

FOREST COUNTY BOARD OF SUPERVISORS PROCEEDINGS
JULY 16, 2024

CALL TO ORDER

The Regular meeting of the Forest County Board of Supervisors was held on July 16, 2024, in the County Board Room at the Courthouse in Crandon, Wisconsin. Chair, Ron Skallerud called the meeting to order at 6:00 p.m. The Pledge of Allegiance was given by all present. Clerk, Nora Matuszewski, read the agenda.

ROLL CALL

Present: Augustin, Chaney, Decorah, Dehart, Dewing, Gretzinger, Karl, Landru, Lukas, Marvin, Miller, Piasini, Skallerud, Tallier, Weber, Wirtz.

Absent (4); Dailey, Goode, Moravec, Peterson. Vacant Seats: (1).

APPROVAL OF AGENDA

Motion by Weber to approve the agenda, second by Chaney. All present voting AYE (16).

Absent (4); Dailey, Goode, Moravec, Peterson. Motion carried.

APPROVE MINUTES FROM THE JUNE 18, 2024 MEETING

Motion by Gretzinger to approve the June 18, 2024 minutes, second by Augustin. All present voting AYE (16). Absent (4); Dailey, Goode, Moravec, Peterson. Motion carried.

PUBLIC COMMENT ON AGENDA ITEMS

None

COMMUNICATIONS ON FILE WITH THE BOARD

None

APPOINTMENTS OR ELECTIONS

None

PERSONAL APPEARANCES

Visit Forest County - Chris Shafer (CEO)

Shafer updated on the PSC funding for the ARDOF and that Charter/Spectrum is wanting to default. He also talked about the tribal grant, funding and where fiber will be put in if they get the grant.

Brian Knutson – Tom Hoffman – Courthouse Projects updates

Hoffman updated the Board on the progress of the projects and the issues they are running into with the deteriorated bricks on the dome. They showed pictures and a video of how the contractors are just pulling the bricks out by hand. The bottom columns are totally gone and are in need of rebuilding. The dome itself was reinforced and there were wide-open holes all over the place. The contractors had to rebuild fascia that was entirely gone. Even with that the project is progressing as scheduled.

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Musson was also available to update the committee on the Courthouse entryway. The brick on the building will not be able to be matched so, they are wondering if it would just be a good idea to go with a Grey, brick and a peaked roof.

Chairperson Report

Highway Committee - Marvin

Discussed service fees and updated outdated fees that the County may charge. The Highway committee has discussed raising fees for other government entities/townships from the normal 2% to 4% administration fees. They discussed at the committee level charging for driveway inspections on County projects. It was suggested to come up with fee amounts and bring them back to full County Board for approval. The Highway Mechanic (Gerald Glasl) is retiring after 39-years with the County. Marvin commented that the County owns 243 parcels in Forest County.

Sheriff & Justice Committee - Marvin talked about the high costs of patrolling during big events, the cost for medical in the Jail, which will be \$232,960 in the coming budget year.

Aging Committee - Miller

The Aging is looking to purchase a new AWD van with Trust money. The Aging Director is working on an Aging plan. The department is short meal site managers and they are asking all municipalities to waive the monthly fee for the meal sites.

Social Services Committee - Gretzinger

The Transition is moving along well.

Forestry Committee/Park - Chaney

The Park is well and the staff has applied for some big grants for ATV trails.

Zoning Committee - Karl

Numbers are up, people are still building.

Human Services/ADRC Transitions -Skallerud – The Transitions is still in negotiations on the HSC Buildings. There is still discussion on how the \$6 million will be divided amongst the Counties and there has been a financial consultant hired to close the books in 2025. Chelsea and Paul Payant along with Skallerud have been meeting to discuss the high-level issues. The Center has lost its director and Oneida County has taken over the administration.

ADRC- The County has submitted the initial application for the ADRC plan for 2025, which had to be completed by July 15th. There will still have to be public hearings on the structure and board that will be overseeing it. The job descriptions are done for the ADRC, they will need to be forwarded to full County Board for approval. The existing staff will be offered positions in the new structure. The current phone system is going to be migrated to the County system.

RESOLUTIONS

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Resolution 49-2024 Offered by Finance

NOW, THEREFORE, BE IT RESOLVED by the Forest County Board of Supervisors that the County Board Members assigned to a workgroup shall receive a \$40.00 stipend once per workgroup assignment and members of the community (not County Board Members) serving on the workgroup shall receive \$30.00 per meeting stipend.

