

MARQUETTE COUNTY BOARD OF SUPERVISORS
WebEx Remote/Virtual and County Board Room of the Services Center
November 14, 2023

Pursuant to notice duly given in the manner established by the Board of Supervisors and in compliance with Sub-Chapter V of Chapter 19 of the Wisconsin Statutes, a lawfully held public budget hearing and annual meeting of the Board of Supervisors of the County of Marquette, Wisconsin was called to order by County Board Chairperson Ken Borzick at 6:30 p.m. on November 14, 2023, at Montello, Wisconsin, at the time and place established by the Board of Supervisors or in accordance with law.

The Clerk called the roll and the following members answered roll call:

District No. 1 . . Abby Swan
District No. 2 . . Dennis Fenner
District No. 3 . . David Krentz
District No. 4 . . John Bennett
District No. 5 . . Kathy Jo Locke
District No. 6 . . David Benson
District No. 7 . . Ken Borzick
District No. 8 . . Mike Raddatz
District No. 9 . . Bart O'Brien
District No. 10 . Mary P. Walters
District No. 11 . Lance Achterberg
District No. 12 . Jon Vote
District No. 13 . Kathleen McGwin
District No. 14 . Jeff Frazer
District No. 15 . Gayle Mack
District No. 16 . Alan Gibeaut
District No. 17 . Judi Nigbor

A quorum of the Board of Supervisors was declared present and open meetings law compliance was established.

Also present was Administrator Ron Barger. There were several citizens, department heads, and county employees in attendance both in person and virtually.

A moment of silence was observed followed by the reciting of the Pledge of Allegiance.

Motion/second by Benson/Bennett to approve the agenda. Motion carried.

Board Chairperson Borzick opened and conducted the public hearing on the 2024 proposed Marquette County budget. Administrator Ron Barger presented a Marquette County Budget Proposal 2024 PowerPoint and opened the floor for questions.

Board Chairperson Borzick closed the public hearing and opened the regular business meeting at 7:00 p.m.

Motion/second by Raddatz/Walters to approve the minutes of the October 17, 2023 meeting as printed. Motion carried.

Montello Library Director Andrea Klapper spoke under citizen comments regarding the library funding request. There were no introductions or employee recognitions.

The chairperson of the respective standing committees gave committee reports.

Motion/second by Raddatz/Benson to approve the consent agenda per agenda item 12, approving Resolutions 44-2023 through 47-2023. Motion carried.

Resolution No. 44-2023 ZONING AMENDMENT- TOWN OF HARRIS
(Introduced by Dave Krentz AND Gayle Mack)

WHEREAS, the Marquette County Board of Supervisors has been petitioned to amend the Marquette County Zoning Ordinance, and

WHEREAS, the petition has been referred to the Marquette County Planning and Zoning Committee for public hearing, and

WHEREAS, the Marquette County Planning and Zoning Committee on due notice conducted a public hearing on the proposed amendment and filed their recommendation to the Board.

WHEREAS, the proposed amendment and recommendation of the Planning and Zoning Committee have been given due consideration by the Board in open session.

NOW THEREFORE, the Marquette County Board of Supervisors do ordain as follows:

The Marquette County Code or Ordinances Chapter 70-Zoning and the accompanying map are amended in the following respect: CSM 1309, being part of the W1/2 of the NW1/4, Section 14, T16N R9E, Town of Harris, containing 17.61 acres more or less is rezoned from General Agriculture (AG-2) to Agriculture Residential (AG-3(4)).

Resolution No. 45-2023 ZONING AMENDMENT- TOWN OF WESTFIELD
(Introduced by Dave Krentz AND Gayle Mack)

WHEREAS, the Marquette County Board of Supervisors has been petitioned to amend the Marquette County Zoning Ordinance, and

WHEREAS, the petition has been referred to the Marquette County Planning and Zoning Committee for public hearing, and

WHEREAS, the Marquette County Planning and Zoning Committee on due notice conducted a public hearing on the proposed amendment and filed their recommendation to the Board.

WHEREAS, the proposed amendment and recommendation of the Planning and Zoning Committee have been given due consideration by the Board in open session.

