

MARQUETTE COUNTY BOARD OF SUPERVISORS

Agenda for May 21, 2024, at 6:00 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=m5f9b01412219978df0cde87489be4de86>

Meeting number (access code): 2552 416 6999

Meeting password: xjGYVrA4R27 (95498724 from phones and video systems)

Phone: 1-408-418-9388

Note: A citizen wishing to address the Committee/Board and attending the in-person meeting shall place his or her name on a sign-in sheet before the meeting is called to order and indicate in which town, city, or village the citizen resides or owns property prior to making a citizen comment. Those citizens attending remotely will ask to be recognized under the citizen comment portion of the meeting and will adhere to the same reporting process as those attending on-site. Civil discourse will be observed at all times.

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 April 16, 2024 County Board Meeting
5. Announcement and Introduction by County Board Chairperson Ken Borzick- Nomination of Gary Sorensen for District 9 County Board Supervisor
6. Confirmation of the Appointment of Gary Sorensen to fill the vacancy of District 9
7. Administration of Oath of Office to Gary Sorensen by Honorable Judge Chad Hendee
8. Citizen Inquiries and Concerns, Introductions, Employee Recognition
9. 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
10. Annual Reports
 - A. CVSO- Kris Bergh
 - B. Land & Water- Pat Kilbey
 - C. Parks & Rural Planning- Pat Kilbey
 - D. Clerk of Court- Shari Rudolph
 - E. DA- Cliff Burdon
 - F. Sheriff- Joe Konrath
 - G. Emergency Management- Aaron Williams
 - H. Highway- Brian Trebiatowski
11. Motion to Place the Presented Annual Reports on File

12. Consent Agenda- Appointments of County Board Supervisors and citizen members to various Boards, Committees, and Commissions
13. Separate Consideration of Resolution 22-2024
14. Fiscal and Personnel Reports, Correspondence, Grant Updates
15. Corporation Counsel Report
16. Announcements & Calendar Planning for June- Annual Reports May 28th 6:00 p.m.
WCA Dates- September 22-24 in La Crosse- Registration and Room Blocks Open June 3rd
17. 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.

May 21, 2024 – Resolution Synopsis

Agenda item # 12- Consent Agenda

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

County Board representative and committee appointments with the term to follow the current term of the County Board unless otherwise noted- CCS/CST- Mary Walters (Board Rep), Brian Hanlon, Teri Mandel, Joe Johnson, Melissa Reed, Trina Seger; Transportation Coordinating Committee- Dave Matijevich, Tim Jozwiak, Nancy Charles, Laird Dickson, and Cheri Gibeaut; CAP Services- Kathy Jo Locke and Al Gibeaut (Board Reps), Mary Walters and Damaris Thome (Citizen Reps); ADRC- Peggy Krause (Board Rep) to fill the unexpired term of Lance Achterberg- term to expire 5/2025, Lynn Schwochert- term to expire 5/2027, Donna Brossard- term to expire 5/2027, and Marilyn Merrill- term to expire 5/2027; Human Services Board- Peggy Krause (Board Rep)- term to expire 5/2027, Ken Borzick (Board Rep) to fill the unexpired term of Dave Benson- term to expire 5/2025, Chuck Bornhoeft (Board Rep)- to fill the unexpired term of Jeff Frazer- term to expire 5/2025, Dave Matijevich and Barbara Sheldon (Citizen Reps)- terms to expire 5/2027; Land & Water Conservation Committee Agriculture Representative- John Bennett; Golden Sands Representative- Ken Borzick; Ag & Extension Representative to Fair Board- John Bennett; Winnefox Library Board- Chuck Bornhoeft (Board Rep) to fill the unexpired term of Kathleen McGwin- term to expire 12/2024; Veterans Service Commission- Gary Hooyman- term to expire 6/2027; Traffic Safety Commission- Dave Benson and Mike Raddatz (Board Reps); Economic Development- Dave Benson (Board Rep); Tourism- Jeff Frazer (Board Rep); LEPC- Ron Barger, Gary Sorensen, Mary Walters, Ken Borzick, Judi Nigbor, Aaron Williams, Joe Konrath, Brad Pecora, Pat Hamilton, Mary Faltz, Greg Kemnitz, Jarrad Jungenberg, Jayme Sopha, Mike Kohnke, Jason Stauffacher, Jon Vote, Steve Klump, Brian Trebiatowski, Keri Solis, Rob Lulling, and Burlie Williams

Agenda item # 13- Consideration of Separate Resolutions

Resolution 22-2024: If adopted, the Marquette County Board of Supervisors approves amendments made upon recommendation of the Highway Commissioner and the Highway Committee to Marquette County Ordinance Chapter 60- Highway- to include language regarding County Administrator authority, the addition of a 2024 trial basis of County Highway road use for ATV/UTVs, the inclusion of ATV operation per Wisconsin State Statue 23.33, and the addition of County Trunk Highway 'E' Town of Neshkoro to section 60.01 'Speed Limits'.

