

PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS
Thursday, January 15, 2004, 6:00 p.m., Board Room, Government Center Second Floor
1316 North 14th Street, Superior, Wisconsin

Meeting called to order by Chairman Douglas Finn.

Pledge of Allegiance recited.

Roll call taken by County Clerk Susan T. Sandvick. There were 25 present, 3 absent. Absent and excused were Bill Eckman, Carol Johnson, Carl Zukowski. Youth representatives present were Jamie Kauther, Benjamin Sorensen, Michael Johansen.

Motion by Shepard, second Martin, to approve minutes of the December 18, 2003 meeting. Motion carried.

CLAIMS AGAINST THE COUNTY

Claim for damages by Lora Cobb, individually and as the personal representative of the estate of James J. Cobb, in the amount of \$50,000, due to Douglas County's alleged negligence in maintaining and clearing railroad crossing plant growth, resulting in a train - car accident causing the death of James J. Cobb. Insurance company is recommending disallowance. Motion by Coletta, second Hooper, to disallow the claim. Motion carried.

CORRESPONDENCE

1. DNR, notice for public comment on permit preliminary analysis for air pollution control at 2400 Stinson Avenue, Superior, by Murphy Oil, USA. Received and placed on file.
2. Gold Cross Ambulance Service, information on their performance and contributions to communities served, including their role in Homeland Security. Received and placed on file.
3. Department of Health and Family Services, notice of federal and state aids deposit for various program contracts. Referred to Health and Human Services Board.
4. Senator Jauch, letter regarding his efforts on the issue of Douglas County's unfunded liability in the Wisconsin Retirement System. Referred to Administration Committee.
5. DNR, notice of severance share on wood products cut from Douglas County forest lands. Referred to Forest, Parks and Recreation Committee.
6. Wisconsin DOT, notice of final general transportation aids for calendar year 2004. Referred to Highway Committee and Administration Committee.

Correspondence not on agenda:

7. Wisconsin Department of Transportation, application information for the 2005-2007 statewide multi-modal improvement federal funding program (local transportation enhancements projects). Referred to Highway Committee.
8. Brian and Renee Loveless, letter regarding property taxes. Received and placed on file.

PUBLIC HEARING

Chair Finn announced the Public Hearing regarding the Community Development Block Grant (CDBG) Planning Program will begin following a presentation by Andy Lisak, Executive Director of The Development Association, Inc.

The Chair introduced Lisak, who presented a brief review of the CDBG program opportunity, and information on Douglas County's application for the grant. Lisak explained that in light of the Fleming Foods closing last June, the Department of Commerce Secretary Cory Nettles recommended sending a pseudo award letter to Chairman Finn stating the county would be eligible for \$30,000 in CDBG emergency planning grant funds for marketing sites and buildings available for economic development in Douglas County. The Development Association has put together the grant proposal on behalf of the county. Grant funds will be used for site and facility analysis and evaluation for economic development purposes. The Association will develop a website to enhance marketing of site and facility opportunities. There is a match requirement of \$10,000, which The Development Association will provide through indirect and in-kind services. Lisak distributed copies of the 2002 Douglas County Workforce Profile produced by the Workforce Development Office for Wisconsin.

The Public Hearing commenced and there were no requests from individuals to address the CDBG application and funding. Chair Finn thanked Lisak for the assistance of The Development Association.

ORDINANCES

Roll Call		
District Number	Yes	No
1. Finn	X	
2. Browne	X	
3. O'Brien, John	X	
4. Glenn	X	
5. Zukowski		
6. Eckman		
7. Ward	X	
8. Martin	X	
9. Prettie	X	
10. Robinson	X	
11. Conley	X	
12. Waterman	X	
13. Quam	X	
14. O'Brien, James	X	
15. McKenzie	X	
16. Shepard	X	
17. Egan	X	
18. Allen	X	
19. Ryan	X	
20. Hooper	X	
21. Johnson, Kay	X	
22. Pleski	X	
23. Johnson, Wes	X	
24. Liebaert	X	
25. Coletta	X	
26. Johnson, Carol		
27. Cosgrove	X	
28. Jensen	X	
Roll: Ayes <u> 25 </u> Noes <u> 0 </u> Absent <u> 3 </u> Abstain <u> </u> Passed <u> X </u> Lost <u> </u> Refer <u> </u> Amend <u> </u> Other <u> </u>		

**AMENDMENT TO ORDINANCE #2.0
CIVIL SERVICE COMMISSION
PRESENTED BY THE LAW ENFORCEMENT COMMITTEE
AND ADMINISTRATION COMMITTEE**

