

MARQUETTE COUNTY BOARD OF SUPERVISORS
WebEx Remote/Virtual and County Board Room of the Services Center
July 21, 2026

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 regular meeting of the Board of Supervisors of the County of Marquette, Wisconsin was called to order by Chairperson Bornhoeft at 7:00 p.m. on July 21, 2026, 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 (absent)
District No. 2 Dennis Fenner
District No. 3 Kris Bergh
District No. 4 John Bennett
District No. 5 Kari Olstadt
District No. 6 Dave Kappel
District No. 7 Ken Borzick
District No. 8 Mike Raddatz
District No. 9 Gary Sorensen
District No. 10 Mary P. Walters
District No. 11 Lance Achterberg
District No. 12 Chuck Bornhoeft
District No. 13 Eli Schmudlach
District No. 14 John Larkin
District No. 15 Peggy Krause
District No. 16 Scott Kempley (virtual/phone call)
District No. 17 Judi Nigbor

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

Also present were Administrator Ron Barger and Corporation Counsel Representative Atty. Ben Letendre.

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

Motion/second by Bennett/Bergh to approve the agenda as presented. Motion carried.

Motion/second by Bennett/Walters to approve the minutes of the June 16, 2026 meetings as printed. Motion carried.

There were no citizen inquiries, introductions, or employee recommendations.

The chairperson of the respective standing committees gave committee reports. Supervisor Bennett reported that the fair dates for 2027 will be July 14th-18th and there will be a carnival. Supervisor Borzick reported the E-Waste Event will be August 22nd from 8am-11am at the Fairgrounds. It was reported that there would be a joint Highway and Property Committee meeting August 18th at 10:00 a.m.

Marquette County Library Representatives Heidi Marshall (Packwaukee) and Sheila Scholz (Endeavor) presented information to the board regarding library resources for education, connection, crafting, storytelling, and other weekly and monthly opportunities available to Marquette County residents. They also reported on collaborative efforts between the library and other entities, such as the Sheriff's Office and the school system.

Motion/second by Krause/Sorensen to approve Resolution 22-2026 and to approve the following appointment: ADRC- Phyllis Mabie to fill the remainder of Cathy Kampen's term (Citizen Rep)- term to expire 5/2029. Motion carried.

Resolution No. 22-2026 ZONING AMENDMENT- TOWN OF BUFFALO
(Introduced by John Bennett AND Dennis Fenner)

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 the use not allowed in the Prime Agricultural District zoning classification.
2. The rezoning will not substantially impair or limit current or future use of adjacent lands.
3. The rezoning is consistent with the applicable town and County comprehensive plans, including the farmland preservation component of the County Comprehensive Plan.

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

The Marquette County Code of Ordinances Chapter 62 – Comprehensive Zoning and the accompanying map are amended in the following respect:

Rezone 5 acres to AG-3(5) described as the S1/2 of the E1/2 of the E1/2 of SW-NE, totaling 5 acres for tax parcel 002-00347-0005, all in Section 11, T14N R10E, Town of Buffalo, Marquette County, WI.

Consideration of separate resolutions per agenda item #9.

Resolution No. 23-2026 RESOLUTION REQUIRING THE REPAIR OF AN AT-GRADE CROSSING

(Introduced by Lance Achterberg AND Dennis Fenner)

Upon roll call Resolution No. 23-2026 was adopted as follows: Ayes 16; Noes 0; Absent 1

WHEREAS, County Trunk Highway F, a public road in the Town of Montello, Marquette County is under the jurisdiction of Marquette County and crossed by the tracks of the Union Pacific Railroad at-grade, and

WHEREAS, section 86.12 of the Wisconsin statutes requires railroads to maintain public at-grade crossings in good condition and repair for public travel, and

WHEREAS, the CTH F crossing is not in good condition and repair for public travel based on the settlement of the tracks and crossing pads, leaving a significant drop onto the crossing from the paved asphalt surface. The drop causes low vehicles to bottom out and gouge the asphalt and crossing panels, and

WHEREAS, the Marquette County hereby requires that the Union Pacific Railroad pave, plank, repair, change or otherwise improve the crossing, as the needs require.

NOW, THEREFORE, BE IT RESOLVED, that the Marquette County Board of Supervisors hereby directs the Highway Commissioner to serve a copy of this resolution upon the Union Pacific requiring the railroad to repair the rail-highway crossing at CTH F with the tracks of the Union Pacific Railroad in the Town of Montello, Marquette County.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that in the event that Union Pacific Railroad fails to repair the rail-highway crossing within 30 days after service of the resolution, the Marquette County Board of Supervisors hereby directs the Highway Commissioner to take all necessary steps to petition the Office of the Commissioner of Railroads for an investigation and order for the repair of the rail-highway crossing at CTH F- with the tracks of Union Pacific Railroad, in the Town of Montello, Marquette County.

