# PIERCE COUNTY SPECIAL FINANCE AND PERSONNEL COMMITTEE MEETING AGENDA Tuesday, January 28, 2020 – 6:00 p.m.

Courthouse - County Board Room; 414 W. Main St. - Ellsworth, WI

#	Action	Presenter
	Call to order	
1.	1a) Establish quorum	Chair
	1b) Committee will receive public comment not related to agenda items.	
2.	Discuss/Take action on Resolution No. 19-XX to Eliminate Designating	Members
	Official Newspaper & Authorize Electronic Posting to the County's Website	Members
3.	Future agenda items	Members
4.	Next meeting date (First Monday: Feb. 3 <sup>rd</sup> )	Members
5.	Adjourn	Members

Questions regarding this agenda may be directed to Jamie Feuerhelm at 715-273-6744.

Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities requiring special accommodations for attendance at the meeting. For additional information or to make a request, contact the Administrative Coordinator at 715-273-3531, Ext. 6429.

A quorum of County Board supervisors may be present

jrf (01/10/20)

# RESOLUTION NO. 19-23 TO ELIMINATE DESIGNATING OFFICIAL NEWSPAPER AND AUTHORIZE ELECTRONIC POSTING TO THE COUNTY'S WEBSITE

WHEREAS, a County with a population of less than 250,000 is not required to designate an official newspaper; and

WHEREAS, the Pierce County Board has nevertheless adopted legislation (see Resolutions 96-17 and 87-36) voluntarily designating the Pierce County Herald as its official newspaper; and

WHEREAS, since the last designation of an official newspaper, and pursuant to 2015 Wisconsin Act 79, which was enacted in November, 2015, the law was changed such that in lieu of newspaper publication, the County can in most cases post in at least one public place likely to give notice to persons affected, and placed electronically on an internet site maintained by the County (see (§985.02(2)(a) Wis. Stats.); and

WHEREAS, with the changes to the law, and the merger between the Pierce County Herald and the Red Wing Republican Eagle (nka the Republican Eagle) which took place in August 2019, as well as changes in how many people get their information, the County has reconsidered its desire to designate an official newspaper; and

WHEREAS, in consultation with Pierce County Administration, the Pierce County Information Services Department, and the Pierce County Clerk's Office, it has been determined that the County has the technical infrastructure, staff and resources necessary to utilize the option of electronically posting legal notices to its own website; and

WHEREAS, despite the ability to electronically place most legal notices on the County's website, there are still certain legal notices for which electronic posting cannot be substituted (for example sales of land acquired by the County for delinquent taxes, or legal notices directed to specific individuals), and for which newspaper publication is required, and for which it is recommended that the County utilize \_\_\_\_\_\_ for such purposes; and

WHEREAS, the Finance & Personnel Committee, at its meeting on February 3, 2020, for the reasons stated herein, recommends eliminating designating an official newspaper, electronically posting legal notices on the County's website pursuant to §985.02(2)(a) Wis. Stats., and for those certain legal notices for which electronic posting cannot be substituted and newspaper publication is required shall be published in \_\_\_\_\_\_.

authorizes elimination of the designation posting legal notices on the County's web	ED, by the Pierce County Board of Supervisors that it of an official newspaper, and authorizes electronically site pursuant to §985.02(2)(a) Wis. Stats., and for those onic posting cannot be substituted and newspaper be published in
Dated this 25 <sup>th</sup> day of February, 2020.	
,	Jeffrey A. Holst, Chair Pierce County Board of Supervisors
ATTESTED TO BY:	APPROVED AS TO FORM AND LEGALITY BY:
Jamie Feuerhelm, County Clerk	Bradley D. Lawrence, Corp. Counsel
Adopted:	

## Finance and Personnel Committee - Meeting Date: January 28, 2020 and County Board of Supervisors – Meeting Date: January 28, 2020

**Agenda Item:** Discuss and take action on Resolution No. 19-XX to Eliminate Designating Official Newspaper and Authorize Electronic Posting to the County's Website.

Requesting Agency: Corporation Counsel, Administrative Coordinator, County Clerk

Background: The County is not required to designate an official newspaper, because its population is under 250,000. Nevertheless, the County has voluntarily designated an official newspaper in the past. The law has changed such that in lieu of newspaper publication, the County can in most cases post in at least one public place likely to give notice to persons affected, and placed electronically on an internet site maintained by the County (see (§985.02(2)(a) Wis. Stats.). With the changes to the law, and the merger between the Pierce County Herald and the Red Wing Republican Eagle (nka the Republican Eagle) which took place in August 2019, as well as changes in how many people get their information, the County has reconsidered its desire to designate an official newspaper. Staff have consulted and determined that the County has the technical infrastructure, staff and resources necessary to utilize the option of electronically posting legal notices to its own website. For those notices which electronic posting cannot be substituted (for example sales of land acquired by the County for delinquent taxes, or legal notices directed to specific individuals), and for which newspaper publication is required, it is recommended that the County utilize one of the newspapers certified in the County by the State Department of Administration for such purposes 

<u>Staff Recommendation:</u> To authorize elimination of the designation of an official newspaper, and authorize electronically posting legal notices on the County's website pursuant to §985.02(2)(a) Wis. Stats., and for those certain legal notices for which electronic posting cannot be substituted and newspaper publication is required those notices shall be published in one of the newspapers certified in the County by the State Department of Administration.

Recommended Motion: M	lotion by, seco	onded by, to	authorize elimi	nation of the
designation of an official ne	ewspaper, and author	rize electronically	posting legal n	otices on the
County's website pursuant t	o §985.02(2)(a) Wis	. Stats., and for th	iose certain lega	al notices for
which electronic posting ca	nnot be substituted	and newspaper p	ublication is re	equired those
notices shall be published in		<b>_·</b>		



### STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor Joel Brennan, Secretary James M. Langdon, Administrator

#### December 5, 2019

**KEEP THIS DOCUMENT FOR YOUR RECORDS** 

Pierce County Journal
John McLoone
311 Dakota Street S
PO Box 4
Prescott, WI 54021-0004

#### 2020 Certification of Legal Notice Rates for Newspapers

This letter certifies that the newspaper listed above may collect a fee for publishing legal notices required by Wisconsin law. Certification requirements are reviewed and legal are updated annually pursuant Chapter 10 ELECTION DATES AND NOTICES and 985 PUBLICATION OF LEGAL NOTICES; PUBLIC NEWSPAPERS; FEES of the Wisconsin Statutes.

