted, Marquette County Board of Supervisors terminates the Declaration of Emergency.

ROLL CALL - COUNTY BOARD OF SUPERVISORS

MARQUETTE COUNTY, WISCONSIN

JULY 20, 2021 Session Resolution 31-2021

ROLL CALL

OUTDOOR RECREATION PLAN EXTENSION RESOLUTION

SUPERVISORS

	<u>YES</u>	<u>NO</u>
Bennett	☐	☐
Benson	☐	☐
Borzick	☐	☐
Fenner	☐	☐
Gibeaut	☐	☐
Krentz	☐	☐
Locke	☐	☐
Mack	☐	☐
McGwin	☐	☐
Miller	☐	☐
Nigbor	☐	☐
O'Brien	☐	☐
Raddatz	☐	☐
Rosenthal	☐	☐
Sheller	☐	☐
Swan	☐	☐
Walters	☐	☐

WHEREAS, Marquette County Completed the Comprehensive Outdoor Recreation Plan (CORP) in 2016.

WHEREAS, the original CORP had a 5-year expiration date of May 2021.

WHEREAS, Marquette County is planning on reviewing and rewriting a new plan during the winter of 2021-22.

THEREFORE, BE IT RESOLVED, this resolution will serve as an amendment to the Marquette County Outdoor Recreation Plan extending it one year to May of 2022.

ADOPTED ☐
DEFEATED ☐

VOTE TALLY

YES	_____
NO	_____
ABSENT	_____
ABSTAIN	_____

INTRODUCED BY:

Committee Recommendation:
Parks & Rural Planning Committee

STATE OF WISCONSIN)
) SS

County of Marquette)

I, Kiley Lloyd, County Clerk of Marquette County, Wisconsin do hereby certify that the above is a true and correct copy of the resolution passed by the Marquette County Board of Supervisors on this date.

Date _____ > _____
Kiley Lloyd, County Clerk

ROLL CALL - COUNTY BOARD OF SUPERVISORS

MARQUETTE COUNTY, WISCONSIN

JULY 20, 2021 Session Resolution 32-2021

ROLL CALL

MARQUETTE-ADAMS TELEPHONE COOPERATIVE AGREEMENT

SUPERVISORS

	YES	NO
Bennett	☐	☐
Benson	☐	☐
Borzick	☐	☐
Fenner	☐	☐
Gibeaut	☐	☐
Krentz	☐	☐
Locke	☐	☐
Mack	☐	☐
McGwin	☐	☐
Miller	☐	☐
Nigbor	☐	☐
O'Brien	☐	☐
Raddatz	☐	☐
Rosenthal	☐	☐
Sheller	☐	☐
Swan	☐	☐
Walters	☐	☐

ADOPTED ☐
DEFEATED ☐

VOTE TALLY

YES _____
NO _____
ABSENT _____
ABSTAIN _____

INTRODUCED BY:

Committee Recommendation:
Executive & Finance Committee
STATE OF WISCONSIN)

) SS

County of Marquette)

I, Kiley Lloyd, County Clerk of Marquette County, Wisconsin do hereby certify that the above is a true and correct copy of the resolution passed by the Marquette County Board of Supervisors on this date.

Date Kiley Lloyd, County Clerk

WHEREAS, Marquette County ("County") seeks to help provide access to broadband services in unserved and/or underserved areas and to encourage economic development within its boundaries; and

WHEREAS, Marquette-Adams proposes to construct broadband infrastructure to reach certain unserved and/or underserved resident and business locations requesting broadband service in the Town where such service is currently unavailable or is prohibitively expensive; and

WHEREAS, Marquette-Adams is applying for a Fiscal Year 2022 American Rescue Plan Act ("ARPA") Broadband Access Grant ("Grant") to build Fiber-To-The Home ("FTTH") in a hard-to-serve area in the County as set forth in Exhibit XXX ("Project"); and

WHEREAS, the County is a political subdivision of the State of Wisconsin; and

WHEREAS, the County desires to enter into this Agreement to work with Marquette-Adams to secure funding through application(s) to public grant and loan programs intending to construct broadband Infrastructure or through alignment of other appropriate external funding sources for economic development to support the Project; and