Motion/second by Raddatz/Achterberg to correct section 60.15(G) in Resolution 24-2026 to include language noting ATV/UTV throughout. Motion carried.

Resolution No. 24-2026 *AMENDED* RESOLUTION AMENDING THE MARQUETTE COUNTY CODE OF ORDINANCES CHAPTER 60 HIGHWAY

(Introduced by Lance Achterberg AND Dennis Fenner)

Upon roll call Resolution No. 24-2026 was adopted as follows: Ayes 16; Noes 0; Absent 1

Attachment can be viewed at the Highway Office and County Clerk's Office, the county website, and is available upon request

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.

Resolution No. 25-2026 RESOLUTION ADOPTING THE MARQUETTE COUNTY CODE OF ORDINANCES CHAPTER 70 HIGHWAY SETBACK AND ACCESS PROVISIONS

(Introduced by Kris Bergh AND Lance Achterberg)

Upon roll call Resolution No. 25-2026 was adopted as follows: Ayes 16; Noes 0; Absent 1

Attachment can be viewed at the Highway Office and County Clerk's Office, the county website, and is available upon request

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

Chapter 70, Highway Setback and Access Provisions, is adopted as shown in the attachment.

This adoption will be effective the day after publication of the ordinance as required by law.

Resolution No. 26-2026 AMENDMENT TO CHAPTER 1- GENERAL PROVISIONS, RECORDS, SALES TAX, AND UNCLAIMED FUNDS- OF THE MARQUETTE COUNTY ORDINANCES

(Introduced by Kris Bergh AND Judi Nigbor)

Upon roll call Resolution No. 26-2026 was adopted as follows: Ayes 16; Noes 0; Absent 1

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

WHEREAS, at the recommendation of the Executive & Finance Committee, it is necessary to periodically update the County's public records provisions to provide greater clarity regarding allowable fees, identify the fee Schedule in Chapter 99, and establish an annual fee review;

WHEREAS, the County also seeks to establish a standardized, legally compliant retention and destruction policy for Public Safety Communications Center audio recordings managed by the Sheriff's Office;

WHEREAS, the Executive & Finance Committee has reviewed these proposed modifications to Chapter 1 and the creation of Appendix A, Section V, and recommends their adoption to improve administrative efficiency and statutory compliance;

NOW THEREFORE BE IT RESOLVED, the Marquette County Board of Supervisors approves the Amendments and additions provided below to Chapter 1, Provisions 1.08(A) and 1.10, and to include Appendix A Section V, with changes that go into effect two weeks after publication.

1.08 Definitions.

(A) Authority means any of the following County related offices having custody of a record: an office, elected official, agency, board, commission, committee, council, department of public body corporate or politic created by the constitution or by any law, ordinance, county code, rule or order; a governmental or quasi-governmental corporation; a special purpose district; any court of law; a nonprofit corporation which receives more than 50 percent of its funds from a county or a municipality, as defined in s. 59.001 (3), and which provides services related to public health or safety to the county or municipality; or a formally constituted subunit of the foregoing.

1.10 Access to Records; Fees.

The rights of any person who requests inspection or copies of a record are governed by the provisions and guidelines of § 19.35, Wis. Stats. The law permits the County to impose fees for certain "actual, necessary and direct" costs associated with responding to public records requests.

Fees for hard copies, including maps and other large records, and electronic copies are in accordance with the Fee Schedule, Chapter 99. In rare instances, if specialized skills, equipment, or technology are required to fulfill a request, additional costs may apply and will be communicated to the requestor before they are incurred.

The records control officer shall annually review the fee structure set forth in Chapter 99. If the records control officer determines that the then existing fees are insufficient to recover the actual, necessary and direct costs of producing copies, he or she shall make recommendations for changes to the Executive & Finance Committee.

It shall be the policy of the Executive & Finance Committee and the records control officer in determining the appropriateness of fees to set fees at the lowest level consistent with recovery of actual, necessary and direct costs associated with producing copies.

APPENDIX A

V. Destruction of Public Safety Communications Center Recordings

A. The Marquette County Sheriff's Office shall retain audio recordings of all logged telephone and radio communications for a minimum of one hundred twenty (120) days from the date of recording, unless otherwise required by law.

B. Upon expiration of the minimum retention period, the Sheriff, or designee, is authorized to approve the destruction or permanent deletion of recordings in accordance with applicable records retention schedules and Wisconsin public records law.