- Part One lists information currently on file about this newspaper
- Part Two addresses general legal/public notices
- · Part Three covers election facsimile ballots
- Part Four contains general information about the certification process

#### **Effective Dates**

Unless otherwise updated and amended, this certification letter governs notices published on: January 1, 2020 through December 31, 2020.

#### Part 1 -- Newspaper Information

Section 985.01 of the Wisconsin Statutes establishes the definitions: As used in this chapter, unless the context requires otherwise:

- (1b) "Bona fide paid circulation" means the paid circulation of a newspaper that satisfies all of the following:
- (a) The publisher of the newspaper sells 50 percent or more of the circulation of the newspaper.
- (b) The publisher of the newspaper has actual subscribers at each publication of not less than 1,000 copies in 1st and 2nd class cities or 300 copies in 3rd and 4th class cities, villages, or towns.
- (1g) "Governing body" has the meaning given in s. 345.05 (1)(b) and includes a long-term care district board under s. 46.2895.
- (1m) (a) Except as provided in par. (b), "insertion," when used to indicate the publication of a legal notice more than one time, means once each week for consecutive weeks, the last of which shall be at least one week before the act or event, unless otherwise specified by law.
- (b) With respect to a newspaper published in the town of Washington, Door County, at least 2 times a month, "insertion," when used to indicate the publication of a legal notice more than one time, means once in each issue of consecutive issues published at intervals of at least one week, the last issue of which shall be published at least one week before the act or event, unless otherwise specified by law.

- (2) "Legal notice" means every notice required by law or by order of a court to be published in a newspaper or other publication, except notices required by private and local laws to be published in newspapers, and includes all of the following:
- (a) Every publication of laws, ordinances, resolutions, financial statements, budgets and proceedings intended to give notice in an area.
- (b) Every notice and certificate of election, facsimile ballot, referenda, notice of public hearing before a governmental body, and notice of meetings of private and public bodies required by law.
- (c) Every summons, order, citation, notice of sale or other notice that is intended to inform a person that the person may or shall do an act or exercise a right within a designated period or upon or by a designated date.
- (3) "Municipality" has the meaning in s. 345.05 (1) (c) and includes a long-term care district under s. 46.2895.
- (3g) "News content" means written information and images, other than advertisements, that are printed in a publication.
- (3r) "Newspaper" means a publication that is published at regular intervals and, except as otherwise provided in this subsection, at least once a week, containing, on average, [at least] 25 percent news content per issue, including reports of

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happenings of recent occurrence of a varied character, such as political, social, moral and religious subjects, designed to inform the general reader. "Newspaper" includes a daily newspaper published in a county having a population of 750,000 or more, devoted principally to business news and publishing of records, which has been

designated by the courts of record of the county for publication of legal notices for a period of 6 months or more. "Newspaper" also includes a newspaper published in the town of Washington, Door County, at least 2 times a month.

- (4) "Proceedings," when published in newspapers, mean the substance of every official action taken by a local governing body at any meeting, regular or special.
- (5) A newspaper is "published" at the place from which its mailing permit is issued, except that if the place where the newspaper has its major concentration of circulation has no printed and published legal notices.

primary post office, then at the place it shall designate as its place of publication in the affidavit required by s. 985.03 (1) (cm), but no newspaper shall have more than one place of publication during the same period of time.

- (6) "Substance" is an intelligible abstract or synopsis of the essential elements of the official action taken by a local governing body, including the subject matter of a motion, the persons making and seconding the motion and the roll call vote on the motion, except that ordinances and resolutions published as required by law need not be republished in proceedings, but a reference to their subject matter shall be sufficient.
- (7) "Wisconsin newspapers legal notices Internet site" means an Internet site maintained by Wisconsin newspapers for the purpose of providing and maintaining an electronic version of printed and published legal notices.

The information below will determine the rates/fee for this newspaper and is published on the Internet. Contact the Department of Administration IMMEDIATELY with changes to any of the information listed in this document:

 Paid Circulation:
 1,065
 Telephone:
 (715) 941-4842

 Circulation Adjust:
 0%
 Fax:
 (715) 644-1116

Day(s) Published: Th E-Mail: legals@prescottjournal.net

County: Pierce Parent Co.:

#### Part 2 -- General Legal Notices

Section 985.08 of the Wisconsin Statutes provides for publishing legal notices calculated on a per line basis:

Fees for publishing. (1) "The fee for publishing a legal notice shall be not more than the rate issued by the department of administration for the first and subsequent insertions per standard line. The charge for the publication of a facsimile ballot shall be computed as if the area occupied by the ballot were set in standard lines. If a legal notice contains tabulated matter, then the fees allowable for the area containing such matter shall be increased 50 percent of the standard line base rate without adjustment for circulation premium. Composed matter shall be interpreted as being tabular when it contains 2 or more justifications per line."

Your newspaper is certified for the fonts and column widths in the following list. Use the corresponding adjusted line rates to calculate fees.

				ADJUSTED RATES			
	Point	Alphabet	Column	Font	First	Subsqt	
Font(s)	Size	Length	Width	Base	Insert	Insert	
Arial	10	122	6.11	0.2840	0.2840	0.2243	
Arial	10	122	12.11	0.5627	0.5627	0.4445	
Arial	10	122	19.90	0.9246	0.9246	0.7304	
Arial	10	122	26.70	1.2405	1.2405	0.9800	
Arial	10	122	35.50	1.6494	1.6494	1.3030	
Arial	10	122	40.30	1.8724	1.8724	1.4791	

State law allows state agencies, municipalities, and any other units of government may place an order for public notices in a display or classified manner. Section 985.08(7), Wis. Stats., provides as follows:

"The discretion of utilizing the display method of publishing official materials shall be vested solely in the public authority ordering such publication and the rate charged for publication in this instance shall not exceed the regular commercial display advertising rate of the publisher."

#### Part 3 -- Ballots

Fees for publishing ballots are calculated by area. The fee is charged as if the area occupied by the ballot were set in the standard line described in s. 985.08 (2)(a), Wis. Stats.

"All legal notices shall be in Arial type face. A standard line shall be 6-point Arial on a 6-point leading without spacing between the lines, and 11 picas in length. One inch equals 6 postscript pica and 72 postscript points. Nonstandard line lengths shall be allowed with adjustments in fees according to variations in line length."

