

PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS
Thursday, January 20, 2005, 6:00 p.m., Board Room, Second Floor, Government Center
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, 2 absent. Absent/excused were Sue Hendrickson, Carol Johnson. Youth representatives present - Ashley Waterman, Kimber Johnson.

Motion by Shepard, second Baker, to approve minutes of the December 16, 2004 meeting. Motion carried.

CLAIMS AGAINST THE COUNTY

Notice of Claim for Specific Relief from Jamy R. Johansen, Attorney, on behalf of Duluth Ready Mix, Inc., for payment of \$25,426.72 relating to materials and services for improvement of race track at Head of the Lakes Fairgrounds. Corporation Counsel Felker explained his recommendation for a payment of \$20,000. Brief discussion. Motion by Shepard, second Ryan, to refer claim to the Special County Board meeting in early February. Motion carried.

CORRESPONDENCE

1. Wisconsin Dept. of Health & Family Services, notice of federal and state aids deposits. Referred to Health and Human Services Department.
2. Governor Doyle, notice of award of Drug Task Force grant to Douglas County. Referred to Law Enforcement Committee.
3. Wisconsin Dept. of Transportation, final calculations for calendar year 2005 General Transportation Aids. Referred to Highway Committee and Administration Committee.
4. Wes Johnson, thank you for the plant. Received and placed on file.
5. Wisconsin Public Service Commission, notice of hearing on Superior Water, Light and Power Company application to increase retail electric, gas and water rates. Received and placed on file.
6. U. S. Army Corps of Engineers, report on selected Fiscal Year 2005 Section 154 Environmental Assistance projects. Referred to County Board Chair.
7. Senator Herb Kohl, call for requests for fiscal year 2006 federal funding of projects important to Douglas County, with application deadline of February 4, 2005. Referred to County Board Chair and County Administrator.

Correspondence not on agenda:

8. Glenn R. Landis, P.E., thank you for Douglas County Board's support of the District 8 DOT offices. Received and placed on file.
9. Linda Bruce, resignation from WITC Board. Received and placed on file.
10. Rosanne Hoffren, card of thanks for retirement party. Received and placed on file.
11. Ken Miller, request to re-evaluate speed limits on County Road B. Referred to Highway Committee.
12. Dave Cochrane, Family Forum, Inc., advance copy of article to appear in Daily Telegram, regarding data on non-profits in Douglas County. Received and placed on file.
13. Bob Finsland, Douglas County Democratic Party Chair, support of Douglas County Board opposition to construction of Arrowhead to Weston power line. Referred to Arrowhead to Weston Power Line Committee.
14. Scott Seaquist, letter supporting opposition to Arrowhead to Weston power line. Referred to Arrowhead to Weston Power Line Committee.
15. Washington County, resolution opposing DNR use of wildlife damage funds for Chronic Wasting Disease. Referred to Forest, Parks and Recreation Committee.

PRESENTATIONS

Jane Anklam, West Wisconsin Land Trust, summarized the history of the Wisconsin Land Trust and the west Wisconsin division offices in Superior and Trego. Information packets were distributed. Land management options were briefly discussed. It was suggested Anklam be included on a future Land and Development Committee agenda. County Clerk Sandvick will add Anklan to an agenda.

POWTS Advisory Committee members, Jan Dalbec, James Rausch, Bill Kovaleski, and Dana Parask were present to answer questions on results of meetings held with Wisconsin Department of Commerce and other agencies regarding Comm. 83. Written report had been distributed with the agenda. Supervisor Thompson, Chair of POWTS Committee, thanked the County Board for their continued support. Chair Finn thanked all the citizen members for serving on this committee. It was suggested that the written report be put on the county's website. Brief discussion followed on the costs and technical aspects of various wastewater treatment systems. Soil testing and classification for Douglas County is expected to be completed this year. Discussion followed.

