



# TOWN OF RIB MOUNTAIN

Where Nature, Family & Sport Come Together

## BOARD OF SUPERVISORS

### OFFICIAL NOTICE & AGENDA

This agenda shall serve as notice for the **Special** meeting of the Town of Rib Mountain Board of Supervisors, which is to be held on **JULY 17, 2023; 5:30 P.M. AT THE TOWN OF RIB MOUNTAIN MUNICIPAL CENTER, 227800 SNOWBIRD AVENUE**. Said meeting shall be called in accordance with Wis. Stats. §19.83 and §19.84. Other Commissions and Committees of the Town may attend for purposes of gathering information. Subject matter for consideration and possible action follows:

- 1) Call to Order – Roll Call
- 2) Comments From the Public Related to Agenda Items
- 3) Discussion and action on the [Minutes of the 06/27/23 Special Meeting](#)
- 4) Discussion and Recommendation for [Village Charter – Number of Trustees](#)
- 5) Discussion and Recommendation for [Memorandum of Understanding Between the Village of Rib Mountain and Rib Mountain Utility Commission](#)
- 6) Discussion and Recommendation for [Village and Utility Staffing](#)
- 7) Discussion and Recommendation for [Community Identification Transition Plan](#)
- 8) Discussion of Participation in [Wisconsin Retirement System](#)
- 9) General Comments
- 10) Adjourn

Allen Opall (GR)

07/13/23

Town Chair

Date

**\*NOTICE:** Attendees may also join the meeting virtually via phone, tablet, or computer via [Zoom \[external link\]](#) or by phone at [\(312\) 626-6799](#) with Meeting ID **988 1629 4558**. If you require special accommodations, please contact the Town of Rib Mountain at [\(715\) 842-0983](#) during normal office hours (8:00 AM – 4:30 PM, Monday through Friday).

TOWN OF RIB MOUNTAIN  
*Special Town Board Meeting*  
*June 27, 2023*

Chair Opall called the June 27, 2023, Special Meeting of the Rib Mountain Town Board to order at 4:31 p.m. at the Town of Rib Mountain Municipal Center, 227800 Snowbird Avenue, Wausau WI.

Supervisors present included Cory Sillars, Fred Schaefer, and Brad Conklin. Gerry Klein was excused. Also present were Administrator Rhoden, Superintendent Turner, Finance Director Dunbar, Development Director Grande, Attorneys Dietrich & Miller, Sanitary District Director Heyroth, and Clerk Kolden

On June 23, 2023, copies of the meeting notice were made available to the media, Town Board, Town Attorney, SAFER Fire Department, Rib Mountain Sanitary District office, posted at the Rib Mountain Municipal Center, and the Town website.

Comments from the Public Related to Town Board Agenda Items – None

Discussion and Recommendation for Guidance on Village Charter Ordinances and Zoning

Legal counsel Nathan Miller reviewed the items from the previous discussion. Mentioned most of the items will need an update name from Town to Village. Discussion took place on the Commissions and Committees along with the number of members on each commission or committee. It was discussed to have a Village Trustee on each Commission or Committee, that doesn't mean they need to be the chair or vice chair. Discussion took place on changing to possibly have 7 Trustees. To help with all the meetings. A new committee was discussed Economic Development Committee is to have 1 Trustee, 1 Plan commissioner and 7 total members.

Utility Commission or Utility Committee discussion took place on the differences. Who would oversee the day to day of operations, hiring, personnel and wages. Clarification was needed on the chain of command between the commission or committee and the village. Utility Commission controls, as they do now (hiring, wages, & operations), a committee would be controlled by the Trustees. The 3-member committee or Commission is all appointed residents with 1 being a Trustee.

There will be one more additional workshop special meeting to review the changes. The 1<sup>st</sup> meeting as a Village is when the Village Trustees adopt the policies. Which will be the 1<sup>st</sup> meeting after receiving the DOA certification.

**Adjourn – Motion by Schaefer/Sillars to adjourn at 5:57p.m.**

**Questioned and carried 4/0.**

Respectively submitted by Lynnae Kolden, Clerk

Note: These minutes are not to be considered official until acted upon at an upcoming regular meeting, therefore, they are subject to revision.



