

**PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS**  
**Thursday, May 18, 2006, 6:00 p.m., Board Room, Second Floor, Government Center**  
**1316 North 14<sup>th</sup> Street, Superior, Wisconsin**

Meeting called to order by Chairman Douglas Finn.

Pledge of Allegiance recited.

Roll call taken by Deputy County Clerk Cheryl Westman for County Clerk Susan T. Sandvick. There were 25 present, 3 absent. Absent and excused were Lew Martin, Keith Allen (arrived 7:25 p.m.), and Tom Stewart. Student representatives present were James Paine, Caitlin Knoll, Lindsey Schiff.

Motion by Baker, second Hendrickson, to approve minutes of the April 13, 2006 and April 18, 2006 meetings. Motion carried.

**CLAIMS**

Summons and Complaint from Attorney Gary J. Halom, on behalf of Penny L. Senn, alleging damages as a result of injuries sustained at Government Center property. Corporation Counsel Felker advised this is informational as it has already been disallowed by the Board. An attorney will represent the county on this litigation.

**CORRESPONDENCE**

Ten 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.

**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 May 10, 2006, on the following petitions for amendments of the county zoning district ordinance map:

- (1) Lot 4 of Nemadji Acres, Section 34, T48N-R14W, (TS-030-02828-00/Wick Road), Town of Superior, from the C-1: Commercial zoning district to the R-1: Residential zoning district, by Toby E. Marcovich (seller), 1214 Belknap St., Superior, Wisconsin / David A. Olson & James G. Olson (buyers), 1501 22<sup>nd</sup> Avenue E, Superior, Wisconsin. Intended use: Single family dwelling;
- (2) Lots 103-106, Incl., Nakoma Gardens, Section 27, T48N-R13W, (PA-024-02143-00, 02145-00/County Road K), Town of Parkland, from the R-2: Residential zoning district to the C-1: Commercial zoning district, by Almon Kennedy, 717 Hawthorne Street, Cloquet, Minnesota. Intended use: Add restaurant/gas station to existing commercial use; and
- (3) S1/2 of the NW1/4 of the SW1/4, the S1/2 of the NE1/4 of the SW1/4, Pt. of the SE1/4 of the SW1/4, Pt. of the SW1/4 of the SW1/4, Lots 1 – 7, Incl. of Fire Hill Estates, Section 36, T44N-R13W, (GO-012-01900-00, 01899-00, 01902-00, 01901-00, 02516-00, 02517-00, 02518-00, 02519-00, 02520-00, 02521-00 & 02522-00), Town of Gordon, from the F-1: Forestry zoning district to the R-1: Residential zoning district, by Triple E LLC, (Patrick Edwards, Richard Edwards & Brad Essen), P.O. Box 146, Gordon, Wisconsin. Intended use: Subdivision.

WHEREAS, proof of publication of the notice of the public hearing, proof of giving notice to the town clerks of the hearing, and letters of approval from the towns, are as shown in Exhibit A-6-05.

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

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Ritscher		
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. Miller		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Graven		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <u>  X  </u> Lost _____ Refer _____ Amend _____ Other _____		
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Roll Call		
District Number	Yes	No
1. Finn		
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Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <u>  X  </u> Lost _____ Refer _____ Amend _____ Other _____		
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BE IT FURTHER RESOLVED that the County Clerk notify the town clerks of the action.

Dated this 18<sup>th</sup> day of May, 2006.

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

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

**ORDINANCE #8.4  
SHORELAND ZONING ORDINANCE  
PRESENTED BY THE ZONING COMMITTEE**

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

**SECTION VII. FILLING, GRADING, LAGOONING, DREDGING, DITCHING, AND EXCAVATING**

**7.1 General Standards.**

7.12 Filling, grading, lagooning, dredging or excavating in a shoreland-wetland district meets the requirements of Sections ~~8.32~~ **8.132** and ~~8.33~~ **8.133** of this ordinance.

**SECTION VIII. SHORELAND OVERLAY DISTRICTS**

**8.1 Shoreland-Wetland Overlay District**

**8.13 Permitted Uses.**

8.131 Activities and uses which do not require the issuance of a zoning permit, but which must be carried out without any filling, dredging, ditching, tiling or excavating as allowed under Section ~~8.32~~ **8.132** or ~~8.33~~ **8.133**:

8.133 (1) (b)  
The road is designed and constructed to minimize adverse impact upon the natural functions of the wetland enumerated in Section ~~8.52~~ **8.152**;

8.133 (3) (b)  
Filling or excavating necessary for the construction or maintenance of public boat launching ramps or attendant access roads is allowed only where such construction or maintenance meets criteria in Section ~~8.33~~ **8.133** (1), (a)-(d); and

Roll Call		
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1. Finn		
2. Browne		
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8. Martin		
9. Prettie		
10. Robinson		
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12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
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19. Miller		
20. Hendrickson		
21. Johnson, Kay		
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26. Johnson, Carol		
27. Stewart		
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Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <u>  X  </u> Lost _____ Refer _____ Amend _____ Other _____		
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Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Ritscher		
7. Livingston		
8. Martin		
9. Prettie		
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12. Jaques		
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14. O'Brien, James		
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18. Allen		
19. Miller		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
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25. Budnick		
26. Johnson, Carol		
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8.133 (4) (b)

Such construction or maintenance is done in a manner designed to minimize adverse impact upon the natural functions of the wetland enumerated in Section ~~8.52~~ **8.152**.