BE IT FURTHER RESOLVED, that all members of the workgroup shall also receive compensation for mileage in attending workgroup meetings.

Motion by Dehart to approve the resolution as presented, second by Karl. All present voting AYE (16); Absent (4) Dailey, Goode, Moravec, Peterson. Motion carried.

Resolution 50-2024 Offered by Health

NOW, THEREFORE, BE IT RESOLVED, by the Forest County Board of Supervisors that the donation of \$47,000.00 with the funding provided by ARPA for the Cardinal Park Pickleball Complex is hereby approved.

Motion by Weber to approve the resolution as presented, second by Augustin. All present voting AYE (16); Absent (4) Dailey, Goode, Moravec, Peterson. Motion carried.

Resolution 51-2024 Offered by Social Services

NOW, THEREFORE, BE IT RESOLVED, by the Forest County Board of Supervisors that the Forest County Board Chair shall be authorized to enter into the Memorandum of Understanding attached hereto.

Motion by Marvin to approve the resolution as presented, second by Lukas. All present voting AYE (16); Absent (4) Dailey, Goode, Moravec, Peterson. Motion carried.

Resolution 52-2024 Offered by Finance

NOW, THEREFORE, BE IT RESOLVED: the County Board of Supervisors hereby approves:

1. The execution of the Settlement Agreement and any and all documents ancillary thereto and authorizes the [Board Chair] or designee to execute same.
2. The final negotiation and execution of Addendum Two in form substantially similar to that presented with this Resolution and any and all documents ancillary thereto and authorizes the [Board Chair] or designee to execute same upon finalization provided the percentage share identified as allocated to the County is substantially similar to that identified in the Addendum Two provided to the Board with this Resolution.
3. The execution by the [Board Chair] or designee of any additional documents or agreements for the receipt and disbursement of the proceeds of the Settlement Agreement.

BE IT FURTHER RESOLVED: all proceeds from the Settlement Agreement not otherwise directed to the Attorney Fees Account shall be deposited in the County's Opioid Abatement Account. The Opioid Abatement Account shall be administered consistent with the terms of this Resolution, Wis. Stat. § 165.12(4), and the Settlement Agreement.

BE IT FURTHER RESOLVED: the County hereby authorizes the establishment of an account separate and distinct from any account containing funds allocated or allocable to the County which shall be referred to by the County as the "Attorney Fees Account." An escrow agent shall deposit a sum equal to up to, but in no event exceeding, an amount equal to 20% of the County's proceeds from the Settlement Agreement into the Attorney Fees Account. If the payments to the County are not enough to fully fund the Attorney Fees Account as provided

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herein because such payments are made over time, the Attorney Fees Account shall be funded by placing up to, but in no event exceeding, an amount equal to 20% of the proceeds from the Settlement Agreement attributable to Local Governments (as that term is defined in the MOU) into the Attorney Fees Account for each payment. Funds in the Attorney Fees Account shall be utilized to pay the fees, costs, and disbursements owed to the Law Firms pursuant to the engagement agreement between the County and the Law Firms provided, however, the Law Firms shall receive no more than that to which they are entitled under their fee contract when considering the amounts paid the Law Firms from the fee fund established in the Settlement Agreement and allocable to the County. The Law Firms may make application for payment from the Attorney Fees Account at any time and the County shall cooperate with the Law Firms in executing any documents necessary for the escrow agent to make payments out of the Attorney Fees Account.

BE IT FURTHER RESOLVED that all actions heretofore taken by the Board of Supervisors and other appropriate public officers and agents of the County with respect to the matters contemplated under this Resolution are hereby ratified, confirmed and approved.

Motion by Chaney to approve the resolution as presented, second by Dehart. All present voting AYE (16); Absent (4) Dailey, Goode, Moravec, Peterson. Motion carried.

ORDINANCES

Ordinance 03-2024 Offered by Zoning

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE FOREST COUNTY BOARD OF SUPERVISORS that Ordinance No. 02-2016, and any amendments thereto are hereby deleted and in lieu thereof adopts the following policy for the acquisition, management and sale of tax deed property:

Section I. Acquisition of property by tax deed.