## TOWN OF RIB MOUNTAIN

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**ITEM:** Discussion and Recommendation for Village Charter – Number of Trustees

**ISSUES:** At the request of the Town Chairman, this item has been brought back for further clarification by the Town Board. At the last special meeting, the Town Board discussed the size of the Village Board, five or seven Trustees/President. At the time of discussion, the conversation was leaning towards seven members. The number of members needs to be clarified for the charter ordinance and also for the upcoming special election.

**FISCAL IMPACT:** TBD

**ACTION TO BE TAKEN:**

1. No Action.



**ITEM:** Memorandum of Understanding (MOU) Between the Village of Rib Mountain and Rib Mountain Utility Commission

**ISSUES:** At the last special Town Board meeting, the Board agreed to move forward with a Utility Commission. The Attorney has been working with staff on drafting the charter ordinance. As the discussion has taken place, there have been questions raised on roles and responsibilities within the parameters of a Utility Commission.

It is recommended that the Board consider entering into a memorandum of understanding between the Village and Utility Commission. The MOU takes into consideration the Town Board's Strategic Priorities as well as the submittal for Incorporation.

Incorporation will create opportunities and challenges.

- The sewerage district will fall under the control of the village creating the opportunity to better align strategies and investments. Creates one-stop shop for residents. Allows for future planning of roads/utilities. *Adopted by the Town Board 11/1/2022.*

Section D Rib Mountain Sanitary District of the Incorporation Submittal

- The consolidation of the sanitary district into the village organization will benefit the former sanitary district with shared human resources services, financial checks and balances, shared equipment, and joint staffing. *Page 77*

A similar approach for entering into a MOU was done when the SAFER District was formed between the Village of Weston and the Town of Rib Mountain.

The purpose of the MOU is to give finite, detailed responsibilities than further expressed in an ordinance. The MOU covers budgetary, financial, personnel, clerical, record keeping, and development/improvement priorities. This would be an extremely helpful document for not only existing Village/Utility staff, and elected/appointed members, but also future staff and board members.

The Attorney has reviewed the attached document.

**FISCAL IMPACT:** TBD

**ACTION TO BE TAKEN:**

1. Motion to recommend moving forward with the attached memorandum of understanding with the Rib Mountain Utility Commission.
2. Motion to deny.

**MEMORANDUM OF AGREEMENT  
BETWEEN THE VILLAGE OF RIB MOUNTAIN AND THE UTILITY  
COMMISSION FOR THE VILLAGE OF RIB MOUNTAIN**

This memorandum of understanding (hereinafter MOU) is entered into as the \_\_\_ day of \_\_\_\_\_, 2023, by and between the Village of Rib Mountain (hereinafter Village) and the Utility Commission for the Village of Rib Mountain (hereinafter Utility).

WHEREAS, the Village Board of the Village of Rib Mountain has established the Utility Commission under Chapter 1: General Government, Section 5 pursuant to Wis. Stats: 66.0805; and

WHEREAS the Village and Utility are desirous of establishing appropriate arrangements for the operation of the Utility under the terms and considerations contained in this agreement; and

WHEREAS it is deemed to be in the mutual best interests of the Village and Utility to incorporate the following into writing; and

NOW, THEREFORE, IN CONSIDERATION OF THE PROMISES CONTAINED HEREIN, IT IS AGREED BETWEEN THE VILLAGE AND UTILITY:

1. Pursuant to 66.0805 Wis. Stats, the Utility Commission is responsible for the management and control of the utility operations while remaining under the general control and supervision of the governing body.
2. The Utility Director shall coordinate with the Village Administrator on preparation of the annual budget. The Utility shall be responsible for submitting a proposed budget and 5 Year Capital Plan to the Village no later than October 15. Final approval of the budget shall be approved by the Village.
3. The operational budget, including revenues and expenditures, of the Utility shall be itemized as an enterprise fund within the Village's budget. The Utility will incorporate long-term capital needs within the Village's 5 Year Capital Plan adopted annually.
4. Although the Utility has exclusive control of the monies appropriated for the Utility by the Village, the actual disbursements from the appropriations shall be made by the Village Treasurer. This will include monies applied through Utility accounts payable, receivable, payroll, and general ledger.
5. The Utility shall collect all monies associated with services rendered to customers by the Utility including late fees, special charges, and special assessments. All such monies shall be handed over to the Village Treasurer daily.