8.14 Prohibited Uses.

Any use not listed in Sections ~~8.31~~ **8.131**, ~~8.32~~ **8.132**, or ~~8.33~~ **8.133** is prohibited, unless the wetland or portion of the wetland has been rezoned by amendment of this ordinance in accordance with ~~Section 8.5~~ **8.15** of this ordinance and S. 59.97(5)(e) **.69 (4)**, Wis. Stats.

8.15 Rezoning of Land in the Shoreland-Wetland District

8.153 If the Department notifies the County Zoning Committee that proposed text or map amendment to the shoreland-wetland provisions of this ordinance may have a significant adverse impact upon any of the criteria listed in Section ~~8.52~~ **8.152** of this ordinance, .....

Dated this 18<sup>th</sup> day of May, 2006.

(Committee Action: Unanimous)

(Fiscal Note: None)

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

## **PLATS**

Approval of Final Plat of Solon Airpark for Jon Dauplaise and Jay Thomas, by Bill Anderson of Cornerstone Surveying, located in the NW1/4 of the NW1/4 and in the SW1/4 of the NW1/4, Section 12, T44N-R12W, Town of Solon Springs. Motion by C. Johnson, second Baker, to approve. Motion carried.

Approval of Final Plat of First Addition to Fire Hill Estates for Triple E, L.L.C. by Bill Anderson of Cornerstone Surveying, located in the NW1/4 of the SW1/4, SW1/4 of the SW1/4, SE1/4 of the SW1/4, NE1/4 of the SW1/4, NW1/4 of the SE1/4, SW1/4 of the SE1/4 and in the NE1/4 of the SE1/4, Section 36, T44N-R13W, Town of Gordon. Motion by Baker, second Thompson, to approve. Motion carried.

Approval of Final Douglas County Plat of Cranberry Cove by John Ripley of Ripley Engineering Services, Inc., located within the NW1/4 of the NW1/4 and in the SW1/4 of the NW1/4, Section 30, T43N-R12W, Town of Wascott. Motion by C. Johnson, second Baker, to approve. Motion carried.

## **RESOLUTIONS**

**RESOLUTION #39-06  
RESOLUTION BY THE LAND AND DEVELOPMENT  
COMMITTEE**

Subject: Land Sales

WHEREAS, on April 3, 10, and 17, 2006, 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:

\$ 5,400.00 PARCEL 5-06 - Lots 558 through 566, even numbers, 9<sup>th</sup> Street, except right of way, and also fractional lots 559 through 567, odd numbers, 10<sup>th</sup> Street, Ely's Addition to Superior, (02-802-02250-00 and 02-802-02409-00), City of Superior (vicinity of Bardon Avenue and East 9<sup>th</sup> Street), from Bruce W. and Tamara L. Johnson. Intended use: Home site;

\$ 15,300.00 PARCEL 7-06 - Lots 1, 2, 3, 4, Block 157, West Superior 1<sup>st</sup> Division, (vicinity of John Avenue and North 2<sup>nd</sup> Street), (04-804-00879-00, 04-804-00880-00, 04-804-00881-00 and 04-804-00882-00), City of Superior, from Leamon Mercantile Company. Intended use: Storage buildings for pending expansion; and

\$ 1,000.00 PARCEL 8-06 - Lot 12, Block 3, The Wisconsin Investment Companies Subdivision of Diagram Lot 115, An Addition to West Superior, (vicinity of Grand Avenue and North 7<sup>th</sup> Street), (03-803-02118-00), City of Superior, from John M. and Ronelle R. Bass. Intended use: Adjacent property owner garage.

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

Dated this 18<sup>th</sup> day of May, 2006.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$21,700.00)

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

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
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8. Martin		
9. Prettie		
10. Robinson		
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Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <u>  X  </u> Lost _____ Refer _____ Amend _____ Other _____		
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**RESOLUTION #40-06**  
**RESOLUTION BY THE LAND AND DEVELOPMENT**  
**COMMITTEE**

Subject: Enbridge Energy Lease

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve lease between Douglas County and Enbridge Energy, Limited Partnership by Enbridge Pipelines (Lakehead) L.L.C. as General Partner, as set forth in Exhibit F-5-06.

**BE IT FURTHER RESOLVED that execution of the lease is contingent on Zoning Committee approval of the conditional-use permits.**

Dated this 18<sup>th</sup> day of May, 2006.

(Committee Action: Unanimous)

(Fiscal Note: Initial revenue of \$16,000 for two-year lease)

**ACTION:** Motion by Glenn, second Robinson, to adopt. Rannenberg explained the conditional-use permit applications for which Enbridge has applied through the Zoning Department. Discussion. Motion by Baker, second Quam, to amend resolution to include "Be It Further Resolved that execution of the lease is contingent on Zoning Committee approval of the conditional-use permits. Motion carried. Motion to adopt resolution as amended, carried.

