

PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS
Thursday, April 21, 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 25 present, 3 absent. Absent/excused were Eckman, Livingston, Shepard. Glenn arrived 6:07 p.m.

Motion by Ryan, second C. Johnson, to approve minutes of the March 9, 2005 special meeting and the March 17, 2005 regular meeting. Motion carried.

Chair Finn welcomed recently appointed Supervisor Dan Corbin, and UW-Superior representative James Paine.

CLAIMS AGAINST THE COUNTY

Notice of Claim and Notice of Circumstances of the Claim by Attorney Gary J. Halom on behalf of Penny Senn, relating to alleged fall on Douglas County Government Center sidewalk. No action needed.

CORRESPONDENCE

Twenty-seven items of correspondence were either received and filed or referred to the appropriate committees. County Board members can request a copy of any of the items by returning the Copy Request Form (attached to their agendas) to County Clerk.

PRESENTATIONS

Government Finance Officers Association, Certificate of Achievement for Excellence in Financial Reporting (CAFER) for Fiscal Year 2003, was presented to Finance Director Ann Doucette by County Administrator Koszarek. Doucette recognized the work of Finance Department staff during the transition to GASB, particularly the expertise of Brenda Nelson in this effort.

Update on Bounders Convention was given by Tom and Pat Campbell. Planners expect 300 rigs during the events, beginning September 21, 2005. More information available at the convention website of www.superiortime05.com. A letter of welcome from the county was requested by the Campbells, to be included with the packet of information given to convention attendees.

Finn announced that the State County Treasurers Association will hold its convention in Superior this year.

Motion by Martin, second Quam, to suspend rules and allow presentation on train derailment in Solon Springs this last Thursday. Motion carried.

Keith Kesler, Douglas County Emergency Management Coordinator, presented a detailed summary of the events following the train derailment in Solon Springs. He recognized the excellent work of all agencies and individuals who worked as mutual aid on the event. Debriefing was held last night. Several slides of the scene were presented. The Board thanked Kesler and all those who contributed with their work and time. A recommendation was made to support lowering of the train speed limit along the “S” curve in that area of Solon Springs. James O’Brien offered to work with Kesler on getting the train speed reduction for that area. Discussion followed on the availability and locations of evacuation shelters in the event of a large scale evacuation. American Red Cross, Salvation Army, and Human Services keep lists of evacuation shelters.

ORDINANCES

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

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 April 13, 2005, on the following petition for amendment of the county zoning district ordinance map:

NW1/4 of the NW1/4, Section 31, T43N-R11W, (WA-032-00764-00, Red Lake Dr.), Town of Wascott, from the R-2: Residential zoning district to the F-1: Forest zoning district, by David A. Fobear, 4821 2nd Avenue N., Duluth, Minnesota. Intended use: Seasonal dwelling.

WHEREAS, proof of publication of the notice of the public hearing and proof of giving notice to the town clerk of the hearing and correspondence from the town are as shown on Exhibit A-4-05.

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

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

Dated this 21st day of April, 2005.

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

ACTION: Motion by C. Johnson, second Ryan, 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. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
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. 3-18-05		

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. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
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. 3-18-05		

**AMENDMENT TO ORDINANCE #1.14
MEDICAL EXAMINER ORDINANCE
PRESENTED BY THE LAW ENFORCEMENT COMMITTEE**

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

SECTION V. CREMATION VIEWING FEE

The following fees are established pursuant to Sections 59.351 and 59.37 of the Wisconsin Statutes:

A. Cremation Fee - ~~\$50.00~~ **\$75.00.**

B. Disinterment fee - ~~\$30.00~~ **\$50.00.**

Dated this 21st day of April, 2005.