The County may initiate procedures to acquire tax deed for tax delinquent real estate by the “Notice of Application for Tax Deed” process, as set forth by Section 75.12, Wis. Stats., or by “Foreclosure of Tax Liens by Action In Rem” as set forth by 75.521, Wis. Stats. After the expiration of time required by law for the redemption of the tax certificate or judgment, the County Treasurer shall promptly provide a list of tax delinquent properties to the Land Sales Committee, which identifies the location, acreage, improvements, assessed value and any known or suspected defects that affect the property’s value (environmental, structural, easements, etc.). Upon review, the Land Sales Committee shall select which properties the County Treasurer will include in a resolution to the County for the issuance of a deed.

Section II. Securing the tax deed property.

Upon taking tax deed, the County Treasurer shall ensure that the property is secured by undertaking the following actions:

Send notice by regular mail to the former owner’s last known address that the County has acquired the property by tax deed, advising the former owner(s) of the process and deadline to remove any personal belongings. Any personal belongings that remain unclaimed 60 days after

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notice shall be deemed abandoned and forfeited to Forest County. Forest County reserves the right to dispose of personal property separately from the sale or transfer of the real estate.

b. Contact the County's property liability insurance carrier to add the property under the County's policy.

c. If the property includes fixtures, request the Maintenance Department to inspect and secure the property (i.e., change locks, disconnect utility services, etc.) and submit a report of the property's condition to the Land Sales Committee. When called upon to conduct inspections of property, the Maintenance Department may request the assistance of the Sheriff's Department.

d. Contact the municipal clerk and utility services regarding the change in property ownership.

e. If the County believes that the building is not safe for human habitation, then the County Treasurer shall contact the Public Health Department. The County can request that the local municipality raze the structure.

f. If the former owner(s) remains on tax deeded property, then law enforcement will be requested to hand deliver a written notice to the occupant to vacate the premises and to also post notices at each entrance prohibiting anyone from entering the premises without the County's permission. If the former owner(s) refuse to vacate and surrender the property, then the County Treasurer shall refer the matter to the Corporation Counsel to commence an eviction action in Small Claims Court and to apply for a Writ of Restitution (Eviction) requiring the Sheriff to forcibly remove the former owner(s)/occupant(s), if necessary.

Section III. Determination of which tax deed properties will be offered for sale to the public.

After the acquisition of property by tax deed, the Land Sales Committee shall promptly review each parcel to determine which properties will be advertised for sale to the public. In the event the Committee determines not to make a tax deed property available for sale to the public, then the remainder of this policy does not apply to that tax deed property. The Land Sales Committee may determine that the County will retain the parcel for up to one year, or convey the parcel to a local municipality, exchange the parcel for a public purpose or allow the former owner(s) to redeem the parcel.

The Land Sales Committee may recommend the conveyance of a tax deed parcel to the local municipality upon terms and conditions established by the Committee. Such conditions may include: an indemnification agreement, adding Forest County as an additional insured on the property, reimbursement of delinquent tax amounts and/or the retention of a reversionary interest to the property.

The Land Sales Committee shall , give preference to the former owner(s) who lost his or her title through delinquent tax collection enforcement procedure or his or her heirs, in the right to repurchase such lands. If the former owner(s), or his or her heirs, is/are permitted to repurchase land after Tax Deed is issued to Forest County, then the purchase price shall include all delinquent taxes, interest, penalties and expenses incurred by the County.

Section IV. First advertisement for bids at appraised value.

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If the tax deed property will be advertised for sale to the public, then that tax deed property may not be sold unless the sale and appraised value of such real estate has first been advertised by publication of a class 1 notice, under ch. 985, Wis. Stats. Additionally, the advertisement must also be published on County Website. The Committee may use any credible source in establishing the appraised value, including but not limited to, the property's fair market value as listed on the tax roll. Notice of sale shall be mailed to the clerk of the municipality in which the real estate is located at least 3 weeks prior to the time of the sale. A copy of the land sale listing shall also be sent to the Land Records and Forestry Departments.

During the first attempt to sell the property, the Committee may accept the bid most advantageous to it but every bid less than the appraised value must be rejected. If the Committee accepts a bid in excess of the appraised value but less than the highest bid, then the Committee shall prepare a written statement that explains the reasons for accepting a bid that is less than the highest bid.

Section V. Land Sales Committee to approve the terms of sale.

In the event that a tax deed property is not sold after the first advertisement for bids, then after a subsequent class 1 notice of sale, the Land Sales Committee may accept any bid amount. The Committee may establish the terms of sale, including but not limited to: the minimum appraised value, the method of sale and the closing deadline. The Committee may authorize the County Treasurer to sell or convey the property upon receipt of a genuine offer that satisfies the terms of sale previously established by Committee and direct the County Treasurer to issue a Quit Claim Deed.