Roll Call		
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19. Miller		
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26. Johnson, Carol		
27. Stewart		
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Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend <input checked="" type="checkbox"/> _____ Other _____		
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Motion by Egan, second Budnick, to suspend agenda and take up Resolution #51-06. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
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Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed _____ Lost _____ Refer _____ Amend _____ Other <input checked="" type="checkbox"/> TABLED _____		
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**RESOLUTION #51-06**  
**RESOLUTION BY SUPERVISORS JAQUES AND CORBIN**

Subject: Head of the Lakes Fairgrounds Beer License

WHEREAS, Douglas County has a lease agreement with Head of the Lakes Fair Association for management of the fairgrounds and a lease agreement with Superior Speedway, Inc., for operation of the racetrack, and

WHEREAS, the Head of the Lakes Fair Association holds a Class B Liquor and Beer license for the fairgrounds and race track properties, and

WHEREAS, language contained in the leases gives the Superior Speedway exclusive right to beer and food concessions on all race events, excluding fair week, and

WHEREAS, because the Head of the Lakes Fair Association is the holder of the license, their representatives and/or employees are responsible for the beer sales during race events, and

WHEREAS, the respective boards of the two organizations have been unable to come to an agreement in regard to the sharing of profits from the sale of beer during racetrack events, and

WHEREAS, the fairgrounds and racetrack facilities operate solely on land owned by Douglas County, for the benefit of Douglas County and its' residents, and

WHEREAS, state and municipal law allows for one Class B Liquor and Beer license and one Class B Beer License to operate on the same tax parcel, but must not encompass the same physical description boundaries.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors accept the recommendations of Supervisors Jaques and Corbin, that if an agreement cannot be reached between the Head of the Lakes Fair Association and Superior Speedway, Inc., in regard to the sharing of profits from beer sales during racetrack events, the following is requested:

- (1) That the Manager of the Head of the Lakes Fair Association amend their Class B Alcohol and Beer license with the issuing municipality to exclude the

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1. Finn		
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20. Hendrickson		
21. Johnson, Kay		
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Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed _____ Lost _____ Refer _____ Amend _____ Other <input checked="" type="checkbox"/> TABLED		
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racetrack property, to allow for another beer license to include the operating area of the race track facility (bounded by Hammond Avenue on the East, Tower Avenue on the West, Blacktop area immediately to the North of the Grandstand and to the South - the Southern boundary of the HOLF ground property), during racetrack events only;

- (2) That the Head of the Lakes Fair Association Board send a letter to the City of Superior requesting amendment to the beer license boundaries not later than May 25, 2006, and that a copy of the letter be sent to the Douglas County Clerk; and
- (3) That prior to submitting an application to amend the alcohol and beer license, the two organizations work out an agreement relating to the Head of the Lakes Fair Association's sale of beer at the racetrack facility during fair week or during other non-related racetrack events.

Dated this 18<sup>th</sup> day of May, 2006.

(Fiscal Note: None)

**ACTION:** Motion by Jaques, second James O'Brien, to table the resolution. Jaques explained the rationale for his motion to table. It was suggested that Chair Finn call a special meeting with representatives of the parties involved, to discuss the issues. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
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Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <u>  X  </u> Lost _____ Refer _____ Amend _____ Other _____		
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**RESOLUTION #41-06  
RESOLUTION BY THE ENVIRONMENT, AGRICULTURE  
AND EXTENSION COMMITTEE**

Subject: Eco-County Designation Supported

WHEREAS, Douglas County acknowledges that a clean and healthy environment determines the quality of life, where the environment can support and sustain the community, and where citizens are committed to local and regional cooperation and a personal philosophy of stewardship, and

WHEREAS, the willingness of Douglas County to move in the direction of eco-county designation can serve as a model for our citizens, encouraging economic development and industrial initiatives while protecting the ecosystem in which they raise their families, and

WHEREAS, Douglas County adopted the Land and Water Resource Management Plan (2002), adopted the Eco-Industrial Development Resolution (2005), is a strong partner in the Lake Superior Binational Forum and St. Louis River Citizen Action Committee, has created policies to control the use of herbicides, disbursement of mercury, remediated the Hog Island site, and implemented a recycling program, and

WHEREAS, Douglas County will include many references to sustainability practices in their comprehensive planning process, and

WHEREAS, Douglas County endorses the following four guidelines which were developed by the Natural Steps, and adopted by the American Planning Association, to help communities implement sustainable practices:

1. Reduce dependence upon fossil fuels and extracted underground metals and minerals;
2. Reduce dependence on chemicals and other manufactured substances that can accumulate in Nature;
3. Reduce dependence on activities that harm life-sustaining ecosystems; and
4. Meet the hierarchy of present and future human needs fairly and efficiently.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the

Roll Call		
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1. Finn		
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Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <u>  X  </u> Lost _____ Refer _____ Amend _____ Other _____		
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Environment, Agriculture and Extension Committee and hereby endorses the principles of sustainable community development described herein, and agrees to apply these principles whenever possible in its planning, policy- making and practices.