POSTED 5/16/2024

1. Courthouse
2. Service Center
3. Health & Human Service

ROLL CALL - COUNTY BOARD OF SUPERVISORS

MARQUETTE COUNTY, WISCONSIN

May 21, 2024, Session Resolution 22-2024

ROLL CALL

RESOLUTION AMENDING THE MARQUETTE COUNTY CODE OF ORDINANCES CHAPTER 60 HIGHWAY

SUPERVISORS

	<u>YES</u>	<u>NO</u>
Achterberg	☐	☐
Bennett	☐	☐
Benson	☐	☐
Borzick	☐	☐
Bornhoeft	☐	☐
Fenner	☐	☐
Frazer	☐	☐
Gibeaut	☐	☐
Krause	☐	☐
Krentz	☐	☐
Locke	☐	☐
McGwin	☐	☐
Nigbor	☐	☐
Raddatz	☐	☐
Sorensen	☐	☐
Swan	☐	☐
Walters	☐	☐

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

Chapter 60, Highway, is amended as shown in the
attachment.

These amendments will be effective the day after
publication of the ordinance as required by law.

ADOPTED ☐
DEFEATED ☐

VOTE TALLY

YES	_____
NO	_____
ABSENT	_____
ABSTAIN	_____

INTRODUCED BY:

Committee Recommendation:
Highway 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

CHAPTER 60 – HIGHWAY

60.01 Speed Limits

60.015 Temporary Speed Limits

60.02 Authority Delegated to Highway Committee

60.03 Highway Commissioner

60.01 Speed Limits.

A traffic and engineering investigation having been made on the following described County Trunk Highways, the maximum permissible speed at which vehicles may be operated on said highway, which speed is herein established as reasonable and safe pursuant to §349.11, Wis. Stats., shall be as set forth herein, subject to erection of standard signs giving notice thereof:

- A. County Trunk Highway “E” Town of Westfield, In the County:
Forty-five (45) miles per hour for all vehicles from the Westfield Village limits westerly for a distance of two point six three six (2.636) miles thirteen thousand nine hundred eighteen feet (13,918’).
- B. County Trunk Highway “C” Town of Montello, Town of Packwaukee, in the County:
Forty-five (45) miles per hour for all vehicles from the Montello City limits westerly for a distance of three point six eight three (3.683) miles nineteen thousand four hundred forty seven (19,447’).
- C. County Trunk Highway “ZZ” Town of Packwaukee, in the County:
Forty-five (45) miles per hour for all vehicles from Highway 23 southerly for a distance of one point one four nine (1.149) miles six thousand sixty-five feet (6,065’) to County Trunk “C”.
- D. County Trunk Highway “Y” Town of Montello, In the County:
Forty-five (45) miles per hour for all vehicles from the Montello City limits northerly for a distance of one point one eight five (1.185) miles six thousand two hundred fifty-seven feet (6,257’).
- E. County Trunk Highway “N” Town of Neshkoro, In the County:
Forty-five (45) miles per hour for all vehicles from County Trunk “E” northerly for a distance of point six eight zero (.680) miles three thousand five hundred eighty-seven feet (3,587’).
- F. County Trunk Highway “N” Town of Neshkoro, In the County:
Forty-five (45) miles per hour for all vehicles from County Trunk “E” southerly for a distance of one point zero one six (1.016) miles five thousand three hundred sixty-three feet (5,363’).
- G. County Trunk Highway “K” Town of Montello, Town of Packwaukee, in the County:
Forty-five (45) miles per hour for all vehicles starting from the point point five five nine (.559) miles two thousand nine hundred fifty feet (2,950’) west of the Montello City limits, then proceeding westerly for a distance of four point three one zero (4.310) miles twenty-two thousand seven hundred fifty-six feet (22,756’).
- H. County Trunk Highway “J” Town of Harris, In the County:
Forty-five (45) miles per hour for all vehicles from the point one thousand nine hundred twenty feet (1,920’) west of Dandy Street to the point six hundred fifty feet (650’) west of Dandy Street for a length of one thousand two hundred seventy feet (1,270’) or point two four (.24) miles.
- I. County Trunk Highway “B” Town of Harris, In the County:
Thirty-five (35) miles per hour for all vehicles from County Trunk Highway “J” northerly for a distance

of .488 miles two thousand five hundred eighty feet (2,580').