December 5, 2019			Page 3 of 4

To calculate ballot rates use the current <u>statute standard line rate</u> of \$0.7794 first insert and \$0.6157 subsequent insertion, multiplying by 12 lines per inch, then dividing by 11 picas per column and applying the newspaper's circulation adjustment.

Use the following worl	sheet to calc	culate fees	for ballots:
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a)	Measure the width of the ballot in picas (1 inch = 6 picas = 72 points):	(a)	
b)	Measure the height (single column) of the ballot in inches:	(b)	
c)	Multiply line (a) times line (b) equals:	(c)	
d١	Enter the appropriate adjusted facsimile hallot rate from the table helow:	(4) \$	

Range	Circulation Adjustment	Ballot Rate per line
First Insert:	\$0.7794	
8,0000 or less	0%	\$0.7794
8,001-12,000	15%	\$0.9069
12,001-16,000	30%	\$1.0345
16,001-20,000	45%	\$1.1620
20,001-24,000	60%	\$1.2896
24,001 and up	75%	\$1.4171
Subsequent Insert:	\$0.6157	
8,0000 or less	0%	\$0.6157
8,001-12,000	15%	\$0.7165
12,001-16,000	30%	\$0.8172
16,001-20,000	45%	\$0.9180
20,001-24,000	60%	\$1.0187
24,001 and up	75%	\$1.1195

e) N	1ultiply	/ line	(c)	times	line	(d)	) =
------	----------	--------	-----	-------	------	-----	-----

TOTAL \$\_\_\_\_\_

Sample Ballots shall be published per the copy furnished by the county and municipal clerks. Introductory and descriptive text includes material which accompanies the ballot but which in itself is not part of the actual ballot. Fees for such are not calculated as facsimile ballots. Unless directed otherwise by the election official, this material should be published using the appropriate legal notice font and line rate from this certification.

s. 5.94 "Sample ballots; publication. When an electronic voting system employing a ballot that is distributed to electors is used, the county and municipal clerk of the county and municipality in which the polling place designated for use of the system is located shall cause to be published, in the type B notices, a true actual-size copy of the ballot containing the names of offices and candidates and statements of measures to be voted on, as nearly as possible, in the form in which they will appear on the official ballot on election day. The notice may be published as a newspaper insert. Municipal clerks may post the notice if the remainder of the type B notice is posted."

**SIZE:** Election ballots may **not** be enlarged. If appropriate to provide a proper fit for a newspaper's standard column width, ballots may be reduced in size photographically. If reduced, the fee calculations are based on the area covered by the ballot as published, i.e., after it is reduced.

Chapter 10 of the Wisconsin Statutes provides the information necessary to publish election ballots in newspapers.

**OPTICAL SCAN BALLOTS:** These were developed after the requirements of Chapter 985 Wisconsin Statutes were established. Responsibility for readability lies with the county or municipality placing the notice.

#### Part 4 -- General Information

**QUALIFICATIONS:** Section 985.03, Wis. Stats., establishes the minimum requirements for a newspaper to be eligible to publish legal notices.

(1) (a) Except as provided in par. (am), no publisher of any newspaper in this state shall be awarded or be entitled to any compensation or fee for the publishing of any legal notice unless the newspaper has had a bona fide paid circulation and one of the following applies:

**1m.** For at least 2 of the 5 years immediately before the date of the publication of the notice, the newspaper has been published regularly and continuously in the city, village, or town where published.

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- **2m.** The newspaper is a successor to a newspaper described in subd. 1m. and the successor newspaper has resumed publication following succession within 30 days.
- **3.** The newspaper has merged or consolidated with one or more newspapers and one of the newspapers subject to the consolidation or merger has been continuously published at regular intervals of at least once each week for at least 50 issues each year for at least one year prior to the first publication of the notice.
- (am) If there is not a newspaper in a city, village, or town that satisfies the requirements under par. (a), the publisher of a newspaper that satisfies all of the following may be awarded or be entitled to compensation or a fee for the publishing of a legal notice:
- 1. The newspaper is published regularly and continuously in the city, village, or town and publishing in the newspaper is likely to give notice in the area or to the affected person.
- 2. The newspaper is otherwise qualified under this section.

- **(b)** Suspension of publication resulting from the mobilization of troops being called to active duty with the armed forces, strike, lockout or damage, or destruction due to war, fire or act of God, shall not count as an interval in publication.
- **(bm)** A period of disqualification not to exceed 2 years due only to the place of publication shall not count as an interval in publication.
- (cm) A newspaper in order to be eligible under this section shall also file a certificate with the county clerk stating that it qualifies under this section and stating its place of publication.
- (2) Any person charged with the duty of causing legal notices to be published, and who causes any legal notice to be published in any newspaper not eligible to so publish under the requirements of sub. (1), or who fails to cause such legal notice to be published in any newspaper eligible under this section, may be fined not to exceed \$100 for each offense. Each day in which a legal notice should have been but was not published as required by law shall constitute a separate offense hereunder.

MEASUREMENTS: For purposes of this certification, 1 inch = 6 picas = 72 points.

**RATES:** Wisconsin Statutes establish the standard line rate for publication of legal notices and the annual adjustment procedure. The rates for each newspaper are calculated by adjusting for the font alphabet length, the newspaper's column width(s) and total paid circulation. (Please refer to s. 985.08(2)(a), Wis. Stats.)

**INSERTION:** Use first insert rates to calculate fees for the first date a notice or ballot is published. First insert rates include an allowance for preparatory work by the publisher. Use subsequent insert rates for repeat publications of the same notice or ballot, i.e., when no additional preparation is needed.

**COPY:** When electronic copy for the entire legal notice or substantial areas thereof is provided, eliminating typesetting, enlargements or reductions, or other changes by the newspaper, the maximum rate is the same as the maximum rate established under sub.(1) for subsequent insertions. (Please refer to s. 985.08 (2)(b), Wis. Stats.))

**TEAR SHEETS:** Upon request, a tear sheet proof of a multiple insertion notice shall be mailed to the advertiser or the advertiser's attorney within 72 hours after the first insertion, and an additional charge of \$1 for such tear sheet proof may be made. (Please refer to s. 985.08 (8), Wis. Stats.)