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF DOUGLAS DOES ORDAIN AS FOLLOWS:

SECTION V. CERTIFICATION PROCESS

A. Deputy Sheriff and Jailer Certification Process:

3. That all applicants passing the examination hereinbefore set forth shall be placed on an eligibilitly list in order of their passing grade subject to the following additions:

~~_____ (a) Passing applicants who are honorably discharged veterans shall have five (5) additional points added to their score in accordance with Wisconsin Statutes:~~

~~_____ (b) Honorably discharged veterans having a disability directly or indirectly attributable to war service shall have an additional five (5) points added addition of veteran's preference points to their score in accordance with Wisconsin Statutes Section 230.16 (7)a.~~

B. Covered Job Classes Other Than Deputy Sheriff and Jailer Certification Process:

3. That all applicants passing the examination hereinbefore set forth shall be placed on an eligibilitly list in order of their passing grade subject to the following additions:

~~_____ (a) Passing applicants who are honorably discharged veterans shall have five (5) additional points added to their score in accordance with Wisconsin Statutes:~~

~~_____ (b) Honorably discharged veterans having a disability directly or indirectly attributable to war service~~

Roll Call		
District Number	Yes	No
1. Finn	X	
2. Browne	X	
3. O'Brien, John	X	
4. Glenn	X	
5. Zukowski		
6. Eckman		
7. Ward	X	
8. Martin	X	
9. Prettie	X	
10. Robinson	X	
11. Conley	X	
12. Waterman	X	
13. Quam	X	
14. O'Brien, James	X	
15. McKenzie	X	
16. Shepard	X	
17. Egan	X	
18. Allen	X	
19. Ryan	X	
20. Hooper	X	
21. Johnson, Kay	X	
22. Pleski	X	
23. Johnson, Wes	X	
24. Liebaert	X	
25. Coletta	X	
26. Johnson, Carol		
27. Cosgrove	X	
28. Jensen	X	
Roll: Ayes <u> 25 </u> Noes <u> 0 </u> Absent <u> 3 </u> Abstain <u> </u> Passed <u> X </u> Lost <u> </u> Refer <u> </u> Amend <u> </u> Other <u> </u>		

~~shall have an additional five (5) points added~~
addition of veteran's preference points to
 their score in accordance with Wisconsin Statutes
Section 230.16 (7)a.

Dated this 15th day of January, 2004.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Hooper, second Robinson, to adopt. Roll call vote taken and passed with 25 Yes, 0 No, 3 Absent. Absent were C. Johnson, Zukowski, Eckman.

RESOLUTIONS

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Zukowski		
6. Eckman		
7. Ward		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Waterman		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hooper		
21. Johnson, Kay		
22. Pleski		
23. Johnson, Wes		
24. Liebaert		
25. Coletta		
26. Johnson, Carol		
27. Cosgrove		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		

**RESOLUTION #1-04
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE**

Subject: Land Sales

WHEREAS, Douglas County has advertised for sale various parcels of land on December 8, 15 and 22, 2003 in accordance with Section 75.69, Wisconsin Statutes, and the highest bids received are as follows:

\$13,480.00 PARCEL 1-04: Blocks 9 & 11, State Street, Blocks 9, 10, 11 & 12, Oak Street, Blocks 9, 10, 11 & Lots 1 thru 10 Inclusive, Block 12, Olive Street, Blocks 9, 10, 11 & 12, Cedar Avenue, Blocks 9, 10, 11 & 12, Pine Street, Blocks 9, 10, 11 & 12, Cherry Street, Blocks 9, 10, 11 & 12, Ash Street, Blocks 9, 10, 11 & 12, Maple Street and Blocks 5, 6, 10 & 12, Poplar Street, McKenty's Addition, Town of Lakeside, from Terry Jahnke. Intended use: Recreation.

\$20,250.00 PARCEL 3-04: Lot 2, Parkland Industrial Park, Section 16-48-13, Town of Parkland, from Futurewood Corporation. Intended use: Woodyard.

NOW, THEREFORE, BE IT RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute quit claim deeds to the above named persons on the above named properties.

Dated this 15th day of January, 2004.

