

**Grant County Board of Supervisors
April 21, 2020**

The Grant County Board of Supervisors met on Tuesday, April 21, 2020 at 5:00 p.m. in the Administration Building, 111 South Jefferson Street, Lancaster, WI second floor Room 264, pursuant to the adjournment of the March 17, 2020 meeting.

While the Organizational Meeting of the Grant County Board of Supervisors is considered an “Essential Government Operation” pursuant to the State’s Safer at Home Order, the meeting will be offered with the option to participate via Zoom meeting. Live participation in this meeting will be limited to Grant County Board Supervisors, County Clerk, and Corporation Counsel. Social distancing and other safety precautions associated with COVID-19 protocol will be followed.

To Join Zoom Meeting

<https://us02web.zoom.us/j/81463951399>

Meeting ID: 814 6395 1399

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Robert Keeney, County Board Chair called the meeting to order and the Pledge of Allegiance was recited.

Verification of compliance with the open meeting law was a notice in the Herald Independent stating the date, time and place of the County Board Meeting and posted in two public posting locations and the county website verified by Linda K. Gebhard, County Clerk.

Roll Call, April 21, 2020

	Present	Absent	Excused
Carol Beals (ZOOM)	X		
John Beinborn	X		
Gregory Fry	X		
Roger Guthrie	X		
Dale Hood (ZOOM)	X		
Lester Jantzen	X		
Robert Keeney	X		
Mike Lieurance (ZOOM)	X		
Dwight Nelson (ZOOM)	X		
Gary Northouse	X		
John Patcle	X		
Gary Ranum (ZOOM)	X		
Robert Scallon	X		
Patrick Schroeder	X		
Donald Splinter	X		

	Present	Absent	Excused
Mark Stead	X		
Porter Wagner	X		

Roll Call was taken on the Roll Call Vote System, there was 17 present, 5 participating on ZOOM and 12 in person. Therefore, a quorum was present.

Oath of Office for the Grant County Board of Supervisors: Ben Wood, Corporation Counsel administered the Oath of Office to the Board of Supervisors for their next two year term, April 2020 to April 2022.

Approval of Agenda: Lester Jantzen, seconded by Don Splinter, made a motion to approve the third amended agenda as presented. Motion carried.

Election for County Board Chair: Ben Wood, Corporation Counsel conducted the election process to elect the County Board Chair. The secret ballot method was used.

Ben opened the floor for nominations for County Board position. Patrick Schroeder nominated Robert Keeney. Ben repeated the nominations twice; there were no other nominations stated.

Don Splinter made a motion to close the nomination process and cast a unanimous ballot for Robert Keeney to fill the position of County Board Chair, seconded by John Beinborn. Ben called the motion twice, a voice approval was asked for, all stated yes; there were no nay votes. Therefore motion carried unanimously.

Election for First Vice Chair: Ben opened the nominations for the position of First Vice Chair. John Patcle nominated Mark Stead and Greg Fry nominated Gary Ranum. Ben asked three times for nominations, no more were stated. Ben closed the nominations. Paper ballots were distributed to the Board Members who were present by Linda Gebhard, County Clerk. The Board Members participating by ZOOM were asked to call a specific telephone number with their vote. Ben Wood received these votes for tally. The County Clerk tallied the paper votes, the call in votes and paper votes were added together resulting in 6 votes for Gary Ranum and 10 votes for Mark Stead. This was a secret ballot; no names were to be stated on the ballots of the voters.

Ben officially stated the winner; Mark Stead was elected to the First Vice Chair position for the Grant County Board of Supervisors.

Election for Second Vice Chair: Ben opened up the nominations for the position of Second Vice Chair. Mark Stead nominated John Patcle and John Beinborn nominated Greg Fry. Ben asked three times for nominations, no more were stated. Ben closed the nominations. Paper ballots were distributed to the Board Members who were present by Linda Gebhard, County Clerk. The Board Members participating by ZOOM were asked to call a specific telephone number with their vote. Ben Wood received these votes for tally. The County Clerk tallied the paper votes, the call in votes and paper votes were added together resulting in 9 votes for John Patcle and 7 votes for Greg Fry. This was a secret ballot; no names were to be stated on the ballots of the voters.

Ben officially stated the winner; John Patcle was elected to the Second Vice Chair position for the Grant County Board of Supervisors.

