

PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS
Thursday, September 16, 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 24 present, 4 absent. Absent and excused were Nick Baker, Patricia Ryan, Wes Johnson, Thomas Stewart. Youth representatives present were Ashley Waterman, Kimber Johnson, Jackie Avis.

Motion by James O'Brien, second Shepard, to approve minutes of the August 19, 2004 meeting. Motion carried.

CLAIMS AGAINST THE COUNTY

Notice of Claim from Michael R. Inglimo, Attorney for Brenda Heinonen aka Brenda Bergen, resulting from removal of horses from her property. Insurance company recommends disallowance.

Motion by McKenzie, second Allen, to disallow claim. Motion carried.

CORRESPONDENCE

1. Kenneth A. Knudson, Attorney, regarding American Transmission Company agreement with Marathon County, including Marathon County resolution approving the project. Referred to Arrowhead-Weston Power Line Committee.
2. Wisconsin Dept. of Health and Family Services, notice of federal and state aids deposits. Referred to Health and Human Services Board.
3. Juneau County, resolution regarding ICF-MR downsizing. Referred to Health and Human Services Board.
4. Several letters from citizens opposing Arrowhead-Weston transmission power line project. Referred to Arrowhead-Weston Power Line Committee.
5. Wisconsin Dept. of Transportation, Bureau of Aeronautics, information regarding potential of ATC power line to adversely affect Solon Springs Municipal Airport. Referred to Arrowhead-Weston Power Line Committee.

6. Wisconsin Public Service Commission, notice of hearing on Wisconsin Bell, Inc., (d/b/a/ SBC Wisconsin) private payphone rates. Received and placed on file.
7. Wisconsin DNR, notice of severance share on wood products cut from Douglas County Forest Lands. Referred to Forest, Parks and Recreation Committee.
8. Senator Russell Feingold, thank you for attending listening session, and copy of Feingold letter to Steven P. Kleinglass, Minneapolis Veterans Administration Medical Center, regarding Twin Ports Veterans Outpatient Clinic status. Referred to Veterans Commission.
9. Wisconsin Office of Justice Assistance, notice of award for Homeland Security/Hospital Critical Infrastructure grant. Referred to Law Enforcement Committee.
10. Wisconsin Office of Justice Assistance, notice of award for Homeland Security/Equipment grant. Referred to Law Enforcement Committee.
11. Governor's Council on Domestic Abuse, letter regarding Wisconsin Act 225, and allocation of marriage license fees to support local domestic abuse program. Referred to Administration Committee.
12. Wisconsin DNR, notice of proposed state purchase of 52.55 acres of land for the St. Louis River Stream Bank Area, Town of Superior, and map of area. Received and placed on file.
13. WCA, notice of 2005 Northwest ITBEC budget allocation figures. Referred to Administration Committee.
14. Renee Kern and Randy Hoff, letter regarding Superior Speedway management. Received and placed on file.

Correspondence not on agenda:

15. Wisconsin DNR, notice of preliminary analysis to renew air pollution control permit for ConAgra Inc., 21st Avenue East, in Superior. Received and placed on file.
16. Superior Water Light & Power Company, letter requesting approval to create a trail for passage of construction equipment through county property to gain access to SWL&P transmission line, to replace/upgrade ten structures between Tri-County Corridor and Camp Amnicon Road. Referred to Land and Development Committee.
17. Wisconsin Office of Justice Assistance, notice that Douglas County is not eligible for 2004 Juvenile Accountability Block Grant funding, due to reductions in federal appropriations, and proposed elimination of appropriation for 2005. Received and placed on file.

18. Capitol Consultants, Inc., copy of report presented to joint meeting of Douglas County Board and Superior City Council, September 8, 2004. Referred to Land and Development Committee.

PRESENTATIONS

Administrator Koszarek presented the Employee of the Quarter award to John Harris, Douglas County Forestry Department. Harris began working with Douglas County two years ago. Jeff Weatherly, Director of the Forestry Department, recognized Harris's education, leadership and contributions to the department. Harris thanked the County Board for the award, and thanked his fellow employees who nominated him.

Janet Jennings, Superior Public Library, and James Trojanowski, new director for Northern Waters Library Service, reviewed the various library services provided by the Superior Public Library and Northern Waters Library Services. The significant increase in patron utilization of the Solon Springs branch library was noted. The formula for budget allocation from the county is based on library usage, and Douglas County residents are using the library more and more. Brief discussion followed on the budget process. Jennings noted the county's portion of the budget is on a two year cycle, and will level off and perhaps go down in time. Trojanowski thanked the board for allowing him to address them tonight, and summarized information provided within the NWLS brochure which accompanied tonight's agenda. NWLS provides rural residents opportunities to fully utilize library services. Interlibrary loan service through MERLIN is growing exponentially. It was suggested that the public library look into free postage meter through post office, which hooks up to computer. The Superior Public Library has rearranged staff in order to fill a reference librarian position to serve as the NWLS resource librarian, which is a requirement. Discussion followed on the services provided to the jails, and Trojanowski responded that each year NWLS provides a small library collection to jails.

