

PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS
Thursday, October 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 23 present, 5 absent. Absent and excused were Carol Johnson, Larry Quam, Kathryn McKenzie, Karen Livingston, Keith Allen. Youth representatives present were Ashley Johnson and Caitlin Knoll. UW-S representative present was James Paine.

Motion by Corbin, second Hendrickson, to approve minutes of the September 15, 2005 meeting. Motion carried.

CORRESPONDENCE

Twenty-two 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. Chair Finn asked that item number 4 be referred to Forest, Parks and Recreation Committee.

PRESENTATIONS

Janet Jennings, Superior Public Library Director, and Michael Sheehan, Northern Waters Library Service (NWLS), presented a review of 2004-2005 annual reports and request for 2006 budget contribution. A statistical report on patron utilization was distributed. Jennings thanked the board for past and future support. The library budget has been passed, and this is the third year in a row that staff cuts had to be made, in addition to reducing the library's open hours. County contribution formula is based on patron usage. The county's contribution will be about \$9,100 less than last year. Jennings noted that it would be wonderful if the county could consider more dollars than the state formula requires, because the budget cuts have had a huge impact on staff services and hours. Stewart thanked Jennings for the Solon Springs branch library services, as people do appreciate it. Services provided by NWLS were summarized, and Sheehan noted NWLS is not requesting any increase from the county in their budget this year. It remains the same as last year. Sheehan distributed a brochure listing the services provided by NWLS. Brief discussion. There was general consensus by the County Board that cutting of the library budget is unfortunate, because of all the great services provided to citizens. Conley added his concern on cutting library hours, and stated his hope that those hours can be re-instituted.

Motion by James O'Brien, second Liebaert, to suspend rules and allow two presentations not on the agenda. Motion carried.

Tom and Pat Campbell, reported on the Bounders Convention and distributed photos from the events. 140 rigs plus about 50 vendors rigs participated in the ten day event. Tom Campbell thanked

the county for their support. Tracking the revenue generated by the visitors indicated that over \$800,000 was spent over that time period. Comments were all positive and the Campbells stated that they personally experienced a totally positive working relationship with the HOL Fair Board. There were no problems and the place was clean when everyone left. There are other clubs that Douglas County could attract in the future. Egan added that he visited the group and was impressed with the fact that everything went like clockwork. The Board applauded the Campbells, and agreed that when private citizens work together on projects like this, the entire community benefits.

Karen Graff, Senator Feingold's Wausau office representative, reported the legislators are still in Washington. Budgets are through the House, but only two or three are through the Senate. Harriet Miers' nomination hearings begin November 7th. Feingold continues to keep tabs on the Twin Ports Veterans Clinic progress.

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 October 12, 2005, on the following petition for amendment of the county zoning district ordinance map:

W1/2 of the W1/2 of the NE1/4 of the NE1/4 and in the N1/2 of the E1/2 of the W1/2 of the NE1/4 of the NE1/4, Section 2, T44N-R11W, (Part of GO-012-00766-00/Town Line Road), Town of Gordon, from the I-1: Industrial zoning district to the A-1: Agriculture zoning district, by Christopher Anderson, 7425 - 289th Ln NW, Princeton, Minnesota. 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 letter of approval from the town, are as shown in Exhibit A-10-20-05.

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 20th day of October, 2005.

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

ACTION: Motion by Baker, 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. Sweeney		
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. 8-19-05		

**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:

Amend SECTION II. DEFINITIONS.