Dated this 18<sup>th</sup> day of May, 2006.

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

**ACTION:** Motion by Browne, second Hendrickson, to adopt. Browne advocated strongly for this resolution, and noted Douglas County would be the first county in the nation with this designation. Brief discussion. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
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Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed _____ Lost _____ Refer _____X_____ Amend _____ Other _____		
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**RESOLUTION #42-06  
RESOLUTION BY THE FOREST, PARKS AND  
RECREATION COMMITTEE**

Subject: St. Croix and Totagatic Rivers Wild Rivers Designation  
Opposed

WHEREAS, Douglas County has concerns with some restrictions of the State of Wisconsin Wild Rivers designations, and

WHEREAS, Wild River designation as written would make it hard or impossible to manage our Forest and Parks programs in these designated areas, and

WHEREAS, these programs are important for Douglas County financial and recreational future use and enjoyment of Douglas County lands, and

WHEREAS, this Wild River designation continues to be promoted without addressing the changes needed to address Douglas County concerns, and

WHEREAS, other counties share our concern.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Forest, Parks and Recreation Committee and go on record opposing a designation of Wild Rivers for St. Croix and Totagatic Rivers as currently written.

Dated this 18<sup>th</sup> day of May, 2006.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Quam, second Hendrickson to adopt. Motion by Liebaert, second McKenzie, to refer the resolution back to the committee. There are some new ramifications to consider before a final decision. Motion to refer, carried.

**RESOLUTION #43-06  
RESOLUTION BY THE FOREST, PARKS AND  
RECREATION COMMITTEE**

Subject: DNR Grant Programs Participation Authorized

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 accept 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 18<sup>th</sup> day of May, 2006

(Committee Action: Unanimous)  
(Fiscal Note: Within budgetary constraints)

**ACTION:** Motion by Liebaert, second Robinson, to adopt. Motion carried.

Roll Call		
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9. Prettie		
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Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <u>  X  </u> Lost _____ Refer _____ Amend _____ Other _____		
Rev. 04-18-06		

Roll Call		
District Number	Yes	No
1. Finn	X	
2. Browne	X	
3. O'Brien, John	X	
4. Glenn	X	
5. Baker	X	
6. Ritscher	A	
7. Livingston	X	
8. Martin		
9. Prettie	X	
10. Robinson	X	
11. Conley	X	
12. Jaques	X	
13. Quam	X	
14. O'Brien, James	X	
15. McKenzie	X	
16. Sweeney	X	
17. Egan	X	
18. Allen		
19. Miller	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		
28. Graven	X	
Roll: Ayes <u>24</u> Noes <u>0</u> Absent <u>3</u> (Allen, Martin, Stewart) Abstain <u>1</u>  Passed <u>X</u> Lost _____ Refer _____ Amend <u>X</u> Other _____		
Rev. 04-18-06		

**RESOLUTION #44-06  
RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Authorizing the Borrowing of \$5,000,000.00; Providing for the Issuance and Sale of General Obligation Promissory Notes Therefor; and Levying a Tax in Connection Therewith

WHEREAS, on June 16, 2005, the County Board of Supervisors of Douglas County, Wisconsin (the "County") adopted an initial resolution (the "Initial Resolution") authorizing the issuance of general obligation bonds or promissory notes in an amount not to exceed \$5,000,000 (the "Securities") for the public purpose of paying the cost of highway improvement projects (the "Project");

WHEREAS, the County Board of Supervisors hereby finds and determines that the Project is within the County's power to undertake and serves a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes;

WHEREAS, counties are authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and to issue general obligation promissory notes for such public purposes;

WHEREAS, none of the proceeds of the general obligation promissory notes shall be used to fund the operating expenses of the general fund of the County or to fund the operating expenses of any special revenue fund of the County that is supported by the property taxes; and

WHEREAS, the County Board of Supervisors now deems it to be necessary, desirable and in the best interest of the County to authorize the issuance of and to award the sale of its general obligation promissory notes to Piper Jaffray & Co., Milwaukee, Wisconsin.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1. Authorization of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, the principal sum of FIVE MILLION DOLLARS (\$5,000,000) from Piper Jaffray & Co., Milwaukee, Wisconsin (the "Purchaser") in accordance with the terms and conditions of its purchase proposal (the "Proposal") Exhibit G-5-06 - "Exhibit A" and incorporated herein by this reference.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Ritscher		
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. Miller		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Graven		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed _____ Lost _____ Refer _____ Amend _____ Other _____		
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Section 2. Sale of the Notes. To evidence such indebtedness, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, General Obligation Promissory Notes aggregating the principal amount of FIVE MILLION DOLLARS (\$5,000,000) (the "Notes") for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 3. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes"; shall be dated June 7, 2006; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered 1 and upward; shall bear interest at the rates and shall mature on the dates and in the principal amounts as set forth on the schedule prepared by the Purchaser as Exhibit G-5-06 - "Exhibit B" (the "Schedule"). Interest is payable semi-annually on February 1 and August 1 of each year commencing on August 1, 2006.