(Committee Action: Unanimous)

(Fiscal Note: Increase in revenue)

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

RESOLUTIONS

RESOLUTION # 32-05
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE

Subject: Land Sales

WHEREAS, Douglas County has advertised for sale various parcels of land on March 7, 14, and 21, 2005, 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. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
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"/> Parcels #17-05 & #44-04 Amend _____ <input checked="" type="checkbox"/> Other _____		
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\$ 52,000.00 PARCEL 07-05 - NE1/4 of SE1/4, except highway right-of-way and SE1/4 of SE1/4, Section 24-48-13, Town of Parkland, from Duane Papineau, Kenneth Johnson, and Martin Botton. Intended use: Adjacent property owner - hunting;

\$ 25,999.00 PARCEL 08-05 - NW1/4 of NE1/4 and NE1/4 of NW1/4, Section 28-48-13, Town of Parkland, from Gerald and Diane Larson. Intended use: Recreation;

\$ 7,370.00 PARCEL 09-05 - North 101 feet of the W-1/2 of NW-1/4, (Desc. 302 DP 595), Section 18-44-11, Town of Gordon, from Patrick and Jessie Edwards. Intended use: Recreation;

\$ 2,020.00 PARCEL 10-05 - Lot 10, Block 2, Platted Amnicon Properties Plat 1, Section 21-49-11, Town of Lakeside, from Joshua Krause. Intended use: Recreation;

\$ 10,182.00 PARCEL 11-05 - West 2/3 of North six acres and South four acres in the NW1/4 of SW1/4 of NE1/4 and SW1/4 of SW1/4 of NE1/4, Section 8-48-14, Town of Superior, except gas line easement, from Shimon Shaked and Michael Morhaen. Intended use: Home site;

\$ 425.00 PARCEL 12-05 - Lot 7, Block 20, Riverside Division of Oliver, Village of Oliver, from Diane Martinek. Intended use: Cabin site;

\$ 4,807.00 PARCEL 13-05 - Part of SE1/4 of NE1/4, lying East of Highway 35, except South 260 feet and except parcel to highway (.33 acres), described in 507-RP 144, Section 32-47-14, Town of Superior, from Shimon Shaked and Rose Miller. Intended use: Home site;

Roll Call		
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1. Finn		
2. Browne		
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5. Baker		
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7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
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"/> _____ Parcels #17-05 & #44-04 Amend _____ <input checked="" type="checkbox"/> _____ Other _____		
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\$ 750.00 PARCEL 14-05 - Lot 9, West 3rd Street, Townsite of Superior, City of Superior, known as 3023 East 3rd Street, from Carolyn Kmecik. Intended use: Home site;

~~\$ 5,007.00 PARCEL 17-05 - Lots 6 thru 10, Inclusive, Block 451, West Superior 19th Division, City of Superior, known as 2346-2354 Pennsylvania Avenue, from Randall and Karen Nevala. Intended use: Home site;~~

\$ 2,000.00 PARCEL 18-05 - Fractional Block 38, Townsite of Superior East 4th Street, City of Superior, known as 4101-4115 East 4th Street, from Clarence and Laura Brown. Intended use: Home site;

\$ 2,500.00 PARCEL 19-05 - Fractional Block 39 and NW'ly 1/2 vacated, 42nd Avenue East, Townsite of Superior East 4th Street, City of Superior, known as 4116-4132 East 4th Street, from Ronald and Jennifer Kroll. Intended use: Home site; and

\$ 2,010.00 PARCEL 20-05 - Lots 10 & 11, Block 11, Catlin Division of West Superior, City of Superior, known as 702 Winter Street, from prior owner Joseph Penney, whose bid was the lower of two bids received, in that the property was advertised stating the Land and Development Committee's intent was to consider prior ownership in the sale of this parcel. Intended use: Personal storage; and

WHEREAS, Douglas County has advertised for sale previously advertised parcels of land on March 7, 2005, in accordance with Section 75.69, Wisconsin Statutes, and the highest bids received are as follows:

~~\$ 2,506.00 PARCEL 44-04 - South Half of Lot 3 and all of Lots 4 thru Fr. Lot 11, Block 35, Kenwood Park Addition to West Superior, City of Superior, known as 2330-44 Pennsylvania Avenue, from Randall and Karen Nevala. Intended use: Home site; and~~

\$ 4,000.00 PARCEL 60-04 - Lots 424, 426, 428, 430, 432, 434, 9th Street, Ely's Addition to Superior, except right-of-way and alley vacated, City of Superior, known as 1716-26 East 9th Street, from Stuart and Maryann Stariha. Intended use: Multi-family housing or home health care.