- Re-number (14) to number (24)
- Re-number (15) to number (14)
- Re-number (16) to number (15)
- Re-number (17) to number (16)
- Re-number (18) to number (17)
- Re-number (19) to number (18)
- Re-number (21) to number (22)
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- Re-number (25) to number (27)
- Re-number (26) to number (28)
- Re-number (27) to number (29)
- Re-number (28) to number (30)
- Re-number (29) to number (31)
- Re-number (30) to number (19)
- Re-number (31) to number (21)

(23) **NONCONFORMING USE:** A building, structure or use of land existing at the time of enactment of this ordinance, and which does not conform to the regulations of the district or zone in which it is situated **or current dimensional standards such as setbacks, area or height.**

SECTION IX. NONCONFORMING USES

Present uses of buildings, signs and premises may be continued even though they do not conform to the restrictions of this ordinance. However, structural repairs or alterations of such buildings, signs or premises shall not exceed 50 percent of their assessed value at the time of the repair or alteration without ~~County Board~~ approval **of a variance by the Board of Adjustment** unless a building, sign or premises conforming to this ordinance results. Any nonconforming use that is abandoned for one year shall be discontinued permanently unless this restriction is waived by the Douglas County Board.

Dated this 20th day of October, 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. Sweeney		
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 _____ Amend _____ Other _____		
Rev. 8-19-05		

Roll Call		
District Number	Yes	No
1. Finn		
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20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
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26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 8-19-05		

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

ACTION: Motion by Baker, second Thompson, to adopt. Motion carried.

PLATS

Approval of Final Plat of “Sternberg Development Addition to Four Corners” (preliminary approved as Plat of “Four Corners Addition” on May 11, 2005), for Sternberg Development by Bill Anderson of Cornerstone Surveying and Mapping, Inc., located in Part of the N1/2 of the SE1/4, Section 24, T47N-R14W, Town of Superior. Motion by Ryan, second Robinson, to approve. Motion carried.

RESOLUTIONS

RESOLUTION #106-05
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE

Subject: Land Sales

WHEREAS, on September 6, 12 and 19, 2005, Douglas County advertised for sale various parcels of land, in accordance with Section 75.69, Wisconsin Statutes, and the highest bids received are as follows:

\$ 600.00 PARCEL 43-05 - Lot 224, Townsite of Superior West 9th Street, except right of way, City of Superior (vicinity of 24th Avenue East and East 9th Street), (01-801-02688-00), from Nicholas J. Shaw and Patricia H. Shaw. Intended use: Future home site;

\$ 3,200.00 PARCEL 44-05 - Lots 6, 7 and 8, Lot 15, Lots 42, 43, and 44, Block 17, Carnegie Depot Addition, Section 13-48-15, Village of Oliver, (PT OL-165-00601-00, and all of OL-165-00603-00, OL-165-00610-00), from Timothy A. Sperling and Barbara G. Sperling. Intended use: Home site;

\$ 27,501.00 PARCEL 47-05 - Part of Government Lot 3, West of railway, Section 11-48-14, Town of Superior, (TS-030-01308-00), from N.R.L.L. East, LLC, a Florida limited liability company. Intended use: Investment;

\$ 600.00 PARCEL 53-05 - Lot 18, Block 7, Butler Park in City of Superior, City of Superior (vicinity of Albany Avenue and 54th Street), (08-808-01745-00), from Robert L. Johnson and Shirley A. Johnson. Intended use: Lawn; and

WHEREAS, on September 6, 2005 Douglas County advertised for sale, previously advertised parcels of land, in accordance with Section 75.69, Wisconsin Statutes, and the highest bids received are as follows:

\$ 290.00 PARCEL 6-03 - Lot 334, West 8th Street, Townsite of Superior, known as 2020 E. 8th Street, City of Superior, (01-801-02452-00), from Lawrence J. O'Shaughnessy and Mary T. O'Shaughnessy. Intended use: Home site;

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. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
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17. Egan		
18. Allen		
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20. Hendrickson		
21. Johnson, Kay		
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25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 8-19-05		

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
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7. Livingston		
8. Martin		
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18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
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25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 8-19-05		

\$ 7,960.00 PARCEL 98-03 - Lots 15, 16 & 17, Block 8, Hammond Boulevard Addition, known as 3224-26-28 Lamborn Avenue, City of Superior, (02-802-03028 & 02-802-03029-00), from Travis E. Shold and Jill J. Shold. Intended use: Home site; and