6. Agenda preparation and minutes for Utility Commission meetings shall be coordinated with the Village Administrator. This would include establishing a staff person to send out proper notifications and record minutes for meetings.
7. The official personnel records of Utility employees, such records to include the employees' benefits, accrued sick leave, vacation, disciplinary actions, and other fringe benefits, shall be maintained at the Village Municipal Center.
8. The Village shall provide salary information to the Utility as the same relates to salary levels for Village Department Heads and other Village personnel. The Utility shall use this information as the Utility sees it fit and shall use this information when considering salary issues for Utility employees.
9. The Village will represent the Utility in all human resources-related issues including, but not limited to, employee benefits, maintaining and enforcing employee policy handbook, grievances, and recruitment of new employees. It is understood that the Utility has adopted the Village's employee policy handbook, and, as the same pertains to Utility employees, which may have been adopted by the Village.
10. The Utility Director shall coordinate with the Village Administrator to establish priorities when conflicts arise.
11. Utility office hours will coincide with the hours of the Village Municipal Center so far as possible.
12. Planning and Expansion of Utilities and its service area will be endorsed by the Utility Commission with final approval by the Village Board. The Village Board will have the authority to expand the Utility services as the Village sees fit for the community.

Owners

Utility Commission

Village of Rib Mountain

By: Ed Abendroth, Utility President

By: Allen Opall, Village President

- (3) All citizen members shall be appointed as described in Section 1.20(3). Initial appointments will be made in \_\_\_\_\_ 2023. Thereafter, appointments shall occur by May 1 of each year starting in 2024.
- (4) If the Chair is absent, the Vice Chair shall call the meeting to order.
- (5) A majority of the members of the Economic Development Committee shall constitute a quorum. If there is not a quorum present, the fact shall be entered in the minutes, and the meeting shall be adjourned.
- (6) Powers and Duties.
  - a. The Economic Development Committee may adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations which record shall be a public record.
  - b. In promoting economic development in the Village, the Economic Development Committee shall, among other things, encourage the creation and retention of jobs and act as liaison in the promotion of public and private capital investment in the community. To assist in the performance of its functions with respect to economic development, the economic development commission shall have all powers delegated to planning commissions under Wis. Stats. § 62.23(4).
  - c. The Economic Development Committee may consider and investigate any matters affecting economic development in the Village; solicit and receive citizen or professional input as it deems necessary; issue such reports and studies as it deems appropriate; and make recommendations which shall be forwarded to and placed on the agenda of the next regular meeting of the Village Board, the Village Plan Commission, or any other Village committee or commission, as the case may be.
  - d. The Economic Committee shall review and make recommendations on Tax Incremental District funding requests.

Section 5. CHAPTER 1 GENERAL GOVERNMENT, SECTION 1.24 ENTITLED “UTILITY COMMISSION” of the Code of the Village of Rib Mountain is hereby created to provide as follows:

#### 1.24 – UTILITY COMMISSION/COMMITTEE

- (1) The Village Utility Commission shall consist of three members appointed by the Village President and confirmed by the Village Board. One of the members shall be a member of the Village Board. The remaining two (2) members shall be residents of the Village’s Sanitary District, who do not hold an elected office in the Village and shall be persons of recognized experience and qualifications in the area of utilities. The Commission shall elect a Chair, Vice Chair, and Secretary.
- (2) The term of office of an appointee who is a Village Trustee or the Village President shall run with their term of office. The term of office of appointees who are not a Village Trustee or the Village President shall be three years. Each Commissioner shall take and file the official oath.
- (3) All citizen members shall be appointed as described in Section 1.20(3). Initial appointments will be made in \_\_\_\_\_ 2023. Thereafter, appointments shall occur by May 1 of each year starting in 2024.
- (4) The Commission is staffed by the Village Administrator and Superintendent of Water & Sewer Superintendent.
- (5) If the Chair is absent, the Vice Chair or their designee shall call the meeting to order.