WHEREAS, enhanced broadband access and availability will be utilized to position the County for desirable economic growth through addressing existing service disparities, while providing a means for accessing the advantages of technology-based economic development practice for the subject localities;

NOW, THEREFORE, the Marquette County Board of Supervisors hereby authorizes the contribution of its ARPA funds in an amount not to exceed \$1,745,005 to Marquette-Adams for the projects identified in Exhibit A ("Projects"), subject to the following:

1. contribution of each identified Town's ARPA funds as set forth in Exhibit A,
2. continued approval of use of ARPA funds for the Projects,
3. compliance with all state and federal laws regarding public bidding and open records,
4. construction, ownership, and maintenance of the Projects will be held by Marquette-Adams,

5. Marquette-Adams will allow connection to any installed lines in accordance with the terms and conditions to be set forth in a further agreement between the County and Marquette-Adams,
6. the future formation of an advisory committee between the County and Marquette-Adams for future broadband planning in the County,
7. adequate liability and indemnification provisions to protect the County as it deems appropriate, to be set forth in a future agreement between the County and Marquette-Adams,
8. approval of a project timeline to be submitted by Marquette-Adams at a future date,
9. such other terms and conditions as may be set forth in a future agreement between the County and Marquette-Adams.

In addition, the County reserves the right to terminate its decision to proceed with the Projects at any time and for any reason. If such decision were to occur after award of the grant, but before it is accepted by Marquette-Adams (after written notice to the County of its intent to accept), all amounts will be returned to the funding source.



ARPA Broadband Access Grant Discussion:

Marquette County

WHO WE ARE:

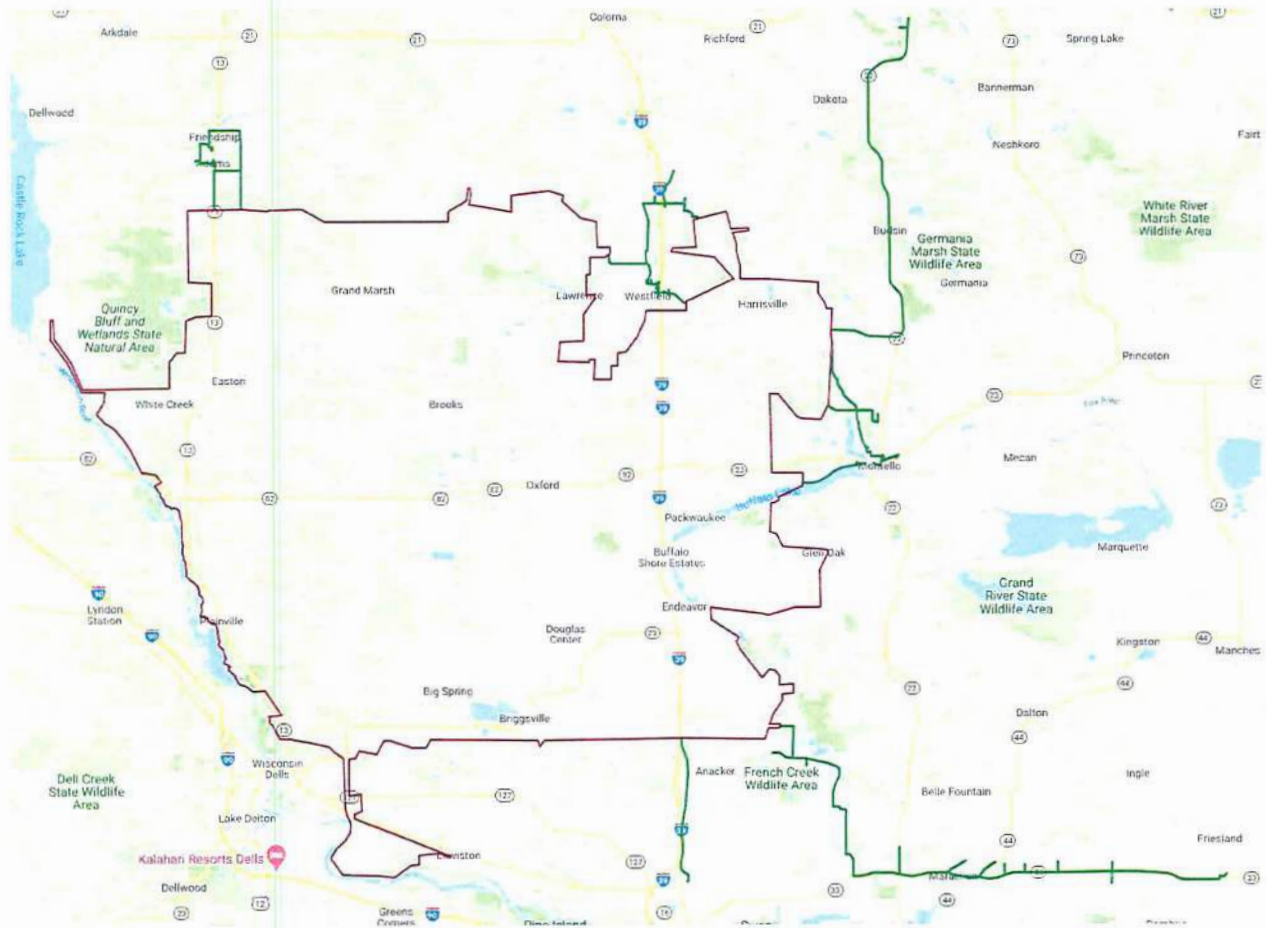
For more than seven decades, Marquette-Adams has kept rural homes and businesses connected with our suite of unparalleled communications solutions, today offering fiber-based high-speed Internet, video, and voice line services. The cooperative spirit upon which we were founded is stronger than ever before as we continue to explore and implement innovative new methods and technology, ensuring that our customers will continue to enjoy the very best in service and support for years to come.