Myron Schuster, Northwest Wisconsin Regional Planning Commission, distributed copies of the report on a strategic planning retreat NWRPC held in November 2003. Schuster recognized the contributions of NWRPC Board Chair Doug Finn, noting Finn's ability to bring the counties together to work in partnership towards regional goals. The retreat indicated that the commission had to communicate better with their partners about what the commission does and why, and what the priorities of the group are for the next several years. Schuster summarized the history of the multi county regional planning commissions, of which NWRPC was one of the first of its kind in the nation. Of all the planning commission in the state, it is the only one that has 100% participation by the counties it covers. There are 22 staff, over \$5 million budget, about 5% of property tax levy each county pays, and 95% comes from other revenue sources. Some uncommon things NWRPC does, as opposed to most such commissions, include: NW Business Development Corporation, Wisconsin Business Innovation Corporation (enterprise center network located throughout the region, including technical and business support services; only one in the state and one of the few in the nation that has a venture fund, which stands alone as a for-profit entity); NW Affordable Housing (works with housing grants and rehabilitation through the communities in the region); Botanic Oil Innovations (totally separate for-profit company dealing with various oils produced from seeds of all kinds, used in pharmaceutical and botanical companies); Recycling Control Commission (involved with various recycling programs such as Clean Sweep); AND Coastal Management (services to counties located on the coast of Lake Superior). There is a vast list of additional economic and business planning/development services, including grant development assistance for communities. In terms of Douglas County, a few of

the things the commission has done include an all hazard mitigation plan; comprehensive plans for townships; outdoor recreation plan; transportation planning, including railroads; housing grant application for CDBG's; loaned over one million dollars to Douglas County start-up businesses. Asked if NWRPC sees any changes evolving that the county should be prepared for, Schuster responded that with tight state and federal budgets, government units will need to think more about regional cooperation. Demographics are changing, with people moving to Douglas County from larger cities, which means housing increases and upgrades. Because of technology, this area is no longer held back from attracting most any kind of start-up business. Conley talked about the methane being drawn from landfills in other areas of Wisconsin, and is this possible in Douglas County. Schuster noted the commission is working with this in Sarona. Regarding funding for the commissions, the major sources of funding are state and federal grants, and payments for services of the commission. They receive no direct allocation funding from the state.

ORDINANCES

**AMENDMENT TO ORDINANCE #8.0
ZONING ORDINANCE
PRESENTED BY THE ZONING COMMITTEE**

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

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

WHEREAS, the Douglas County Zoning Committee held a public hearing on September 9, 2004, on the following petitions for amendment of the county zoning district ordinance map:

- (1) Part of the W1/2 of the N1/2 of the E1/2 of the SE1/4 of the SE1/4, Section 28, T48N-R14W, (TS-030-01703-00, Old Highway C), Town of Superior, from the R-2: Residential zoning district to the C-1: Commercial zoning district by Vicki (O'Grady) Hammer & Roger Hammer, 4303 S. State Road 35, Superior, Wisconsin. Intended use: Commercial storage; and
- (2) Part of the SW1/4 of the SE1/4, W330 ft., Section 25, T48N-R14W, (TS-030-01611-00, County Roads A & C), Town of Superior, from the A-1: Agriculture zoning district to the R-1: Residential zoning district by Elroy & Constance Syring, 4328 S. County Road A, Superior, Wisconsin. Intended use: Subdivision.

WHEREAS, proof of publication of the notices of the public hearings, proof of giving notice to the town clerks of the hearings, and correspondence from the towns is as shown on Exhibit A-9-04.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Zoning Committee and approve the petitions.

BE IT FURTHER RESOLVED that the County Clerk notify the town clerks of the action.

Dated this 16th day of September, 2004.