- (6) A majority of the members of the Utility Commission shall constitute a quorum. If there is not a quorum present, the fact shall be entered in the minutes, and the meeting shall be adjourned.
- (7) The Village Board shall establish compensation to be paid to members to defray expenses related to service on the Commission.
- (8) Powers and Duties.
  - a. Provide policy direction to the Village Board for the expansion, repair, and maintenance of the stormwater sewer, sanitary sewer system and water system under Village of Rib Mountain jurisdiction contained in the budget and coordinated with the Village Administrator.
  - b. Ensure all projects reviewed under its jurisdiction have an identified funding source in compliance with the adopted budget policy. Monitor the budget during the fiscal year and recommend the budget for the upcoming fiscal year. The Commission shall have the authority to authorize projects to give immediate relief to special projects not anticipated with funding using the sanitary sewer contingency/reserve fund. Any such expenditure shall be immediately reported to the Village Administrator.
  - c. Oversee the management of the Village stormwater sewer, sanitary sewer and water facilities, under Village control, coordinated with the Village Administrator.
  - d. Coordinate with the Village Administrator on wages for utility employees.
  - e. To encourage quality standards for the stormwater sewer system, sanitary sewer system and water system of Rib Mountain and develop procedures to ensure those standards.
  - f. To foster and promote the development and utilization of improved methods affecting the stormwater sewer system, sanitary sewer system, and water system.
  - g. To respond, when requested, to citizen interests or inquiries associated with the stormwater sewer system, sanitary sewer system and water system of the Village of Rib Mountain. This shall include the right and responsibility to hear and investigate any complaints formally received pertaining to the quality of service under the jurisdiction of the commission.
  - h. Review and propose appropriate action on all aspects of a community interest pertaining to the operation of the stormwater sewer system, sanitary sewer system and water system to the Village Board as may be required.
  - i. To promote area-wide coordination and liaison with the adjacent counties, cities, villages, townships, state and federal government on matters of mutual concern under the jurisdiction of the commission.
  - j. To understand the interface and working relationship between the Village stormwater sewer system, sanitary sewer system and water system with other agencies as appropriate for the purposes of utilizing resources in an optimum manner.
  - k. To review annually the rate/fee structure and recommend an appropriate rate/fee(s) to the Village Board to maintain the fiscal integrity of the system.
  - l. To make rules for its proceedings so long as they do not conflict with other Village procedures. Rules and regulations as may be required under which the customers of the systems shall be served are subject to the approval of the Village Board.
  - m. To propose rules, regulation, resolutions, or ordinances for the operation of the stormwater sewer, sanitary sewer and water systems as may be appropriate or provided by law.



- n. The Commission shall utilize staff in the handling of all stormwater sewer, sanitary sewer, and water issues in the Village. In the event work involved causes conflicts with other staff priorities, it shall be the responsibility of the Village Administrator to determine the priorities.
- o. Work with the Village Administrator in scheduling projects related to capital improvements adhering to the adopted capital improvement plan for the Village.
- p. The Commission shall follow all directives of the Public Service Commission of Wisconsin, as provided by law.

Section 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7: Should any portion of this ordinance be declared invalid, or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of the remaining portions of said ordinance which can be given effect without the invalid or unconstitutional provision.

Section 8: This ordinance shall be in full force and effect from and after its date of passage and notice to the public as required by law.

Adopted this \_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Allen Opall, Chairman

ATTEST:

\_\_\_\_\_  
Lynnae Kolden, Clerk



## TOWN OF RIB MOUNTAIN

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**ITEM:** Discussion and Recommendation for Village and Utility Staffing

**ISSUES:** As the Board is aware, the Deputy Clerk resigned from the position. This vacancy is an opportunity to consider combining utility functions with Village operations.

Based on strategic priorities and the incorporation submittal, the intent is to combine services and a one-stop shop for residents. It is envisioned that the position would be primarily responsible for Utility billing, but also serve as a Deputy Clerk. The position would be supervised by the Utility Director but would coordinate with the Clerk during election times. Performance reviews would be conducted by the Utility Director with input from the Clerk.

As a Deputy Clerk, they would provide support to the Clerk during elections. It is also envisioned that the position would assist in Utility Commission, Park Commission and Bicycle/Pedestrian Committee meetings. Also, in the absence of the Clerk, they would take minutes for other meetings.