1951 Cooperative began offering telephone services in Marquette and Adams Counties.

2005 Added high-speed internet services to suite of communications solutions.

2010-14 Assisted by federal stimulus grant, successfully increased serving area by 54%. In 2014, Marquette-Adams completed an upgrade of our infrastructure to a 100% fiber-optic network in order to meet the customer need for quality broadband solutions that support telecommuting, telemedicine, online education opportunities, video content streaming, and the growing number of broadband-supported devices in the home.

2014-21 Constant expansion efforts (PSC grant and self-funded initiatives) has allowed Marquette-Adams to broaden our serving area to include more rural customers and communities within Marquette and Adams Counties, and now Waushara and Columbia County as well.



Marquette-Adams Current Service Area Map

MARQUETTE-ADAMS EXPANSION HISTORY:

Marquette-Adams has been fortunate to receive Wisconsin Broadband Expansion Grant funding for eight fiber broadband expansion projects since 2018:

Town of Montello & Shields (2018):	50 eligible subscribers / 40% connection to-date
Towns of Dell Prairie & Newport (2019):	111 eligible subscribers / 64% connection to-date
Town of Newport (2020):	120 eligible subscribers / 38% connection to-date
Town of Newton (2020):	120 eligible subscribers / 35% connection to-date
Towns of Marcellon, Scott & Randolph (2020):	133 eligible subscribers / >20% connection to-date
Towns of Dakota & Wautoma (2021):	109 eligible subscribers / construction not yet complete
Towns of Harris & Westfield (2021):	59 eligible subscribers / construction not yet complete
Town of Newport Phase II (2021):	43 eligible subscribers / construction not yet complete

In addition to these grant-funded expansion efforts, Marquette-Adams is constantly exploring and initiating self-funded growth opportunities beyond the borders of our service territory. Since 2011, Marquette-Adams has continued to add over 150 broadband customers per year in expansion efforts that have been self-funded.

What this means is that not only will your commitment of ARPA funds help to support the rural residents and businesses identified in this proposed projects, but it will also bring Marquette-Adams' fiber infrastructure closer to other unserved and underserved residents in neighboring areas. Thus, it will increase the possibility of helping these areas to achieve access to quality, affordable broadband services in the future.