Roll Call		
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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. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
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"/> _____ Parcels #17-05 & #44-04 Amend <input checked="" type="checkbox"/> _____ Other _____		
Rev. 3-18-05		

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

Dated this 21st day of April, 2005

(Committee Action: Unanimous)

(Fiscal Note: Increase Profit and Loss on "Land Sales Account" by \$121,576 **\$114,063**)

ACTION: Motion by Glenn, second Allen, to adopt. Motion by Allen, second Martin, to refer Parcels #17-05 and #44-04 back to the committee, and adjust fiscal note accordingly. Motion carried. Motion to adopt resolution as amended, carried.

RESOLUTION #33-05
RESOLUTION BY THE 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 requests to repurchase tax delinquent property, pursuant to Douglas County Ordinance #1.5:

- (1) From Jeffrey Lang, to repurchase Parcel #05-805-01644-00, described as Lots 9 and 10, Block 374, West Superior, 14th Division, City of Superior, having paid delinquent taxes and fees in the amount of \$1,596.42; and
- (2) ~~From Ross Johnson, to repurchase Parcel #06-806-00168-00, described as Lots 25 and 26, Block 100, West Superior, 1st Division, City of Superior, known as 1018 through 1020 John Avenue, having paid delinquent taxes and fees in the amount of \$24,333.48; and~~
- (3) ~~From Ross Johnson, to repurchase Parcel #06-806-00167-00, described as Lots 23 and 24, Block 100, West Superior, 1st Division, City of Superior, known as 1022 through 1024 John Avenue, having paid delinquent taxes and fees in the amount of \$10,506.94.~~

Dated this 21st of April, 2005.

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

ACTION: Motion by Allen, second James O'Brien, to adopt. Brief discussion followed. Motion by Allen, second Ryan, to refer items number 2 and number 3 back to committee. 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. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
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"/> #2 and #3 to Committee Amend _____ <input checked="" type="checkbox"/> _____ Other _____		
Rev. 3-18-05		

RESOLUTION #34-05
RESOLUTION BY THE HIGHWAY COMMITTEE AND
ADMINISTRATION COMMITTEE

Subject: Highway Improvement Plan and Funding Approved

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Highway and Administration Committees and approve the Douglas County Highway System Highway Improvement Plan (Exhibit B-4-05) for the years 2005 - 2010.

BE IT FURTHER RESOLVED that funding for the project will include bonding in an amount not to exceed \$5,000,000.00, to be used primarily during the 2006 construction season, and establishment of a reserve account in the amount of \$1,000,000.00 (from General Fund - Fund Balance), with the necessary bonding resolution to be presented to the Board for approval at the appropriate time during 2005.

Dated this 21st day of April, 2005.

(Committee Action: Unanimous)

(Fiscal Note: Up to \$5,000,000 bonding; Establish \$1,000,000 reserve account)

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

ACTION: Motion by Baker, second Stewart, to adopt. Roll call vote taken and passed with 25 Yes, 0 No, 3 Absent. Absent were Shepard, Eckman, Livingston.

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		
7. Livingston		
8. Martin	X	
9. Prettie	X	
10. Robinson	X	
11. Conley	X	
12. Jaques	X	
13. Quam	X	
14. O'Brien, James	X	
15. McKenzie	X	
16. Shepard		
17. Egan	X	
18. Allen	X	
19. Ryan	X	
20. Hendrickson	X	
21. Johnson, Kay	X	
22. Thompson	X	
23. Corbin	X	
24. Liebaert	X	
25. Budnick	X	
26. Johnson, Carol	X	
27. Stewart	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>		
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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. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
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. 3-18-05		

**RESOLUTION #35-05
RESOLUTION BY THE FOREST, PARKS AND
RECREATION COMMITTEE**

Subject: DNR Standby Pay for Non-Represented Forestry
Department Employees

RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Forest, Parks and Recreation Committee and the Administration Committee and approve payment of DNR stand-by pay for non-represented Forestry Department employees, payable at the rate of \$20 per weekend day, during the DNR fire season (typically during the months of April and May).

BE IT FURTHER RESOLVED that all amounts paid hereunder are reimbursed by the DNR.

Dated this 21st day of April, 2005.