Section 4. Redemption Provisions. The Notes shall not be subject to optional redemption.

Section 5. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form as Exhibit G-5-06 - "Exhibit C" and incorporated herein by this reference.

Section 6. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2006 through 2014 for the payments due in the years 2007 through 2015 in the amounts set forth on the Schedule.

The direct annual irrepealable tax hereby levied shall be carried onto the tax roll and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected. So long as any part of the principal of or interest on the Notes remains unpaid, the tax hereinabove levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account created below.

The County has heretofore levied a direct annual irrepealable ad valorem debt service tax in anticipation of the sale of the Notes. Upon receipt, a sufficient sum together with any premium and accrued interest paid for the Notes shall be irrevocably deposited in the Debt

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Ritscher		
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. Miller		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Graven		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed _____ Lost _____ Refer _____ Amend _____ Other _____		
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Service Fund Account for the Notes and shall be used to pay the principal of and interest on the Notes coming due on August 1, 2006, as set forth on the Schedule.

Section 7. Segregated Debt Service Fund Account. There is hereby established in the County treasury a fund account separate and distinct from all other funds or accounts of the County designated "Debt Service Fund Account for \$5,000,000 Douglas County General Obligation Promissory Notes, dated June 7, 2006", which fund account shall be used solely for the purpose of paying the principal of and interest on the Notes. There shall be deposited in said fund account all accrued interest paid on the Notes at the time the Notes are delivered to the Purchaser, any premium, all money raised by taxation pursuant to Section 6 hereof and all other sums as may be necessary to pay principal of and interest on the Notes as the same becomes due. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Notes and shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished, and shall at all times be invested in a manner that conforms with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any applicable income tax regulations (the "Regulations").

Section 8. Borrowed Money Fund; Reimbursement. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into an account separate and distinct from all other funds and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes.

The County declares its reasonable expectation to reimburse itself from the Note Proceeds for expenditures relating to the Project which it pays from other funds of the County prior to receipt of the Note Proceeds no more than 60 days prior to the date the Initial Resolution was adopted. The County may also reimburse itself for preliminary expenditures relating to the Project (such as architectural, engineering, surveying, soil testing, costs of issuance and similar costs but not including land acquisition, site preparation and similar costs incident to the commencement of construction) which are in an amount which is less than 20% of the issue price of the Notes. This declaration and the Resolution of which it is a part, shall be publicly available in the official books, records or proceedings of the County Board of Supervisors.

Section 9. Arbitrage Covenant. The County shall not take any

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Ritscher		
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. Miller		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Graven		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed _____ Lost _____ Refer _____ Amend _____ Other _____		
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action with respect to the Note Proceeds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of the delivery of and payment for the Notes (the "Closing"), would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

The Note Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Notes remain outstanding, moneys on deposit in any fund or account created or maintained in connection with the Notes, whether such moneys were derived from the Note Proceeds or from any other source, will not be used or invested in a manner which would cause the Notes to be "arbitrage bonds" within the meaning of the Code or Regulations. The County covenants that it will not invest in any obligation if such investment would violate the "prohibited payment" requirement of Section 148 of the Code.

The County Clerk, or other officer of the County charged with responsibility for issuing the Notes, shall provide an appropriate certificate of the County, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the County regarding the amount and use of the Note Proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

Section 10. Additional Tax Covenants; Small Issuer Exemption from Rebate; Qualified Tax-Exempt Obligation Status. The County hereby further covenants and agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Notes) to assure that the Notes are obligations described in Section 103(a) of the Code, the interest on which is excludable from gross income for federal income tax purposes, throughout their term. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes, shall provide an appropriate certificate of the County as of the Closing, for inclusion in the transcript of proceedings, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Ritscher		
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. Miller		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Graven		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed _____ Lost _____ Refer _____ Amend _____ Other _____		
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Further, it is the intent of the County to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Notes will continue to be obligations described in Section 103(a) of the Code, the interest on which is excludable from gross income for federal income tax purposes throughout their term.

The County covenants that it is a governmental unit with general taxing powers and that the Notes are not "private activity bonds" as defined in Section 141 of the Code.

In accordance with Section 148(f)(4)(D) of the Code, the County covenants that ninety-five percent (95%) or more of the net proceeds of the Notes are to be used for local governmental activities of the County and that the aggregate face amount of all tax-exempt obligations (other than "private activity bonds") issued by the County, including all subordinate entities of the County, during calendar year 2006 will not exceed \$5,000,000. If for any reason the County did not qualify for the small issuer exemption from the rebate requirements of the Code, the County covenants that it would take all necessary steps to comply with such requirements.

The County Board of Supervisors hereby designates the Notes to be "qualified tax-exempt obligations" pursuant to the provisions of Section 265(b)(3) of the Code and in support of such designation, the County Clerk or other officer of the County charged with the responsibility for issuing the Notes, shall provide an appropriate certificate of the County, all as of the Closing.