**AFFIDAVITS:** The fee for an affidavit of publication shall be \$1.00 (Please refer to s. 985.12(4), Wis. Stats.) 985.12(1) The affidavit of the editor, publisher, printer or proprietor of any newspaper, or of his or her foreman or principal clerk, of the publication of any legal notice, annexed to a copy of the notice clipped from the newspaper in **either hard copy or electronic format**, and specifying the date of each insertion, and the paper in which it was published, shall be received in all cases as presumptive evidence of the publication and of the facts stated therein.

**RENEWALS:** Annually updated legal notice rate certification to newspapers who meet the statutory requirements. Newspapers need to contact the State Bureau of Procurement for any changes in address, font size, column width or any of the items listed in this certification. (Please refer to s. 985.08(1), Wis. Stats.)

Newspapers must contact the Department of Administration for any changes in public notice contact personnel, address, font sizes, column width and/or any of the items listed in this certification.

If you have any questions about this certification, please email me at: william2.goff@wisconsin.gov or you can call me at (608) 266-1002.

Sincerely, Bill Goff Newspaper Certification Program



### STATE OF WISCONSIN DEPARTMENT OF ADMINISTRATION

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Tony Evers, Governor Joel Brennan, Secretary James M. Langdon, Administrator

January 9, 2020

**KEEP THIS DOCUMENT FOR YOUR RECORDS** 

Star-Observer Rhonda Mikla 2760 N Service Dr PO Box 15 Red Wing, MN 55066-0015

#### 2020 Certification of Legal Notice Rates for Newspapers

This letter certifies that the newspaper listed above may collect a fee for publishing legal notices required by Wisconsin law. Certification requirements are reviewed and legal are updated annually pursuant Chapter 10 ELECTION DATES AND NOTICES and 985 PUBLICATION OF LEGAL NOTICES; PUBLIC NEWSPAPERS; FEES of the Wisconsin Statutes.

- Part One lists information currently on file about this newspaper
- Part Two addresses general legal/public notices
- Part Three covers election facsimile ballots
- Part Four contains general information about the certification process

#### **Effective Dates**

Unless otherwise updated and amended, this certification letter governs notices published on: January 9, 2020 through December 31, 2020.

#### Part 1 -- Newspaper Information

Section 985.01 of the Wisconsin Statutes establishes the definitions: As used in this chapter, unless the context requires otherwise: (1b) "Bona fide paid circulation" means the paid circulation of a newspaper that satisfies all of the following:

- (a) The publisher of the newspaper sells 50 percent or more of the circulation of the newspaper.
- (b) The publisher of the newspaper has actual subscribers at each publication of not less than 1,000 copies in 1st and 2nd class cities or 300 copies in 3rd and 4th class cities, villages, or
- (1g) "Governing body" has the meaning given in s. 345.05 (1)(b) and includes a long-term care district board under s. 46.2895.
- (1m) (a) Except as provided in par. (b), "insertion," when used to indicate the publication of a legal notice more than one time, means once each week for consecutive weeks, the last of which shall be at least one week before the act or event, unless otherwise specified by law.
- (b) With respect to a newspaper published in the town of Washington, Door County, at least 2 times a month, "insertion," when used to indicate the publication of a legal notice more than one time, means once in each issue of consecutive issues published at intervals of at least one week, the last issue of which shall be published at least one week before the act or event, unless otherwise specified by law.

- (2) "Legal notice" means every notice required by law or by order of a court to be published in a newspaper or other publication, except notices required by private and local laws to be published in newspapers, and includes all of the following:
- (a) Every publication of laws, ordinances, resolutions, financial statements, budgets and proceedings intended to give notice in an area.
- (b) Every notice and certificate of election, facsimile ballot, referenda, notice of public hearing before a governmental body, and notice of meetings of private and public bodies required by law.
- (c) Every summons, order, citation, notice of sale or other notice that is intended to inform a person that the person may or shall do an act or exercise a right within a designated period or upon or by a designated date.
- (3) "Municipality" has the meaning in s. 345.05 (1) (c) and includes a long-term care district under s. 46.2895.
- (3g) "News content" means written information and images, other than advertisements, that are printed in a publication.
- (3r) "Newspaper" means a publication that is published at regular intervals and, except as otherwise provided in this subsection, at least once a week, containing, on average, [at least] 25 percent news content per issue, including reports of

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happenings of recent occurrence of a varied character, such as political, social, moral and religious subjects, designed to inform the general reader. "Newspaper" includes a daily newspaper published in a county having a population of 750,000 or more, devoted principally to business news and publishing of records, which has been

designated by the courts of record of the county for publication of legal notices for a period of 6 months or more. "Newspaper" also includes a newspaper published in the town of Washington, Door County, at least 2 times a month.

- (4) "Proceedings," when published in newspapers, mean the substance of every official action taken by a local governing body at any meeting, regular or special.
- (5) A newspaper is "published" at the place from which its mailing permit is issued, except that if the place where the newspaper has its major concentration of circulation has no printed and published legal notices.

primary post office, then at the place it shall designate as its place of publication in the affidavit required by s. 985.03 (1) (cm), but no newspaper shall have more than one place of publication during the same period of time.

- (6) "Substance" is an intelligible abstract or synopsis of the essential elements of the official action taken by a local governing body, including the subject matter of a motion, the persons making and seconding the motion and the roll call vote on the motion, except that ordinances and resolutions published as required by law need not be republished in proceedings, but a reference to their subject matter shall be sufficient.
- (7) "Wisconsin newspapers legal notices Internet site" means an Internet site maintained by Wisconsin newspapers for the purpose of providing and maintaining an electronic version of

ADJUSTED RATES

The information below will determine the rates/fee for this newspaper and is published on the Internet. Contact the Department of Administration IMMEDIATELY with changes to any of the information listed in this document:

Paid Circulation:

3,911

0%

Circulation Adjust: Day(s) Published: Th

County:

Pierce / St. Croix

Telephone: (651) 301-7828

Fax: (651) 388-3404

E-Mail: hsolegals@rivertowns.net Parent Co.: Forum Communications

#### Part 2 -- General Legal Notices

Section 985.08 of the Wisconsin Statutes provides for publishing legal notices calculated on a per line basis:

Fees for publishing. (1) "The fee for publishing a legal notice shall be not more than the rate issued by the department of administration for the first and subsequent insertions per standard line. The charge for the publication of a facsimile ballot shall be computed as if the area occupied by the ballot were set in standard lines. If a legal notice contains tabulated matter, then the fees allowable for the area containing such matter shall be increased 50 percent of the standard line base rate without adjustment for circulation premium. Composed matter shall be interpreted as being tabular when it contains 2 or more justifications per line."