WHY WE'RE REACHING OUT:

On June 1, 2021, the Public Service Commission of Wisconsin (PSC) announced the availability of Federal American Rescue Plan Act (ARPA) Broadband Access Grants. The PSC will be awarding up to \$100 million for projects that will expand high-speed broadband internet to unserved and underserved locations in the state. Marquette-Adams is currently in the process of preparing a grant application that directly impacts residents within **Marquette County**.

In addition to federal criteria, the PSC will evaluate broadband projects based on a number of required elements, including...

PROJECT TECHNOLOGY:

The applications states, "Applicants proposing to invest in fiber optic infrastructure will receive credit."

Marquette-Adams is proposing a 100% Fiber-to-the-Premise (FTTP) expansion project.

EXISTING BROADBAND SERVICE NEED:

The application states, "The application must provide that, upon completion, the proposed service will reliably meet or exceed a symmetrical speed of 100 Mbps download and upload."

Based on the data provided by the Public Service Commission of Wisconsin Broadband Map, the proposed area is only partially served by a single wireline provider (Frontier Communications) who, according to the PSC, is operating on copper infrastructure, which cannot achieve symmetrical 100 Mbps speeds.

Upon completion, Marquette-Adams will be able to provide symmetrical 1 Gbps speeds.

SERVICE AFFORDABILITY:

Marquette-Adams introductory high-speed Internet service option of 25Mbps download speed and 5Mbps upload speed will be made available to residents in the proposed expansion area for \$39.95/month. Frontier Communications is at this time offering a 25Mbps broadband package as well, but for \$44.99/month.

Not only will Marquette-Adams provide superior fiber-based broadband solutions, but our everyday pricing provides better value options and savings rural customers.

MATCH:

The application states, "An application will receive credit based on the percentage of matching funds the applicant proposes to invest in its project and the variety of sources of matching funds provided by others."

This refers to financial contributions towards the project not only from Marquette-Adams, but from the local government entities in the impacted project areas as well. Broadband is one of the few infrastructure items for which communities may contribute ARPA funds towards. Without a commitment of ARPA funds from **Adams County**, the proposed expansion project will likely not be financially feasible for Marquette-Adams to pursue.