C. The destruction or deletion of any recording shall not occur if:

- i. The recording has been seized by a law enforcement agency; or
- ii. A law enforcement agency, fire department, emergency medical services provider, prosecuting authority, or other authorized entity has submitted a written request to preserve the recording pending investigation, litigation, prosecution, or other official action; or
- iii. The recording is subject to a pending public records request.

Recordings subject to a hold shall be retained until the requesting entity provides written authorization for release of the hold or until final disposition of the matter.

D. Any person may request a copy of a specific recorded communication that is not otherwise exempt from disclosure under Wisconsin law. Copies shall be provided in digital format, when available, upon payment of applicable fees as authorized by law.

E. Notwithstanding subsection (1), any person may submit a written request for extended retention of a specific recording prior to expiration of the initial 120-day retention period. The requesting party shall pay any applicable storage or administrative fees as established by the County Board. Failure to submit timely payment or request prior to expiration of the retention period shall relieve the County of any obligation to preserve the recording beyond the standard retention.

Resolution No. 27-2026 RESOLUTION REQUIRING ANNUAL PERFORMANCE EVALUATIONS FOR THE EMPLOYEES OF MARQUETTE COUNTY, WISCONSIN

(Introduced by John Bennett AND John Larkin)

Upon roll call Resolution No. 27-2026 was adopted as follows: Ayes 16; Noes 0; Absent 1

WHEREAS, Marquette County is committed to supporting employee development, maintaining accountability, and ensuring clear communication regarding job performance; and

WHEREAS, establishing a structured timeline for initial and annual job performance evaluations fosters professional growth and aligns with the County's compensation system;

IT IS RESOLVED, by the Marquette County Board of Supervisors that the County's performance evaluation policy is established as follows:

1. Each employee will receive an initial evaluation within their first three (3) months or ninety (90) days of employment. A second evaluation will be conducted nine (9) months following the initial evaluation (at the one-year mark). Thereafter, each employee will be evaluated at least once a year in the month of the employee's anniversary date, which is typically tied to the appropriate step increase.

2. Union employees shall be reviewed in accordance with their respective collective bargaining agreements.

3. The County reserves the right to evaluate an employee at any time outside of these standard intervals. Completed evaluations will be sent to the Human Resources Department for the employee's personnel file.

BE IT FURTHER RESOLVED that this policy shall take effect immediately upon passage.

Chairperson Bornhoeft presented a survey to the County Board that was developed based on Executive & Finance Committee input and additional County Board Supervisor input. The survey is an initiative within the Strategic Plan meant to be taken by the County Board to benchmark health of communication, trust, and collaboration. Input was shared to add a comment section after each question. It was also requested that the survey be shared with the Board several days prior to the next meeting. The survey will come back to County Board in August.

The fiscal and personnel reports, grant updates, and correspondence were reviewed as presented by Administrator Barger. Administrator Barger reported that he and Supervisor Nigbor (Chairperson of Judicial and Public Safety Committee) met with Waushara County Administration and Corporation Counsel to discuss the regionalization opportunity. Currently, Waushara County is deciding between the following options: hiring for EMS Director and Assistant Director, service privatization, or service regionalization. The innovation grant was discussed and how it could be utilized for regionalization. Administrator Barger reported he would be attending a meeting held at the Neshkoro Fire District on August 6th at 6pm to discuss the EMS Waushara contract. This will be properly noticed for possible quorum purposes. Administrator Barger noted that he is looking into 1/3 of the Sheriff's Office dispatch budget going into the EMS budget after jail/dispatch separation is complete (upon the approval of the auditors). It was reported that budgets were sent out to Department Heads July 20th and are due back to Administration August 17th. Department Heads were instructed to keep budgets as flat as possible and to estimate revenue as accurately as possible. The Executive & Finance Committee approved a minimum of a 1% COLA increase and step increase to be worked into the initial budget. The Committee also suggested a maximum draw from the General Fund not to exceed \$500,000. Discussion followed regarding COLA and employee retention and recruitment. Administrator Barger reported that he sent a letter to the U.S. Office of Management and Budget (OMB) regarding the county's opposition of federal grant rule changes.

Corporation Counsel Representative Atty. Ben Letendre shared Corporation Counsel's report. He noted that he would be presenting an Open Meeting Law training at the August County Board meeting by request.

Calendar planning was discussed for August 2026. Consensus was to move the August County Board meeting to 6:00 p.m. due to Corporation Counsel's Open Meeting Law training and the Auditor's presentation. The meeting was declared adjourned subject to the call of the Chairperson. The meeting was adjourned at 8:05 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