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

ACTION: Motion by Stewart, second Liebaert, to adopt. Overtime is reimbursed by DNR. 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. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed _____ Lost _____ Refer <input checked="" type="checkbox"/> Land & Dev. Cmte Amend _____ Other _____		
Rev. 3-18-05		

**RESOLUTION #36-05
RESOLUTION BY THE FOREST, PARKS AND
RECREATION COMMITTEE**

Subject: Wildlife Management Area (Bird Sanctuary) Application
Authorization to Enter under County Forest Law

RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Forest, Parks and Recreation Committee and authorizes application to enter the following described property, known as the Douglas County Wildlife Management Area (“Bird Sanctuary”), under the County Forest Law:

NW 1/4 of NE 1/4, S1/2 of NE 1/4, SE 1/4, S 1/2 of NW 1/4, SW 1/4, Section 11, Township 44 North, Range 12 West, Town of Solon Springs, and SW 1/4 of NE 1/4, SE 1/4 of SE 1/4, W 1/2 of SE 1/4, W1/2 of NW 1/4, SW 1/4, Part of SE 1/4 of NW 1/4 (14 acres), Section 14, NE 1/4, E 1/2 of SE 1/4, NW 1/4 of SE 1/4, S 1/2 of NW 1/4, SW 1/4, Section 15, NE 1/4, SE1/4,Section 16, NE 1/4, SE 1/4, Section 21, NE 1/4, N 1/2 of SE 1/4, SW 1/4 of SE 1/4, SW 1/4, Section 22, E 1/2 of NE 1/4, SW 1/4 of NE 1/4, W 1/2 of NW 1/4,W 1/2 of SW 1/4, Section 23, Part of NW 1/4 of SE 1/4 (13.5 acres), Part of SW 1/4 of SE 1/4 (23.5 acres), SW 1/4,Section 24, Township 44 North, Range 12 West, Town of Gordon, Douglas County, Wisconsin.

Dated this 21st day of April, 2005.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: . Motion by Browne, second Quam, to adopt. Allen stated that this is county-owned land, and protocol has been the Land and Development Committee be involved with any changes affecting such land. This recommendation was not brought before Land and Development Committee. Brief discussion. Motion by Allen, second Liebaert, to refer this resolution to the Land and Development Committee for discussion and approval, and to bring it back to the County Board. Liebaert suggested the Land and Development Committee discuss giving authority to the Forest, Parks and Recreation Committee, for complete oversight of the Bird Sanctuary property. Motion to refer carried.

RESOLUTION #37-05
RESOLUTION BY THE FOREST, PARKS AND
RECREATION COMMITTEE

Subject: Bird Sanctuary Tri-Partnership Agreement

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Forest, Parks and Recreation Committee and approve the Tri-Partnership Agreement Amongst the Wisconsin Department of Natural Resources, Douglas County, and the Friends of the Bird Sanctuary, Inc., as set forth in Exhibit C-4-05.

Dated this 21st day of April, 2005.

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

ACTION: Motion by Browne, second C. Johnson, to adopt. Allen recalled questions on the agreement which he raised at the committee level, and none of the approved changes have been made; specifically the \$1,000,000 liability clause. His second concern was a clause in the agreement holding the Board of Directors personally liable for any outstanding debts, so the county is not held hostage for such. Scott Peterson, Friends of the Bird Sanctuary, stated the group is carrying \$2,000,000 liability insurance, which is in excess of DNR requirement. Allen stated he expected changes to the agreement would be made prior to coming before the County Board. Liebaert stated the reason the changes were not done is probably due to time constraints. Discussion followed. Motion by Liebaert, second Hendrickson, to amend agreement and change liability section to read "not less than \$1,000,000 liability insurance". Motion carried. Mark Schroeder, Forestry Department, stated that he wrote the agreement based on minutes of the committee meeting, and he thought questions would be discussed at the County Board level. He explained the process for any proposed development project to be done by Friends of the Bird Sanctuary. Funds would have to be given directly to the county, who would approve the project, write specifications, administer the contract, and pay project bills. Projects on county land are to go through the Land and Development Committee. The personal liability of the Board of Directors was discussed, particularly in terms of potential to lose good volunteers. Liebaert emphasized the trust he has in Friends of the Bird Sanctuary group. It was suggested that Allen's concerns could not be resolved tonight, but short term approval of the agreement with a sunset date, is an option. Motion by Egan, second Robinson, to amend agreement and add sunset date of October 31, 2005, to allow for review of the agreement by Corporation Counsel Felker relative to concerns stated by Supervisor Allen, and that 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. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
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"/> Amend "agreement" Other _____		
Rev. 3-18-05		