MARQUETTE COUNTY PROJECT 1 DETAILS: Packwaukee & Harris Townships

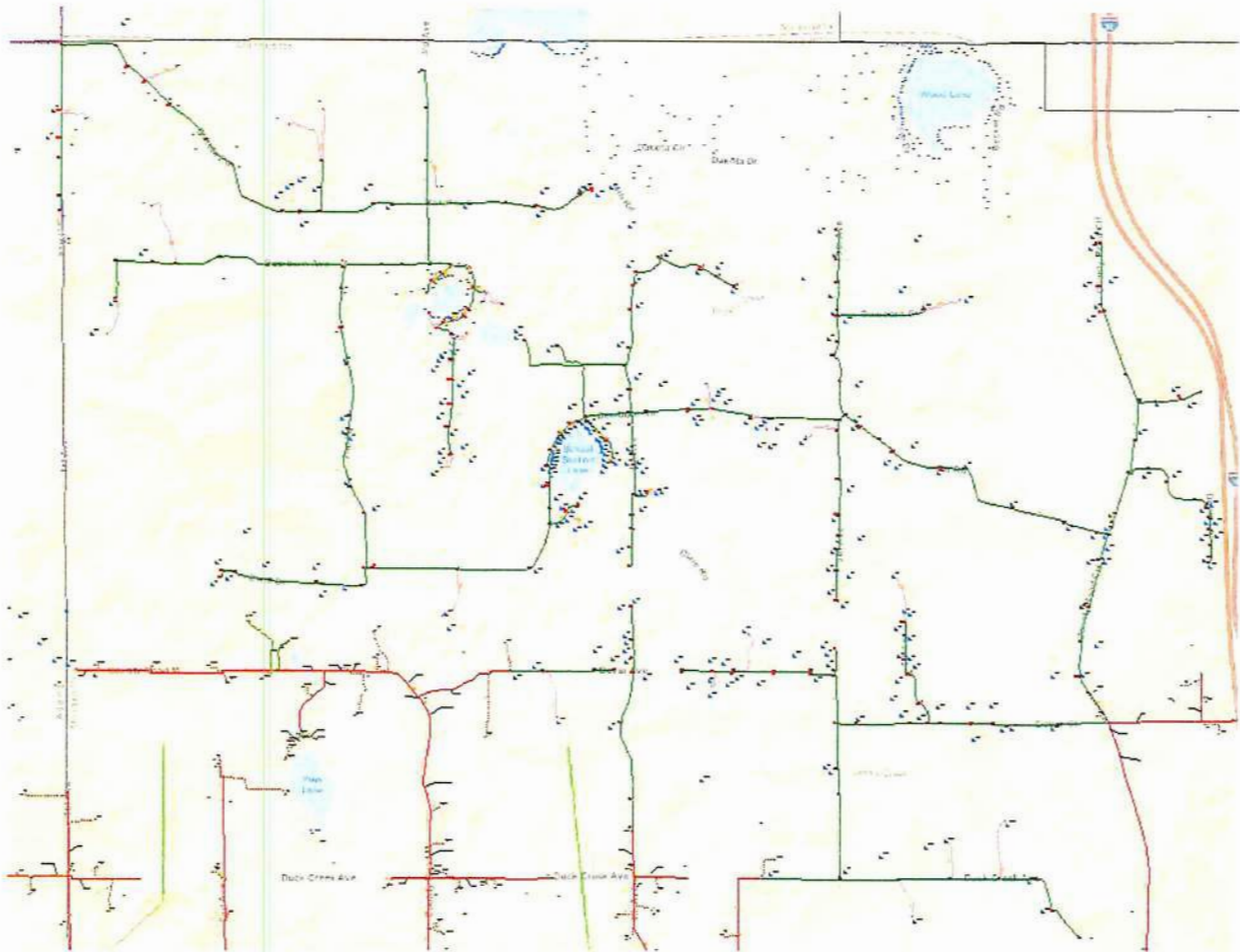
Miles of Fiber:	12.7
Residential Impact:	129 Eligible Subscribers
Total Project Cost:	\$ 852,870
Marquette-Adams Pledge:	\$ 230,275
Marquette Co ARPA Support Request:	\$ 148,096
Grant Request Amount:	\$ 324,091



Packwaukee & Harris Townships Expansion Area Map

MARQUETTE COUNTY PROJECT 2 DETAILS: Springfield Township

Miles of Fiber:	31
Residential Impact:	316 Eligible Subscribers
Total Project Cost:	\$ 1,756,818
Marquette-Adams Pledge:	\$ 491,909
Marquette Co ARPA Support Request:	\$ 385,791
Grant Request Amount:	\$ 790,568



Springfield Township Expansion Area Map

MARQUETTE COUNTY PROJECT 3 DETAILS: Montello, Mekan & Shields Township

Miles of Fiber:	53.62
Residential Impact:	651 Eligible Subscribers
Total Project Cost:	\$ 5,010,752
Marquette-Adams Pledge:	\$ 1,302,796
Marquette Co ARPA Support Request:	\$ 1,211,118
Grant Request Amount:	\$ 2,254,839



Montello, Mekan & Shields Townships Expansion Area Map

MARQUETTE COUNTY PROJECTS (3) SUMMARY:

TOTAL Miles of Fiber:	97.32
TOTAL Residential Impact:	1096 Eligible Subscribers
TOTAL Projects (3) Cost:	\$ 7,620,440
TOTAL Marquette-Adams Pledge:	\$ 2,204,980
TOTAL Marquette Co ARPA Support Request:	\$ 1,745,005
TOTAL Grant Amount Requested:	\$ 3,369,498

Estimated Timeline:

June - Aug 2022:	Mainline fiber infrastructure construction
June - Sept 2022:	Splicing of mainline fiber to prepare for individual customer fiber drops
Sept 2022 - Dec 2023:	Individual subscriber fiber burials "drops"
Sept 2022 – Dec 2023:	End user installation of services: high-speed internet, television & voice