WHEREAS, Douglas County has received bids for the following parcels of land, for which all statutorily-required advertising has been satisfied, and the highest bids received are as follows:

\$ 15,000.00 PARCEL 32-03 - Part of NW1/4, lying SE of railroad right-of-way, except SE1/4 of NW1/4, Section 7-48-13, Town of Parkland, (PA-024-00128-00), from N.R.L.L. East, LLC, a florida limited liability company. Intended use: Investment; and

\$ 251.00 PARCEL 72-03 - South 1/2 of Lot 5, Block 28, West Superior 2nd Division, (known as 409 Cumming Avenue, City of Superior, (03-803-00111-00), from Roy R. Manson and Elizabeth A. Manson. Intended use: Lawn.

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

Dated this 20th day of October, 2005.

(Committee Action: Unanimous)
 (Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$55,402.00)

ACTION: Motion by Martin, second Glenn, 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. Sweeney		
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. 8-19-05		

RESOLUTION #107-05
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE

Subject: Brownfield Grant Application for New York Building
Property

WHEREAS, Douglas County recognizes that the remediation and redevelopment of brownfields is an important part of protecting Wisconsin's resources, and

WHEREAS, in this action the County Board has declared its intent to complete the Brownfield Site Assessment Grant activities described in the application if awarded funds, and

WHEREAS, Douglas County will maintain records documenting all expenditures made during the Brownfield Site Assessment Grant period, and

WHEREAS, Douglas County will allow employees from the Department of Natural Resources access to inspect the grant site or facility and grant records, and

WHEREAS, Douglas County will submit a final report to the Department which will accompany the final payment request.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors requests funds and assistance from the Wisconsin Department of Natural Resources under the Brownfield Site Assessment Grant Program and will comply with state rules for the program.

BE IT FURTHER RESOLVED that the Douglas County Board hereby authorizes the County Clerk, in conjunction with consultant Northern Environmental, to act on behalf of Douglas County to submit an application to the State of Wisconsin for financial aid for Brownfield Site Assessment Grant purposes, sign documents, and take necessary action to undertake, direct, and complete approved grant activities.

Dated this 20th day of October, 2005.

(Committee Action: Unanimous)

(Fiscal Note: None; any required grant match will be composed of the delinquent taxes owing on the property)

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

RESOLUTION #108-05
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE

Subject: Deed Restriction Released

RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Land and Development Committee and release the deed restriction regarding placement in forest crop law, on the following described property:

NE 1/4 of NW 1/4, NW 1/4 of NE 1/4, and NE 1/4 of NE 1/4, Section 18, Township 43, Range 11, Town of Wascott.

Dated this 20th day of October, 2005.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Glenn, second Jaques, to adopt. Liebaert explained that this should be the last request of this sort, as the Forest, Parks and Recreation Committee has suggested to the company that there may be an opportunity for land trading in the future. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Eckman		
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8. Martin		
9. Prettie		
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21. Johnson, Kay		
22. Thompson		
23. Corbin		
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26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		
Rev. 8-19-05		

RESOLUTION #109-05
RESOLUTION BY THE ADMINISTRATION COMMITTEE

Subject: Budgetary Transfers

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

- (1) Capital Projects \$300,000.00 (J.E. #122905 from Reserve Account to Capital Projects for installation of elevator in Government Center); and
- (2) Sheriff's Department \$179,297.00 (J.E. #123290 for receipt of state grant for purchase of Bearcat vehicle)

Dated this 20th day of October, 2005.

(Committee Action: Unanimous)

(Fiscal Note: None)

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

ACTION: Motion by Martin, second Egan, to adopt. Roll call vote taken and passed with 23 Yes, 0 No, 5 Absent. Absent were Quam, Livingston, McKenzie, C. Johnson, Allen.