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.		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23.		
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 January 12, 2005, on the following petitions for amendment of the county zoning district ordinance map:

- 1) Part of the SE1/4 of the NW1/4, lying south of County Road W, Section 33, T48N-R15W, (TS-030-02190-00), Town of Superior, from the F-1: Forestry zoning district to the A-1: Agriculture zoning district, by Jeff Freund/Harold Kittell, et al., 3109 School Street, Two Rivers, Wisconsin. Intended use: Seasonal mobile home; and
- 2) Lot 1 of CSM #637, Vol. 4, Pgs. 235–236 in Part of the SE1/4 of the SE1/4, Section 15, T48N-R13W, (PA-024-00322-01/Cutter Road), Town of Parkland, from the C-1: Commercial zoning district to the R-2: Residential zoning district, by Russell A. & Marsha A. Checchin, 6393 E. Cutter Rd., South Range, Wisconsin. Intended use: Residential.

WHEREAS, proof of publication of the notices of the public hearing and proof of giving notice to the town clerks of the hearing, and correspondence from the Town of Parkland is as shown on Exhibit A-1-05.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Zoning Committee and approve the Checchin petition, and upon receipt of approval letter from Town of Superior approving the Freund/Kittell petition.

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

Dated this 20th day of January, 2005.

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

ACTION: Motion by Eckman, second Ryan, to approve. Motion carried.

PLATS

Approval of Final Plat of Bird Sanctuary Estates for Jessie Edwards, et al., by Hugh McDonald, located in the SW1/4, Section 12, T44N-R12W, Town of Solon Springs. Motion by Allen, second Browne, to approve. Brief discussion on the plat process followed. Motion carried.

RESOLUTIONS

Roll Call

LAND AND DEVELOPMENT COMMITTEE

Subject: Land Sales

WHEREAS, Douglas County has advertised for sale various parcels of land on December 6, 13 and 20, 2004, in accordance with Section 75.69, Wisconsin Statutes, and the highest bids received are as follows:

\$ 8,295.00 PARCEL 02-05 - Lots 1-21 odd numbers, Lots on Washington Street, Lots 1-22 Inclusive, Lots on Adams Street, Lots 2-22 even numbers, Lots on Jefferson Street, and Lots 8-30 even numbers, Lots on Coburn Street, Morrisons Division, City of Superior, from Scott D. & Jan M. Barrett. Intended use: Homesite;

\$ 100.00 PARCEL 05-05 - All interest that Douglas County may own in that part of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) in Section Twenty-Five (25), Township Forty-seven(47), Range Eleven (11), in the Village of Lake Nebagamon, Douglas County, Wisconsin, described as follows: Commencing at the South Quarter Corner of said Section 25; thence North along the North and South Quarter Section line of said Section 25 for a distance of 767.2 feet, more or less, to the centerline of the abandoned right of way of the Duluth, South Shore and Atlantic Railway; thence continuing North along the North and South Quarter Section line of said Section 25 for a distance of 55.50 feet; thence South 64 degrees 17 minutes 30 seconds West for a distance of 475.43 feet to the point of beginning; thence continuing South 64 degrees 17 minutes 30 seconds West for a distance of 527.5 feet; thence North 0 degrees 00 minutes 36 seconds East for a distance of 839.78 feet; thence East 476.30 feet to a point which is North 0 degrees 05 minutes 30 seconds East of the point of beginning; thence South 0 degrees 05 minutes 30 seconds West a distance of 619.64 feet to the point of beginning. Excepting, however, that part thereof as described in deed recorded in Book 311 of Deeds, on page 387, in the office of the Register of Deeds for Douglas County, Wisconsin, from William

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.		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23.		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed _____ X _____ Lost _____ Refer _____ X _____ Parcel #73-04 Amend _____ X _____ Other _____		
Rev. 1-10-05		

RESOLUTION #1-05
RESOLUTION BY THE

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.		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23.		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____		
Passed _____ X _____		
Lost _____		
Refer _____ X _____ Parcel #73-04		
Amend _____ X _____		
Other _____		
Rev. 1-10-05		

