

PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS
Thursday, October 19, 2006, 6:00 p.m., Board Room, Second Floor, Government Center
1316 North 14th Street, Superior, Wisconsin

Meeting called to order by Vice Chair Keith Allen.

Pledge of Allegiance recited.

Roll call taken by County Clerk Susan T. Sandvick. There were 23 present, 5 absent. Absent and excused were Finn, Livingston and C. Johnson. Absent were James O'Brien, John O'Brien. Baker left at 7:22 p.m.

Motion by Thompson, second Corbin, to approve minutes of the September 21, 2006 meeting. Motion carried.

CORRESPONDENCE

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

PRESENTATIONS

Employee of the Quarter award was presented to Forestry Department employee, Mark Schroeder. Schroeder's contributions to the department and to Douglas County, including serving twice as interim director of the Forestry Department, were noted by Administrator Koszarek. Jon Harris, current Forestry Department Director, recognized Schroeder's leadership in the department. Schroeder thanked the County Board for the honor.

A special award recognizing Jason Jackman, project manager for the reconstruction of County Road A, was presented by Koszarek and Douglas County Highway Commissioner Paul Halverson. Halverson detailed Jackman's regular duties in the department and how Jackman saved the county over \$500,000 on the County Road A project. Jackman stated he was happy to help save the taxpayers some money, even though it meant a lot more than his normal workweek and time away from his family.

Koszarek introduced Douglas County's UW-S intern, Thomas Dobbs.

Chris Borden, PRI RU TA Coordinator, reviewed the history, mission and organization of PRI RU TA, a non-profit corporation supported by ten Wisconsin counties. A summary of Douglas County projects was presented. A soil data software program has been developed and will serve as a fundraising source for LCD's. Borden encouraged people who have project ideas for Douglas County to contact either Supervisor McKenzie or Supervisor Liebaert.

Bobbi Lenz and David Podratz, Douglas County Organizational Study Group, summarized the

group's "Report on County Board Size and Form of Administration". Referring to the new legislation that allows redistricting between census years, and the DC Taxpayers Alliance request to look at the type of county administration, Podratz and Lenz detailed the comprehensive research, study, and meeting discussions conducted by the Study Group, individually and collectively, which led to the recommendations on the two issues. It was noted that the Study Group was not formed in response to the recent petition, but to be proactive to the new legislation. The recommendation on County Board size, which was a unanimous vote, was three-fold: "Maintain the Douglas County Board as its current size of 28 members until after the 2010 census; County Board size should be reconsidered during the normal redistricting process following the 2010 census; A formal written report on this Study Group's work should be made available as a public record, and submitted with the recommendation to the Douglas County Board." The following recommendation on administration type, passed on a roll call vote of 8 Yes, 2 No, 3 Absent: "The Study Group recommends Douglas County retain its current administration model of County Administrator, to be revisited and studied following the 2010 census." Lenz and Podratz thanked the County Board for the opportunity to present the Report to the Board, and urged supervisors to utilize the report as an educational and informational tool for constituents. The Study Group's formal report is available on the county's website www.douglascountywi.org, or by contacting the UW-Extension office at 395-1363. Brief discussion followed.

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 11, 2006, on the following petition for amendment of the county zoning district ordinance map:

W1/2 of the SW1/4 of the SE1/4, Section 10, T44N-R12W, (SO-026-00164-01 & 00164-02/Meade Church Road), Town of Solon Springs, from the F-1: Forestry zoning district to the A-1: Agriculture zoning district, by Michael & Michele Brostowitz, P.O. Box 74, Solon Springs, Wisconsin. Intended use: Small hobby farm & horses.

WHEREAS, proof of publication of the notice of the public hearing, and proof of giving notice to the town clerk of the hearing are as shown in Exhibit A-10-19-06.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Zoning Committee and approve the petition upon receipt of approval letter from the town board.

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

Dated this 19th day of October, 2006.