- J.** County Trunk Highway "J" Town of Harris, In the County:
Twenty-five (25) miles per hour for all vehicles for a distance of .618 miles three thousand two hundred sixty-three feet (3,263') from the point two hundred fifty feet (250') west of Dandy Street to the point five hundred ten feet (510') north of 11th road.
- K.** County Trunk Highway "C" Town of Packwaukee, In the County:
Twenty-five (25) miles per hour for all vehicles from the intersection of County Trunk Highway "D" easterly for the distance of point four two zero (.420) miles two thousand two hundred twenty feet (2,220').
- L.** County Trunk Highway "D" Town of Packwaukee, In the County:
Twenty-five (25) miles per hour for all vehicles from County Trunk Highway "C" intersection westerly for a distance of point four two six (.426) miles two thousand two hundred fifty feet (2,250').
- M.** County Trunk Highway "D" Town of Packwaukee, In the County:
Twenty-five (25) miles per hour for all vehicles from the intersection of County Trunk Highway "C" and County Trunk Highway "D" southerly for a distance of point six seven eight (.678) miles three thousand five hundred eighty feet (3,580').
- N.** County Trunk Highway "D" in the Town of Packwaukee, In the County:
Forty-five (45) miles per hour for all vehicles from a distance of point four two six (.426) miles two thousand two hundred fifty feet (2,250') West of County Trunk Highway "C" intersection westerly for a distance of one point two two six (1.226) miles six thousand four hundred seventy-five feet (6,475').
- O.** County Trunk Highway "M" in the Town of Packwaukee, In the County:
Forty-five (45) miles per hour for all vehicles from the Intersection of STH 23 southerly for a distance of seven tenths of a mile (0.7) three thousand six hundred ninety six feet (3,696').
- P.** County Trunk Highway "X" Town of Douglas, In the County:
Thirty-five (35) miles per hour for all vehicles from Highway 23 southerly for a distance of point two eight six (0.286) miles one thousand five hundred twelve feet (1,512').
- Q.** County Trunk Highway "A" Town of Douglas, In the County:
Thirty-five (35) miles per hour for all vehicles from 1st Road northerly for a distance of point two four four (0.244) miles one thousand two hundred ninety feet (1,290').
- R.** County Trunk Highway "CX" Village of Endeavor, In the County:
Thirty-five (35) miles per hour for all vehicles from Endeavor City limits southerly for a distance of point five six six (0.566) miles two thousand nine hundred ninety feet (2,990').
- S.** County Trunk Highway "N" Town of Shields, In the County:
Thirty-five (35) miles per hour for all vehicles from Eagle Road easterly for a distance of point two two zero (0.220) miles one thousand one hundred fifty nine feet (1,159').

- T. County Trunk Highway "B" City of Montello, In the County:
Thirty-five (35) miles per hour for all vehicles from Highway 23 northerly for a distance of one point zero one seven (1.017) miles five thousand three hundred sixty-eight feet (5,368').
- U. County Trunk Highway "C" City of Montello, In the County:
Twenty-five (25) miles per hour for all vehicles from Highway 23 easterly for a distance of point three eight one (0.381) miles two thousand ten feet (2,010').
- V. County Trunk Highway "M" Village of Westfield, In the County:
Forty-Five (45) miles per hour for all vehicles from Westfield Village limits southerly for a distance of point two seven one (0.271) miles one thousand four hundred thirty feet (1,430').
- W. County Trunk Highway "M" Village of Westfield, In the County:
Thirty-Five (35) miles per hour for all vehicles from Westfield Village limits northerly for a distance of point four one two (0.412) miles two thousand one hundred seventy-five feet (2,175').
- X. County Trunk Highway "EE" Town of Oxford, In the County:
Forty-Five (45) miles per hour for all vehicles from Highway 82 northerly for a distance of point five five nine (0.559) miles two thousand nine hundred fifty-three feet (2,953').
- Y. County Trunk Highway "F" Town of Montello, In the County:
Forty-Five (45) miles per hour for all vehicles from County Trunk Highway XX northerly a distance of one point zero three miles (1.03) five thousand four hundred and fifty feet (5,450') to the Montello City limits.
- Z. County Trunk Highway "E" Town of Neshkoro, In the County:
Forty-Five (45) miles per hour for all vehicles from Highway 73 easterly a distance of two point six miles (2.6) thirteen thousand seven hundred and twenty eight feet (13,728') to the east county line.

60.015 Temporary Speed Limits.

- A. If a highway is being constructed, reconstructed, maintained, or repaired; temporary speed limits may be established as set forth in Wisconsin Statutes § 349.11(10).
- B. The Highway Commissioner, or his/her designee, is authorized at his/her discretion to impose mandatory temporary speed limits under the continuing authority of this section and without need of further action by the County Board.
- C. Temporary speed limits shall be imposed by the posting of either portable or fixed temporary regulatory speed limit signs.
- D. Signs may be posted on any highway under the jurisdiction of the County, and any state trunk highway upon which the County performs maintenance under Wisconsin Statutes § 84.07 when such highway is being constructed, reconstructed, maintained, or repaired, but only in the area of such work and of those persons engaged in performing such work.