Roll Ca		
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		
8. Martin	X	
9. Prettie	X	
10. Robinson	X	
11. Conley	X	
12. Jaques	X	
13. Quam		
14. O'Brien, James	X	
15. McKenzie		
16. Sweeney	X	
17. Egan	X	
18. Allen		
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		
27. Stewart	X	
28. Jensen	X	
Roll: Ayes <u> 23 </u> Noes <u> 0 </u> Absent <u> 5 </u> Abstain <u> </u> Passed <u> X </u> Lost <u> </u> Refer <u> </u> Amend <u> </u> Other <u> </u>		
Rev. 8-19-05		

RESOLUTION #110-05
RESOLUTION BY SUPERVISORS ON THE LAND
CONSERVATION COMMITTEE

Subject: Farmland Preservation Agreement

WHEREAS, Jon and Tracy TePoel have applied for a Farmland Preservation Agreement for the following described parcels of real property, located in Township Forty-Eight (48) North, Range Eleven (11) West, Town of Maple, in Douglas County, Wisconsin:

Section	1/4 1/4	1/4	Parcel Number	# of acres
11	NE	NE	MA-020-00379-01	14.00
11	NE	NE	MA-020-00380-00	34.00
TOTALS				48.00

WHEREAS, the intent of the Farmland Preservation Program is to: (1) Protect agricultural lands from development pressures; (2) To provide property tax incentives to landowners who keep land in agricultural production; and (3) To reduce soil erosion and improve water quality by requiring conservation plans for all program participants, and

WHEREAS, the Douglas County Land Conservation Committee considered and approved this Farmland Preservation Agreement, and recommends approval to the Douglas County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of Supervisors on the Land Conservation Committee, and approves the application of Jon and Tracy TePoel for a Farmland Preservation Agreement as described herein.

BE IT FURTHER RESOLVED that the County Clerk forward a certified copy of the resolution to the Douglas County Conservationist, who shall forward the resolution and all application materials to the Department of Agriculture, Trade, & Consumer Protection and Wisconsin Land & Water Conservation Board for their consideration.

Dated this 20th day of October, 2005.
 (Committee Action: Unanimous)
 (Fiscal Note: None)

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
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7. Livingston		
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27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 8-19-05		

ACTION: Motion by Hendrickson, second Eckman, to adopt. Motion carried.

**RESOLUTION #111-05
RESOLUTION BY THE ZONING COMMITTEE AND
ADMINISTRATION COMMITTEE**

Subject: Zoning Fees Increase

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Zoning Committee and Administration Committee and approve increases in zoning fees, effective January 1, 2006, as set forth in Exhibit D-10-20-05.

Dated this 20th day of October, 2005.

(Committee Action: Unanimous)
(Fiscal Note: Increase in revenue)

ACTION: Motion by Ryan, second Jensen, to adopt. Last increase was in 2002. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
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27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		
Rev. 8-19-05		

Roll Call		
District Number	Yes	No
1. Finn		
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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 _____ Amend _____ Other _____		
Rev. 8-19-05		

RESOLUTION #112-05
RESOLUTION BY THE ADMINISTRATION COMMITTEE

Subject: Office Supplies Contract

WHEREAS, the State Legislature by Minnesota Statutes, Section 471.59, Subdivision 1, has authorized its political subdivisions to enter into agreements to perform for each other, governmental powers they can perform themselves, and

WHEREAS, Douglas County and St. Louis County are both political subdivisions of the State of Wisconsin and State of Minnesota, respectively, and

WHEREAS, Douglas County wishes to purchase office supplies from a contract entered into by St. Louis County and made available to other political subdivisions of the State of Minnesota and State of Wisconsin by the contract vendor.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and approves a Joint Powers Agreement by and between Douglas County, Wisconsin, and St. Louis County, Minnesota, for the purpose of making available to Douglas County, office supplies included in said contracts entered into under competitive bidding at the prices and terms available to St. Louis County.

BE IT FURTHER RESOLVED that if Douglas County chooses to buy from an available St. Louis County contract, Douglas County will issue purchase orders directly to the contract vendor (seller), including those for drop shipment, and invoices shall be paid by Douglas County directly to the seller as agreed in the terms and conditions of the contract.