Thibedeau. Intended use: Owns adjacent property and has ownership interest in this parcel;

~~\$ 5,601.00~~ ~~PARCEL 73-04 - Part of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4) of Section Six (6), Township Forty-six (46) North, Range Fourteen (14) West, Town of Summit, Douglas County, Wisconsin to wit: Commencing at the center one-quarter corner of said Section 6 thence S. 89 degrees 01 minutes 19 seconds E. along the east-west one-quarter line a distance of 66.31 feet to the centerline of S.T.H. 35 as now laid out and traveled, thence along the arc of a curve concave right a distance of 192.66 feet to the point of tangency, thence N. 59 degrees 22 minutes 34 seconds E. along the centerline of S.T.H. 35 a distance of 965.72 feet to the point of beginning, thence N. 30 degrees 37 minutes 26 seconds W. a distance of 800.98 feet to the north line of said SW 1/4 of NE 1/4, thence S. 88 degrees 50 minutes 30 seconds E. a distance of 680.63 feet to the Northeast corner of SW 1/4 of NE 1/4, thence S. 0 degrees 12 minutes 55 seconds W. along the east line of said SW 1/4 of NE 1/4 a distance of 515.36 feet to the centerline of S.T.H. 35, thence S. 59 degrees 22 minutes 34 seconds W. along the centerline of S.T.H. 35 a distance of 314.40 feet to the place of beginning, Town of Summit, from Peter D. & Monica R. Blomquist. Intended use: Homesite;~~

\$ 2,005.00 PARCEL 77-04 - That part of NE 1/4 of NE 1/4, Sec. 21-47-12, lying SW of highway, except part lying West of a line distant 235 feet from and parallel to the westerly boundary of said NE1/4 of NE1/4 of Sec. 21-47-12 and lying westerly of the right-of-way line of former U.S. Highway No. 53, now known as County Highway E, and northerly of the right-of-way line of the entrance roadway to the former Middle River Sanatorium, Town of Hawthorne, from Rose Miller. Intended use: Homesite;

\$ 10,101.00 PARCEL 78-04 - Outlot A, Block 1, Platted Amnicon Properties Plat 1, Sec. 21-49-11, Town of Lakeside, from John O'Neill & Alan O'Neill. Intended use: Recreational;

& Eleanor F.

Roll Call		
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1. Finn		
2. Browne		
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4. Glenn		
5. Baker		
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7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12.		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
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24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer <input checked="" type="checkbox"/> _____ Parcel #73-04 Amend <input checked="" type="checkbox"/> _____ Other _____		
Rev. 1-10-05		

\$ 2,010.00 PARCEL 84-04 - Lot 3, Nakoma Gardens, Town of Parkland, from John Aird. Intended use: Homesite;

\$ 3,510.00 PARCEL 88-04 - Lots 75 thru 79 Inclusive, Superior Allouez Bay 2nd Division, and Lots 1 thru 10 Inclusive, Block 27, Steel Plant Industrial Division, Town of Parkland, from John Aird. Intended use: Homesite; and

WHEREAS, Douglas County has advertised for sale a previously advertised parcel of land on December 6, 2004, in accordance with Section 75.69, Wisconsin Statutes, and the highest bid received is as follows:

\$ 50,000.00 PARCEL 11-03 - Lots 1-3 Incl. & 6-16 Incl. Block 1, Lots 1-7 Incl. & Lots 9-16 Incl. Block 2, Lots 1-10 Incl. & 13-17 Inc. Block 3, all of Block 4, Lots 1-14 Incl. & 18-28 Incl. Block 5, Lots 1-14 Incl. & Lots 16-28 Incl. Block 6, all of Block 7, Lots 1-14 Incl. & 20-28 Incl. Block 8, Lots 1-14 Incl. & Lots 16, 17, 19, 20, 21 & 22, Block 9, Lots 1-16 Incl. & 19-28 Incl. Block 10, Lots 15-28 Incl. Block 11, all of Block 12, Carnegie Eastern Division (Sec. 7-48-14), Block 1 & Lots 1-3 Incl. Lots 5-12 Incl. Block 2, all of Block 3, Lots 1-3 Incl. Lots 5 thru 14 Incl. Block 4, Lots 1-8 Incl. Lots 10-21 Incl., Lots 23-28 Incl. Block 5, Lots 1 thru 20 Incl. & 22-28 Incl. Block 6, Lots 1-8 Incl. & 12-28 Incl. Block 7, Lots 1-3 Incl., 5-14 Incl. Block 8, all of Blocks 9 & 10 and Lots 1-23 Incl. and 25-28 Incl. Block 11 and Lot 3, Block 12, Carnegie Western Division (Sec. 7-48-14) and all of Blocks 1 thru 10 Incl., Lots 3-10 Incl. Block 11, Street Vacated (Lot 14), all of Blocks 12 thru 15, Carnegie First Division, (Sec. 12-48-15), Town of Superior, from Kenneth G. Engblom. Intended use: Recreational; and

WHEREAS, Douglas County has advertised for sale a previously advertised parcel of land on November 8, 2004, in accordance with Section 75.69, Wisconsin Statutes, and the highest bid received is as follows:

\$ 12,840.00 PARCEL 107-01 - NW 1/4 of SE 1/4, Sec. 7-48-14, Town of Superior, from Christopher M. Bangs. Intended use: Homesite.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
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8. Martin		
9. Prettie		
10. Robinson		
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13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
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24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer <input checked="" type="checkbox"/> _____ Parcel #73-04 Amend <input checked="" type="checkbox"/> _____ Other _____		
Rev. 1-10-05		

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 20th day of January, 2005.

(Committee Action: Unanimous)

(Fiscal Note: Increase Profit and Loss on "Land Sales Account" by \$94,462.00)

ACTION: Motion by Allen, second Egan, to adopt. Motion by Allen, second Egan, to refer parcel #73-04 back to committee. Motion carried. Motion to adopt resolution, as amended, carried.

RESOLUTION #2-05
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE

Subject: Repurchase of Properties

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

- 1) From Keith E. O'Brien, to repurchase Parcel #SU-028-00571-00, described as Part of the Southwest 1/4 of the Northeast 1/4, known as Parcels D and East 1/2 of C, Section 12-46-14, Town of Summit, having paid delinquent taxes and fees in the amount of \$9,926.78;
- 2) From Barbara Moe, to repurchase Parcel #09-809-00840-00, described as Lot 8, Block 390, West Superior, 17th Division, City of Superior, known as 1915 Ohio Avenue, having paid delinquent taxes and fees in the amount of \$9,637.03; and
- 3) From Robert Patrick Miller, to repurchase Parcel #05-805-00014-00, described as Lots 6 and 7, Block 2, West Superior, 10th Division, City of Superior, known as 1112 Winter Street, having paid delinquent taxes and fees in the amount of \$4,918.85.

Dated this 20th day of January, 2005.

(Committee Action: Unanimous)

(Fiscal Note: None)

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

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
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8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12.		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
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24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed X_____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 1-10-05		

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.		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23.		
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 _____		
Rev. 1-10-05		

RESOLUTION #3-05
RESOLUTION BY THE ADMINISTRATION COMMITTEE

Subject: Residency Requirement Policy Amendment

RESOLVED, that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and amend the Personnel Policies Manual - Section 2, Employment, Recruitment and Selection, External Recruiting, Residency Requirements, as follows:

J. 1. d. Residency in Douglas County is a condition of employment. Any person hired **as a department head for the County** shall have six (6) months **after the completion of the probationary period** to establish and maintain residency or domicile in Douglas County or employment shall be terminated. However, waivers may be granted by the ~~appropriate~~ **standing Administration Committee** on a case-by-case basis **using the criteria listed below. Other residency requirements will be defined by union contract. There is no residency requirement for non-union non-department head positions.**

Criteria for granting a waiver shall include:

- 1) **For a newly appointed employee owning a residence within a 50 mile response distance from their work location and outside of Douglas County or the union negotiated residency area; OR**
- 2) **For a new or existing employee, extreme hardship for family illness.**
- 3) **However, once a waiver is granted, should the employee during the term of employment relocate from that waived residence, they shall establish residency within Douglas County or the union negotiated residency area.**
- 4) **No waivers will be granted for elected officials or the County Administrator.**

Dated this 20th day of January, 2005.