60.02 Authority Delegated to Highway Committee.

In accordance with Chapter 83, Wis. Stats., the County Board delegates the following authority to the County Highway Committee:

- A. The authority to purchase and sell the Highway Department machinery, other equipment, or materials relevant to the work carried out by the Highway Department, except that:
1. All capital purchases exceeding fifteen thousand dollars (\$15,000.00) proposed by the Highway Commissioner must be approved by the Highway Committee and the County Administrator; the Highway Commissioner shall do one or both of the following:
 - a. Provide an Equipment Purchase Summary with individual cost estimates during the budget process, or
 - b. In the event that the proposed purchase is not included in the Equipment Purchase Summary, present to the Highway Committee the need for the equipment and the revised Purchase Summary.
 2. In addition to applicable state law requirements for public bidding, whenever the County Highway Committee shall contemplate the purchase of machinery, equipment, or materials, the estimated cost exceeds fifteen thousand dollars (\$15,000.00), the Highway Commissioner shall do one or both of the following:
 - a. Obtain at least two (2) bids or quotes for review by the Highway Committee and the Committee shall select the bid most advantageous to the County, or
 - b. Obtain advance approval from the Committee of the maximum price to be bid at a public auction when the equipment is not included in the upcoming 2 years of the equipment purchase summary. For purposes of this Section, a public auction includes online auctions.
 3. Machinery, equipment or materials may only be sold when deemed no longer necessary by the Highway Committee for government use and all such sales must be made by auction or in a format or manner that will allow for public bidding and sale to the highest bidder (use of Wisconsin Surplus Online Auction satisfies the requirements of this Subsection); and
 4. No equipment or machinery shall be rented or leased to private entities without approval of the Highway Committee and the County Administrator. Upon approval from the Highway Commissioner and/or Committee and County Administrator equipment may be rented or leased to other municipalities with whom Marquette County does not have a service agreement. Those municipalities are responsible for reimbursement of the DOT determined hourly rate based on hours used plus the 10% handling fee. No rentals or leases to private entities shall be permitted unless there is an opinion from Corporation Counsel that such rental or lease is in the public interest and in accordance with law.
- B. The authority to make necessary arrangements for the proper prosecution of the construction and maintenance of highways as provided for by the budget approved by the County Board for the Highway Department.

- C. The authority for the oversight, control, and management of buildings used for the work of the Highway Department.
- D. The authority to make standardized traffic signs and other signage for the County and to sell the same to other governmental entities located in the County.
- E. The authority to enter into contracts with towns, cities, villages and other governmental entities located in the County to perform road construction, maintenance, snow plowing, tree trimming, and other work related to right of ways or other government owned or controlled property.
- F. The authority to enter into contracts with the State of Wisconsin to perform on behalf of the State in the County.
- G. The authority to approve of ATV/UTV routes on highways under the jurisdiction of the County, upon a finding that all of the following are met:
 - 1. all local municipalities through which the proposed ATV route travels agree with the designations,
 - 2. County law enforcement agrees with the route designation,
 - 3. use of the County highway is necessary to complete or extend a route established by and on highways under the jurisdiction of another local municipal government,
 - 4. the County shall not be responsible for paying the cost of **any** signage required for establishing and maintaining the route in accordance with applicable state law,
 - 5. **operation of ATVs shall be in accordance with state law pursuant to §23.33, Wis. Stats., and**
 - 6. use of the County highway under this Section shall be limited to the hours between 5:00 A.M. and 11:59 P.M.

Effective March 19, 2024, Highway Committee approved the use of ATV's on the entire CTH system on a trial basis for the remainder of the 2024 calendar year. The committee will re-consider at the December 2024 meeting regarding future route designations. Enforcement shall be as set forth in Chapter 50 of the Code.

The Highway Committee may revoke the designation of a County highway as a route at any time for any reason. The County Board retains the right to overrule any Highway Committee route designations or non-designations. The Highway Commissioner in consultation with Law Enforcement and Emergency Management may temporarily close any or all route segments due to heavy detour traffic, inclement weather, or any other reason deemed necessary to ensure public safety.

- H. Perform all other duties that may be imposed by the County Board from time to time by resolution.

60.03 Highway Commissioner.

- A. The term of the Highway Commissioner shall be four (4) years.
- B. The Highway Commissioner shall be elected by the County Board. A candidate must receive nomination from at least one (1) County Board Member. A Member may nominate one (1) or more candidates. The election shall be by ballot. The ballots cast must indicate the name of the voting Member to be valid and the ballots shall be retained as a public record. To be elected, a nominee must receive a majority of the votes cast by Members present.

Chapter 60 newly updated by Resolution No. ____; dated ____; passed ____; published ____.