WHEREAS, the Board finds the following:

1. The land is better suited for a use not allowed in the AG-1 district.
2. The rezoning will not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoned for or legally restricted to agricultural use.
3. The rezoning is consistent with the applicable town and County comprehensive plans, including the farmland preservation plan component of the County Comprehensive Plan.

NOW THEREFORE, the Marquette County Board of Supervisors do ordain as follows:

The Marquette County Code or Ordinances Chapter 70-Zoning and the accompanying map are amended in the following respect: The SE1/4-NW1/4 and the NE1/4-NW1/4, Section 25, T16N R8E, Town of Westfield, containing 80 acres more or less is rezoned from Prime Agriculture (AG-1) with 10 acres rezoned to General Agriculture (AG-2) and the remaining 70 acres to the Farmland Preservation Overlay (FPO) District.

Resolution No. 46-2023 RESOLUTION TO AMEND MARQUETTE COUNTY CODE OF ORDINANCES-1.20-
REGISTER OF DEEDS DOCUMENTATION TIME CUT-OFF
(Introduced by Judi Nigbor AND Gayle Mack)

WHEREAS, on November 12, 2014, Marquette County enacted a Code of Ordinances, and

WHEREAS, due to software updates it is at the recommendation of the Planning & Zoning Committee and the Register of Deeds to make certain amendments to Chapter 1- General Provisions, Records, Sales Tax, and Unclaimed Funds- Article VI- Register of Deeds Documentation Reception Time Cut Off, and

NOW, THEREFORE, BE IT RESOLVED that the Marquette County Board of Supervisors does ordain that Chapter 1 shall be amended as set forth in the updated edition of Chapter 1 dated November 14, 2023, and

Section 1.20 is amended to read the following:

Pursuant to § 59.20, Wis. Stats., the cut-off reception time for filing and recording of documents shall be advanced by one hour on all official business days during when the Register of Deeds office is open to the public, except that on the last official business day of the year the cut-off reception time for filing and recording of documents shall be advanced by two hours, in order to complete the processing, recording and indexing to conform to the day of reception.

Resolution No. 47-2023 RESOLUTION ON THE COMBINATION OF THE COMPREHENSIVE COMMUNITY
SERVICES COORDINATING COMMITTEE AND THE COORDINATED SERVICES TEAM COORDINATING
COMMITTEE

(Introduced by Mary Walters AND Dave Benson)

WHEREAS The Marquette County Human Services Department operates a Comprehensive Community Services (CCS) Program under Chapter DHS 36 and operates a Coordinated Services Team (CST) Initiative under Chapter DHS 46.56; and

WHEREAS Chapter DHS 36.09 and Chapter DHS 45.56 (3) require a coordination committee that includes representatives from various county departments, including individuals who are responsible for mental health and substance use services, child welfare, economic support services, youth justice, service providers, school districts, community mental health and substance abuse advocates, consumers, family members and interested citizens; and

WHEREAS Chapter DHS 36 and Chapter DHS 45.56 (3) require that coordinating committee membership be made up of at least 33% consumers and 25% parents and that no more than one-third the total membership be county employees or service providers; and

WHEREAS it has been determined that it is in the best interest of both programs to combine the coordinating committees;

NOW THEREFORE BE IT RESOLVED that Marquette County has combined the Comprehensive Community Services Coordinating Committee and the Coordinated Services Team Coordinating Committee appointing the following as the membership list:

3 parent and 4 consumer representatives
Westfield Schools Representative
County Board Supervisor
Clinical Services Manager
Children & Family Services Manager
Human Services Director

Separate Consideration of Resolutions 48-2023 through 50-2023.

