

SPECIAL MEETING OF THE PRICE COUNTY BOARD OF SUPERVISORS

January 19, 2021

County Board Room 101, 126 Cherry St, Phillips, WI 54555

Meeting called to order at 9:00 a.m. by Robert Kopisch, County Board Chairperson. Pledge of Allegiance recited by those in attendance. Roll Call: Present (10): Alan Barkstrom, Jeff Hallstrand, James Hintz, Paula Houdek, Robert Kopisch, Mark Kyle, Waldemar Madsen, Jordan Spacek, Ginny Strobl, Dennis Wartgow. Excused: Larry Palecek. Also present: Nick Trimner, Leanna Samardich.

Due to COVID protocol, the public was given the opportunity to attend via teleconference.

Public Comment: None.

Communications and Announcements: Al Barkstrom read a communication he received from Erik Larsen, Town of Worcester resident, requesting a Board statement condemning the violence at the nation's capital.

Resolutions: Resolution 1-21

Disallow Claim Against the County: Lance Meier

WHEREAS, a Notice of Circumstances and Claim was filed against the Price County Sheriff's Department, Price County Sheriff and Price County Deputy Sheriffs by Lance Meier on September 30, 2020 in the office of the Price County Clerk; and

WHEREAS, said Notice of Circumstances and Claim alleges that the claimant was deprived of his right to life, liberty and property without due process of law; unlawful detainment; cruel and unusual punishment; abuse of official process and false imprisonment; and

WHEREAS, the County's liability insurance carrier, Wisconsin County Mutual Insurance Company, has reviewed said claim and recommends that the Price County Board of Supervisors disallow said claim.

NOW THEREFORE BE IT RESOLVED by the Price County Board of Supervisors duly assembled this 14<sup>th</sup> day of January 2021, that the claim of Lance Meier seeking \$500,000 (five hundred thousand dollars) be disallowed, and no action on this claim may be brought against Price County or any of its officers, officials, agents or employees after six months from the date of service of this notice, pursuant to §893.80 Wis. State Statutes.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the claimant Lance Meier; W1036 Apple Ave; Ogema, WI 54459 by certified mail, return receipt requested, as a notice of disallowing said claim; and also copy sent to claimant's attorney Max T. Lindsey; 220 6<sup>th</sup> Ave W; PO Box 677; Ashland, WI 54806.

Submitted by the Price County Board Chair: s/Robert D. Kopisch, County Board Chair. Reviewed by County Administrator: s/Nicholas Trimner. Adopted by the Price County Board of Supervisors this 19<sup>th</sup> day of January 2021. s/ Robert D. Kopisch, County Board Chair; Jean Gottwald, County Clerk. For: 10, Against: 0. Motion Hintz/Wartgow to consider resolution for adoption. Roll call vote on resolution adoption: Yes (10): Barkstrom, Hallstrand, Hintz, Houdek, Kopisch, Kyle, Madsen, Spacek, Strobl, Wartgow. No (0). Motion carried.

Resolution 2-21

Transfer of Real Estate to State of Wisconsin, Department of Transportation

WHEREAS, the State Highway Commission of Wisconsin undertook to establish a wayside along State Highway 13 between Phillips and Prentice, as shown by the Relocation Order dated November 3, 1958 attached hereto as Exhibit A; and

WHEREAS, such wayside was, in fact, constructed by Price County at the direction and under the funding of the State Highway Commission of Wisconsin as established by the Certification as to Completion of Work dated July 27, 1959 attached hereto as Exhibit B; and

WHEREAS, Price County did receive fee title to the original wayside property pursuant to the Quit Claim Deed from John Eder dated October 15, 1958 and recorded in the Price County Register of Deeds Office on October 27, 1958 in Quit Claim Deed Record Volume 130 at Page 585 as Document No. 157057, a copy of the record of which is attached hereto as Exhibit C, and which relates to the following described real estate:

A parcel in the Southeast Quarter of the Southwest Quarter (SE¼-SW¼) in Section Sixteen (16), Township Thirty-six (36) North, Range One (1) East described as follows: Beginning at the south quarter corner of said Section 16; thence westerly along the south line of said Section 16, approximately 694 feet; thence N 35° 12' E approximately 416 feet to the intersection with the southwesterly right-of-way line of State Highway 13 as laid out and traveled January 1, 1958; thence S 54° 48' E along said highway right-of-way line approximately 560 feet to the east line of said SE-SW in said Section 16; thence south along the east line of said SE-SW in said Section 16, approximately 52 feet to the place of

beginning.; and

WHEREAS, the State of Wisconsin, Department of Transportation has exercised their control of said wayside and has closed same and now has indicated its willingness to accept title from Price County for that portion of the wayside described above such that the overall former wayside property may be sold; and

WHEREAS, it is in the best interests of the taxpayers to transfer title to the above-described property inasmuch as Price County has determined that it has no equitable or practical interest in the property going forward; and

NOW THEREFORE, BE IT RESOLVED that the County Clerk is hereby authorized, empowered and directed to transfer to the State of Wisconsin, Department of Transportation, certain real property owned by Price County described above.