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. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
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"/> Amend "agreement" Other _____		
Rev. 3-18-05		

agreement be brought back through appropriate standing committees to the County Board. Motion to adopt resolution carried, with agreement amendments as follows: (1) Change Friends of the Bird Sanctuary liability insurance clause to read "an amount not less than \$1,000,000"; and, (2) Adding agreement sunset date of October 31, 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. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
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. 3-18-05		

RESOLUTION #38-05
RESOLUTION BY THE FOREST, PARKS AND
RECREATION COMMITTEE

Subject: DNR Grant Programs Participation Authorized
(Snowmobile and ATV Trails)

WHEREAS, Douglas County is interested in maintaining, acquiring, insuring, or developing lands for public outdoor motorized trail use, and

WHEREAS, said public motorized trails are eligible for funds under Section 23.09(26) (snowmobile) or Section 23.33 (all-terrain vehicle), of the Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Forest, Parks and Recreation Committee and approves Douglas County's application for funds under Section 23.09(26) or Section 23.33 of the Wisconsin Statutes, for such eligible maintenance, acquisition, insurance, rehabilitation, and/or development costs.

BE IT FURTHER RESOLVED that Mark Schroeder, Douglas County Forestry Department, be authorized to act on behalf of Douglas County as signatory on all grant applications and related documents submitted to the State of Wisconsin Department of Natural Resources for any financial aid that may be available, and to take necessary action to undertake, direct and complete any approved projects.

Dated this 21st day of April, 2005.

(Committee Action: Unanimous)
(Fiscal Note: Within approved budget)

ACTION: Motion by James O'Brien, second Allen, 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. Prettle		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
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. 3-18-05		

**RESOLUTION #39-05
RESOLUTION BY THE FOREST, PARKS AND
RECREATION COMMITTEE**

Subject: DNR Grant Programs Participation Authorized
(Park Development and Improvements)

WHEREAS, Douglas County is interested in acquiring or developing lands for public outdoor recreation purposes as described in the application, and

WHEREAS, financial aid is required to carry out the project.

NOW, THEREFORE, BE IT RESOLVED that Douglas County has budgeted a sum sufficient to complete the project or acquisition and authorizes Mark Schroeder, Douglas County Forestry Department, to act on behalf of Douglas County to submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available, sign documents, and take necessary action to undertake, direct and complete the approved project.

BE IT FURTHER RESOLVED that Douglas County will comply with state or federal rules for the programs to the general public during reasonable hours consistent with the type of facility; and will obtain from the State of Wisconsin Department of Natural Resources or the National Park Service approval in writing before any change is made in the use of the project site.

Dated this 21st day of April, 2005.

(Committee Action: Unanimous)
(Fiscal Note: Within approved budget)

ACTION: Motion by Stewart, second Jensen, 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	X	
6. Eckman		
7. Livingston		
8. Martin	X	
9. Prettie	X	
10. Robinson	X	
11. Conley	X	
12. Jaques	X	
13. Quam	X	
14. O'Brien, James	X	
15. McKenzie	X	
16. Shepard		
17. Egan	X	
18. Allen	X	
19. Ryan	X	
20. Hendrickson	X	
21. Johnson, Kay	X	
22. Thompson	X	
23. Corbin	X	
24. Liebaert	X	
25. Budnick	X	
26. Johnson, Carol	X	
27. Stewart	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>		
Rev. 3-18-05		

RESOLUTION #40-05
RESOLUTION BY THE ADMINISTRATION COMMITTEE

Subject: Transfer of Funds

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve the following transfer of funds:

Parkland Industrial: \$40,300 (For actual transfer of funds from Parkland Industrial Reserve Account to Land Improvement Reserve Account.)

Dated this 21st day of April, 2005.

(Committee Action: Unanimous)
(Fiscal Note: None)
(Administrative Note: Two-thirds vote of Board-elect required)

ACTION: Motion by Martin, second Hendrickson, to adopt. Roll call vote taken and passed with 25 Yes, 0 No, 3 Absent. Absent were Eckman, Shepard, Livingston.