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

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

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
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26. Johnson, Carol		
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**AMENDMENT TO ORDINANCE #7.2
LAND RECREATION ORDINANCE
PRESENTED BY THE FOREST, PARKS AND
RECREATION COMMITTEE**

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

Rescind Amendment to Section VIII, Sub. H, dated September 21, 2006, and Amend Section VIII., Sub. H., as follows:

SECTION VIII.

No person or persons shall within a Class 5 recreation area:

- H. Place, occupy or use a tree stand which uses a material which penetrates the bark of the tree (includes both the tree stand and “climbing aids”). Screw in tree steps, landscape spikes, nails, railroad spikes, and bolts are all prohibited. Place, occupy or use a tree stand, elevated platforms or ground blind which does not have the owner’s name, address, and telephone number displayed in a minimum of 1 inch lettering which must be visible from the ground. Place, occupy, or use a tree stand, free standing platform or ground blind which utilizes artificial shooting lanes created by cutting, brushing, trimming, or otherwise damaging or altering trees, brush or terrain. Place, occupy or use more than two tree stands, elevated platforms or grounds blinds in combination per valid, current Wisconsin deer/bear/**turkey** license holder. Place, occupy or use a tree stand which is larger than 52 inches by 36 inches measured at the base, ground blind which measures larger than 7 ft X 7 ft X 7 ft, or elevated platform which the platform measures more than 7 ft X 7 ft X 7 ft. Place, occupy or use a tree stand elevated platform or ground blind in the period of February 1 to March 31 and June 1 to August 31 of each calendar year. Place, occupy or use any tree stand that is not a hang-on style, self climbing style or a ladder

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Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		
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Roll Call		
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1. Finn		
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stand style. Occupy or use any tree stand, free standing platform or ground blind except for one-half hour before to the end of legal hunting hours for that given day. Any tree stand, free standing platform or ground blind which is found in violation of this ordinance shall be confiscated and disposed of at the user's expense by Douglas County Forestry Department personnel or the Douglas County Sheriff's Department, or their designees.

Dated this 19th day of October, 2006.

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

ACTION: Motion by Robinson, second K. Johnson, to adopt. Motion carried.

PLATS

Approval of Final Plat - Douglas County Plat of Bluff Creek Trails for Linda Smith by Norb Rehder, located in the NE1/4 of Section 8 and the N1/2 of the NW1/4 and the NW1/4 of the NE1/4 of Section 9, all in T47N-R13W, Town of Oakland. Motion by Baker, second Graven, to approve. Motion carried.

RESOLUTIONS

RESOLUTION #86-06
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE

Subject: Land Sales

WHEREAS, on September 9, 16, and 23, 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:

\$ 577.00 PARCEL 28-06 - Lot 25, Block 5, Whitefish Beach, Section 16-43-12, Town of Wascott (WA-032-02180-00), from James W. Knudson and Patricia F. Knudson. Intended use: Undeveloped; and

WHEREAS, the following parcel of land was also previously advertised on the dates indicated, in accordance with Section 75.69, Wisconsin Statutes, and the highest bid received is as follows:

\$ 7,125.00 PARCEL 21-06 (June 5, 12, 19, 2006) - Lots 1 through 7 inclusive, Lot 10, Block 16, Carnegie First Division, Section 12-48-15, and also Lots 1 and 2, 6, 7, 9, 10, 14, and (15 through 18 inclusive except right-of-way), Block 16, Carnegie Western Division, Section 7-48-14, Village of Oliver, (OL-165-00168-00, OL-165-00170-00, OL-165-01048-00, OL-165-01050-00, OL-165-01052-00, OL-165-01054-00, OL-165-01055-00), from Kenneth G. Engblom and Dianne A. Engblom. Intended use: Recreational - possibly build a cabin.

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 19th day of October, 2006.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$7,702.00)

ACTION: Motion by Budnick, second Conley, to adopt. Motion carried.

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Roll Call		
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**RESOLUTION #87-06
RESOLUTION BY THE FOREST, PARKS AND
RECREATION COMMITTEE AND LAND AND
DEVELOPMENT COMMITTEE**

Subject: Enbridge Pipelines Right-of-Way and Easement Grant Agreement Amended

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Forest, Parks and Recreation Committee and Land and Development Committee and approve amendment to Additional Pipeline Rights Exercise and Receipt, and Right-of-Way and Easement Grant Agreement, as set forth in Exhibit C-10-19-06.