BE IT FURTHER RESOLVED, that the County Clerk is hereby specifically empowered to enter into such agreements as may be necessary to carry out the transfer of said property and to consummate such transfer by executing and delivering a Quit Claim Deed to the property for and on behalf of and under the seal of Price County.

Submitted by the Price County Executive Committee: s/Robert D. Kopisch, Chair; James Hintz; Paula Houdek; Dennis Wartgow. Reviewed by County Administrator: s/Nicholas Trimner Adopted by the Price County Board of Supervisors this 19<sup>th</sup> day of January 2021. s/Robert D. Kopisch, County Board Chair; Jean Gottwald, County Clerk For: 10, Against: 0. Motion Spacek/Kyle to consider resolution for adoption. Roll call vote on resolution adoption: Yes (10): Barkstrom, Hallstrand, Hintz, Houdek, Kopisch, Kyle, Madsen, Spacek, Strobl, Wartgow. No (0). Motion carried.

#### Resolution 3-21

##### Adopt Revised Employee Handbook (bereavement leave)

WHEREAS, the Administration Committee has been charged by the Price County Board of Supervisors with the responsibility of developing, maintaining and enforcing policies and guidelines for personnel management and has also been charged with the responsibility of periodically reviewing said policies and procedures; and

WHEREAS, the Administration Committee has determined the need for various additions and/or edits to the language in the existing policy; and

WHEREAS, the Administration Committee has reviewed and approved the attached revisions to the Price County Employee Handbook and recommends them for adoption by the County Board.

NOW THEREFORE BE IT RESOLVED that the Price County Board of Supervisors adopt the revised Price County Employee Handbook as presented.

Submitted by the Price County Administration Committee. s/Dennis Wartgow, Chair; Alan Barkstrom; Jeff Hallstrand; Robert Kopisch; Jordan Spacek. Reviewed by County Administrator: s/Nicholas Trimner. Adopted by the Price County Board of Supervisors this 19<sup>th</sup> day of January 2021. s/Robert D. Kopisch, County Board Chair; Jean Gottwald, County Clerk. For: 10, Against: 0. Motion Wartgow/Hintz to consider resolution for adoption. Roll call vote on resolution adoption: Yes (10): Barkstrom, Hallstrand, Hintz, Houdek, Kopisch, Kyle, Madsen, Spacek, Strobl, Wartgow. No (0). Motion carried.

#### Resolution 4-21

##### Designating Work Zone Awareness Week in Price County

WHEREAS, National Work Zone Awareness Week is designated for a week in April each year; and WHEREAS, construction and maintenance activities on our streets and highways periodically require that work zones be established; and

WHEREAS, work zones often require narrow lanes, lane shifts, temporary pavement, reduced speeds, and evening and overnight work hours; and

WHEREAS, work zones also include locations where emergency vehicles, utility vehicles, tow trucks, law enforcement, fire and EMS services are operating with their lights flashing, requiring motorists to move over or slow down; and

WHEREAS, on average, Wisconsin suffers approximately 1,600 accidents, 720 injuries, and eight fatalities per year in work zones.

NOW, THEREFORE BE IT RESOLVED, by the Price County Board of Supervisors that the Work Zone Awareness Week in Price County shall be the week in April each year which is designated by the Federal Highway Administration and the American Association of State Highway Transportation Officials.

Submitted by the Price County Highway and Transportation Committee: s/Larry Palecek, Chair; Jeff Hallstrand; James Hintz; Robert Kopisch, Jordan Spacek. Reviewed by County Administrator: s/Nicholas Trimner. Adopted by the Price County Board of Supervisors this 19<sup>th</sup> day of January 2021. s/Robert D. Kopisch, County Board Chair; Jean Gottwald, County Clerk. For: 10, Against: 0. Motion Spacek/Madsen

to consider resolution for adoption. Roll call vote on resolution adoption: Yes (10): Barkstrom, Hallstrand, Hintz, Houdek, Kopisch, Kyle, Madsen, Spacek, Strobl, Wartgow. No (0). Motion carried.

#### Resolution 5-21

Support Legislation to Align Detention Hearing Deadlines in Wisconsin Statutes Chapters 48 and 938 WHEREAS, in Children in Need of Protection or Services (CHIPS) proceedings pursuant to Wisconsin Statutes Chapter 48, when a child is taken into custody and not immediately released to a parent, guardian or legal custodian, the judge or circuit court commissioner in the county where the child is being held must hold a detention hearing within 48 hours of the time in which the decision to hold the child was made (excluding Saturdays, Sundays, and legal holidays); and

WHEREAS, in similar actions involving Juvenile Justice proceedings pursuant to Wisconsin Statutes Chapter 938, when a juvenile is taken into custody and held by a county, the circuit court must hold a detention hearing within 24 hours after the end of the day on which the decision to hold the juvenile was made (excluding Saturdays, Sundays, and legal holidays); and

WHEREAS, as a result of the discrepancy in the timelines between the Chapter 48 and Chapter 938 proceedings, in Chapter 938 cases county circuit court judges, commissioners, juvenile intake workers, and other courthouse staff need to be prepared to conduct hearings in circumstances in which the county courthouse may otherwise be closed, such as the Friday after Thanksgiving, extreme weather days, etc. Failing to meet the statutory deadlines places the county at risk of losing jurisdiction over the pending matter. Additionally, concerns may arise regarding transportation of juveniles and children on non-workdays in order to accommodate hearings.