ARPA Funds Awarded to Marquette County: **\$3,025,067**

ARPA Funds Awarded to Packwaukee Township: **\$150,409**

ARPA Funds Awarded to Springfield Township: **\$88,550**

ARPA Funds Awarded to Montello Township: **\$110,007**

ARPA Funds Awarded to Mekan Township: **\$74,001**

ARPA Funds Awarded to Shields Township: **\$57,568**

APPLICATION DEADLINE

JULY 27, 2021

ROLL CALL - COUNTY BOARD OF SUPERVISORS

MARQUETTE COUNTY, WISCONSIN

JULY 20, 2021 Session Resolution 33-2021

ROLL CALL

RESOLUTION AMENDING THE MARQUETTE COUNTY CODE OF ORDINANCES CHAPTER 80, PUBLIC PROPERTY

SUPERVISORS

	<u>YES</u>	<u>NO</u>
Bennett	☐	☐
Benson	☐	☐
Borzick	☐	☐
Fenner	☐	☐
Gibeaut	☐	☐
Krentz	☐	☐
Locke	☐	☐
Mack	☐	☐
McGwin	☐	☐
Miller	☐	☐
Nigbor	☐	☐
O'Brien	☐	☐
Raddatz	☐	☐
Rosenthal	☐	☐
Sheller	☐	☐
Swan	☐	☐
Walters	☐	☐

ADOPTED ☐
DEFEATED ☐

VOTE TALLY

YES	_____
NO	_____
ABSENT	_____
ABSTAIN	_____

INTRODUCED BY:

Committee Recommendation:

Property Committee

STATE OF WISCONSIN)
) SS
County of Marquette)

I, Kiley Lloyd, County Clerk of Marquette
County, Wisconsin do hereby certify that the
above is a true and correct copy of the resolution
passed by the Marquette County Board of
Supervisors on this date.

Date _____ > _____
Kiley Lloyd, County Clerk

NOW THEREFORE, BE IT ORDAINED by the
Marquette County Board of Supervisors that Section 80.17,
of Article IV, of Chapter 80, Public Property, of the
Marquette County Code of Ordinances be replaced with the
following:

A. Any person desiring to hold a private gathering of
any kind, unrelated to the County operations, shall first
obtain a permit from the Buildings and Grounds
Superintendent. The permit must be applied for not less
than thirty (30) days prior to the scheduled event. The terms
and conditions in the permit shall ensure compliance with
this Chapter, and provide adequate law enforcement and
other emergency services, and protect the County's property
and the public health and safety. Additional procedural
requirements and the standards to apply when considering
such a permit are set forth in Section 80.06.

B. All large gatherings must be conducted in
accordance with the terms and conditions set forth in the
permit.

ROLL CALL - COUNTY BOARD OF SUPERVISORS

MARQUETTE COUNTY, WISCONSIN

JULY 20, 2021 Session Resolution 34-2021

ROLL CALL

SUPERVISORS	YES	NO
Bennett	☐	☐
Benson	☐	☐
Borzick	☐	☐
Fenner	☐	☐
Gibeaut	☐	☐
Krentz	☐	☐
Locke	☐	☐
Mack	☐	☐
McGwin	☐	☐
Miller	☐	☐
Nigbor	☐	☐
O'Brien	☐	☐
Raddatz	☐	☐
Rosenthal	☐	☐
Sheller	☐	☐
Swan	☐	☐
Walters	☐	☐

ADOPTED ☐
DEFEATED ☐

VOTE TALLY

YES _____
NO _____
ABSENT _____
ABSTAIN _____

INTRODUCED BY:

Committee Recommendation:
Executive & Finance Committee
Property Committee

STATE OF WISCONSIN)
) SS
County of Marquette)

I, Kiley Lloyd, County Clerk of Marquette
County, Wisconsin do hereby certify that the
above is a true and correct copy of the resolution
passed by the Marquette County Board of
Supervisors on this date.