BE IT STILL FURTHER RESOLVED that this resolution, upon passage, will serve as said agreement between Douglas County, Wisconsin, and St. Louis County, Minnesota, and shall be effective beginning January 1, 2006.

Dated this 20th day of October, 2005.

(Committee Action: Unanimous)

(Fiscal Note: Within budget)

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

RESOLUTION #113-05
RESOLUTION BY DOUGLAS COUNTY VETERANS
COMMISSION

Subject: Veterans Nursing Home Project

WHEREAS, the former St. Francis Home South, in Superior, was built as a nursing home in 1990, and has been mostly vacant for the past several years, except for a limited number of small organizations and a child care business, and

WHEREAS, the facility is a one-story design, handicap accessible, constructed to meet 1990 building codes, and would be able to meet current codes without major changes, and

WHEREAS, St. Francis Home South is in close proximity to the Twin Ports Veterans Administration Outpatient Clinic and St. Mary's Hospital - Superior, for immediate medical care purposes, and

WHEREAS, a veterans home in Superior would serve short and long-term needs of 25,102 veterans currently residing in the northwest Wisconsin counties of Douglas, Ashland, Bayfield, Burnett, Washburn, Sawyer, Barron and Polk Counties, and

WHEREAS, the closest state veterans home is King Manor, a six hour drive for northwest Wisconsin veterans, which is simply too far away for family members to consider, and

WHEREAS, the Superior Housing Authority, owner of the former St. Francis Home South facility, is currently searching for a new owner, making time a critical factor for moving the veterans home project forward.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors supports the Veterans Commission recommendation to actively engage support of our state and federal legislators in pursuit of expedient authorization for a Superior-based veterans home, and funding for purchase and staffing of the former St. Francis Home South for that purpose.

BE IT FURTHER RESOLVED that upon passage, copies of this resolution be sent to U.S. Senators Feingold and Kohl, U.S. Representative Obey, Governor Doyle, Wisconsin Secretary of Veterans Affairs - John A. Scocos, Senator Jauch, Representatives Boyle and Sherman, and northwest Wisconsin counties herein listed.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
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8. Martin		
9. Prettie		
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23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed _____ Lost _____ Refer <u> X </u> _____ Amend _____ Other _____		
Rev. 8-19-05		

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. Sweeney		
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 _____X_____ Amend _____ Other _____		
Rev. 8-19-05		

Dated this 20th day of October, 2005.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Eckman, second Thompson, to adopt. Finn explained he is asking for this to be referred back for a month because it is too restrictive on building selection. Motion by Robinson, second James O'Brien, to refer the resolution back to committee. Motion carried.

RESOLUTION #114-05
RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS

Subject: Assembly Bill 726 Opposed

WHEREAS, Assembly Bill 726 will allow schools and local governmental units to claim a refund for the amount of the motor vehicle fuel tax that the entities paid on the purchase of the motor vehicle fuel, and

WHEREAS, currently all state-funded transportation programs for local units of government, including General Transportation Aids (GTA), Local Road Improvement Program (LRIP), and County Routine Maintenance Agreements (RMA), are funded through the motor vehicle fuel tax and vehicle registration fees, with the fuel tax accounting for 64% of all state revenue for transportation, and

WHEREAS, AB 726 would reduce the transportation fund state-wide revenue by an estimated \$17 million dollars annually, and

WHEREAS, Douglas County receives an annual allocation of approximately \$900,000 through GTA, a biennial entitlement of approximately \$160,000 through LRIP, and an annual RMA of approximately \$1.3 million dollars, and

WHEREAS, if Assembly Bill 726 became law, Douglas County would be eligible for an annual motor vehicle fuel tax refund of approximately \$50,000-\$55,000, and

WHEREAS, if this source of funding and the corresponding transportation programs are reduced, it is believed that small municipalities and less populous counties would be most impacted and the failure to invest in the infrastructure will be more costly in the long term.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of Supervisors McKenzie, Egan and K. Johnson, and oppose Assembly Bill 726, on the basis that it would reduce or eliminate substantial and necessary transportation funds to Douglas County.