Approval of Minutes: Patrick Schroeder, seconded by Gary Northouse, made a motion to approve the minutes of March 17, 2020 as presented. Motion carried.

Communications: Chair Keeney asked Jeff Kindrai, Health Director to give the Board an update on the COVID19 Pandemic as of this date.

Chair Keeney received a letter from ITC regarding the Cardinal Hickory Creek Line. As of April 3rd they have temporarily ceased all activities relating to that project for at least 2 months due to the COVID19 pandemic. They will re-assess at that time before they go forward on that project.

The SWIGG study information has been released; Chair Keeney stated he would send copies to the Board Members.

The 52 Building is sitting in a pile. Tim Wiederholt is hoping to get back to dispose of the remaining debris in the near future. The Department of Natural Resources checked the debris for contamination and it has been cleared.

The new sewer system is up and working, the old sewer plant will be cleaned out and then be ready to demolish and bury.

The radio tower is going forward; there have been two project meetings so far and the site work has been completed.

Chair Keeney read a Thank you he sent out to all the Grant County Employees entitled "You Make a Difference" commending them for continuing to provide uninterrupted service to Grant County communities and residents, their efforts are not going unnoticed. The Thank you has been posted on the bulletin board in the Administration Building.

Chair Keeney thanked the Board for their continued support for electing him as County Board Chair and electing Mark Stead and John Patcle to remain part of the team.

Appointment(s): None

Grants: None

Discussion and possible action to authorize the county clerk to sign an amendment to both offers to purchase with Kwik Trip Corporation to extend the closing day from May 1, 2020 to on or before August 4, 2020: Ben Wood, Corporation Counsel commented on the offer. Kwik Trip has asked for another extension for the closing of the property located on City Limits Road, 901 & 925 North Madison Street and 910 & 920 North Adams Street. They are also in an agreement with the Bennet family on the house and car wash; they would like this extension so it coincides with that closing date of August 4, 2020. The

City Planning Committee and Lancaster City Council have approved the rezone so the project is moving forward. The site plan and conditional use will be taking place in the city in the next two months. The scope of the project has not changed.

Mark Stead, seconded by Porter Wagner to approve the County Clerk to sign an amendment to both offers to purchase with Kwik Trip Corporation to extend the closing day from May 1, 2020 to August 4, 2020. A voice vote was taken, all stated yes. Chair Keeney stated the motion again and asked if there was any opposition to this motion, none was stated, therefore the motion carried unanimously.

Action on Proclamations: Ben Wood, Corporation Counsel explained the proclamations and the process that is needed. At the beginning of the COVID19 Pandemic a resolution was approved giving the County Board Chair the power to make these proclamations as needed moving through the stages of this pandemic. Chair Keeney has kept the Board Members up to date on these as they were implemented. Now, keeping in line with the State Statutes the full Board needs to ratify the proclamations. The Proclamations are listed below; they can all be passed as a whole.

Don Splinter made a motion to ratify Proclamations 1 – 9, seconded by Porter Wagner. There was a question on Proclamation 7, this gives Law Enforcement the power to write a citation to people who are violating any executive order implemented by the Governor, a citation requiring payment of a fine will be issued but these cases would not be sent on to the DA for prosecution and possible jail time. Part of Proclamation 7 also includes this amendment in the County Ordinance 22. This would amend the County’s current code on public health emergency related issues only, there would be no expiration date on this; if a situation like the pandemic came up again, the County would be prepared.

Ben Wood called the question, Don Splinter, seconded by Porter Wager, made a motion to ratify Proclamations 1 – 9, including gg. Ordinance 22 relating to the Proclamation 7 amending Chapter 206. A voice vote was taken; it was approved by a unanimous yes votes. Therefore motion carried.

- a. PROCLAMATION OF PUBLIC HEALTH EMERGENCY IN GRANT COUNTY
- b. PROCLAMATION #2 DEFINING “EMERGENCY RESPONDER” AND “HEALTH CARE PROVIDER AS IT RELATES TO EXEMPTION FROM FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA)
- c. PROCLAMATION #3 AUTHORIZATION TO SIGN PURCHASE CONTRACT WITH RAYCOM
- d. PROCLAMATION #4 DEFINING “ESSENTIAL EMPLOYEES” AS IT RELATES TO EMERGENCY ORDER #12
- e. PROCLAMATION #5 TEMPORARY ORCHARD MANOR POSITIONS DUE TO COVID-19
- f. PROCLAMATION #6 PAID SICK LEAVE FOR STAFF EXEMPT FROM FFCRA
- g. PROCLAMATION #7 AUTHORIZATION TO AMEND CHAPTER 206 ENTITLED “PEACE AND GOOD ORDER” OF THE GRANT COUNTY CODE
 - gg. An Ordinance to Amend Chapter 206 Entitled “PEACE AND GOOD ORDER” of the Grant County Code (Ordinance No. 22)
- h. PROCLAMATION #8 TEMPORARY ORCHARD MANOR EXEMPT NURSE PAY DUE TO COVID-19