(Committee Action: 5-4-2)

(Fiscal Note: None)

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.		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23.		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		
Rev. 1-10-05		

ACTION: Motion by Martin, second Quam, to adopt. Andresen explained the criteria for establishing domicile residency, and added that the definition will be made part of the policy. 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.		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23.		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend <input checked="" type="checkbox"/> _____ Other _____		
Rev. 1-10-05		

**RESOLUTION #4-05
RESOLUTION BY THE DOUGLAS COUNTY BOARD OF
SUPERVISORS**

Subject: Circuit Court System Funding Advisory Referendum

WHEREAS, county government acts in partnership with state government in Wisconsin to provide programs and services for the citizenry, and

WHEREAS, state government requires county government to provide programs and services that are not always funded by the state government, and

WHEREAS, the major funding source for county government is the county property tax, and

WHEREAS, some mandated programs and services are not funded or fully funded by the state, causing the county property taxpayer to supplement funding with property tax dollars, and

WHEREAS, the public has an increased concern over how property tax dollars are being expended, and

WHEREAS, two statewide commissions (Kettl and Sheehy) suggested that the circuit court system not be funded by the property tax, and

WHEREAS, Chapter 59.52 (25) of the State Statutes states “...the board may conduct a countywide referendum for advisory purposes or for the purpose of ratifying or validating a resolution adopted or ordinance enacted by the board contingent upon approval in the referendum.”, and

WHEREAS, the following advisory referendum question is an effective way to determine how the citizenry believes the court system should be funded:

Should the State of Wisconsin, not the county taxpayer, pay for the cost of the state mandated court system in Douglas County?

NOW, THEREFORE, BE IT RESOLVED that Douglas County will place the above question on the April 2005 ballot as an advisory referendum.

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.		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23.		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend <input checked="" type="checkbox"/> _____ Other _____		
Rev. 1-10-05		

BE IT FURTHER RESOLVED that a upon passage, a copy of this resolution be sent to the Wisconsin Counties Association.

Dated this 20th day of January, 2005.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Browne, second Ryan, to adopt. Motion by McKenzie, second Liebaert, to amend the resolution and have it sponsored by the entire County Board. Motion carried. Motion to adopt resolution as amended, 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.		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23.		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		
Rev. 1-10-05		

RESOLUTION #5-05
RESOLUTION BY THE ADMINISTRATION COMMITTEE

Subject: Home Health Reallocation of Staffing

RESOLVED, that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and approve reallocation of one vacant CNA position to an LPN position.

Dated this 20th day of January, 2005.

(Committee Action: Unanimous)

(Fiscal Note: Personnel cost increase of \$3,179, within budget)

ACTION: Motion by Glenn, second Jensen, to adopt. Brief discussion on how moving from CNA to LPN will enhance skill levels within staffing for Home Health. Motion carried.

RESOLUTION #6-05
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE AND ADMINISTRATION COMMITTEE

Subject: Head of the Lakes Fairgrounds Grandstand Repair

RESOLVED, that the Douglas County Board of Supervisors accepts the recommendation of the Land and Development Committee and Administration Committee, and approves the payment of \$12,725.00 from the 2004 Contingency Fund, for the repair and maintenance of the grandstand at the Head of the Lakes Fairgrounds.

Dated this 20th day of January, 2005.

(Committee Action: Unanimous)

(Fiscal Note: Reduce 2004 Contingency Fund by \$12,725.00.)