Your newspaper is certified for the fonts and column widths in the following list. Use the corresponding adjusted line rates to calculate fees.

					ADJUSTED RATES		
	Point	Alphabet	Column	Font	First	Subsqt	
Font(s)	Size	Length	Width	Base	Insert	Insert	
Arial	7	90	10.00	0.6298	0.6298	0.4975	
Arial	7	90	20.90	1.3163	1.3163	1.0398	
Arial	7	90	31.60	1.9902	1.9902	1.5722	
Arial	7	90	42.30	2.6641	2.6641	2.1046	
Arial	7	90	53.00	3.3380	3.3380	2,6369	
Arial	7	90	63.90	4.0245	4.0245	3.1793	
Arial	8	102	10.00	0.5557	0.5557	0.4390	
Arial	8	102	20.90	1.1615	1.1615	0.9175	
Arial	8	102	31.60	1.7561	1.7561	1.3872	
Arial	8	102	42.30	2.3507	2.3507	1.8570	
Arial	8	102	53.00	2.9453	2.9453	2.3267	
Arial	8	102	63.90	3.5511	3.5511	2.8052	
Arial	9	114	10.00	0.4972	0.4972	0.3928	
Arial	9	114	20.90	1.0392	1.0392	0.8209	
Arial	9	114	31.60	1.5712	1.5712	1.2412	
Arial	9	114	42.30	2.1033	2.1033	1.6615	
Arial	9	114	53.00	2.6353	2.6353	2.0818	
Arial	9	114	63.90	3.1773	3.1773	2.5099	
Arial Bold	7	98	10.00	0.5784	0.5784	0.4569	
Arial Bold	7	98	20.90	1.2089	1.2089	0.9550	
Arial Bold	7	98	31.60	1.8278	1.8278	1.4439	

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Arial Bold	7	98	42.30	2.4467	2.4467	1.9328
Arial Bold	7	98	53.00	3.0655	3.0655	2.4217
Arial Bold	7	98	63.90	3.6960	3.6960	2.9197
Arial Bold	8	112	10.00	0.5061	0.5061	0.3998
Arial Bold	8	112	20.90	1.0578	1.0578	0.8356
Arial Bold	8	112	31.60	1.5993	1.5993	1.2634
Arial Bold	8	112	42.30	2.1408	2.1408	1.6912
Arial Bold	8	112	53.00	2.6824	2.6824	2.1190
Arial Bold	8	112	63.90	3.2340	3.2340	2.5548

State law allows state agencies, municipalities, and any other units of government may place an order for public notices in a display or classified manner. Section 985.08(7), Wis. Stats., provides as follows:

"The discretion of utilizing the display method of publishing official materials shall be vested solely in the public authority ordering such publication and the rate charged for publication in this instance shall not exceed the regular commercial display advertising rate of the publisher."

#### Part 3 -- Ballots

Fees for publishing ballots are calculated by area. The fee is charged as if the area occupied by the ballot were set in the standard line described in s. 985.08 (2)(a), Wis. Stats.

"All legal notices shall be in Arial type face. A standard line shall be 6-point Arial on a 6-point leading without spacing between the lines, and 11 picas in length. One inch equals 6 postscript pica and 72 postscript points. Nonstandard line lengths shall be allowed with adjustments in fees according to variations in line length."

To calculate ballot rates use the current <u>statute standard line rate</u> of \$0.7794 first insert and \$0.6157 subsequent insertion, multiplying by 12 lines per inch, then dividing by 11 picas per column and applying the newspaper's circulation adjustment.

Use the following worksheet to calculate fees for ballots:

a)	Measure the width of the ballot in picas (1 inch = 6 picas = 72 points):	(a)	
b)	Measure the height (single column) of the ballot in inches:	(b)	
c)	Multiply line (a) times line (b) equals:	(c)	
d)	Enter the appropriate adjusted facsimile ballot rate from the table below:	(d)	\$

Range	Circulation Adjustment	Ballot Rate per line
First Insert:	\$0.7794	
8,0000 or less	0%	\$0.7794
8,001-12,000	15%	\$0.9069
12,001-16,000	30%	\$1.0345
16,001-20,000	45%	\$1.1620
20,001-24,000	60%	\$1.2896
24,001 and up	75%	\$1.4171
Subsequent Insert:	\$0.6157	
8,0000 or less	0%	\$0.6157
8,001-12,000	15%	\$0.7165
12,001-16,000	30%	\$0.8172
16,001-20,000	45%	\$0.9180
20,001-24,000	60%	\$1.0187
24,001 and up	75%	\$1.1195

		,,	0070	72,020,
		24,001 and up	75%	\$1.1195
e) Mult	ciply line (c) times line (d) =		TO	TAL \$

Sample Ballots shall be published per the copy furnished by the county and municipal clerks. Introductory and descriptive text includes material which accompanies the ballot but which in itself is not part of the actual ballot. Fees for such are not calculated as facsimile ballots. Unless directed otherwise by the election official, this material should be published using the appropriate legal notice font and line rate from this certification.

s. 5.94 "Sample ballots; publication. When an electronic voting system employing a ballot that is distributed to electors is used, the county and municipal clerk of the county and municipality in which the polling place designated for use of the system is located shall cause to be published, in the type B notices, a true actual-size copy of the ballot containing the names of offices and candidates

Page 4 of 5

and statements of measures to be voted on, as nearly as possible, in the form in which they will appear on the official ballot on election day. The notice may be published as a newspaper insert. Municipal clerks may post the notice if the remainder of the type B notice is posted."

**SIZE:** Election ballots may **not** be enlarged. If appropriate to provide a proper fit for a newspaper's standard column width, ballots may be reduced in size photographically. If reduced, the fee calculations are based on the area covered by the ballot as published, i.e., after it is reduced.

Chapter 10 of the Wisconsin Statutes provides the information necessary to publish election ballots in newspapers.

**OPTICAL SCAN BALLOTS:** These were developed after the requirements of Chapter 985 Wisconsin Statutes were established. Responsibility for readability lies with the county or municipality placing the notice.

#### Part 4 -- General Information

**QUALIFICATIONS:** Section 985.03, Wis. Stats., establishes the minimum requirements for a newspaper to be eligible to publish legal notices.