Resolution No. 48-2023 RESOLUTION TO RATIFY LABOR AGREEMENT BETWEEN MARQUETTE COUNTY AND THE MARQUETTE COUNTY DEPUTY SHERIFF'S ASSOCIATION, WPPA/LEER
(Introduced by Mary Walters AND Alan Gibeaut)

Upon roll call Resolution No. 48-2023 was adopted as follows: Ayes 17; Noes 0; Absent 0
*EXHIBIT A can be found at the County Clerk's Office and is available upon request. *

WHEREAS, Marquette County and the Marquette County Deputy Sheriff's Association, WPPA/LEER have negotiated a two-year collective bargaining agreement for the duration of 2024-2025, and

THEREFORE, BE IT RESOLVED, that the following contract modifications are agreed to as provided in Exhibit A, and

BE IT FURTHER RESOLVED that the referenced contract for 2024-2025 is hereby considered ratified and the County Administrator is authorized to sign the contract on behalf of Marquette County.

SYNOPSIS OF CHANGES: 2% pay increases on Jan 1 (2024 and 2025) and July 1 (2024 and 2025), adjustment of the on-call wage to go from \$1.50 per hour to \$1.75 per hour effective January 1, 2024 and then to \$2.00 per hour effective January 1, 2025, language revisions and additions to articles regarding recognition, promotions, hours of work and overtime, new job classifications, vacations, saving clause, and K9 compensation.

Resolution No. 49-2023 RESOLUTION TO SET APPROPRIATIONS FOR THE FISCAL YEAR 2024 AND TAX LEVY FOR 2023

(Introduced by Ken Borzick AND Judi Nigbor)

Upon roll call Resolution No. 49-2023 was adopted as follows: Ayes 17; Noes 0; Absent 0
*2024 Budget can be found on the Marquette County Website, Administration Office, County Clerk's Office, and is available upon request. *

WHEREAS, the appropriations for the various functions of Marquette County Government for fiscal Year 2024 amount to \$32,005,394. The anticipated revenues to the County, which offset appropriations, are projected to be \$16,807,709. Anticipated revenue of \$1,472,026 from the County Sales Tax is included within the overall projected revenue figure. An additional \$1,695 is being applied from Fund Balance to further reduce the levy and balance the budget.

NOW THEREFORE, BE IT RESOLVED that the remaining sum of \$15,195,991 is levied upon taxable properties within Marquette County in the manner prescribed by State Statutes, as equalized for 2023, for the purpose of appropriating to each department or program of the County the amounts specified in the budget detail document.

BE IT FURTHER RESOLVED that the budget detail document titled "2024 Annual Budget" be adopted as per any recorded amendments with the understanding that accounts designated therein as "non-lapsing" shall be considered continuing appropriations.

Resolution 50-2023 had lengthy discussion.

Motion/second by Walters/Gibeaut to adopt Resolution 50-2023 as presented.

Motion/second by Fenner/Raddatz to amend the original motion and change the word expected to encourage regarding 50% in-person attendance, use a camera when virtual if available or feasible, remove virtual closed session as an option, and remove the language regarding citizens cannot yield unused time or save time for others. Amendment failed due to needing 2/3 vote. 10-7 (Noes: Bennett, Krentz, McGwin, Nigbor, O'Brien, Swan, and Vote)

Motion/second by McGwin/Vote to amend and add the language citizens cannot yield unused time or save time for others. Motion carried 15:2 (Noes: Fenner and Raddatz)

Motion/second by Nigbor/Achterberg to reduce the County Board and Committee per diem from \$75 to \$50. Motion carried 12:5 (Noes: Bennett, Benson, Borzick, Krentz, and Walters)

Final adoption of amended Resolution 50-2023 failed due to needing 2/3 vote. 10:7 (Noes: Bennett, Benson, Krentz, Nigbor, O'Brien, Swan, and Walters)

Amendment and adoption of rules clarification discussed. All County Board Rules amendments and final adoption require 2/3 vote.

8:18 p.m. Short Recess. 8:23 p.m. Meeting is called back to order.

Motion by Fenner to amend the rules by changing the word expected to encourage regarding 50% in-person attendance, use a camera when virtual if available or feasible, remove virtual closed session as an option, and per diem to be \$50 instead of \$75. Motion died due to no second.

Motion/second by Benson/Bennett to adopt Resolution 50-2023 as presented.