ACTION: Motion by Allen, second Thompson, to adopt. Roll call vote taken and passed with 24 Yes, 0 No, 2 Absent. Absent were Hendrickson and C. Johnson.

Roll Call		
District Number	Yes	No
1. Finn	X	
2. Browne	X	
3. O'Brien, John	X	
4. Glenn	X	
5. Baker	X	
6. Eckman	X	
7. Livingston	X	
8. Martin	X	
9. Prettie	X	
10. Robinson	X	
11. Conley	X	
12.		
13. Quam	X	
14. O'Brien, James	X	
15. McKenzie	X	
16. Shepard	X	
17. Egan	X	
18. Allen	X	
19. Ryan	X	
20. Hendrickson		
21. Johnson, Kay	X	
22. Thompson	X	
23.		
24. Liebaert	X	
25. Budnick	X	
26. Johnson, Carol		
27. Stewart	X	
28. Jensen	X	
Roll: Ayes <u> 24 </u> Noes <u> 0 </u> Absent <u> 2 </u> Abstain <u> </u> Passed <u> X </u> Lost <u> </u> Refer <u> </u> Amend <u> </u> Other <u> </u>		
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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.		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23.		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		
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RESOLUTION #7-05
RESOLUTION BY THE ADMINISTRATION COMMITTEE

Subject: Forester - Forest Inventory Classification Established

RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve establishing the Forester - Forest Inventory position classification within Class B23, as set forth in Exhibit C-1-05.

Dated this 20th day of January, 2005.

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

ACTION: Motion by Browne, second Quam, 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.		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23.		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 1-10-05		

**RESOLUTION #8-05
RESOLUTION BY THE LAW ENFORCEMENT
COMMITTEE**

Subject: Jail Nursing Services Contract

WHEREAS, a Request for Proposals for Jail Nursing Services was advertised locally, regionally and nationally, including utilization of the Douglas County website, and

WHEREAS, two proposals were received, reviewed and evaluated by Sheriff Dalbec and appropriate Sheriff's Department and Jail Administration staff, and

WHEREAS, the Law Enforcement Committee reviewed and evaluated the Sheriff's proposal recommendation.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Law Enforcement Committee and approve the Jail Nursing Services Contract with the DOVE Agency, as set forth in Exhibit D-1-05.

Dated this 20th day of January, 2005.

(Committee Action: Unanimous)
(Fiscal Note: Within budget. \$124,124.00)

ACTION: Motion by Baker, second James O'Brien, to adopt. Motion by Allen, second Robinson, to amend contract, last sentence of number 3 on page one, to read: "Year-to-year extensions may be mutually agreed upon by the parties in writing **within 60 days prior to end of the contract.**" Motion to amend contract carried. It was noted that the liability limits for DOVE should be stated in the contract, at the standard level of \$1,000,000. Felker will see that this is covered in the contract. Motion to adopt resolution, with contract as amended, 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.		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23.		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed _____ X _____ Lost _____ Refer _____ Amend _____ X _____ Other _____		
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RESOLUTION #9-05
RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS

Subject: Wisconsin Land Information Program Sunset Removal

WHEREAS, 1989 Wisconsin Act 31 established the Wisconsin Land Information Program and authorized County Land Information Offices and financial aids to counties for land record modernization projects, and

WHEREAS, 1989 Wisconsin Act 339 established local and state funding for the Wisconsin Land Information Program by increasing recording fees for real estate documents on July 1, 1991, and allowing counties with established Land Information Offices to retain a portion of the recording fees for developing, implementing and maintaining a countywide plan for land records modernization, and

WHEREAS, Douglas County has established a Land Information Office, has applied for state grants from the Wisconsin Land Information Board and since 1996 to present, has retained recording fee revenue of \$409,560.00, and

WHEREAS, Douglas County utilizes this revenue for parcel mapping projects, purchase of computer equipment, aerial photography and general financial support for the Land Information Office (Land Records Office), and

WHEREAS, Douglas County also uses the retained recording fee revenue to fund a full-time surveyor position, and

WHEREAS, the Wisconsin Land Information Program is scheduled to sunset on September 1, 2005, thereby eliminating all grants and retention of recording fee revenue by counties.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Land Records Committee and request the State Legislature permanently remove sunset of the Wisconsin Land Information Program.