- i. PROCLAMATION #9 DETERMINATION OF FINANCE DIRECTOR/COUNTY AUDITOR AS CRITICAL EMPLOYEE FOR THE PURPOSE OF THE FISCAL SUCCESS OF CONTINUITY OF OPERATIONS DURING COVIP-19 PANDEMIC

Grant County Grievance policy revision: Joyce Roling, Personnel presented the amended policy to the Board. The policy was reviewed by the Department Heads and the Executive Committee and was recommended for approval.

Patrick Schroeder, seconded by John Beinborn, made a motion to approve the amendments to the Grant County Grievance Policy. A voice vote was taken. The motion passed unanimously.

GRANT COUNTY GRIEVANCE POLICY

Purpose:

This grievance policy is established pursuant to Wis. Stat. § 66.0509(1m) to address employee terminations, employee discipline and workplace safety as required by law. An employee shall use this grievance policy for resolving disputes regarding employee termination, employee discipline or workplace safety issues covered by this policy. This policy shall not apply to matters of employee discipline or employee termination if governed by a collective bargaining agreement or by specific provisions of Wisconsin Statute Ch. 59, such as matters governed by Wis. Stat. § 59.26(8).

The terms of this policy may be modified or eliminated by the County at any time, with or without prior notice. This policy is not a guarantee of employment, a guarantee of any rights or benefits, a contract of employment, express or implied and does not create tenure or a property interest in employment. Unless specifically required otherwise by statute or code, the County's employment relationship with employees covered under this policy is at will and the employment relationship may be terminated at any time for any reason, with or without cause and with or without notice, at the option of the County or the employee.

Definitions:

"Administration" means the person or persons designated by the County to represent the interests of management in a Grievance matter. The Administration may be represented by counsel at any point in the procedure.

"Employee" for purposes of a Grievance involving discipline or termination means a full-time or regular part-time employee of Grant County, as defined in applicable County personnel policy and excludes managerial and supervisory employees, elected officials, limited term employees, contractors, employees covered by a collective bargaining agreement containing a grievance procedure for discipline or termination and officials, officers or employees that serve at the pleasure of an appointing authority as provided by statute, including, but not limited to Deputy Coroner, Veterans Service Officer, Highway Commissioner, Zoning Administrator, Real Property Lister, Social Services Director, Health Officer and Commission on Aging Director.

"Employee" for purposes of a Grievance involving workplace safety means a full-time or regular part-time employee of Grant County, as defined in applicable County personnel policy.

"Discipline", in the context of this policy, is an employee's suspension of employment or a demotion due to misconduct. Leadership/management tools, which include, but are not limited to, plans of

correction or performance improvement; performance evaluations or reviews; documentation of employee acts and/or omissions in an employment file; oral or written reprimands; administrative leave with or without pay; non-disciplinary wage, benefit or salary adjustments; or a change in assignment or assignment location, are not subject to the grievance procedures addressed in this policy.

“Grievance” means a written complaint filed under this policy by an employee involving discipline taken against the employee, termination of the employee, or an alleged workplace safety issue directly affecting the employee. All complaints must be filed on the form attached to this policy as Appendix A or Appendix C. An employee filing a Grievance is referred to as a “Grievant” in this policy.

“Termination” means an involuntary separation of employment initiated by the County that is not a layoff or workforce reduction.

“Working day” generally means a regularly scheduled workday (Monday through Friday) excluding County-recognized holidays when County offices are closed.

“Workplace safety” means any standard established or adopted under Wis. Admin. Code Chapter SPS 332.