(Committee Action: Unanimous)
(Fiscal Note: Increase Profit and Loss on "Land Sales Account" by \$33,730.00)

ACTION: Motion by Conley, second Allen, to adopt. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Zukowski		
6. Eckman		
7. Ward		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Waterman		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hooper		
21. Johnson, Kay		
22. Pleski		
23. Johnson, Wes		
24. Liebaert		
25. Coletta		
26. Johnson, Carol		
27. Cosgrove		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend <u> X </u> Other _____		

RESOLUTION #2-04
RESOLUTION BY LAND AND DEVELOPMENT
COMMITTEE

Subject: Repurchase of Property

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve the following request to repurchase tax delinquent property, pursuant to Douglas County Ordinance #1.5:

From Darrell Cox, to repurchase:

- (1) Parcel 08-808-00837-00, described as Lots 20, 21 and 22, Block 3, South Superior, 2nd Division, City of Superior, known as 5424 John Avenue, having paid delinquent taxes and fees in the amount of \$6,999.64; and
- (2) Parcel SU-028-01560-00, described as Lot 11, Block 1, Island View Addition to Amnicon Lake, Town of Summit, having paid delinquent taxes and fees in the amount of \$2,257.99; and
- (3) Parcel SU-028-01573-00, described as the West 8 feet of N1/2 of Lot D, Block 3, Island View Addition to Amnicon Lake, Town of Summit, having paid delinquent taxes and fees in the amount of \$329.82.

Dated this 15th day of January, 2004.

(Committee Action: Unanimous)
(Fiscal Note: None)

ACTION: Motion by Martin, second Quam, to adopt. Motion by Cosgrove, second Allen, to amend resolution and have it sponsored by the Land and Development Committee. Motion carried. Motion to adopt resolution, as amended, carried.

RESOLUTION #3-04
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE

Subject: Wisconsin CDBG Planning Program Application

WHEREAS, federal monies are available under the Community Development Block Grant program, administered by the State of Wisconsin, Department of Commerce, and

WHEREAS, after public meeting and due consideration, the Douglas County Board of Supervisors has recommended that an application be submitted to the State of Wisconsin to gather, produce, present and integrate data related to buildings and sites in Douglas County for economic development purposes, and

WHEREAS, it is necessary for the County Board to approve the preparation and filing of an application for the county to receive funds from this program, and

WHEREAS, the County Board has reviewed the need for the proposed projects and the benefits to be gained therefrom.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors does approve and authorize the preparation and filing of an application for the CDBG Planning Program funds; that the County Board Chair is hereby authorized to sign all necessary documents on behalf of Douglas County; and, that authority is hereby granted to the Land and Development Committee to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution.

Dated this 15th day of January, 2004.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Egan, second Ryan, to adopt. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Zukowski		
6. Eckman		
7. Ward		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Waterman		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hooper		
21. Johnson, Kay		
22. Pleski		
23. Johnson, Wes		
24. Liebaert		
25. Coletta		
26. Johnson, Carol		
27. Cosgrove		
28. Jensen		
Roll Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		

RESOLUTION #4-04
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE

Subject: Environmental Consulting Services Agreement

WHEREAS, Douglas County took a tax deed in 2002 to property located in the Village of Solon Springs, formerly operated as a Mobil Service Station, and

WHEREAS, there is environmental contamination of the property resulting from underground storage tanks located on the property and related automotive services, and

WHEREAS, Douglas County received a Brownfield Site Assessment Grant and removed the underground storage tanks, and

WHEREAS, a Remedial Action Plan for the site, approved in 1998, recommended the installation of a soil vapor extraction system in conjunction with air sparging for soil and groundwater treatment, which was subsequently installed in 1998, and

WHEREAS, the site owner thereafter filed for bankruptcy and the system was turned off some time in 1999, and remains inactive to date, and

WHEREAS, MSA Professional Services, previously involved in the site environmental improvement, has presented a proposal to the county which includes site characterization, establishment of decreasing contaminant trend (if necessary) and site closure, and

WHEREAS, closure on the site from the DNR would allow the county to sell the property, and

WHEREAS, there is \$167,723.00 remaining of the original remedial action budget approved by the Department of Commerce for this site, and

WHEREAS, the proposal from MSA ranges from \$20,200.00 (site characterization and closure) to \$35,000.00 (establishment of decreasing contaminant trend prior to site closure), all eligible for PECFA reimbursement.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Zukowski		
6. Eckman		
7. Ward		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Waterman		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hooper		
21. Johnson, Kay		
22. Pleski		
23. Johnson, Wes		
24. Liebaert		
25. Coletta		
26. Johnson, Carol		
27. Cosgrove		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Zukowski		
6. Eckman		
7. Ward		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Waterman		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hooper		
21. Johnson, Kay		
22. Pleski		
23. Johnson, Wes		
24. Liebaert		
25. Coletta		
26. Johnson, Carol		
27. Cosgrove		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Land and Development Committee and enter into a contract with MSA Professional Services for environmental consulting services which will result in DNR closure of the "Mobil Station" site, at a cost not to exceed \$36,200.00 (\$35,000.00 high end cost eligible for PECFA reimbursement; \$1,200.00 non-reimbursable fees).