BE IT FURTHER RESOLVED that upon passage of this resolution, copies be sent to Governor Doyle, all State Senators and Representatives, and all Wisconsin Counties.

Dated this 20th day of January, 2005.

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.		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23.		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend <u> X </u> Other _____		
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(Committee Action: Unanimous)
 (Fiscal Note: None)

ACTION: Motion by Allen, second McKenzie, to adopt. Motion by McKenzie, second Martin, to amend resolution and have it sponsored by entire County Board. Motion carried. Motion to adopt resolution, as amended, carried.

RESOLUTION #10-05
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE

Subject: Superior Speedway Lease

RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve the lease between Douglas County and the Superior Speedway as set forth in Exhibit E-1-05.

BE IT FURTHER RESOLVED, that the Superior Speedway, Inc, be given until January 31, 2005, to return a signed lease to the County Clerk; and

BE IT STILL FURTHER RESOLVED, that if a signed lease is not returned by that date, the Land and Development Committee be given authority to offer and approve a similar lease with the same terms to another organization, with said lease to be subsequently presented to the County Board.

Dated this 20th day of January, 2005.

(Committee Action: Land and Development Committee will take action on the lease at their meeting on January 17, 2005, as recommended by the Racetrack Committee, January 12, 2005 meeting)

(Fiscal Note: None)

ACTION: Motion by Allen, second Egan, to adopt. Discussion followed on the 11:30 p.m. shutdown of races in relation to mitigating circumstances, when races need to go past the curfew. The lease, as proposed by the parties, went to the Land and Development Committee last week, at which time it was approved. It was noted that the Superior Speedway, Inc. group turned down the lease last night. Budnick outlined the details of the negotiations between the Speedway group and the county's committee in the past two weeks, and the concessions made by all parties. Budnick stated that he continues to believe it can be worked out. Cindy Blomquist, Superior Speedway, Inc. board member, summarized the issues that have surfaced, particularly the \$5,000 for utilities in relation to race day rainouts. Race cancellations due to rainouts have a significant financial impact on the organization. Referring to the confusion and miscommunication that occurs when the Speedway group has to work through several committees or individuals, it was suggested the county assign one person to work as a liaison with the Speedway. The lease

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

Roll Call		
District Number	Yes	No
1. Finn	X	
2. Browne	X	
3. O'Brien, John	X	
4. Glenn	X	
5. Baker	X	
6. Eckman	X	
7. Livingston	X	
8. Martin	X	
9. Prettie	X	
10. Robinson	X	
11. Conley	X	
12.		
13. Quam		X
14. O'Brien, James	X	
15. McKenzie	X	
16. Shepard	X	
17. Egan	X	
18. Allen	X	
19. Ryan	X	
20. Hendrickson		
21. Johnson, Kay	X	
22. Thompson	X	
23.		
24. Liebaert	X	
25. Budnick	X	
26. Johnson, Carol		
27. Stewart	X	
28. Jensen	X	
Roll: Ayes <u> 23 </u> Noes <u> 1 </u> Absent <u> 2 </u> Abstain <u> </u> Passed <u> X </u> Lost <u> </u> Refer <u> </u> Amend <u> X </u> Other <u> X </u> (Lease amended)		
Rev. 1-10-05		

liaison. It was announced that the Erickson's will not be the promoters next year. Sandvick, Chair of the Racetrack Lease Committee, noted that some minor changes were made to the lease last Monday, and explained that the committee understood all the issues had been discussed and agreed upon. Budnick asked Blomquist if the Superior Speedway Board would be willing to work on their issues of concern, and Blomquist stated that in her opinion, yes. Asked if the major issue is the electrical cost of \$5,000, Blomquist responded affirmatively. One concession booth is also a problem. In an effort to try and resolve the outstanding issues tonight if possible, the Chair called a fifteen minute recess. Meeting recessed at 7:50 p.m. and reconvened at 8:05 p.m. County Clerk Sandvick indicated that all Supervisors who were present prior to the recess were seated.