The Village Municipal Center would still need at minimum a part-time Office Assistant as there still needs to be someone to process licenses, answer phones, handle special assessment letters, etc.

There would be potential savings as it applies to benefits as there would be less benefits paid under General Government.

This concept has been shared with the Utility Director.

**FISCAL IMPACT:** TBD

**ACTION TO BE TAKEN:**

1. No Action.



## TOWN OF RIB MOUNTAIN

**ITEM:** Transition Plan for Community Identification for the Village of Rib Mountain

**ISSUES:** With the approval of the referendum, the official recognition of the Village of Rib Mountain is forthcoming. Staff have been preparing for this since the incorporation idea was discussed. Some changes have already been made including logo wear, website, letterhead, etc.

It is understood that some changes will take time including working with the Wisconsin Department of Transportation to have highway signage installed. Parks and Municipal Center signs will need to be changed as well; however, this will need to be done over time.

The secondary part of the transition is the changing of insurances, and other contractual obligations.

Attached is the transition plan for community identification.

**FISCAL IMPACT:** TBD

**ACTION TO BE TAKEN:**

1. No Action.

## VILLAGE OF RIB MOUNTAIN & COMMUNITY IDENTIFICATION TRANSITION PLAN

**OBJECTIVE:** The objective of this transition plan is to outline the steps and considerations involved in changing the name of the Town of Rib Mountain to the Village of Rib Mountain.

**STRATEGIC PRIORITIES:** The expansion of recreational facilities within Rib Mountain will create opportunities and challenges.

- Growth of tourism allows Rib Mountain to build upon marketing efforts and community branding.  
*Adopted by the Town Board 11/1/2022.*

### 1. PREPARATION – July 2023

- a. Referendum Vote – July 11, 2023
  - i. Unofficial results known by July 12, 2023.
- b. Department of Administration Certifies Election – 7 to 10 days after election.
- c. Previous work has already been completed (website, logo wear, etc.). Movement towards “Rib Mountain” versus “Town of Rib Mountain” or “Village of Rib Mountain.

### 2. LEGAL AND ADMINISTRATIVE PROCEDURES – Summer 2023

- a. File the necessary paperwork with the appropriate government agencies to update Rib Mountain’s legal status from town to village.
  - i. Benefits – Wisconsin Retirement System, Employee Trust Fund, and Spectrum Insurance.
  - ii. Insurance – Notification for insurances. Consideration given to review the League’s insurance.
- b. Contracts will remain under the name of, “Town of Rib Mountain” until such time that the contract is terminated or renewed.

### 3. BRANDING AND COMMUNICATION – Throughout 2023 into 2024

- a. Discontinuance of Town Beat newsletter name. Does it become the Village Beat? Other renaming ideas.
- b. Branding campaign – needs to be considered before moving forward with signage project.
  - i. Hire a firm to assist.
    1. Public input as part of the process.
- c. No branding campaign – move forward with current logo sign dropping the word “Town”.
- d. Notification to the Department of Administration for WDOT for signage of highways.



## TOWN OF RIB MOUNTAIN

**ITEM:** Discussion and Participation in Wisconsin Retirement System

**ISSUES:** At the time of this memo, staff were in the process of researching whether or not the new Utility employees would be mandated to join the Wisconsin Retirement System (WRS). Currently, Sanitary District employees do not participate in WRS. The employees have a deferred compensation program with a contribution by the employer. Town employees have been a participant in WRS since January 1, 2003.

Since the election, the Employee Trust Fund (ETF) informed staff that the Village of Rib Mountain would be considered a new employer under ETF. It is an automatic switch for employees from Town to Village, but with a new account number. It has been discovered under 40.21 (7) (b) of the Wisconsin State Statutes that the employer, who has joined the Wisconsin Retirement System after March 2, 2016, **may** elect to not include public utility employees under WRS. ETF was conferring with legal counsel to determine whether this provision would apply to the Village of Rib Mountain.

Additional information will be shared with the Board when available.

**FISCAL IMPACT:** TBD

**ACTION TO BE TAKEN:**

1. No Action.