BE IF FURTHER RESOLVED that the \$36,200.00 be paid from the reserve account established by the County Board for environmental issues relating to county property.

Dated this 15th day of January, 2004.

(Committee Action: Unanimous)

(Fiscal Note: Reduce reserve account by a maximum of \$36,200.00, with \$35,000.00 eligible for PECFA reimbursement)

ACTION: Motion by Allen, second Cosgrove, to adopt. McKenzie asked if there is any future liability for the county. Sandvick responded it is her understanding that there is no indication of any future liability, but the site has to be cleaned up before it can be sold without placing clean-up liability on a potential future owner. There is a building on the property which is not planned for demolition at this time, and there would be no additional liability as long as that building is not removed and more contamination found. Conley stated that it is fortunate there are monies available through the Brownfield program for clean-up of such sites. Egan stated that it is his understanding that this remedial action will make the land saleable. Tanks have already been removed through Brownfield grant. Chair Finn thanked Sandvick for her work on the Brownfield program grants. Motion carried.

RESOLUTION #5-04
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE

Subject: Cancellation of Tax Deed

RESOLVED, that the Douglas County Board of Supervisors accepts the recommendation of the Land and Development Committee and cancels the tax deed issued on October 19, 1999, as Document No. 714628, on Parcel Number 02-802-00665-00, described as Lots 385 through 397 (odd numbers), West 10th Street, Townsite of Superior.

Dated this 15th day of January, 2004.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Allen, second James O'Brien, to adopt. Sandvick explained the deed was taken from a railroad due to non-payment of a weed cutting notice. Since the property was non-taxable, collection of weed cutting fee should have been through State Treasurer, not tax deed. The railroad has since paid the weed cutting assessment, plus an administrative fee. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Zukowski		
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7. Ward		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Waterman		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hooper		
21. Johnson, Kay		
22. Pleski		
23. Johnson, Wes		
24. Liebaert		
25. Coletta		
26. Johnson, Carol		
27. Cosgrove		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Zukowski		
6. Eckman		
7. Ward		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Waterman		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hooper		
21. Johnson, Kay		
22. Pleski		
23. Johnson, Wes		
24. Liebaert		
25. Coletta		
26. Johnson, Carol		
27. Cosgrove		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		

RESOLUTION #6-04
RESOLUTION BY THE ADMINISTRATION COMMITTEE

Subject: Infrastructure Capitalization Policy

RESOLVED, that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and approves Exhibit A-1-04, Infrastructure Capitalization Policy.

Dated this 15th day of January, 2004.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Coletta, second Hooper, to adopt. Finance Director Ann Doucette explained that the state sets the capitalization caps for counties, and the Douglas County cap of \$100,000 will reduce excessive recordkeeping. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn	X	
2. Browne	X	
3. O'Brien, John	X	
4. Glenn	X	
5. Zukowski		
6. Eckman		
7. Ward	X	
8. Martin	X	
9. Prettie	X	
10. Robinson	X	
11. Conley	X	
12. Waterman	X	
13. Quam	X	
14. O'Brien, James	X	
15. McKenzie	X	
16. Shepard	X	
17. Egan	X	
18. Allen	X	
19. Ryan	X	
20. Hooper	X	
21. Johnson, Kay	X	
22. Pleski	X	
23. Johnson, Wes		X
24. Liebaert	X	
25. Coletta	X	
26. Johnson, Carol		
27. Cosgrove	X	
28. Jensen	X	
Roll: Ayes <u> 24 </u> Noes <u> 1 </u> Absent <u> 3 </u> Abstain <u> </u> Passed <u> X </u> Lost <u> </u> Refer <u> </u> Amend <u> X </u> Other <u> </u>		

RESOLUTION #7-04
RESOLUTION BY THE ADMINISTRATION COMMITTEE

Subject: Budgetary Transfer

RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve the transfer of \$45,000 from the Government Center FF&E line item (Account 72601.5831.101) to Architectural and Engineering Fees line item (Account 72601.5883), for payment of architectural and engineering fees and redesign of courtroom space.