- (1) (a) Except as provided in par. (am), no publisher of any newspaper in this state shall be awarded or be entitled to any compensation or fee for the publishing of any legal notice unless the newspaper has had a bona fide paid circulation and one of the following applies:
- **1m.** For at least 2 of the 5 years immediately before the date of the publication of the notice, the newspaper has been published regularly and continuously in the city, village, or town where published.
- **2m.** The newspaper is a successor to a newspaper described in subd. 1m. and the successor newspaper has resumed publication following succession within 30 days.
- **3.** The newspaper has merged or consolidated with one or more newspapers and one of the newspapers subject to the consolidation or merger has been continuously published at regular intervals of at least once each week for at least 50 issues each year for at least one year prior to the first publication of the notice.
- (am) If there is not a newspaper in a city, village, or town that satisfies the requirements under par. (a), the publisher of a newspaper that satisfies all of the following may be awarded or be entitled to compensation or a fee for the publishing of a legal notice:

- 1. The newspaper is published regularly and continuously in the city, village, or town and publishing in the newspaper is likely to give notice in the area or to the affected person.
- 2. The newspaper is otherwise qualified under this section.
- (b) Suspension of publication resulting from the mobilization of troops being called to active duty with the armed forces, strike, lockout or damage, or destruction due to war, fire or act of God, shall not count as an interval in publication.
- **(bm)** A period of disqualification not to exceed 2 years due only to the place of publication shall not count as an interval in publication.
- (cm) A newspaper in order to be eligible under this section shall also file a certificate with the county clerk stating that it qualifies under this section and stating its place of publication.
- (2) Any person charged with the duty of causing legal notices to be published, and who causes any legal notice to be published in any newspaper not eligible to so publish under the requirements of sub. (1), or who fails to cause such legal notice to be published in any newspaper eligible under this section, may be fined not to exceed \$100 for each offense. Each day in which a legal notice should have been but was not published as required by law shall constitute a separate offense hereunder.

**MEASUREMENTS:** For purposes of this certification, 1 inch = 6 picas = 72 points.

RATES: Wisconsin Statutes establish the standard line rate for publication of legal notices and the annual adjustment procedure. The rates for each newspaper are calculated by adjusting for the font alphabet length, the newspaper's column width(s) and total paid circulation. (Please refer to s. 985.08(2)(a), Wis. Stats.)

**INSERTION:** Use first insert rates to calculate fees for the first date a notice or ballot is published. First insert rates include an allowance for preparatory work by the publisher. Use subsequent insert rates for repeat publications of the same notice or ballot, i.e., when no additional preparation is needed.

**COPY:** When electronic copy for the entire legal notice or substantial areas thereof is provided, eliminating typesetting, enlargements or reductions, or other changes by the newspaper, the maximum rate is the same as the maximum rate established under sub.(1) for subsequent insertions. (Please refer to s. 985.08 (2)(b), Wis. Stats.))

**TEAR SHEETS:** Upon request, a tear sheet proof of a multiple insertion notice shall be mailed to the advertiser or the advertiser's attorney within 72 hours after the first insertion, and an additional charge of \$1 for such tear sheet proof may be made. (Please refer to s. 985.08 (8), Wis. Stats.)

December 9, 2019

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AFFIDAVITS: The fee for an affidavit of publication shall be \$1.00 (Please refer to s. 985.12(4), Wis. Stats.)

985.12(1) The affidavit of the editor, publisher, printer or proprietor of any newspaper, or of his or her foreman or principal clerk, of the publication of any legal notice, annexed to a copy of the notice clipped from the newspaper in <a href="either hard copy or electronic format">either hard copy or electronic format</a>, and specifying the date of each insertion, and the paper in which it was published, shall be received in all cases as presumptive evidence of the publication and of the facts stated therein.

**RENEWALS:** Annually updated legal notice rate certification to newspapers who meet the statutory requirements. Newspapers need to contact the State Bureau of Procurement for any changes in address, font size, column width or any of the items listed in this certification. (Please refer to s. 985.08(1), Wis. Stats.)

Newspapers must contact the Department of Administration for any changes in public notice contact personnel, address, font sizes, column width and/or any of the items listed in this certification.

If you have any questions about this certification, please email me at: william2.goff@wisconsin.gov or you can call me at (608) 266-1002.

Sincerely,
Bill Goff
Newspaper Certification Program



### STATE OF WISCONSIN **DEPARTMENT OF ADMINISTRATION**

Tony Evers, Governor Joel Brennan, Secretary James M. Langdon, Administrator

December 5, 2019

**KEEP THIS DOCUMENT FOR YOUR RECORDS** 

Sun-Argus

Cari Cornelius W2855 730th Ave Spring Valley, WI 54767

#### 2020 Certification of Legal Notice Rates for Newspapers

This letter certifies that the newspaper listed above may collect a fee for publishing legal notices required by Wisconsin law. Certification requirements are reviewed and legal are updated annually pursuant Chapter 10 ELECTION DATES AND NOTICES and 985 PUBLICATION OF LEGAL NOTICES; PUBLIC NEWSPAPERS; FEES of the Wisconsin Statutes.

- Part One lists information currently on file about this newspaper
- Part Two addresses general legal/public notices
- Part Three covers election facsimile ballots
- Part Four contains general information about the certification process

#### **Effective Dates**

Unless otherwise updated and amended, this certification letter governs notices published on: January 1, 2020 through December 31, 2020.