Motion/second by Raddatz/Krentz to amend by suspending Exhibit A and adopt the original County Board Rules that are currently in place. Motion failed due to needing 2/3 vote. 10-7 (Noes: Achterberg, Borzick, Fenner, Frazer, Mack, O'Brien, and Vote)

Motion/second by Nigbor/McGwin to adopt current rules and per diem at \$50. Motion failed due to needing 2/3 vote. 9:8 (Noes: Bennet, Benson, Borzick, Krentz, Locke, O'Brien, Raddatz, and Walters)

Motion/second by O'Brien/Locke to go over the rule changes line by line. Motion carried through voice vote. (Noes: Walters)

EXHIBIT A **SUMMARY OF CHANGES**

1. 2.01 Updated to most recently revised edition of Robert's Rules of Order. Voice Vote Carried.
2. 2.02 Add language in respect to agenda established by the County Board Chairperson and Vice Chairperson in conjunction with the County Clerk shall be provided with the notice of the meeting. Voice Vote Carried.
3. 2.03(2) Add County Board Supervisors are expected to attend a minimum of 50% of County Board meetings in person. Motion/second by Fenner/Raddatz to change the word expected to encouraged. Voice vote carried.
4. 2.04(3) Add virtual attendance during closed session is acceptable at the discretion of the County Board Chairperson and/or if a mandatory order is in place. Motion/second by Swan/Frazer to remove item. Roll Call Vote requested by Mary Walters. Removal of line failed. 9:8 (Noes: Achterberg, Benson, Borzick, Fenner, Gibeaut, Krentz, Mack, and Walters). Motion/second by Frazer/Fenner that there be no virtual attendance during closed session at County Board. Voice Vote Carried. (Noes: McGwin, Nigbor, and Swan)
5. 2.06(D)(2) Add language non-board before tellers. Voice Vote Carried.
6. 2.06(E)(1) Add language for 30 days regarding ballot retention. Follows WEC guidelines. Voice Vote Carried. (Noes: McGwin)
7. 2.06(E)(8) Change shall to may with respect to Committee Chair giving a brief oral report to the County Board. Voice Vote Carried. (Noes: Swan)
8. 2.06(E)(9) Add in consultation with the Administrator regarding creation of Special and Ad-Hoc Committees. Voice Vote Carried.
9. 2.07(B)(3) Add the language for more than 5 minutes each time with respect to County Board Supervisor speaking twice on the same question. Voice Vote Carried. (Noes: McGwin)
10. 2.07(B)(6) Remove 5 minutes and leave 3 minutes regarding citizen comment time length and add language citizens cannot yield unused time or save time for others. Roll Call Vote Carried. (Noes: Raddatz and Fenner)
11. 2.07(E) Change must to may regarding petitions, memorials, and other papers to be presented to the Board at the next meeting. Voice Vote Carried.
12. 2.07(F)(3) Change five (5) calendar days to three (3) calendar days regarding resolution submission and meeting notice. Voice Vote Carried. (Noes: Raddatz)
13. 2.08(A)(1) Add language each County Board Supervisor is responsible for submitting a timesheet/expense reimbursement either in writing or electronically to the County Clerk in a timely manner. Voice Vote Carried.
14. 2.09 Add language standing committee meetings will convene at least 6 times per year, unless dictated by statute, or at the discretion of the Committee Chairperson. Voice Vote Carried.
15. 2.09(A) Change language from in addition to one being the Chairperson of the Board in respect to number of committee members. Ag & Extension will be made up of 3 County Board Supervisors, not 4. Additional membership is unchanged. Voice Vote Carried.
16. 2.09(C)(1) Remove the language Judicial and Public Safety regarding Executive & Finance Committee members- this is redundant being Vice Chairperson of the County Board already serves as a committee member. Voice Vote Carried.
17. 2.09(C)(9) Remove line completely. Conference attendance and credit cards are under Administrator authority. Voice Vote Carried.
18. 2.09(C)(new 9) Add language Management Information Systems Director in respect to reporting home committee now Executive & Finance Committee. Voice Vote Carried. (Noes: O'Brien)
19. 2.09(D)(2) Add language citizen before members. Voice Vote Carried.
20. 2.09(E) Change four to three in respect to number of County Board Supervisors on Parks & Rural Planning Committee. This does not change the referenced Resolution 12-2009, which speaks to citizen member representatives. Voice Vote Carried. (Noes: Swan)
21. 2.09(F)(2) Change shall to may and remove language at least annual in respect to County property and jail inspections. Voice Vote Carried. (Noes: Achterberg)
22. 2.09(F)(5) Remove MIS- previously noted on item #18. Voice Vote Carried.
23. 2.09(F)(7) Remove language noting Historical Society/Property Committee liaison. Voice Vote Carried. (Noes: McGwin)
24. 2.09(G)(4) Change shall to may regarding jail inspection and remove shall review the contract for meals for inmates in the County jail. Contracts are covered by the Administrator. Voice Vote Carried.
25. 2.09(H)(1 & 2) Remove language Surveyor and County Surveyor. County contracts with a surveyor. Voice Vote Carried.
26. 2.09(J) Remove or and add language and in respect to both Chairperson and Vice Chairperson, in consultation with Administrator, appointing Ad Hoc Committees. Add language in conjunction with the County Board Chairperson and Vice Chairperson to remain consistent with previous change. Voice Vote Carried.