Date _____ > _____
Kiley Lloyd, County Clerk

RESOLUTION AMENDING THE MARQUETTE COUNTY CODE OF ORDINANCES CHAPTER 2, RULES OF THE COUNTY BOARD

NOW THEREFORE, BE IT ORDAINED by the Marquette
County Board of Supervisors that Section Chapter 2, Rules of the
County Board of the Marquette County Code of Ordinances be
amended as follows:

Section 2.07(B)(6) is replaced with the following:

Citizen comment periods shall be limited to comments and issues
raised by non-Board members. A person commenting shall place his
or her name on a sign-in sheet and indicate in which town, city or
village the citizen resides or owns property prior to making a citizen
comment. Citizen comments are limited to three (3) or five (5)
minutes, or as otherwise determined by the County Board
Chairperson at his or her sole discretion, and may include limiting
comments by those that are not residing or owning property in
Marquette County. The Board Chairperson shall determine what
limits or restrictions, if any, shall apply to public comments or
appearances as circumstances dictate. Board members shall refrain
from raising issues as citizens during these times. Board members
shall contact the Chairperson or a Committee Chairperson to arrange
for matters to be placed on an agenda in accordance with section
2.02.

Section 2.09(L)(3) is replaced with the following:

Remote and Livestream Meetings:

- County Board and citizen members are permitted to
attend meetings by conference call or other electronic
means to the extent the County's technology permits
provided that the cost of any such attendance shall be
paid at the member's expense. The member may be
compensated at the current meeting rate. Members are
encouraged to attend in person whenever possible.
- To the extent the County's technology permits and
personnel is available, the County will endeavor to record
meetings of the County Board and standing committees
and provide access for view by the public on whatever
platform the County MIS Department Head decides to
utilize, or as determined by the County Board. The
County Board or other standing committees also have
the option to provide a meeting livestream. Nothing in
this rule requires that meetings be recorded or
livestreamed.
- Members of the public attending remotely may be
allowed to make comments during the public comment
period in the same manner as those members of the
public that are attending in person.
- A member of the public that wishes to appear before the
County Board with regard to a specific agenda item
(outside of the general public comment time period) shall
appear in person unless a remote appearance is
otherwise required because of a disability or illness.

ROLL CALL - COUNTY BOARD OF SUPERVISORS

MARQUETTE COUNTY, WISCONSIN

JULY 20, 2021 Session Resolution 35-2021

ROLL CALL

TERMINATION OF DECLARATION OF EMERGENCY

SUPERVISORS

	<u>YES</u>	<u>NO</u>
Bennett	☐	☐
Benson	☐	☐
Borzick	☐	☐
Fenner	☐	☐
Gibeaut	☐	☐
Krentz	☐	☐
Locke	☐	☐
Mack	☐	☐
McGwin	☐	☐
Miller	☐	☐
Nigbor	☐	☐
O'Brien	☐	☐
Raddatz	☐	☐
Rosenthal	☐	☐
Sheller	☐	☐
Swan	☐	☐
Walters	☐	☐

ADOPTED ☐
DEFEATED ☐

VOTE TALLY

YES	_____
NO	_____
ABSENT	_____
ABSTAIN	_____

INTRODUCED BY:

Committee Recommendation:

Board Leadership

STATE OF WISCONSIN)
) SS

County of Marquette)

I, Kiley Lloyd, County Clerk of Marquette County, Wisconsin do hereby certify that the above is a true and correct copy of the resolution passed by the Marquette County Board of Supervisors on this date.

Date > Kiley Lloyd, County Clerk

WHEREAS, Marquette County adopted a Declaration of Emergency in March of 2020 with regard to the 2019 novel strain of coronavirus, known as COVID-19 is a respiratory virus that is extremely contagious and can be fatal;

WHEREAS, the Declaration provided that it would stay in effect until such time as determined by the Marquette County Board of Supervisors,

WHEREAS, the Marquette County Board has determined that a Declaration of Emergency is no longer required,

NOW THEREFORE, the 2020 Declaration of Emergency is hereby terminated, however, in anticipation of federal relief and reimbursement becoming available, all County departments and offices shall track expenses related to efforts to protect the public and prevent the spread of COVID-19.