#### Part 1 -- Newspaper Information

Section 985.01 of the Wisconsin Statutes establishes the definitions: As used in this chapter, unless the context requires otherwise: (1b) "Bona fide paid circulation" means the paid circulation of a newspaper that satisfies all of the following:

- (a) The publisher of the newspaper sells 50 percent or more of the circulation of the newspaper.
- (b) The publisher of the newspaper has actual subscribers at each publication of not less than 1,000 copies in 1st and 2nd class cities or 300 copies in 3rd and 4th class cities, villages, or towns.
- (1g) "Governing body" has the meaning given in s. 345.05 (1)(b) and includes a long-term care district board under s. 46.2895. (1m) (a) Except as provided in par. (b), "insertion," when used to
- indicate the publication of a legal notice more than one time, means once each week for consecutive weeks, the last of which shall be at least one week before the act or event, unless otherwise specified by law.
- (b) With respect to a newspaper published in the town of Washington, Door County, at least 2 times a month, "insertion," when used to indicate the publication of a legal notice more than one time, means once in each issue of consecutive issues published at intervals of at least one week, the last issue of which shall be published at least one week before the act or event, unless otherwise specified by law.
- (2) "Legal notice" means every notice required by law or by

- publication, except notices required by private and local laws to be published in newspapers, and includes all of the following:
- (a) Every publication of laws, ordinances, resolutions, financial statements, budgets and proceedings intended to give notice in an area.
- (b) Every notice and certificate of election, facsimile ballot, referenda, notice of public hearing before a governmental body, and notice of meetings of private and public bodies required by
- (c) Every summons, order, citation, notice of sale or other notice that is intended to inform a person that the person may or shall do an act or exercise a right within a designated period or upon or by a designated date.
- (3) "Municipality" has the meaning in s. 345.05 (1) (c) and includes a long-term care district under s. 46.2895.
- (3g) "News content" means written information and images, other than advertisements, that are printed in a publication.
- (3r) "Newspaper" means a publication that is published at regular intervals and, except as otherwise provided in this subsection, at least once a week, containing, on average, [at least] 25 percent news content per issue, including reports of happenings of recent occurrence of a varied character, such as political, social, moral and religious subjects, designed to inform order of a court to be published in a newspaper or other the general reader. "Newspaper" includes a daily newspaper

#### December 5, 2019

published in a county having a population of 750,000 or more, devoted principally to business news and publishing of records, which has been

designated by the courts of record of the county for publication of legal notices for a period of 6 months or more. "Newspaper" also includes a newspaper published in the town of Washington, Door County, at least 2 times a month.

- (4) "Proceedings," when published in newspapers, mean the substance of every official action taken by a local governing body at any meeting, regular or special.
- (5) A newspaper is "published" at the place from which its mailing permit is issued, except that if the place where the newspaper has its major concentration of circulation has no primary post office, then at the place it shall designate as its place of publication in the affidavit required by s. 985.03 (1)

(cm), but no newspaper shall have more than one place of publication during the same period of time.

- (6) "Substance" is an intelligible abstract or synopsis of the essential elements of the official action taken by a local governing body, including the subject matter of a motion, the persons making and seconding the motion and the roll call vote on the motion, except that ordinances and resolutions published as required by law need not be republished in proceedings, but a reference to their subject matter shall be sufficient.
- (7) "Wisconsin newspapers legal notices Internet site" means an Internet site maintained by Wisconsin newspapers for the purpose of providing and maintaining an electronic version of printed and published legal notices.

The information below will determine the rates/fee for this newspaper and is published on the Internet. Contact the Department of Administration IMMEDIATELY with changes to any of the information listed in this document:

**Paid Circulation:** 

649

Telephone: (715) 778-4990

**Circulation Adjust:** 

0%

Fax:

Day(s) Published:

Th

E-Mail: admins@mygateway.news

County:

Pierce

Parent Co.: Gatway Business, Inc., Gateway Publishing / Best

**ADJUSTED RATES** 

Press

#### Part 2 -- General Legal Notices

Section 985.08 of the Wisconsin Statutes provides for publishing legal notices calculated on a per line basis:

Fees for publishing. (1) "The fee for publishing a legal notice shall be not more than the rate issued by the department of administration for the first and subsequent insertions per standard line. The charge for the publication of a facsimile ballot shall be computed as if the area occupied by the ballot were set in standard lines. If a legal notice contains tabulated matter, then the fees allowable for the area containing such matter shall be increased 50 percent of the standard line base rate without adjustment for circulation premium. Composed matter shall be interpreted as being tabular when it contains 2 or more justifications per line."

Your newspaper is certified for the fonts and column widths in the following list. Use the corresponding adjusted line rates to calculate fees.

					70001	LD IVAILS
	Point	Alphabet	Column	Font	First	Subsqt
Font(s)	Size	Length	Width	Base	Insert	Insert
Arial	6	76	9.20	0.6862	0.6862	0.5421
Arial	6	76	19.20	1.4320	1.4320	1.1312
Arial	6	76	29.00	2.1629	2.1629	1.7086
Arial	6	76	39.00	2.9088	2.9088	2.2978
Arial	6	76	48.90	3.6471	3.6471	2.8811
Arial	6	76	58.90	4.3930	4.3930	3.4703
Arial	7	90	9.20	0.5794	0.5794	0.4577
Arial	7	90	19.20	1.2093	1.2093	0.9553
Arial	7	90	29.00	1.8265	1.8265	1.4429
Arial	7	90	39.00	2.4563	2.4563	1.9404
Arial	7	90	48.90	3.0798	3.0798	2.4329
Arial	7	90	58.90	3.7096	3.7096	2.9305
Arial	10	128	9.20	0.4074	0.4074	0.3218
Arial	. 10	128	19.20	0.8503	0.8503	0.6717
Arial	10	128	29.00	1.2842	1.2842	1.0145
Arial	10	128	39.00	1.7271	1.7271	1.3643
Arial	10	128	48.90	2.1655	2.1655	1.7107
Arial	10	128	58.90	2.6083	2.6083	2.0605
Arial	11	140	9.20	0.3725	0.3725	0.2943
Arial	11	140	19.20	0.7774	0.7774	0.6141
Arial	11	140	29.00	1.1742	1.1742	0.9275