Section 11. Execution of the Notes. The Notes shall be issued in typewritten or printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by its fiscal agent, if any, sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the delivery of the Notes, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute and deliver all documents as may be necessary and convenient to effectuate the Closing.

Section 12. Payment of the Notes. The principal of and interest on the Notes shall be paid in lawful money of the United States of America by the County Clerk or County Treasurer.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Ritscher		
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. Miller		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Graven		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed _____ Lost _____ Refer _____ Amend _____ Other _____		
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Section 12A. Persons Treated as Owners; Transfer of Notes.  
 The County shall keep books for the registration and for the transfer of the Notes. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the County Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the County Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Clerk shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes. Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the corresponding record date.

Section 13. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 14. Undertaking to Provide Continuing Disclosure.  
 The County hereby covenants and agrees, for the benefit of the holders of the Notes, to enter into a written undertaking (the "Undertaking") required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. This

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Ritscher		
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. Miller		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Graven		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed _____ Lost _____ Refer _____ Amend _____ Other _____		
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Undertaking shall be enforceable by the holders of the Notes or by the Purchaser on behalf of such holders (provided that the rights of the holders and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations hereunder and any failure by the County to comply with the provision of this Undertaking shall not be an event of default with respect to the Notes).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 15. Bond Insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as any municipal bond insurer which makes a commitment accepted by the County to insure the Notes may reasonably request and which are acceptable to the Chairperson and County Clerk, including provisions regarding restrictions on investment of Note Proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, appropriate reference to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 16. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Dated this 18<sup>th</sup> day of May, 2006.  
 (Committee Action: Unanimous)  
 (Fiscal Note: \$5,000,000 Increase to long-term debt. 2006 Debt Service payment within budget)

**ACTION:** Motion by James O'Brien, second K. Johnson, to adopt. Finance Director Doucette reviewed the documents and explained that the revised Exhibits A and B were received yesterday. The existing debt service rate will be improved with this resolution. County has been upgraded from A-3 to A-2 bond rating. Motion by Hendrickson, second Robinson, to amend resolution in Sections 3 and 7, and change closing date to June 7, 2006. County approved the bonding about two years ago for the highway improvement plan. Motion carried. Roll

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Ritscher		
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. Miller		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Graven		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed _____ Lost _____ Refer _____ Amend _____ Other _____		
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call vote was taken on the amended resolution, and passed with 24 Yes, 0 No, 3 Absent, 1 Abstention. Absent were Allen, Martin and Stewart. Ritscher abstained.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Ritscher		
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. Miller		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Graven		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <u>  X  </u> Lost _____ Refer _____ Amend _____ Other _____		
Rev. 04-18-06		

**RESOLUTION #45-06**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Mileage Reimbursement Cap for County Board  
 Supervisors Increased

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve amendment to the County Board Manual of Policies and Procedures, Compensation Plan, as follows:

C. Mileage Reimbursement

In addition to the salary authorized above, each supervisor, including the County Board Chairperson, shall be reimbursed mileage at the IRS allowable rate for each attendance at a County Board meeting or for attendance at County Board committee meetings or special committee meetings of which they are a member, or other approved county business. Mileage for travel relating to training, seminars and conventions is not to exceed ~~\$500.00~~ **\$1,000.00** per year for each supervisor, excluding the County Board Chair.

Dated this 18<sup>th</sup> day of May, 2006.

(Committee Action: Unanimous)

(Fiscal Note: None)

**ACTION:** Motion by Glenn, second James O'Brien, to adopt. Rationale for the increase was discussed. It was noted that for long distance travel, such as to Madison, renting a vehicle may be more cost-effective. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Ritscher		
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. Miller		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Graven		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <u>  X  </u> Lost _____ Refer _____ Amend _____ Other _____		
Rev. 04-18-06		

**RESOLUTION #46-06**

**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Dental Insurance Purchase by County Board Supervisors

WHEREAS, County Board Supervisors currently have the option to purchase the county's health insurance plan at no cost to the county, and

WHEREAS, the county also offers a dental plan to employees, at no cost to the county.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve the offering of the county's dental insurance plan to County Board Supervisors who choose to purchase the insurance and pay the full premium, with no cost to the county.

Dated this 18<sup>th</sup> day of May, 2006.

(Committee Action: Unanimous)

(Fiscal Note: None)

**ACTION:** Motion by Hendrickson, second McKenzie, to adopt. Brief discussion. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Ritscher		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Sweeney		
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18. Allen		
19. Miller		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Graven		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <u>  X  </u> Lost _____ Refer _____ Amend <u>  X  </u> Other _____		
Rev. 04-18-06		

**RESOLUTION #47-06**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Homeland Security Equipment Grant Authorized

WHEREAS, Homeland Security, through the Office of Justice Assistance, is offering 2005 **and 2006** Radio Communications Interoperability Grants to local jurisdictions to upgrade communication equipment to meet interoperability and mutual aid standards as outlined in Homeland Security Bulletin No. 06-03, and

WHEREAS, it is necessary and desirable that all federal, state, local, and tribal agencies be able to communicate and coordinate response during emergency operations on common radio channels, and