Grievance Procedure for Discipline and Termination:

1. Initiating a Grievance Related to Discipline or Termination

A Grievance relating to discipline or termination shall be initiated by filing a written complaint on the form attached to this policy as Appendix A with the Personnel Director within 10 working days of the event giving rise to the Grievance. The Grievance must contain all of the information required on Appendix A to be considered complete. To be considered complete, the remedy sought and the discipline/termination grieved must be addressed in the Grievance.

a. A Grievance may only be filed by the employee who is the subject of the discipline or termination. The Grievant must sign and date the Grievance. A Grievance will not be considered filed until the Grievant signs the Grievance, provides all of the required information, and delivers the Grievance to the Personnel Director.

b. If a Grievance is untimely or incomplete, the Personnel Director shall issue a written notice to the Grievant indicating it is untimely or identifying the information needed to complete the Grievance. The Grievant shall have five (5) working days from receipt of the written request to provide the Personnel Director with the requested information. In the case of an untimely Grievance, the Grievance must provide a statement as to why the Grievance should be considered timely. In the case of an incomplete Grievance, the Grievant must provide the information identified by the Personnel Director. Upon receipt of the Grievant’s response, the Personnel Director shall refer the response to the Grant County Executive Committee to determine whether the response is sufficient. Failure of the Grievant to timely provide the requested information within five (5) working days of the Personnel Director’s request or a finding by the Executive Committee that the Grievance is either untimely or that the Grievant has failed to provide sufficient information to allow the Grievance to move forward shall constitute a waiver of the right to use this grievance procedure and an abandonment of the Grievance and therefore the Grievance will no longer be processed under this Policy.

d. By signing the Grievance, the Grievant is acknowledging and affirming that the statements contained in the Grievance are true and accurate to the best of the Grievant's knowledge.

e. A Grievant shall not be allowed to amend the Grievance.

f. Throughout the grievance process, the Grievant may represent himself or herself or the Grievant may be represented by legal counsel.

2. Decision by Personnel Director

Upon the receipt of the Grievance and following a determination that the Grievance is timely and complete, the Personnel Director may attempt to informally resolve the Grievance. If the Grievance cannot be resolved, the Personnel Director will deliver a written response to the Grievant with a brief explanation as to why the Grievance is denied. If the Personnel Director is aware of other similar pending grievances, the Personnel Director may consolidate those matters and process them as one grievance.

3. Hearing Before an Impartial Hearing Officer

An employee shall have ten (10) working days from the date the Grievance was denied by the Personnel Director to file a written request for a hearing. The employee shall submit a written statement to the Personnel Director requesting the hearing and specifically describing the reason(s) for the appeal of the Personnel Director's decision.

a. When the Personnel Director receives a properly filed request for hearing, the Personnel Director shall assign the Grievance a case number and provide the Grievant with the name of the Impartial Hearing Officer assigned by the County. The Grievant shall be responsible for half of the cost of the hearing officer.

b. Within ten (10) working days of the date the Impartial Hearing Officer is assigned, the Administration, Grievant and Impartial Hearing Officer shall conduct a pre-hearing conference and select a date for hearing not more than forty-five (45) calendar days from the date the Grievance was filed. All hearings will be closed to the public. The Impartial Hearing Officer shall require the Grievant and Administration to provide a list of witnesses and exhibits that each intends to produce at the hearing no later than ten (10) working days before the hearing. The Impartial Hearing Officer may preclude the Grievant or Administration from introducing exhibits or taking testimony from witnesses who were not disclosed on the list to the opposing party. Neither party may engage in discovery, submit argument, or otherwise engage in motion practice prior to the hearing.

c. Prior to the beginning of the hearing, the Impartial Hearing Officer may attempt to mediate the dispute at the request of both parties.

d. The Grievant and Administration may call witnesses and present testimony and exhibits that are relevant to the events at issue in the Grievance, subject to the requirements related to exchange of witnesses and exhibits in Section 3.b. above. The Grievant and Administration may cross-examine any witnesses presented by the opposing side subject to relevancy. The Impartial Hearing Officer may refuse to allow testimony or receive exhibits that the Impartial Hearing Officer deems irrelevant or repetitious.