Terms of sale include: All tax deed properties are sold "as is". No warranty of title, use, condition, occupancy, habitability or conformance to applicable land use regulations is expressed or implied. All valid deed restrictions and covenants of record in the chain of title shall continue. Any special assessments levied against the property after acquisition of tax deed shall be the responsibility of and assumed by the bidder. Real estate taxes shall be prorated as of date/year of closing and Purchaser shall be responsible for its share of real estate taxes. Purchaser shall be responsible for the recording fee (\$30.00 effective 2014 and subject to change).

Section VI. Procedure for open bids (public auction).

Following the first attempt to sell the property, the property may be listed for sale by an open bid procedure (public auction). The Committee shall establish the period of time during which a tax deed property may be listed for sale for open bids (public auction). The listing of the property at public auction shall include any and all terms of sale previously approved by the Committee. The bidding procedure used at public auction shall guarantee that the bid amount and any required fees (i.e., recording fees) are due and payable immediately at the close of the auction. The Committee may utilize the services of a certified auctioneer or real estate agent to list the properties for public auction or the Committee may authorize the listing of tax deed properties on the Forest County public surplus auction website.

If the tax deed property is sold by an auctioneer or real estate agent, then the bidder shall be separately responsible for payment of any applicable commissions for these services. The

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bidder shall also be required to pay the bid amount plus closing costs (i.e, recording fees) at the close of the auction. Any additional closing services, such as title insurance shall be at the bidder's option. Upon sale of property at the public auction (i.e., satisfies the terms of sale, including receipt of bid amount and recording fee), then the County Treasurer will issue and record a Quit Claim deed to the successful bidder.

VII. Procedure for closed bids.

When a tax deed property is not subject to an open bid (public auction) process, then the property shall be listed for sale by a closed bid process (sealed bids). Sealed bids for the purchase of tax deed real estate shall be filed with the County Treasurer. A 10% deposit must accompany all bids. Deposits of unsuccessful bidders will be refunded. Bids shall be opened publicly during a meeting of the Land Sales Committee. After the initial advertisement of bids, as set forth in Section IV (above), then any subsequent bid amount can be accepted by the Committee. The successful bidder shall be notified immediately of the acceptance of the bid, and such bidder has 30 days from the date notice is mailed to pay the balance of the bid. Upon payment of the purchase price, in addition to the recording fee for the Register of Deeds, the County Treasurer shall issue a Quit Claim deed to the bidder and record it with the Register of Deeds.

VIII. Procedure for repurchase by delinquent property owner(s).

The Land Sales Committee shall give preference to the former owner(s) who lost his or her title through delinquent tax enforcement procedures. The purchaser shall also be responsible for all delinquent taxes, interest penalties and expenses incurred by the County, including the cost to transfer the property.

The delinquent property owner(s) shall have twenty (20) days to accept in writing the County's offer of sale based upon the terms identified herein. Thereafter a closing date shall be scheduled within thirty (30) days from the date the delinquent property owner(s) notifies the county of his/her intent to accept the offer.

The County Treasurer shall thereafter issue a quit claim deed conveying the property in an "as is" condition to the purchaser(s) (delinquent property owner(s)).

SECTION IX. The county shall transmit any unclaimed surplus proceeds to unclaimed funds under Wis. Stat. § 59.66(2), if the payment mailing is returned or otherwise not claimed within one year of the sale.

SECTION X. That this Ordinance shall take effect and be in full force and effect upon its adoption and publication pursuant to law.

Motion by Chaney to approve the ordinance as presented, second by Weber. All present voting AYE (16); Absent (4) Dailey, Goode, Moravec, Peterson. Ordinance adopted.

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ANNUAL REPORTS

Highway Annual Report

Motion by Miller to place the Highway Annual Report on file in the County Clerk's Office, second by Karl. All present voting (AYE). Motion carried.

ADJOURNMENT

There being no further business, Motion by Chaney to adjourn, second by Marvin. All present voting AYE (16); Absent (4) Dailey, Goode, Moravec, Peterson. Motion carried. Meeting adjourned at 7:56 p.m.

These minutes are not official and are subject to change. They will be officially approved at the August 20, 2024 Forest County Board of Supervisors meeting.

Nora Matuszewski
Forest County Clerk