Budnick reported that talking with Speedway representatives during the recess, one of the issues is the structure of fines for curfew violations. Discussion followed. Motion by Budnick, second Stewart, to amend the lease and revise the curfew language to allow for a maximum fine of \$200. Motion carried. The other issue was the \$5,000 for electricity. Stewart stated the Speedway group is proposing \$250 per race, on days that races are held. Discussion followed. Motion by Eckman, second

Baker, to amend lease and change electrical cost to state that there be a reduction of \$250 per race cancellation after three cancelled races. Motion carried. Motion by Allen, second Liebaert, to amend resolution as follows: (1) Be it further resolved, that the Superior Speedway, Inc, be given until January 31, 2005, to return a signed lease to the County Clerk; and (2) Be it still further resolved that if a signed lease is not returned by that date, the Land and Development Committee be given authority to offer and approve a similar lease with the same terms to another organization, with said lease to be subsequently presented to the County Board. Roll call vote on the amendment to the resolution was taken and passed with 23 Yes, 1 No, 2 Absent. Voting no was Quam. Absent were Hendrickson and C. Johnson. Chair Finn stated it is his hope that the message is sent that the county is really trying to work with the Superior Speedway group. Motion to adopt resolution, as amended, with lease amendments, carried.

COUNTY ADMINISTRATOR REPORT: Written report distributed.

COUNTY BOARD CHAIR REPORT AND APPOINTMENTS

Chair Finn asked for a special County Board meeting in early February, to discuss any recommendations on the A-W power line issue. Motion by Ryan, second Browne, to schedule a special County Board meeting for Wednesday, February 2, 2005, if needed. Motion carried.

Chair Finn reported on his meetings in Madison last week. Advisory Committee has been appointed to work on the DOT Superior office situation.

Chair Finn recommended the following appointment: **12th District Supervisor - Alan J. Jaques**, to serve out the term of Joseph Tribbey, Jr., including temporary appointment to committees on which Tribbey served: **Judiciary, Legislative & Veterans Committee, Health and Human Services Board, and Labor Management Committee** Motion by Allen, second Thompson, to approve Alan J. Jaques appointment. Motion carried. Jaques was present and thanked the Board for their vote of confidence. Additional appointments: **Labor Management Committee - Georgia Blaylock (Forestry Department)** to serve out James Latvala's appointment; and **Rural Housing Association - Karen Livingston**. Motion by McKenzie, second Stewart, to approve additional appointments as presented. Motion carried.

Chair read Certificate of Appreciation to Wes Johnson, 23rd District County Board Supervisor, who resigned effective January 1, 2005. Johnson was not able to attend meeting.

COMMITTEE REPORTS - None.

APPROVAL OF BILLS AND CLAIMS: Motion by Shepard, second K. Johnson, to approve. Motion carried.

SUCH OTHER MATTERS AS AUTHORIZED UNDER THE WISCONSIN STATUTES:

CTH "S" Petitions: Budnick submitted petitions to the County Board from persons using or living adjacent to County Road "S", regarding the poor condition of that road. Brief discussion. A road improvement plan will be presented to the Board in the near future. Motion by Budnick, second Glenn, to refer the County Trunk Highway "S" petitions to the Highway Committee. Motion carried.

ADJOURNMENT: Motion by Thompson, second Quam, to adjourn. Motion carried. Meeting adjourned 8:40 p.m. Next regularly scheduled meeting - Thursday, March 17, 2005

Submitted by,

Susan T. Sandvick
Douglas County Clerk