- e. The rules of evidence shall not be strictly followed, but no factual conclusions may be based solely on hearsay evidence.
- f. During the hearing, the Impartial Hearing Officer may ask questions and gather information the Impartial Hearing Officer deems necessary or helpful. The Impartial Hearing Officer may allow for opening or closing statements at the discretion of the Impartial Hearing Officer; however, such statements shall not exceed ten (10) minutes in length. The Impartial Hearing Officer shall maintain order and decorum at all times during the hearing, including refusing to take additional evidence until a disruption has ceased or terminating the hearing if the disruption does not cease after a warning is given.
- g. After the Grievant and the Administration have finished introducing evidence, the Impartial Hearing Officer shall close the record. The parties shall have no right to file briefs or position statements and the Impartial Hearing Officer shall make a decision based solely on the evidence and argument presented at the hearing.
- h. Burden of proof

The Grievant bears the burden of proof to persuade the Impartial Hearing Officer by clear, convincing and satisfactory evidence that the Administration had no rational basis in disciplining or terminating the Grievant. If the Grievant does not meet his or her burden of proof, the Impartial Hearing Officer shall deny the grievance. In determining whether the Grievant has satisfied this burden, the Impartial Hearing Officer shall only consider the matter presented in the initial grievance filed by the employee and the evidence presented in the Hearing.

- i. Any hearing conducted hereunder shall be recorded by use of an audio recorder or other means as designated by the Impartial Hearing Officer. A copy of the audio recording, if used, shall be provided to the Grievant at no charge. The Personnel Director shall preserve all recordings for the period required by law following completion of all proceedings related to a Grievance.

4. Remedies

If the Grievance is sustained, the Impartial Hearing Officer may award the Grievant one of the following remedies if reasonable under the totality of the circumstances:

- a. If the Grievance involves employee termination, the Impartial Hearing Officer may award any of the following or combination of the following: reinstatement; a lesser adverse employment action than termination such as suspension of employment, reduction in base pay, reduction in rank, demotion, or an oral or written reprimand; plans of correction or performance improvement; documentation of employee acts and/or omissions in an employment file; or that no adverse employment action be taken by the County. If reinstatement is awarded, the Impartial Hearing Officer may award back pay to the employee reduced by any unpaid suspension imposed by the Impartial Hearing Officer. The Impartial Hearing Officer shall not award back pay greater than the equivalent of seventy-five (75) working days.
- b. If the Grievance involves employee discipline other than termination, the Impartial Hearing Officer may award any of the following or combination of the following: lesser adverse employment action than the discipline imposed by the County such as a reduced period of suspension, reduction in base pay, reduction in rank, demotion, or an

oral or written reprimand; plans of correction or performance improvement; documentation of employee acts and/or omissions in an employment file; or that no adverse employment action be taken by the County. If the Impartial Hearing Officer reduces an unpaid suspension, the Impartial Hearing Officer may award back pay to the employee for any period of unpaid suspension served by the employee that was reduced.

5. Written Decision of Impartial Hearing Officer

The Impartial Hearing Officer shall deliver a written decision to the parties no later than twenty (20) working days from the date of the hearing. The written decision shall contain the following: the case number and caption describing the parties; appearances made by the parties at the hearing; a statement of the issues; pertinent findings of fact; conclusions of law, if any; the final decision; and if the County's decision is overturned, the remedy for the Grievant. If no written decision is received by both parties within twenty (20) working days following completion of the hearing, the Grievance shall be considered denied.

6. Appeal

Appeal to the County Board of a Grievance relating to discipline or termination shall proceed under the section titled County Board Appeal.

Grievance Procedure – Workplace Safety

1. Conditions Precedent to Filing a Workplace Safety Grievance

- a. An employee may not file a grievance relating to a condition that the employee believes constitutes a Workplace Safety violation unless the employee has first reported the condition to the Personnel Director in writing on the form attached as Appendix B.
- b. Upon receiving properly filed notice of an alleged Workplace Safety violation, the County shall have ten (10) working days in which to investigate the condition and advise the employee in writing that the County has determined that the condition does not constitute a Workplace Safety violation and will not be taking corrective action; or the County will be taking corrective action in accordance with law to address the condition. If the County advises the employee in writing within ten (10) working days that it is taking corrective action in accordance with law and has commenced corrective action, then no Grievance for Workplace Safety may be initiated.

2. Action by Committee

- a. If the County determines that the condition does not constitute a Workplace Safety violation, the Personnel Director shall immediately notify the Department Head and the Chair of the governing committee of the result of the investigation to follow up on the Workplace Safety concern.