Dated this 19th day of October, 2006.

(Committee Action: Unanimous)

(Fiscal Note: Revenue of \$385,259.00 - Forestry Department; \$3,361.00 - Land and Development)

ACTION: Motion by Quam, second Robinson, to adopt. Discussion followed regarding the absence of an environmental impact statement. Motion by McKenzie, second Stewart, to refer the resolution back to Forest, Parks and Recreation Committee. Motion to refer carried.

**RESOLUTION #88-06
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE**

Subject: Tax Deeds Issued

WHEREAS, on October 17, 2006, Douglas County took tax deeds for 2002 unpaid taxes, and

WHEREAS, Section 75.14 of the Wisconsin Statutes requires County Board approval for issuance of tax deeds.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors hereby accept the recommendation of the Land and Development Committee and approve the previous issuance of tax deeds on October 17, 2006, for properties listed on Exhibit D-10-19-06, for those properties with 2002 taxes remaining unpaid as of that date.

Dated this 19th day of October, 2006.

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

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

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RESOLUTION #89-06
RESOLUTION BY SUPERVISORS BAKER,
HENDRICKSON, AND CAROL JOHNSON

Subject: Comprehensive Plan Grant Agreement

WHEREAS, Douglas County, in cooperation with the City of Superior, **Town of Amnicon, Town of Bennett, Town of Brule, Town of Cloverland, Town of Dairyland, Town of Highland, Town of Oakland, Town of Parkland, Town of Solon Springs, Town of Summit, Town of Superior, Village of Oliver, Village of Poplar,** Village of Solon Springs, and Village of Superior, agrees to participate in the preparation of a Multi-Jurisdictional Comprehensive Plan for the general purpose of guiding and accomplishing coordinated, adjusted, and harmonious development throughout Douglas County, and

WHEREAS, the City Council for the City of Superior, and Town Boards for the **Town of Amnicon, Town of Bennett, Town of Brule, Town of Cloverland, Town of Dairyland, Town of Highland, Town of Oakland, Town of Parkland, Town of Solon Springs, Town of Summit, Town of Superior,** and Village Boards for the **Village of Oliver, Village of Poplar,** Village of Solon Springs and Village of Superior, acknowledge the requirements of Wisconsin's Comprehensive Planning Legislation, including the adoption of the plan (Subchapter 66.1001, Wisconsin Statutes), the benefits of comprehensive planning, and funding that would be awarded by the Wisconsin Department of Administration to financially assist the county and participating communities with preparation of the comprehensive plan, and

WHEREAS, development of the Multi-Jurisdictional Comprehensive Plan requires a financial contribution of \$50,000.00 from Douglas County, and \$4,000.00 from each township, and

WHEREAS, Douglas County planning staff and the consultant have recently held a series of three public informational meetings throughout Douglas County, which outlined the planning process and community responsibilities, gathered public input, and provided answers to questions relative to the planning process, and

WHEREAS, as a participant in the Douglas County multi-jurisdictional planning process, the City of Superior, **Town of Amnicon, Town of Bennett, Town of Brule, Town of Cloverland, Town of Dairyland, Town of Highland, Town of Oakland, Town of Parkland, Town of Solon Springs, Town of Summit, Town of Superior, Village of Oliver, Village of Poplar,** Village of Solon

Roll Call		
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Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend <u> X </u> Other _____		
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Springs, and Village of Superior, will receive an individual planning document for review and adoption, which addresses the requirements as specified under Wisconsin's Comprehensive Planning Legislation.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors hereby agrees to participate in the development of the Multi-Jurisdictional Comprehensive Plan in cooperation with Douglas County communities listed herein, pursuant to Wisconsin Statute Subchapter 66.1001.

Dated this 19th day of October, 2006..