NOW, THEREFORE, BE IT RESOLVED by the Price County Board of Supervisors that it hereby supports legislation that would align the statutes that compute the detention hearing timelines for children in need of protection or services proceedings under Chapter 48 and juvenile delinquency proceedings under Chapter 938 by specifying that a day in which the Clerk of Circuit Courts Office is closed does not count toward the computation of the detention hearing timeline under Chapter 938. This will ensure county governments are in a better position to save limited resources and protect the safety of their employees and the public.

THEREFORE, BE IT FURTHER RESOLVED by the Price County Board of Supervisors that it hereby directs the Price County Clerk to forward a copy of this Resolution to all Wisconsin Counties, the Wisconsin Counties Association, and all state senators and assembly members representing Price County constituents.

Submitted by the Price County Health and Human Services Board: s/Paula Houdek, Chair; Peter Dahlie; Robert Kopisch; Suzanne Ocker; Ginny Strobl; Gerald Swenson; Dennis Wartgow. Reviewed by County Administrator: s/Nicholas Trimner. Adopted by the Price County Board of Supervisors this 19<sup>th</sup> day of January 2021. s/Robert D. Kopisch, County Board Chair; Jean Gottwald, County Clerk. For: 10, Against: 0. Motion Houdek/Hintz to consider resolution for adoption. Roll call vote on resolution adoption: Yes (10): Barkstrom, Hallstrand, Hintz, Houdek, Kopisch, Kyle, Madsen, Spacek, Strobl, Wartgow. No (0). Motion carried.

#### Resolution 6-21

Revise Wisconsin Act 67 to Return Authority on Conditional Use Permits to Local Control WHEREAS, Wisconsin Act 67, as revised in 2017, substantially impacted local governments within counties to control "Conditional Land Use"; and

WHEREAS, Price County has unique waterfront and other neighborhoods that should be protected; and

WHEREAS, certain uses could have a negative impact on resale or use of nearby properties; and

WHEREAS, local governments are in a better position to determine fair and equitable outcomes; and

WHEREAS, local county governments are accountable to local constituents.

NOW THEREFORE BE IT RESOLVED that the Price County Board of Supervisors hereby petition the Wisconsin State Legislators to return authority on conditional use permits to local control.

BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to Governor Evers, the Legislative Committee on Housing and Real Estate, the state legislators for Price County, all Wisconsin counties and the Wisconsin Counties Association, for consideration at the WCA annual business meeting to become part of the WCA platform.

Submitted by the Land Use / UW-Extension Committee: s/Alan Barkstrom, Chairperson; Paula Houdek; Mark Kyle; Robert Kopisch; Dennis Wartgow. Reviewed by County Administrator: s/Nicholas Trimner. Adopted by the Price County Board of Supervisors this 19<sup>th</sup> day of January 2021. s/Robert D. Kopisch, County Board Chair; Jean Gottwald, County Clerk; For: 10, Against: 0. Motion Wartgow/Barkstrom to consider resolution for adoption. Roll call vote on resolution adoption: Yes (10): Barkstrom, Hallstrand, Hintz, Houdek, Kopisch, Kyle, Madsen, Spacek, Strobl, Wartgow. No (0). Motion carried.

Miscellaneous:

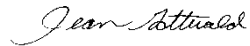
1. Addendum to Existing Engagement Letter with Auditors. Change of firm's name. Information only.
2. County Administrator Report – Nick Trimner: Work is being done at the Fairgrounds. Open Class Building demolition is being by American Relics, who will reclaim most of the materials. Barn wing will need to be dismantled. New electric service will need to be installed. Working on retention and recruitment issues, including department management in the discussion. Coddington & Butler will present wage schedule for presentation to the Administration Committee. Michelle Edwards gave an update on the status of the COVID-19 pandemic. Phase 1a of the vaccination protocol is underway with 1b starting soon. Working closely with health care providers.
3. County Board Chair Report – Robert Kopisch: Unemployment in the area is doing well. Reorganization of CEP and WIB continuing.

No closed session was requested for the purpose of: Claim Against the County – Lance Meier

Date of Next Meeting: February 16, 2021 at 9:00 a.m. in the County Board Room

Meeting adjourned at 10:14 a.m.

STATE OF WISCONSIN, COUNTY OF PRICE. I, Jean Gottwald, County Clerk in and for Price County do hereby certify that the within and foregoing is a true and correct record of all the proceedings held by and before the Price County Board of Supervisors at the meeting held on January 19, 2021 and the whole thereof.



Jean Gottwald, County Clerk