3. Initiating a Grievance Relating to Workplace Safety

- a. An employee may initiate a Grievance relating to Workplace Safety by presenting a written complaint on the form attached to this policy as Appendix C to the Personnel Director within five (5) working days of the Grievant's receipt of notice from the County

that it will not be taking corrective action with respect to an alleged Workplace Safety violation or the date upon which the Grievant knew or should have known that the County has failed to commence corrective action in accordance with law as set forth above. The Grievance must contain all of the information set forth in Appendix C to be considered complete, including the remedy sought and the condition being grieved. The Grievant and Personnel Director shall follow the provisions of Section "Initiating a Grievance Relating to Discipline or Termination" Section1, subsections b.–d. identified above for purposes of initiating the Grievance and determining timeliness and sufficiency.

- b. By signing the Workplace Safety Grievance, the Grievant is acknowledging and affirming that the statements contained in the Workplace Safety Grievance are true and accurate to the best of the Grievant's knowledge.
 - c. A Grievant shall not be allowed to amend a Workplace Safety Grievance.
4. Decision by Personnel Director

Upon the receipt of the Grievance and following a determination that the Grievance is timely and complete, the Personnel Director may attempt to informally resolve the Grievance. If the Grievance cannot be resolved, the Personnel Director will deliver a written response to the Grievant with a brief explanation as to why the Grievance is denied. If the Personnel Director is aware of other similar pending grievances, the Personnel Director may consolidate those matters and process them as one grievance.

5. Hearing before an Impartial Hearing Officer

An employee shall have ten (10) working days from the date the Grievance was denied by the Personnel Director to file a written request for a hearing. The employee shall submit a written statement to the Personnel Director requesting the hearing and specifically describing the reason(s) for the appeal of the Personnel Director's decision.

- a. When the Personnel Director receives a properly filed request for hearing (i.e., a timely and complete Grievance), the Director shall assign the Workplace Safety Grievance a case number and provide the Grievant with the name of the Impartial Hearing Officer selected by the County. The Grievant shall be responsible for half of the cost of the hearing officer. If the Personnel Director is aware of other similar pending grievances, the Personnel Director may consolidate those matters and process them as one grievance.
- b. An Impartial Hearing Officer shall be assigned no later than twenty (20) working days after the date a Grievance is properly filed.
- c. Any hearing conducted hereunder shall be recorded by use of an audio recorder or other means as designated by the Impartial Hearing Officer. A copy of the audio recording, if used, shall be provided to the Grievant at no charge. The Personnel Director shall preserve all recordings for the period required by law following completion of all proceedings related to a Grievance.
- d. Hearing procedure

The hearing shall be conducted in accordance with the impartial hearing officer procedure set forth for above in Section 3 a. – g. for Grievances involving Discipline and Termination.

e. Burden of proof

The County bears the burden of proving by a preponderance of the evidence that the condition identified by the Grievant does not constitute a Workplace Safety violation and that no corrective action is required. If the County does not meet its burden of proof, the Grievance shall be sustained.

6. Impartial Hearing Officer Decision

- a. If the Workplace Safety Grievance is sustained, the Impartial Hearing Officer may issue an order which includes a statement as to the particular required provisions of Wis. Admin. Code Chap. SPS that are violated by the Workplace Safety grievance and recommend the County take corrective action in compliance with law to address the Workplace Safety violation. The Impartial Hearing Officer shall have no authority to require the County to take any specific corrective action or provide any specific remedy in response to the Workplace Safety violation.
- b. If the Workplace Safety Grievance is denied, then the Impartial Hearing Officer shall issue a written report that identifies the basis for denying the Grievance.

The Impartial Hearing Officer shall file any written decision and order or written report with the County Clerk within twenty (20) working days of the close of the hearing. If no written decision is received by the County Clerk within twenty (20) working days following completion of the hearing, the Grievance shall be considered denied.

7. Appeal

Appeal to the County Board of a Grievance relating to Workplace Safety shall proceed under the section below titled County Board Appeal.

County Board Appeal

1. Requesting an Appeal to the County Board

- a. Either party may appeal the Impartial Hearing Officer's decision by filing a request for appeal. The appeal must include the following information: a copy of the grievance filed; a copy of the written response from the Personnel Director, if any; a copy of the written decision from the hearing officer, if any; and a statement of the relief requested by the Grievant. The appeal must be filed in the Personnel Director's office no later than five (5) calendar days from the date of receipt of the Impartial Hearing Officer's decision. Failure to file a written appeal by the filing deadline will result in the waiver of the right to an appeal and the outcome of the proceedings before the hearing officer shall be final.