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

ACTION: Motion by C. Johnson, second Thompson, to adopt. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn	X	
2. Browne	X	
3. O'Brien, John	X	
4. Glenn	X	
5. Baker		
6. Eckman	X	
7. Livingston	X	
8. Martin	X	
9. Prettie	X	
10. Robinson	X	
11. Conley	X	
12. Tribbey	X	
13. Quam	X	
14. O'Brien, James	X	
15. McKenzie	X	
16. Shepard	X	
17. Egan	X	
18. Allen	X	
19. Ryan		
20. Hendrickson	X	
21. Johnson, Kay	X	
22. Thompson	X	
23. Johnson, Wes		
24. Liebaert	X	
25. Budnick	X	
26. Johnson, Carol	X	
27. Stewart		
28. Jensen	X	
Roll: Ayes <u> 24 </u> Noes <u> 0 </u> Absent <u> 4 </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 FOR SHERIFF'S
DEPARTMENT**

PRESENTED BY THE LAW ENFORCEMENT COMMITTEE

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

SECTION VI. APPOINTMENT

F. Promotion to the rank of Sergeant will be from the ranks of those deputies or jailers, according to the specific assignment of the position, employed full time with a minimum of three (3) years experience on the first date of the posting for the vacancy. The County and the Sheriff may add additional job related qualifications for the position of Sergeants or Lieutenant. Candidates for promotion must submit a completed application form to the Human Resources Department. The vacancy will be filled by structured interviews conducted by a representative of the Human Resources Department and the Sheriff and/or his/her designee. The Sheriff in consultation with the Human Resources Department may use other testing procedures approved by the Civil Service Commission to determine the relative qualifications of the candidates. The Sheriff shall make the selection from not more than the highest three names certified.

Addendum: Due to the anticipated staffing issues for the new jail, the Civil Service Commission hereby grants a waiver to the (3) years of experience **in law enforcement or jail operations** required to be eligible for promotion to a Sergeant position. This waiver will sunset August 2, 2004 **2005**.

Dated this 16th day of September, 2004.

(Committee Action: Law Enforcement Committee will take action on this amendment on September 15, 2004.)

(Fiscal Note: None)

ACTION: Motion by Glenn, second Martin, to adopt. Tribbey asked if this is a continuation of a previous amendment. Koszarek responded yes. Tribbey noted his concern that a probationary employee could be promoted to sergeant, and this creates a situation where someone with very limited education, experience and skills, could move into a sergeant position. He stated he would like to see something in the amendment that states, if not three years of experience, then how much, if any, is required. Glenn explained that this allows the department to have a wider selection pool. Roll call vote taken and passed with 24 yes, 0 no, 4 absent. Absent were Ryan, W. Johnson, Baker, Stewart.

PLAT APPROVAL

Approval of final plat of Smith's Addition to the Town of Solon Springs. Motion by C. Johnson, second Tribbey, to approve. Motion carried.

RESOLUTIONS

RESOLUTION #72-04
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE

Subject: Land Sales

WHEREAS, Douglas County has advertised for sale various parcels of land on August 9, 16 & 23, 2004 in accordance with Section 75.69, Wisconsin Statutes, and the highest bids received are as follows:

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

- \$ 601.00 PARCEL 45-04 - West 60 Feet of Lots 17 & 18, Block 28, West Superior, 2nd Division, City of Superior, known as 1323 N. 5th Street, from Clarence Kastern. Intended use: Owns adjacent property;
- \$ 401.00 PARCEL 46-04 - East 26.5 Feet of West 116.5 Feet of Lots 17 and 18, Block 28, West Superior, 2nd Division, City of Superior, known as 1315 North 5th Street, from Clarence Kastern. Intended use: Owns adjacent property;
- \$ 5,765.00 PARCEL 48-04 - East 80 Feet of Lots 13 through 16 Inclusive, Block 22, West Superior, 5th Division, City of Superior, known as 425-431 Catlin Avenue, from Donald MacKenzie. Intended use: Owns adjacent property;
- \$ 8,000.00 PARCEL 49-04 - Lots 1 through 4, Block 32, West Superior, 5th Division, City of Superior, known as 501-507 Weeks Avenue, from Julia Bayard. Intended use: Building site for home;
- \$ 1,500.00 PARCEL 50-04 - South ½ of Lot 414 and all of Lot 416, Block 28, Subdivision of Blocks 26 and 28, East 5th Street, Lots on Cass Avenue, City of Superior, known as 414-1/2 and 416 - 39th Avenue East, from Catherine Ruby. Intended use: Owns adjacent property;
- \$ 500.00 PARCEL 52-04 - North ½ of Lot 23, Block 51, West Superior, 5th Division, City of Superior, known as 612 Clough Avenue, from Robin and Ben Salmela. Intended use: Owns adjacent property; and
- \$10,000.00 PARCEL 55-04 - Lots 38, 40, and 42, except Part of Lot 38 sold to DOT in Volume 478-933, West 2nd Street,

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

Townsite of Superior, City of Superior, known as 2924-26-28 East 2nd Street, from James C. Gray. Intended use: Future development.