BE IT FURTHER RESOLVED, that the redesign fees for the courtroom space do not exceed \$17,000.

Dated this 15th day of January, 2004.

(Committee Action: Unanimous)

(Fiscal Note: Reduce Capital Projects - Government Center FF&E account by \$45,000)

(Administrative Note: Two-thirds vote of Board-elect required)

ACTION: Motion by Glenn, second James O'Brien, to adopt. The \$45,000 transfer will come from Government Center FF&E line item for payment of some additional architectural and engineering fees, and redesign of courtroom space. Referring to a recent letter from the judges, McKenzie asked about any potential changes to the original allotment of space for the third courtroom. Koszarek responded that this will not be known until the design is completed by the architects, and that design will need approval from the judges, the Buildings and Grounds Committee, and County Board. Regarding the letter from the Chief Judge, Koszarek suggested the letter followed a meeting that took place between himself, the Chief Judge, and Court Administrator, and may appear to be directive or strong. Koszarek added that his advice is to continue to look at this, as there is no guarantee of the third judgeship, and this could mean some revenues. He stated he is convinced that the existing space is big enough to satisfy both parties. It is clear, the judges do not want to jeopardize the third judge possibility. Buildings and Grounds Department Director Strauman will keep the judges apprised of the redesign progress, and seek their input on decisions. Chair Finn stated the judges have been very involved in this and will continue to be involved. Questions arose as to the dollars needed for the actual work, source of those funds, and if the revenue projected will cover costs for the redesign and construction.

Roll Call		
District Number	Yes	No
1. Finn	X	
2. Browne	X	
3. O'Brien, John	X	
4. Glenn	X	
5. Zukowski		
6. Eckman		
7. Ward	X	
8. Martin	X	
9. Prettie	X	
10. Robinson	X	
11. Conley	X	
12. Waterman	X	
13. Quam	X	
14. O'Brien, James	X	
15. McKenzie	X	
16. Shepard	X	
17. Egan	X	
18. Allen	X	
19. Ryan	X	
20. Hooper	X	
21. Johnson, Kay	X	
22. Pleski	X	
23. Johnson, Wes		X
24. Liebaert	X	
25. Coletta	X	
26. Johnson, Carol		
27. Cosgrove	X	
28. Jensen	X	
Roll: Ayes <u>24</u> Noes <u>1</u> Absent <u>3</u> Abstain <u> </u> Passed <u>X</u> Lost <u> </u> Refer <u> </u> Amend <u>X</u> Other <u> </u>		

Koszarek responded that he can't speak directly to the amount of revenue, but the suggested figure has been about \$40,000 per year. There is no money at this time for the courtroom. The plan is to present the proposal and hope the Department of Corrections will assist with some funding. There will have to be a review of what is possible, and then locate dollars to proceed. Demolition of the City-County Complex and parking issues will need to be dealt with first. A lease agreement with the Department of Corrections will have to be in place before any dollars are put into any reconstruct of the courtroom area. With \$17,000 of the transfer request going for design fees, the question was asked why an additional \$28,000 is needed. Koszarek explained that the county continues to incur expenses in the design area and for construction manager, because some issues have happened over the last several months which caused additional bills. This transfer is needed from the transitional fund for the Government Center, so these bills can be paid. There is a meeting tomorrow on the construction manager contract. Allen asked for a more detailed explanation, and Koszarek explained the redesign of the courtroom is \$17,000 and there is \$20,000 plus owed the architects yet. Brief discussion followed on the Department of Correction's current lease timeline. Conley remarked that there is a lack of a break room for employees on third and fourth floors of Government Center, and he suggested this might be an opportunity to incorporate a break room to satisfy the needs of those individuals. There is a loss of time for employees when they have to travel down to the courthouse and back for breaks and lunch. Koszarek stated there was a time that this was a consideration, but at this point it would have to be proposed to the architect. Considering the concern of the courts, Koszarek stated he did not think that kind of space could be pulled out of that area for a break room, but this can be looked at. Conley requested Koszarek float this idea with the architects to see if the space could be found. He added that it is his opinion that this seems to be the practical thing to do, in that redesign plans are going forward. Koszarek agreed to do this. Egan recalled that in the 37 years he worked with the County, the third judgeship was a topic as far back as 1967, and it has still not become a reality. Motion by Allen, second McKenzie, that the following be added to the resolution: "Be it Further Resolved that the redesign fees for the courtroom space do not exceed \$17,000." Motion carried. Chair Finn noted his reservations about the potential for a third judge, and the lack of some type of business plan in this redesign effort in terms of revenue and costs. Discussion followed on whether a meeting room could be incorporated into the new design of the area. It was noted that the existing courtroom design does include a jury room, and it is possible it could double as a meeting room when not used by the courts. If the Department of Corrections does end up leasing space, they will