December 5, 2019						Page 3 of !
Arial	11	140	39.00	1.5790	1.5790	1.2474
Arial	11	140	48.90	1.9799	1.9799	1.5640
Arial	11	140	58.90	2.3848	2.3848	1.8839
Arial	12	154	9.20	0.3386	0.3386	0.2675
Arial	12	154	19.20	0.7067	0.7067	0.5583
Arial	12	154	29.00	1.0674	1.0674	0.8432
Arial	12	154	39.00	1.4355	1.4355	1.1340
Arial	12	154	48.90	1.7999	1.7999	1.4219
Arial	12	154	58.90	2.1680	2.1680	1.7126
Arial Bold	6	84	9.20	0.6208	0.6208	0.4904
Arial Bold	6	84	19.20	1.2956	1.2956	1.0235
Arial Bold	6	84	29.00	1.9569	1.9569	1.5459
Arial Bold	6	84	39.00	2.6317	2.6317	2.0790
Arial Bold	6	84	48.90	3.2998	3.2998	2.6067
Arial Bold	6	84	58.90	3.9746	3.9746	3.1398
Arial Bold	7	98	9.20	0.5321	0.5321	0.4204
Arial Bold	7	98	19.20	1.1105	1.1105	0.8773
Arial Bold	7	98	29.00	1.6774	1.6774	1.3251
Arial Bold	7	98	39.00	2.2558	2.2558	1.7820
Arial Bold	7	98	48.90	2.8284	2.8284	2.2343
Arial Bold	7	98	58.90	3.4068	3.4068	2.6913
Arial Bold	10	140	9.20	0.3725	0.3725	0.2943
Arial Bold	10	140	19.20	0.7774	0.7774	0.6141
Arial Bold	10	140	29.00	1.1742	1.1742	0.9275
Arial Bold	10	140	39.00	1.5790	1.5790	1.2474
Arial Bold	10	140	48.90	1.9799	1.9799	1.5640
Arial Bold	10	140	58.90	2.3848	2.3848	1.8839
Arial Bold	11	154	9.20	0.3386	0.3386	0.2675
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Arial Bold	11	154	39.00	1.4355	1.4355	1.1340
Arial Bold	11	154	48.90	1.7999	1.7999	1.4219
Arial Bold	11	154	58.90	2.1680	2.1680	1.7126
Arial Bold	12	168	9.20	0.3104	0.3104	0.2452
Arial Bold	12	168	19.20	0.6478	0.6478	0.5118
Arial Bold	12	168	29.00	0.9785	0.9785	0.7730
Arial Bold Arial Bold	12	168	39.00	1.3159	1.3159	1.0395
Arial Bold Arial Bold	12	168	48.90	1.6499	1.6499	1.3034
Arial Bold	12	168	58.90	1.9873	1.9873	1.5699
Aliai bulu	14	100	30,30	1,30/3	1,30/3	1,3033

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"The discretion of utilizing the display method of publishing official materials shall be vested solely in the public authority ordering such publication and the rate charged for publication in this instance shall not exceed the regular commercial display advertising rate of the publisher."

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"All legal notices shall be in Arial type face. A standard line shall be 6-point Arial on a 6-point leading without spacing between the lines, and 11 picas in length. One inch equals 6 postscript pica and 72 postscript points. Nonstandard line lengths shall be allowed with adjustments in fees according to variations in line length."

To calculate ballot rates use the current <u>statute standard line rate</u> of \$0.7794 first insert and \$0.6157 subsequent insertion, multiplying by 12 lines per inch, then dividing by 11 picas per column and applying the newspaper's circulation adjustment.

Use the following worksheet to calculate fees for ballots:

a)	Measure the width	of the ha	llot in nicas	(1 inch - 6	nicas - 72 n	ninte).
aı	ivieasure the widtr	i oi ine ba	mou in bicas	t + t = 0	DICas = 72 Di	OINEST:

Deceml	ber 5, 2019	Page	e 4 of 5
b)	Measure the height (single column) of the ballot in inches:	(b)	
c)	Multiply line (a) times line (b) equals:	(c)	_
d)	Enter the appropriate adjusted facsimile ballot rate from the table below:	(d) \$	

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e	Mult	iply li	ne (c)	) times	line	(d	) =
---	------	---------	--------	---------	------	----	-----

TOTAL \$\_\_\_\_

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- **2m.** The newspaper is a successor to a newspaper described in subd. 1m. and the successor newspaper has resumed publication following succession within 30 days.
- **3.** The newspaper has merged or consolidated with one or more newspapers and one of the newspapers subject to the consolidation or merger has been continuously published at regular intervals of at least once each week for at least 50 issues each year for at least one year prior to the first publication of the notice.
- (am) If there is not a newspaper in a city, village, or town that satisfies the requirements under par. (a), the publisher of a newspaper that satisfies all of the following may be awarded or be entitled to compensation or a fee for the publishing of a legal notice:

December 5, 2019

Page 5 of 5

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- (bm) A period of disqualification not to exceed 2 years due only to the place of publication shall not count as an interval in publication.
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**MEASUREMENTS:** For purposes of this certification, 1 inch = 6 picas = 72 points.

**RATES:** Wisconsin Statutes establish the standard line rate for publication of legal notices and the annual adjustment procedure. The rates for each newspaper are calculated by adjusting for the font alphabet length, the newspaper's column width(s) and total paid circulation. (Please refer to s. 985.08(2)(a), Wis. Stats.)

**INSERTION:** Use first insert rates to calculate fees for the first date a notice or ballot is published. First insert rates include an allowance for preparatory work by the publisher. Use subsequent insert rates for repeat publications of the same notice or ballot, i.e., when no additional preparation is needed.

**COPY:** When electronic copy for the entire legal notice or substantial areas thereof is provided, eliminating typesetting, enlargements or reductions, or other changes by the newspaper, the maximum rate is the same as the maximum rate established under sub.(1) for subsequent insertions. (Please refer to s. 985.08 (2)(b), Wis. Stats.))

**TEAR SHEETS:** Upon request, a tear sheet proof of a multiple insertion notice shall be mailed to the advertiser or the advertiser's attorney within 72 hours after the first insertion, and an additional charge of \$1 for such tear sheet proof may be made. (Please refer to s. 985.08 (8), Wis. Stats.)

**AFFIDAVITS:** The fee for an affidavit of publication shall be \$1.00 (Please refer to s. 985.12(4), Wis. Stats.)
985.12(1) The affidavit of the editor, publisher, printer or proprietor of any newspaper, or of his or her foreman or principal clerk, of the publication of any legal notice, annexed to a copy of the notice clipped from the newspaper in **either hard copy or electronic format**, and specifying the date of each insertion, and the paper in which it was published, shall be received in all cases as presumptive evidence of the publication and of the facts stated therein.

**RENEWALS:** Annually updated legal notice rate certification to newspapers who meet the statutory requirements. Newspapers need to contact the State Bureau of Procurement for any changes in address, font size, column width or any of the items listed in this certification. (Please refer to s. 985.08(1), Wis. Stats.)

Newspapers must contact the Department of Administration for any changes in public notice contact personnel, address, font sizes, column width and/or any of the items listed in this certification.

If you have any questions about this certification, please email me at: william2.goff@wisconsin.gov or you can call me at (608) 266-1002.

Sincerely,
Bill Goff
Newspaper Certification Program