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 16th day of September, 2004.

(Committee Action: Unanimous)

(Fiscal Note: Increase Profit and Loss on "Land Sales Account" by \$26,767.00)

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

RESOLUTION #73-04
RESOLUTION BY SUPERVISOR FINN

Subject: Position Reclassification Correction - Sheriff's Department

RESOLVED that the Douglas County Board of Supervisors accept the recommendations of Supervisor Finn and approve correction to position reclassification, Resolution #65-04, as follows:

Department: Sheriff's Department
 Position: Office Specialist I
 Request: Reclassify Office Specialist I,
 Grade 1, Step 10 to Office
 Specialist II, Grade 3, Step ~~10~~ 6

Dated this 16th day of September, 2004.

ACTION: Motion by Glenn, second James O'Brien, to adopt. Motion carried.

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

**RESOLUTION #74-04
RESOLUTION BY SUPERVISOR FINN**

Subject: Highway Compensation Schedule Correction

RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of Supervisor Finn and approves correction of Highway Compensation Schedule, as set forth in Exhibit C-9-04, originally adopted by Resolution #55-03, Highway Department Labor Contract.

Dated this 16th day of September, 2004.

(Fiscal Note: None)

ACTION: Motion by Thompson, second John O'Brien, to adopt. Motion carried.

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

COUNTY ADMINISTRATOR REPORT: Written report was distributed. Koszarek invited all Board members to attend the budget sessions this coming week. Government Center budget is coming to a close, and current balance estimate is about \$150,000. First project to be considered from those dollars will be a second elevator for the Government Center. Additional handicapped parking is being considered for east side of the courthouse, along Cumming Avenue.

COUNTY BOARD CHAIR REPORT AND APPOINTMENTS: Chair Finn announced the first meetings for Superior Days have been held, and it looks like a good mix of people. It was noted that the revenue sharing cut for Douglas County is only \$2,500, which will not hurt the county this year. The following appointments were recommended Chair Finn: **POWTS** - Appoint Rich Thompson, Temporary Chair, during absence of Chair Wes Johnson; **Racetrack Agreement Committee** - Susan Sandvick, Chair; Dave Olson, Woody Budnick, Keith Allen; Ann Doucette and Ric Felker, Advisors. The following appointment was recommended by Administrator Koszarek: **Board of Adjustment** - Roger Wilson, 8728 E Flowage Lane, Gordon. Motion by Quam, second Liebaert, to approve appointments. Motion carried.

COMMITTEE REPORTS

C. Johnson reported the Zoning Committee took up referral of flood plains from previous County Board meeting, and there will be meeting scheduled between various individuals to discuss land use plans by the townships and villages.

Liebaert reported the Forestry Department is working on ten year plan. Input to the department and/or the Forest, Parks and Recreation Committee is encouraged. A preservation plan for the Bird Sanctuary will be the focus of a public hearing on October 13 in Solon Springs.

Conley reported the Health and Human Services Board meets next Thursday, and the referral from the County Board to address EMF amendment to Health Ordinance is on the agenda.

Prettie reported the Judiciary, Legislative and Veterans Committee has moved its regular monthly meetings to the last Monday of the month, instead of the last Tuesday.

K. Johnson reported that the Wisconsin Towns Association will hold its September meeting on the 21st, at the Lake Nebagamon auditorium.

Quam reported Annual Caregivers meeting is upcoming and everyone invited. Farmers Market winding down and has been a success again.

McKenzie reported that Jauch is one of five senators on the special committee formed to work on TABOR, and she suggested Douglas County try to get a meeting up here for that committee. The next meeting is Tuesday in Madison.

Glenn reported that two weeks ago Keith Kesler, Emergency Management Director, took control of the county's new emergency command post, which will be temporarily stored at the City of Superior's main fire station on Tower Avenue. Final touches are in progress, with an open house and media campaign in the planning stages.

Browne reported the Environment, Agriculture and Extension Committee met and discussed promotion of the Extension Office's services. Browne noted the extensive assistance and information available through the university and its many resources for people of all ages. Extension's phone number is 715-395-1363.

APPROVAL OF BILLS AND CLAIMS: Motion by Shepard, second John O'Brien, to approve. Motion carried.

ADJOURNMENT: Motion by Martin, second Hendrickson, to adjourn. Motion carried. Meeting adjourned at 7:08 p.m. Next regularly scheduled meeting - Thursday, October 21, 2004.

Submitted by,

Susan T. Sandvick
Douglas County Clerk