Roll Call		
District Number	Yes	No
1. Finn	X	
2. Browne	X	
3. O'Brien, John	X	
4. Glenn	X	
5. Zukowski		
6. Eckman		
7. Ward	X	
8. Martin	X	
9. Prettie	X	
10. Robinson	X	
11. Conley	X	
12. Waterman	X	
13. Quam	X	
14. O'Brien, James	X	
15. McKenzie	X	
16. Shepard	X	
17. Egan	X	
18. Allen	X	
19. Ryan	X	
20. Hooper	X	
21. Johnson, Kay	X	
22. Pleski	X	
23. Johnson, Wes		X
24. Liebaert	X	
25. Coletta	X	
26. Johnson, Carol		
27. Cosgrove	X	
28. Jensen	X	
Roll: Ayes <u> 24 </u> Noes <u> 1 </u> Absent <u> 3 </u> Abstain <u> </u> Passed <u> X </u> Lost <u> </u> Refer <u> </u> Amend <u> X </u> Other <u> </u>		

need a meeting room. Brief discussion followed on the potential use of the former firing range space in the Government Center basement. Department of Corrections has not indicated interest in that area, but it may be something to consider if courtroom area does not work out. Roll call vote taken and passed with 24 Yes, 1 No, 3 Absent. Voting no was W. Johnson. Absent were C. Johnson, Zukowski, Eckman.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Zukowski		
6. Eckman		
7. Ward		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Waterman		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hooper		
21. Johnson, Kay		
22. Pleski		
23. Johnson, Wes		
24. Liebaert		
25. Coletta		
26. Johnson, Carol		
27. Cosgrove		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		

RESOLUTION #8-04

RESOLUTION BY THE ADMINISTRATION COMMITTEE

Subject: Side Letter Agreement Continuation with Douglas County Jailers Association, Local 441

RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve continuation of Side Letter Agreement with Douglas County Jailers Association, Local 441, approved as Resolution #141-03, November 20, 2003, and set forth in Exhibit B-1-04.

Dated this 15th day of January, 2004.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Martin, second Browne, to adopt. It was explained that the County Board had already approved the side letter several months ago, but the trial period has ended, and this resolution extends the trial period. The Sheriff requested this, and the resolution informs the union of the county's support. If item is agreed to, through negotiations, a final side letter agreement will be presented to the Board. Motion by Pleski, second Quam, to amend the side letter by adding that "The trial period will end March 31, 2004." Motion to amend side letter carried. Motion to adopt resolution carried.

RESOLUTION #9-04
RESOLUTION BY DOUGLAS COUNTY BOARD OF
SUPERVISORS

Subject: Demolition of City-County Complex

WHEREAS, the Douglas County Board of Supervisors has approved moving forward with demolition of the City-County Complex, and approved formation and membership of a City-County Complex Demolition Committee, and

WHEREAS, the City-County Complex Demolition Committee met on January 7, 2004, and agreed that it is in the best interest of both Douglas County and the City of Superior, to move forward in an expeditious timeframe with the RFP and award of a demolition contract, and

WHEREAS, the City of Superior Public Works Director, who serves on the City-County Complex Demolition Committee, has indicated the city wishes to begin clean-up and preparation of that site for the parking lot, as early as March, 2004, and

WHEREAS, the City-County Complex Demolition Committee reports directly to the Buildings and Grounds Committee.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors accepts Supervisor Zukowski's recommendation and authorizes the Buildings and Grounds Committee to award the contract for demolition of the City-County Complex, **within the budget allocated.**

BE IT FURTHER RESOLVED, that this resolution, upon passage, be forwarded to the Common Council and Mayor of the City of Superior.

Dated this 15th day of January, 2004.