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		
7. Livingston		
8. Martin	X	
9. Prettie	X	
10. Robinson	X	
11. Conley	X	
12. Jaques	X	
13. Quam	X	
14. O'Brien, James	X	
15. McKenzie	X	
16. Shepard		
17. Egan	X	
18. Allen	X	
19. Ryan	X	
20. Hendrickson	X	
21. Johnson, Kay	X	
22. Thompson	X	
23. Corbin	X	
24. Liebaert	X	
25. Budnick	X	
26. Johnson, Carol	X	
27. Stewart	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>		
Rev. 3-18-05		

RESOLUTION #41-05
RESOLUTION BY THE ADMINISTRATION COMMITTEE

Subject: Reserve and Designated Funds Established

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve establishing the following reserve and designated funds:

- 1) Second Elevator \$300,000 (Designate reserve from General Fund - Fund Balance for Government Center second elevator); and
- 2) Electronic Imaging \$7,000 (Designate reserve from Insurance Trust - Fish and Game License Fees for electronic imaging)

Dated this 21st day of April, 2005.

(Committee Action: Unanimous)
(Fiscal Note: Establish reserve accounts of \$300,000 and \$7,000)
(Administrative Note: Two-thirds vote of Board-elect required)

ACTION: Motion by Quam, second Hendrickson, to adopt. Roll call vote taken and passed with 25 Yes, 0 No, 3 Absent. Absent were Livingston, Eckman, Shepard.

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		
7. Livingston		
8. Martin	X	
9. Prettie	X	
10. Robinson	X	
11. Conley	X	
12. Jaques	X	
13. Quam	X	
14. O'Brien, James	X	
15. McKenzie	X	
16. Shepard		
17. Egan	X	
18. Allen	X	
19. Ryan	X	
20. Hendrickson	X	
21. Johnson, Kay	X	
22. Thompson	X	
23. Corbin	X	
24. Liebaert	X	
25. Budnick	X	
26. Johnson, Carol	X	
27. Stewart	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>		
Rev. 3-18-05		

RESOLUTION #42-05
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 following budgetary transfer:

Land Records \$10,000 (J.E. #119788 from Land Records Reserve Account to Surveyor's budget to purchase Hugh McDonald survey records).

Dated this 21st day of April, 2005.

(Committee Action: Unanimous)
(Fiscal Note: Reduce Land Records Reserve Account by \$10,000; increase Surveyor's budget by \$10,000)
(Administrative Note: Two-thirds vote of Board-elect required)

ACTION: Motion by K. Johnson, second John O'Brien, to adopt. Brief discussion. Roll call vote taken and passed with 25 Yes, 0 No, 3 Absent. Absent were Eckman, Livingston, Shepard.

RESOLUTION #43-05
RESOLUTION BY THE LAW ENFORCEMENT
COMMITTEE AND ADMINISTRATION COMMITTEE

Subject: Cooperative Response Agreement

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Law Enforcement and Administration Committees and approve the Cooperative Response Agreement between the City of Superior Fire Department and the City of Superior Police Department and the Douglas County Sheriff's Department and Douglas County Office of Emergency Management, as set forth in Exhibit D-4-05.

Dated this 21st day of April, 2005.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Glenn, second Hendrickson, 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. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
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. 3-18-05		

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. Prettle		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
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. 3-18-05		

RESOLUTION #44-05
RESOLUTION BY THE ADMINISTRATION COMMITTEE

Subject: Labor Agreement for Douglas County Professional
Registered Nurses Corrected

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve correction to the Agreement By and Between Douglas County and Douglas County Professional Registered Nurses, Local Union No. 2375-A, American Federation of State, County and Municipal Employees, AFL-CIO, January 1, 2005 - December 31, 2007, as set forth in Exhibit E-4-05.

Dated this 21st day of April, 2005.