- b. A request for an appeal must be filed on Appendix D and set forth all information required by Appendix D to be considered complete. To be considered complete, the remedy sought by the appeal must be covered by the Grievance Procedure.
- c. Upon the filing of an appeal, the Personnel Director shall forward a copy of the appeal and of the recording of the hearing before the Impartial Hearing Officer to the County Clerk.

2. County Board Appeal Process

- a. When the Personnel Director receives a properly filed request for appeal (Appendix D), the Director shall forward the appeal to the chairperson of the County Board.
- b. The Chairperson shall review the appeal to determine if it is complete (i.e., if all information required by Appendix D was provided and if the remedy requested is covered by the Grievance Procedure). If the Chairperson determines the appeal is incomplete, the Chairperson shall dismiss the appeal and the Impartial Hearing Officer's decision shall be final and binding upon the parties.
- c. If the Chair determines the appeal is complete, the Chairperson shall schedule a meeting of the County Board to review the hearing record and the Impartial Hearing Officer's decision. The Board may listen to any portion of the audio recording of the hearing before the Impartial Hearing Officer. The Board may confer with the Impartial Hearing Officer regarding the hearing record and the basis of the Impartial Hearing Officer's decision. The Board shall not overturn or otherwise modify the Impartial Hearing Officer's decision unless the decision of the Impartial Hearing Officer is found to be arbitrary, oppressive or unreasonable.
- d. The County Board shall not take testimony, accept additional evidence, accept briefing, accept oral argument or otherwise conduct a hearing of any sort in relation to an appeal.

3. Written Decision of the County Board

The County Board shall deliver a written decision to the Grievant and the Administration no later than twenty (20) working days from the date of the County Board meeting. The written decision shall contain the following: the case number and caption describing the parties; a statement of the issues; findings of fact, along an explanation as to why the findings differ from the hearing officer, if any; conclusions of law, along with an explanation as to why the conclusions differ from the hearing examiner, if any; the final decision; and if the Impartial Hearing Officer's decision is overturned, the remedy, if any.

4. Contents of County Board Decision

If no written decision is received by the Grievant within twenty (20) working days following the meeting at which the Grievance is presented to the County Board for review, the Grievance shall

be considered denied. The County may award the Grievant one of the following remedies if reasonable under the totality of the circumstances:

- a. If the Grievance involves employee termination, the County Board may award remedies consistent with the remedies set forth above under the section entitled Remedies. If reinstatement is awarded, the County Board may award back pay to the employee reduced by any unpaid suspension imposed by the County Board. The County Board shall not award back pay greater than the equivalent of the number of working days elapsed from the date of termination to the date of the County Board meeting or 75 working days, whichever is less.
 - b. If the Grievance involves employee discipline other than termination, the County Board may award remedies consistent with remedies set forth above. If the County Board reduces an unpaid suspension, the County Board may award back pay to the employee for any period of unpaid suspension served by the employee that was reduced.
 - c. If the Grievance involves Workplace Safety, the County Board may order that corrective action be taken according to law.
5. The decision of the County Board shall be final and may not be reconsidered.

(Approved by County Board on 09/20/2011, revised 01/21/2014, revised 05/20/2014, revised 04/21/2020)

Dog Claim(s): Roger Guthrie presented the dog claims from the Grant County Humane Society to the Board for approval. There was one dog claim to approve by the Board for a total of \$155.00. The claim will be reviewed by Ag and Extension at their next meeting.

A motion was made by Roger Guthrie, seconded by Lester Jantzen, to approve paying the amount of \$155.00 to the Grant County Humane Society contingent on the approval of the Ag and Extension Committee. Motion carried.

Discussion and Possible Action on Committee Structure and to extend Committee term until May 2020 Board meeting: Chair Keeney informed the County Board Members the Wisconsin Counties Association stated committee assignments could be extended into May, however by June 1st the committee structure needs to be in place. He opened the floor for discussion regarding extending the committee assignments to the May County Board Meeting.

Robert Scallon made a motion to extend the committee structure and assignments until the May 2020 County Board meeting, seconded by John Beinborn. Discussion continued.

Roger Guthrie posed the question that through the COVID 19 Pandemic there have been some committees which struggled to achieve a quorum. He wondered if the original number of members on the committees should be revisited. Ben Wood stated the wording would have to be made in a draft form so it could be sent out to all the Board Members for their review and at the May meeting this could be acted upon.

Chair Keeney stated there should be an Administrative Committee scheduled within the next couple weeks to discuss this proposal or any other suggested changes in the committee structures.