(Fiscal Note: Demolition anticipated to be within budget)

ACTION: Motion by Hooper, second Cosgrove, to adopt. Pleski questioned the fiscal note stating "within budget", and asked for figure. Koszarek indicated this is not known yet, as the design and construction manager contracts have to be finalized to determine contingency fund balance. Aegis refund will be part of this. If bids come outside the budget, then there is a problem. Discussion followed on the most

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7. Ward		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Waterman		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hooper		
21. Johnson, Kay		
22. Pleski		
23. Johnson, Wes		
24. Liebaert		
25. Coletta		
26. Johnson, Carol		
27. Cosgrove		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend <u> X </u> Other _____		

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Zukowski		
6. Eckman		
7. Ward		
8. Martin		
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21. Johnson, Kay		
22. Pleski		
23. Johnson, Wes		
24. Liebaert		
25. Coletta		
26. Johnson, Carol		
27. Cosgrove		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend <u> X </u> Other _____		

environmentally safe methods for recycling and disposal of construction demolition waste, as recommended by the DNR Bureau of Waste Management. McKenzie stated she hopes Douglas County will do what is best for the people, not just throw all the demolition materials into a landfill if it can be salvaged or recycled. Liebaert stated that he would have liked to have seen the City-County Complex RFP Committee as party to sponsoring this resolution, as they were the ones who worked on marketing the building via the RFP. Responding to Liebaert's concern, Koszarek explained that after the bids came in so low and were rejected by the committee, that the committee completed its tasks and have not met since it last presented the bid information to this Board. Lengthy discussion followed on the issues surrounding the decision to go forward with demolition plans. Koszarek emphasized the city's Public Works Department is ready to move forward in March. Conley stated this is the practical way to proceed, and if there is an interested party willing to pay what is needed, the county could consider that offer. He suggested that some salvage operations take place before building is destroyed. It was noted that Strauman is putting the bid package together at this time, and the RFP will be for a demolition bid with a deduct for salvage. A separate contract for salvage was rejected by the Demolition Committee because it gets too complicated and is more time intensive. Browne noted his concern with the salvage concrete crushing in the north end of Superior, and wants to be informed when and where this will take place. Robinson responded that this will depend on what contractor gets the bid. Prettie stated her continuing opposition to eminent domain, and the need to have the parking lot in the location of the City-County Complex. Discussion followed on the dire need for parking. Motion by Coletta, second Pleski, to amend the resolution and have it sponsored by entire County Board, and to add the provision that "demolition remain within the budget allocated." Motion carried. Motion to adopt resolution as amended, carried.

Resolution not on agenda: Motion by John O'Brien, second Glenn, to allow resolution #10-04 not on the agenda. Motion carried.

Roll Call		
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1. Finn		
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8. Martin		
9. Prettie		
10. Robinson		
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19. Ryan		
20. Hooper		
21. Johnson, Kay		
22. Pleski		
23. Johnson, Wes		
24. Liebaert		
25. Coletta		
26. Johnson, Carol		
27. Cosgrove		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		

RESOLUTION BY THE ADMINISTRATION COMMITTEE

Subject: Position Reclassification

RESOLVED, that the Douglas County Board of Supervisors accepts the recommendation of Administration Committee and approve the following position reclassifications for 2004:

- (1) Department: Clerk of Courts
- Position: Office Specialist I
- Request: Reclassify Office Specialist I, Grade 1, Step 5 to Office Specialist II, Grade 3, Step1
- Cost: \$2,490
- Committee Action: Unanimous

Dated this 15th day of January, 2004.

(Committee Action: As indicated above)

(Fiscal Note: As indicated above, and within budget)

(Administrative Note: This reclassification was approved in 2003, but inadvertently was not included with the other reclassifications presented to the Board at the budget session)

ACTION: Motion by Coletta, second Glenn, to adopt. Motion carried.

COUNTY ADMINISTRATOR REPORT: Koszarek reported that the Director of Forestry has resigned. Bob Browne and Koszarek met with Mark Schroeder who has accepted to serve as Interim Director. The search for a permanent replacement will begin as soon as possible. Koszarek reported he found out yesterday that the YMCA is in the process of repaying their bond, paid up by next week. Stating he is on the YMCA Board, Koszarek responded to a rumor in the public sector, that when the county allowed the YMCA to take advantage of the county's bonding ability, that some county dollars went for construction of the YMCA addition. This is absolutely not true. The county's bonding assistance gave the YMCA a better rate. The bond call is March 1st, but the Y is paying it off early. Mike Kraft, YMCA Director, was present and thanked the county for their assistance.