BE IT FURTHER RESOLVED that upon passage of this resolution, copies be sent to Governor Doyle, all state legislators, the Wisconsin Counties Association, all Wisconsin counties and the Transportation Development Association.

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		
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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 <u> X </u> Other _____ <div style="text-align: center;">Rev. 8-19-05</div>		

Dated this 20th day of October, 2005.

(Fiscal Note: None)

ACTION: Motion by Prettie, second Egan, to adopt. Paul Halverson, Highway Commissioner, explained the rationale for opposing this bill, as it will significantly reduce transportation aids budget which assists counties and municipalities. WCA is supporting the bill with the condition that local budgets are not cut from transportation aids. WCHA and TDA oppose the bill because it will hurt local highway departments. Annually, Douglas County pays about \$52,000 a year in gas taxes, which is a good deal less than what the county would get through the various highway transportation aids programs. Governor Doyle's budget took money from the transportation fund and put it into the education budget for two years, which, Halverson indicated, is the first time this has been done. It was noted that this bill would not only hurt Douglas County, but also the towns and villages. It is important to get this resolution copied to the legislature as soon as possible, in order to garner support for the county's position. Motion by Hendrickson, second Liebaert, to amend 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		
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9. Prettie		
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11. Conley		
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20. Hendrickson		
21. Johnson, Kay		
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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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Motion by Martin, second Jensen, to allow resolutions not on agenda. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
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8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Sweeney		
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"/> _____ Other _____		
Rev. 8-19-05		

RESOLUTION #115-05
RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS

Subject: Eco-Development

WHEREAS, Douglas County has the opportunity to be a leader in establishing a meaningful eco-development in Douglas County, and

WHEREAS, eco-development helps create jobs, recycle unused waste products, and develops a cleaner environment, and

WHEREAS, there is an opportunity for involvement from state, county, city and the private sector for eco-development.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors supports eco-development within Douglas County and as a major Superior Days 2006 issue.

Dated this 20th day of October, 2005.

(Fiscal Note: None)

ACTION: Motion by Egan, second Hendrickson, to adopt. Browne summarized eco-development, noting that this business idea has been a legislative issue in Madison for two years, and it is finally getting the attention of the Governor and legislature. Eco-development is responsible development of industrial businesses, with specific goals of energy conservation, preserving the quality of natural resources, and recycling of any operational by-products. Development of an eco-industrial park is a first step. Discussion followed on how the project would develop cooperative efforts between the state, county, city and private sector. Motion by Hendrickson, second Liebaert, to amend 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		
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5. Baker		
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8. Martin		
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21. Johnson, Kay		
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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"/> _____ Other _____		
Rev. 8-19-05		

RESOLUTION #116-05
RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS

Subject: Drivers Use of Portable Electronic Devices While Driving

WHEREAS, there have been multiple studies done throughout the world that indicate cellular phone use while driving creates a significant risk of vehicular accidents, some leading to serious injury or death.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Judiciary, Legislative and Veterans Committee to support legislation which would address a driver's use of portable electronic devices, in particular a ban of cell phone use while driving.

BE IT FURTHER RESOLVED that upon passage, the Douglas County Clerk forward a copy of this resolution to the Wisconsin Counties Association, Wisconsin state legislators, and all Wisconsin counties.

Dated this 20th day of October, 2005.

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

ACTION: Motion by Martin, second Baker, to adopt. Brief discussion. Paine stated he supports the resolution. Student representative Johnson stated she believes using a cell phone while driving is okay as long as it is on speaker phone or ear bug. This resolution does not address a specific legislative bill to review at this time, but demonstrates support for potential legislation to address the issue. Motion by Martin, second Baker, to amend resolution and have it sponsored by entire County Board. Motion carried. Motion to adopt resolution, as amended, carried.