WHEREAS, Douglas County has a short fall in meeting Interoperability Standards, and

WHEREAS, Douglas County has been named specifically in Bulletin No. 06-03 as being eligible for grant funding to begin interoperability implementation, and

WHEREAS, equipment and upgrades purchased will improve daily operations as well as emergency response and mutual aid interoperability, and

WHEREAS, each eligible agency will fund their portion of the grant match with current budget dollars or existing reserve account funds.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors does hereby authorize Office of Emergency Management to apply for **and accept 2005 and 2006** eligible communications equipment and upgrades on behalf of the Douglas County Sheriff's Department, Emergency Management, and other emergency responders of the county, with a maximum county match of \$75,000 coming from current budgets and existing reserves.

BE IT FURTHER RESOLVED, that up to \$20,000 of this match may be from the Communication Reserve account.

Dated this 18<sup>th</sup> day of May, 2006.

(Committee Action: Unanimous)

(Fiscal Note: Up to \$75,000; \$55,000 from 2006 budgets and \$20,000 from reserve)

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Ritscher		
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. Miller		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Graven		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <u>  X  </u> Lost _____ Refer _____ Amend <u>  X  </u> Other _____		
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**ACTION:** Motion by Egan, second Quam, to adopt. Kesler summarized the grant's match obligation. Discussion. Motion by McKenzie, second Browne, to amend resolution as follows: Second line, first paragraph, following "2005," add "and 2006,"; and second to last paragraph, third line, following "apply for": add "and accept 2005 and 2006." Kesler indicated the federal government will put in \$3 to \$4 for every \$1 the county contributes, dependent on equipment type. 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. Ritscher		
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. Miller		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Graven		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <u>  X  </u> Lost _____ Refer _____ Amend _____ (Amend "Policy") Other _____		
Rev. 04-18-06		

**RESOLUTION #48-06**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Fund Balance Reserve Policy Amended

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and amend the Douglas County Fund Balance Reserve Policy as set forth in Exhibit I-5-06.

Dated this 18<sup>th</sup> day of May, 2006.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Glenn, second Egan, to adopt. Doucette explained the policy's revisions. Motion by Hendrickson, second Corbin, to amend first paragraph of the policy and change the Douglas County rating to A-2. Motion carried. Motion to adopt resolution carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Ritscher		
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. Miller		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Graven		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <u>  X  </u> Lost _____ Refer _____ Amend _____ Other _____		
Rev. 04-18-06		

**RESOLUTION #49-06**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Accessible Voting Equipment Purchase

WHEREAS, the Help America Vote Act (HAVA) requires that each local unit of government provide a handicapped-accessible voting machine at every polling place so that persons with disabilities can vote privately and independently, and

WHEREAS, federal funds in the amount of \$6,000 per polling place will be reimbursed to those municipalities with handicapped-accessible polling places, and

WHEREAS, the County Clerk has entered into Memorandums of Understanding with the towns and villages, that will allow the County to coordinate purchase of the equipment and software on behalf of those municipalities, and

WHEREAS, coordination of this purchase will result in consistent equipment and election management county-wide and a better price.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and authorize the County Clerk to coordinate the purchase, programming, training and maintenance of the accessible voting equipment on behalf of the towns and villages.

BE IT FURTHER RESOLVED that the County Clerk is authorized to fund the purchase of the accessible voting equipment, up to \$6,000 per voting location (21), and apply for reimbursement of these costs to the State of Wisconsin Elections Board.

BE IT STILL FURTHER RESOLVED that, upon passage, the County Clerk is directed to send a copy of this resolution to the State Elections Board.

Dated this 18<sup>th</sup> day of May, 2006.

(Committee Action: Unanimous)  
 (Fiscal Note: \$126,000 from general fund, to be reimbursed by State Elections Board)

**ACTION:** Motion by Glenn, second K. Johnson, to adopt. Discussion followed on the grant requirement relative to the voting location's handicap accessibility. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Ritscher		
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. Miller		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Graven		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <u>  X  </u> Lost _____ Refer _____ Amend _____ Other _____		
Rev. 04-18-06		

**RESOLUTION #50-06**

**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Side Letter Agreement Between Douglas County and WPPA, Local #41, Detective and Evidence Technician "On-Call"

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve Side Letter Agreement between Douglas County and WPPA, Local #41, Detective and Evidence Technician "On-Call", to be effective for a six month period, as set forth in Exhibit J-5-06.

Dated this 18<sup>th</sup> day of May, 2006.

(Committee Action: Unanimous)

(Fiscal Note: \$3,600 plus fringe benefits of \$1,250)

ACTION: Motion by Glenn, second Browne, to adopt. Egan asked if after six months this goes back to collective bargaining. Koszarek did not know. Egan wanted to be sure it sunsets. Quam recalled that he thought Andresen wanted the trial period results for use during negotiations. Motion carried.