Gary Ranum asked if this would include the elected committees also. Chair Keeney stated it should include all the committees. If it is decided to increase the number of members on those committees there is no reason to hold the elections at this meeting.

Carol Beals reiterated from a previous decision made in 2018, the Administrative and Executive Committees both mandate the Chair, 1st and 2nd Vice will be members on those committees. The rest of the Committee Members should not be the same on both, there should be different members represented on each committee.

Chair Keeney stated he felt the duties on the Administrative Committee need to be revisited. With the changes made within the County, like having a Facility Maintenance Manager to take on the oversight of the building, and if there would be new construction in the future, it may serve the County better to form an Ad Hoc committee to address that issue. Also it may be better to bring back the Committee on Committee to address the committee restructuring in the future.

Carol Beals stated she would like to have discussion on a Communication or IT stand-alone committee going forward also. With the building of a new Communication Tower and all the new communication technology within the buildings, this may be a valuable committee to have.

Chair Keeney called the question; Robert Scallon made a motion to extend all committee assignments until the May 2020 County Board meeting, seconded by John Beinborn. A voice vote was called for. Chair Keeney asked if there were any nay votes for this motion, hearing none. The motion carried unanimously.

Election for Elected Committees: (Postponed until May 2020)

- a. Administrative Committee
- b. Social Service Committee
- c. Highway Committee
- d. Agriculture and Extension/Fair Committee

Comprehensive Plan Change: None

Zoning Amendment 565th: Justin Johnson presented the Zoning Amendment to the Board for approval. The Amendment was recommended for passage by the town boards and the Conservation, Sanitization, Zoning Committee.

Mark Stead, seconded by Lester Jantzen, made a motion to approve Zoning Amendment 565 including Petitions 20-06 Ellenboro Township and 20-07 Lima Township. A voice vote was called, resulting in a unanimous yes vote. Therefore motion carried.

**565th AMENDMENT TO THE
GRANT COUNTY ZONING ORDINANCE
April 21st, 2020**

WHEREAS, a petition for map amendment was filed and a public hearing was held by the Grant County Conservation, Sanitation and Zoning Committee, meeting the requirements of Chapter 59.69 (5) (e) 2.

WHEREAS, a proof of publication and giving notice to each affected township clerk of such hearing is attached to this document. Chapter 59.69 (5) (e) 4

WHEREAS, the Conservation, Sanitation and Zoning Committee now recommends to the Board of Supervisors of Grant County the adoption of the following map amendments.

NOW THEREFORE BE IT RESOLVED that the Grant County Board of Supervisors does ordain as follows. That the Zoning District Map for Grant County will be amended to reflect the following:

PETITION #20-06: Rezone request for Austin Bros LLC, PIN: 014-00575-0010 to change the zoning classification from Farmland Preservation to Agricultural-2 (A-2) to allow for the use of a nonfarm residence. This is for +/- 2.25 acres in the SE ¼ of the NE ¼ of Section 27, T4N, R2W, in Ellenboro Township

PETITION #20-07: Rezone request for Tim & Dakora Freed, PIN: 030-00858-0000 to change the zoning classification from Farmland Preservation & Agricultural-1 (A-1) to Agricultural-2 (A-2) to allow for the use of a nonfarm residence. This is for +/- 1.52 acres in the SW ¼ of the NW ¼ & NW ¼ of the SW ¼ of Section 35, T4N, R1W, in Lima Township

Adopted by the Grant County Board of Supervisors this 21st day of April, 2020

Robert Keeney, County Board Chairman

Attest: Linda Gebhard, County Clerk

Adjournment: Mark Stead, seconded by Robert Scallon, made a motion to adjourn the meeting pursuant to the next meeting on May 19, 2020 of the Grant County Board of Supervisors. A ZOOM meeting will be scheduled; the time of the meeting shall remain fluid during the COVID19 issue whether the time will be set at 10:00 a.m. or 5:00 p.m. Ben's understanding is any meeting of a governmental unit is considered an essential meeting therefore there could be more than 10 present. Motion carried.

**** Chair Keeney stated the Administrative Committee which will be scheduled in the next couple weeks to discuss committee assignments and structure will be a ZOOM meeting; all County Board Members will be invited to attend that meeting.**

****Due to technical difficulties during the April 21, 2020 County Board Meeting there will be no report included from the RollCall Pro voting system.**