- 27. 2.09(L)(2) Add language if a Board member will be absent for a scheduled meeting, if feasible, they shall notify the Board/Committee/Commission Chairperson and County Clerk prior to the meeting. Voice Vote Carried. (Noes: Raddatz and Swan)
- 28. 2.09(L)(4b) Add language County Board members that attend virtually are expected to have cameras active and have adequate support for all technological needs. Motion/second by Fenner/McGwin to change the word expected to encouraged. Voice Vote carried. (Noes: Raddatz)
- 29. 2.09(L)(4c) Add language when a committee chairperson must attend virtually, the Chairperson should choose an in-person committee attendee to act as a stand-in Chairperson. Voice Vote Carried.
- 30. 2.09(L)(4f) Change shall appear to is encouraged to attend in respect to citizen participation for a specific agenda item. Voice Vote Carried.
- 31. Some minor punctuation and typo changes throughout. Voice Vote Carried.
- 32. Renumbering and alphabetizing as needed. Voice Vote Carried.

Resolution No. 50-2023 AMENDED RESOLUTION TO AMEND CHAPTER 2, RULES OF THE COUNTY BOARD
(Introduced by Ken Borzick AND Gayle Mack)
Upon roll call Resolution No. 50-2023 was adopted as follows: Ayes 15; Noes 2; Absent 0
(Noes: Nigbor and Swan)

WHEREAS, Marquette County has enacted a Code of Ordinances and desires to make certain additions and amendments to Chapter 2, Rules of the County Board, and

WHEREAS, the County Clerk has provided a summary of changes being proposed by the Ad Hoc County Board Rules Committee which is attached as Exhibit A;

NOW THEREFORE, BE IT RESOLVED, that the Marquette County Board of Supervisors does ordain that Chapter 2 shall be amended as set forth in the updated edition of Chapter 2 dated November 14, 2023.

The fiscal and personnel reports, grant updates, and correspondence was reviewed as presented by Administrator Barger. Sheriff Konrath updated the County Board on the PSAP grant. Sheriff Konrath and Administrator Barger noted the grant match is yet to be determined for funding source.

County Clerk Kiley Lloyd dispersed the County Board Supervisor Nomination Packet, noting deadlines for filing. Non-Candidacy will be kept updated on the website and shared with the Marquette County Tribune.

Calendar planning was reviewed for December 2023 meetings. The meeting was declared adjourned subject to the call of the Chairperson. The meeting was adjourned at 9:26 p.m.

CERTIFICATE
STATE OF WISCONSIN)
) SS
County of Marquette)

I, Kiley Lloyd, County Clerk in and for Marquette County, Wisconsin do hereby certify that the foregoing is a true copy of the proceedings of the County Board of Supervisors of said County at their meeting held in-person and remotely by using WebEx by me as such officer.


Kiley Lloyd, County Clerk