(Committee Action: Unanimous)

(Fiscal Note: Within guidelines established by County Board)

ACTION: Motion by Thompson, second McKenzie, 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. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
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. 3-18-05		

RESOLUTION #45-05
RESOLUTION BY THE ZONING COMMITTEE

Subject: Zoning District Map Amendment Denied

WHEREAS, the Douglas County Zoning Committee held a public hearing on April 13, 2005, on the following petition for amendment of the county zoning district ordinance map:

Part of Government Lot 3, Section 19, T47N-R15W, (TS-030-01194-00), Town of Superior, from the W-1: Resource Conservation zoning district to the A-1: Agriculture zoning district, by Clifford & Vicki Wolterstorff, 11388 35th Avenue, Chippewa Falls, Wisconsin. Intended use: Seasonal dwelling.

WHEREAS, proof of publication of the notice of the public hearing, proof of giving notice to the town clerk of the hearing, and correspondence from the Town of Superior are as shown in Exhibit F-4-05, and

WHEREAS, the Zoning Committee recommends denial of the above-referenced petition because of absence of access to property and sensitivity to the W-1: Resource Conservation zoning district.

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

Dated this 21st day of April, 2005.

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

ACTION: Motion by Baker, second C. Johnson, to adopt. Denial based on sensitivity of W-1 Resource Conservation zoning, as the property is adjacent to the Nemadji River, and access easement has been denied by two entities. Applicant currently has no legal access to the land. Motion carried.

COUNTY ADMINISTRATOR REPORT: Information on State Representative Montgomery's proposed legislation on condemnation of public lands for utility purposes, has been put in Board members' mailboxes. Parkland Facility files have been catalogued/destroyed. County has been offered corporate rate by car rental company. Parkland Cemetery log has not been found.

COUNTY BOARD CHAIR REPORT AND APPOINTMENTS: Finn reported Senator Jauch expects to see co-sponsorship for Montgomery's legislation, as there is none at this time. Finn asked Board members for input on a resolution opposing the legislation, to present at May County Board meeting. Legislature is working on state's budget, and referenda passed statewide on state funding for human services and the court system. Douglas County's budget looks good overall.

The following appointment was recommended: **PEGA Board - Susan Sandvick**. Motion by Quam, second Hendrickson, to approve appointment. Motion carried.

COMMITTEE REPORTS

C. Johnson reported Towns Association meeting is May 17th. Land Use/Comprehensive Plan is topic.

K. Johnson announced Highway Department's 2005 road tour is scheduled for May 4th. Sign-up sheet available tonight. State Highway Convention will be held in Wisconsin Dells in June, and Douglas County is co-host of the event.

Ryan reported on the state review regarding upgrading Health Department to level 3. The Child First Program open house demonstrated how county and city staff work together. "Dine Out" fundraiser is April 28th, with participating restaurants giving 20% of profits to CASDA.

Liebaert reported Wednesday, April 27th, Forestry Department sponsoring loggers' education workshop, 9 a.m. to 4 p.m., at the Forestry offices. Call Forestry Department if you want to attend.

Stewart reported Head of the Lakes races are scheduled and signs are up at the fairgrounds.

Robinson reported Dr. Markon has been appointed permanent director of the clinic. Two physicians and a psychologist have been added. No word from Madison on the potential of a veterans nursing home at the former St. Francis South.

Budnick asked if Sandvick could find out the process on how rural areas could get access to PEGA.

McKenzie reported student scholarships available through the Four County Land Conservation Program and Trees for Tomorrow. Contact Christine Ostern, Douglas County Land Conservationist, for information. Information on opportunities for local farm products sales over website, contact Ostern. PRI-RU-TA may lose federal budget, and Board members encouraged to lobby congressional representatives.

Allen reported staff have been meeting to study Wisconsin Point/Moccasin Mike area, for purposes of preservation of city and county owned land. They will be meeting again next week. Public hearings will be held on the recommendations.

Koszarek gave update of parking lot progress.

Quam reported City-County Committee will not meet in May, but will in June. Aging Resource Center has been approved for funds to hold farmer's market again in the fall.

APPROVAL OF BILLS AND CLAIMS: Motion by Browne, second Ryan, to approve bills and claims. Motion carried.

ADJOURNMENT: Motion by Glenn, second Ryan, to adjourn. Motion carried. Meeting adjourned at 7:45 p.m. Next regularly scheduled meeting - Thursday, May 19, 2005.

Submitted by,

Susan T. Sandvick
Douglas County Clerk