COUNTY BOARD CHAIR REPORT AND APPOINTMENTS: No appointments. Chair Finn announced that Sunday, February 8, 2004, Douglas County will be celebrating 150 years since its inception. On February 6th, the county will host several special activities, beginning at 1:30 p.m. in the courthouse. The Chair indicated he is planning an Executive Committee meeting, probably for mid-February. Agenda items will include discussion of a plan to prioritize and finance improvement to Douglas County roads and highways and the recent development with the Arrowhead-Weston power line issue. He will be meeting with supporters and opposition on the power line prior to the meeting. Extensive discussion followed on the power line decision by the Public Service Commission, and the question of legality relative to the state's right to condemn public property. Hooper stated her dismay about the commission's decision to approve the AW power line. Referring to an analysis of the state's Job Creation Act passed by the State Assembly, McKenzie shared her interpretation of that report, which she believes affirms the state's right to condemn land, namely public land. Conley cautioned the county should not to rush into any negotiations, but look to develop contingency plans when the circumstances warrant.

COMMITTEE REPORTS

McKenzie reported that PRI RU TA has hired a Grazing Specialist and Assistant Coordinator. Policies and procedures have been developed, and a committee established to work on human resource issues. She explained "Superior Grown" farm products program, which meets the first Monday every month at Washburn Hall. Interested persons are encouraged to attend. There is a huge movement towards sustainable agriculture, and the Grazing Specialist works with producers on developing sustainable farming. This program contributes to the local economy.

Coletta reported the Home Health Care Professional Advisory Committee met. The main concern voiced during that meeting was the merger of Health and Human Services Departments. Health and Human Services Department Director Pat Schanen was present at that meeting, and explained the merger and how it is progressing. Any concerns or problems are addressed as they arise. Persons in the community with concerns about not receiving the services they need, should contact the Health and Human Services Department or their respective County Board Supervisor.

BILLS AND CLAIMS: Motion by Pleski, second Allen, to approve. Motion carried.

SUCH OTHER MATTERS AS AUTHORIZED UNDER THE WISCONSIN STATUTES

Martin reported on the progress of a group working towards getting approval for a postage stamp designed to recognize Major Richard Bong. Senator Feingold has recommended to Martin that they investigate the

next possible opportunity for the Citizen Stamp Advisory Committee to act on this request. Similar letters have been received from Congressman Obey and Senator Kohl.

Pleski referred to Correspondence #4, a letter from Jauch regarding the Douglas County unfunded liability and the Wisconsin Retirement System. This is being considered as a Superior Days issue. Chair Finn explained Douglas County is not alone on this issue, but when it comes to the amount of liability, Douglas County is fairly high. Several counties have decided to pay their liability off, which makes them tentative about supporting counties that have not paid it off.

Pleski asked about group meeting on EPA clean water requirements with respect to treatment runoff. Statements in the public domain have been made that the county could be asked to pay for treatment in the city. There was a question as to someone from Douglas County Board participating in that group's meetings. Chair Finn indicated he made a recommendation to the Mayor that Supervisor Liebaert be appointed to the committee, that Supervisor Browne serve as Liebaert's alternate, and that Dan Corbin be appointed as the businessperson in the county.

Ward clarified that the rumor Douglas County has an interest in Central Junior High School, which was alluded to in a Daily Telegram editorial, is wrong. The county has no land or building interest.

McKenzie, a member of the Great Lakes Nonpoint Abatement Coalition, indicated Gary Mick of Milwaukee County is willing to give expertise to Douglas County on their nonpoint plan. Milwaukee County has been working on their plan. Contact McKenzie for Mick's address.

McKenzie distributed a worksheet she developed on committees and special appointments approved by the County Board in April, 2002. Of particular concern to her are how many of the same supervisors serve on the major standing committees, in that all supervisors serve about an equal number of constituents in the various districts. McKenzie recommended that there be a more equitable distribution of membership on standing committees and on the Health and Human Services Board, taking into account supervisors choices, work schedules, etc. She contended that with 76 open slots, and 27 supervisors not counting the County Board Chair, this computes to 2.8 positions per person on the standing committees and Health and Human Services Board. Having discussed this issue with supervisors in other counties, McKenzie has discovered that the process of determining committee appointments happens within two hours when the time for reappointments takes place. She requested that the Executive Committee take up this charge, and see if Douglas County can determine appointments in less than four to six weeks. Chair Finn stated it is his intent that the issue of committees and how appointments are made will be taken up at the next Executive Committee meeting, and asked all supervisors for their input.

Martin reported the Aging Resource Center served over 100,000 meals in 2003.

ADJOURNMENT: Motion by Ward, second Cosgrove, to adjourn. Motion carried. Meeting adjourned at 7:30 p.m. Next regularly scheduled meeting - Thursday, March 18, 2004.

Submitted by,

Susan T. Sandvick
Douglas County Clerk