## **COUNTY ADMINISTRATOR REPORT**

Koszarek reported Forestry Department Director interviews will occur in mid-June. He explained the status of the short-term disability resolution that was sent back to committee last month. The Forestry Department's flyover plan which had funds set aside a couple years ago, has not been completed due to the short window of opportunity during which the aerial photography can be done. Brief discussion. The Forestry Department will revisit the situation with the contractor.

## **COUNTY BOARD CHAIR REPORT AND APPOINTMENTS 2006 - 2008**

Chair Finn asked that Kate Boyle be added to Northern Waters Library Services Board of Trustees, and noted that names have been added to the County Organizational Study Group, which will meet May 30, Tuesday, at 4:30 p.m. for the first time.

Motion by Glenn, second Browne, to approve the 2006-2008 committee appointments as presented. Quam noted a 4<sup>th</sup> County Board member is needed on the City-County Committee. Chair Finn will add one more Board member. Motion carried.

## **COMMITTEE REPORTS**

C. Johnson asked Zoning Administrator Rannenberg to summarize the county's grant application for land use planning. Rannenberg noted the application was denied, and the county's decision now must be whether to move forward with the plan without the grant, or to re-apply. Deadline for the plan is December, 2009. Sixteen towns and villages have supported the county's proposed process, as well as the City of Superior. An evaluation of the denied grant application was recently received, and it noted a lack of citizen participation in the process. Rannenberg will get Carol Johnson a copy of the evaluation. C. Johnson reported Zoning Committee met. She attended a meeting downstate regarding the county's lack of an ordinance on animal farm businesses, such as large chicken farms, 600 to 800 head of cattle, etc. Douglas County may want to consider such an ordinance.

Liebaert reported Forest, Parks and Recreation Committee has met, and is working towards getting the forest inventory done. Next timber sale is Tuesday, and there is currently \$6.8 million pending in sales. June 8, at the Town of Amnicon Hall, DOT is meeting with town board regarding widening the highway to four lanes. A public meeting is scheduled for June 15<sup>th</sup>. This widening to four lanes could impact the Tri County Corridor.

K. Johnson reported Highway Committee met. CTH S work is planned and CTH A, north from Four corners, is being paved.

McKenzie reported on ash tree disease. Land Conservation Committee is looking to hire a Grazing Specialist. PRI RU TA gave NRCS person authority to move forward with soil maps project.

Robinson reported Veterans Commission will meet June 21, at 4:30 p.m., in the Courthouse. A major agenda item will be the Nursing Home for Veterans project.

Quam reported that Pat Heiser presented an excellent program on Lyme's disease during the Health and Human Services Board meeting this past week. Information available at Health Department.

## **YOUTH REPRESENTATIVE REPORTS**

Paine reported UW-S classes end tomorrow for the academic year. Major focus for Student Senate

next year will be stepping up activity to get more student representation at the state level. Paine will remain as County Board representative until the fall, at which time the President-elect will take over.

Knoll reported last night was the Second Annual Excellence in Education Awards banquet at the Superior Middle School. It was well attended.

#### **APPROVAL OF BILLS AND CLAIMS**

Motion by Jaques, second K. Johnson, to approve. Motion carried.

#### **SUCH OTHER MATTERS AS AUTHORIZED UNDER THE WISCONSIN STATUTES**

2006 NW Wisconsin Lakes Conference, scheduled for Friday, June 30, at Telemark in Cable.

Egan will find out tomorrow morning, the status of beer sales at this Friday's races. He was supposed to be notified today, but no one called him or contacted Finn either. Egan will get the answer. Chair Finn has suggested beer proceeds be held in a special account until the issue is resolved.

Motion by Corbin, second Prettie, to authorize Chair Finn to call a special County Board meeting if needed, with both parties involved in the beer issues at the races, to resolve the issue. Chair Finn stated he is willing to do this, if people are committed to listen to each other, and refrain from the argumentative position. Corbin suggested a Department of Revenue representative also be invited to the meeting, should it take place. It was emphasized that there are no violations in regard to selling the beer. Corbin suggested if an agreement cannot be reached, to revert to the two licenses, with the county's approval. Discussion. McKenzie suggested there are trained mediators in our area, who may be able to facilitate the meeting. Motion carried.

Applications for Youth Representative to the County Board are available in the UW-Extension Office.

Liebaert asked if Douglas County could get involved with the garbage arrangement the City of Superior just made with Duluth. There may be an opportunity for the rural areas to benefit from such an arrangement with the City of Superior. Chair Finn suggested this is a good agenda item for the City-County Committee to consider.

Motion by C. Johnson, second Quam, to allow Tom Wright, to address the Board, regarding a tree by the northwest side of the Courthouse. Motion carried. Wright indicated that he and his dad planted the tree many years ago, but it would be okay with him to remove it, if added parking could be helpful. Brief discussion. Conley would like to see the tree stay, but take the ugly lights off it. This item can be put on the Buildings and Grounds Committee agenda.

**ADJOURNMENT:** Motion by Browne, second Glenn, to adjourn. Motion carried. Meeting adjourned 7:20 p.m. Next regularly scheduled meeting - Thursday, June 15, 2006.

Submitted by,

Susan T. Sandvick  
Douglas County Clerk