COUNTY ADMINISTRATOR REPORT: Koszarek distributed a written report, which included information on the 2006 budget and October 25th budget meeting. Budget process used this year, appears in the beginning of the budget book. Board members were encouraged to review pages 200 to 207, Debt Service, which will have an impact on the levy. Second elevator in the Government Center not expected to be operational until late spring. Buildings and Grounds Committee met October 13th, and specifically directed that no reserved parking be authorized in the new lot. Complaints/problems will be monitored the next several months, and the committee will address those at their April meeting. Stop sign on 14th and Hammond will be removed tomorrow.

COUNTY BOARD CHAIR REPORT AND APPOINTMENTS

Chair Finn asked Liebaert about handicapped persons using ATV's to drag deer out, as he and Egan have had phone calls on this. Liebaert indicated this will be addressed during development of the Ten-year Land Use Plan. Forest Parks and Recreation Committee will also deal with the issue. Egan reminded Liebaert that the county has to abide by ADA, so this needs to be kept in mind. New York Building sale was completed today, and ownership has been transferred to the new owners. Grain Inspection office will remain in Superior. Chair Finn has signed a \$200,000 grant for squad car computers for the Sheriff's Department. Grant was through Representative Obey's office.

The following appointments were recommended: **Long-Term Support Planning Committee** – **Mary Ann Howard**, to serve out the term of John Brandser; **Recreational Trail Committee** – **Tracy Mandelin**, Superior/Douglas County Chamber of Commerce, to serve out the term of Doreen Anderson; **Highway Committee** – **Supervisor Rich Thompson**; **ITBEC Tourism Committee** – **Supervisor Woody Budnick**. Motion by Browne, second Ryan, to approve appointments. Motion carried.

Flower Fund Assessment: Motion by Thompson, second Martin, to allocate ten dollars from County Board members' paychecks for flower fund. Motion carried.

COMMITTEE REPORTS

Prettie offered condolences from the Judiciary, Legislative and Veterans Committee, to those involved in the veterans van accident.

Conley reported Health and Human Services Board meets next Thursday, and agenda includes a review of homeless persons needs in Douglas County, and ideas for assistance.

Liebaert reported Forest, Parks and Recreation Committee meets on October 31st. Timber sale is Tuesday night, at 6:00 p.m.

Egan, Administration Committee Chair, commended the Health and Human Services Department for their recent level three rating, which is highest rating given by the state. Only 17 counties out of the 72, have achieved the level three rating. This could mean additional funding opportunities.

BILLS AND CLAIMS: Motion by Glenn, second K. Johnson, to approve. Motion carried.

SUCH OTHER MATTERS AS AUTHORIZED UNDER THE WISCONSIN STATUTES:

Hendrickson reminded Board members to return the holiday get-together form as soon as possible.

Liebaert explained concerns he has regarding a letter on the ATC agreement, written by Supervisor Budnick, which recently appeared in the Daily Telegram. Referring to the letter, Liebaert opined that the personal attacks against those opposing the A-W transmission line, were contrary to the decorum of respect historically exhibited by the Douglas County Board. Concluding his remarks, Liebaert suggested that a code of conduct review of these types of activities might be appropriate. Budnick responded by stating that he is sorry if Mr. Liebaert was bothered by the comments in the letter, but he will not apologize for his opinions or conclusions. It was noted by Chair Finn, that those who voted for the ATC resolution took a good deal of bad press, and in his opinion, it is time for Board members to move forward in a respectful fashion.

ADJOURNMENT: Motion by Ryan, second Browne, to adjourn. Motion carried. Meeting adjourned at 7:25 p.m. 2006 budget hearing and meeting - Tuesday, October 25, 2005. Next regularly scheduled meeting - Thursday, November 17, 2005.

Submitted by,

Susan T. Sandvick
Douglas County Clerk