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

ACTION: Motion by Baker, second Conley, to adopt. Motion by Baker, second Conley, to amend resolution and add the following municipalities: Town of Amnicon, Town of Bennett, Town of Cloverland, Town of Dairyland, Town of Highland, Town of Oakland, Town of Parkland, Town of Solon Springs, Town of Summit, Town of Superior, Village of Oliver, and Village of Poplar. Motion carried. Discussion followed on how the financial commitment from the towns will be met. Motion to adopt resolution as amended, carried.

Roll Call		
District Number	Yes	No
1. Finn		
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Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed _____ Lost _____ Refer _____ X _____ Amend _____ Other _____		
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RESOLUTION #90-06
RESOLUTION BY THE ZONING COMMITTEE

Subject: Zoning District Map Amendment Denied

WHEREAS, the Douglas County Zoning Committee held a public hearing on October 11, 2006, on the following petition for amendment of the county zoning district ordinance map:

Part of the N1/2 of the NE1/4 of the SW1/4, Section 3, T46N-R12W, (HA-014-00185-00/County Road E), Town of Hawthorne, from the R-2: Residential zoning district to the I-1: Industrial zoning district, by Douglas County (Highway Department), 1313 Belknap Street, Superior, Wisconsin. Intended use: Storage building.

WHEREAS, proof of publication of the notice of the public hearing, proof of giving notice to the town clerk of the hearing, and correspondence from the town, are as shown in Exhibit E-10-19-06, and

WHEREAS, the Town of Hawthorne reportedly denied the rezoning petition, which subsequently was denied by the Zoning Committee.

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

Dated this 19th day of October, 2006.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Baker, second Stewart, to adopt. Motion by Baker, second Stewart, to refer the resolution back to Zoning Committee for further consideration, as the Town of Hawthorne tabled the petition to rezone rather than recommended denial of the petition. Motion to refer carried.

Roll Call		
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1. Finn		
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Rev. 09-21-06		

RESOLUTION # 91-06
RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS

Subject: Transportation User Fee Concept Re-emphasized

WHEREAS, few people realize that an amount equal to about one-third of the state's 29.1 cent per gallon fuel tax is being used this year for non-transportation purposes, and

WHEREAS, the previous state budget transferred \$675 million from the Transportation Fund to help address the General Fund's \$3.2 billion deficit; \$524 million was restored, not with fuel tax revenues, but through bonding adding to Wisconsin's "negative" AA3 Moody's rating, and

WHEREAS, the 2005-2007 State Biennium Budget also calls for transferring over \$600 million from the Transportation Fund to the General Fund and replacing a portion of those funds again through bonding; the budget is "balanced" with over \$1 billion of one-time monies; fund transfers and accounting shifts to the next biennium, and

WHEREAS, Wisconsin's Transportation Fund has traditionally been "segregated" from the General Fund because of the user fee concept, and

WHEREAS, maintaining and rebuilding the State's highway infrastructure and bridges is vital to the state, counties, and all municipalities to support commerce and tourism, and to provide safe transportation for citizens of the state.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors in support of all counties of the state, request that the Governor and state legislators enact legislation to re-emphasize the transportation user fee concept, thus segregating fuel tax revenues and vehicle registration fees specifically for the Transportation Fund.

BE IT FURTHER RESOLVED that the County Clerk, upon passage of this resolution, forward copies to the Governor, Senator Jauch, Representative Boyle, the Wisconsin Counties Association, and all Wisconsin Counties.

Dated this 19th day of October, 2006.

Roll Call		
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Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer <u> X </u> Amend _____ Other _____		
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(Committee Action: Unanimous)
 (Fiscal Note: None)

ACTION: Motion by Thompson, second Budnick, to adopt. Motion by K. Johnson, second Liebaert, to amend resolution so it sponsored by entire County Board. Motion carried. Motion to adopt resolution as amended, carried.

Motion by Conley, second Egan, to allow resolution not on agenda. Motion carried.

Roll Call		
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Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 09-21-06		

RESOLUTION #92-06
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE

Subject: Land and Development Committee Authority to Act

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee, and authorize the Land and Development Committee to approve the sale of the following described property:

West 17 Feet of Lot 7, Block 4, Itasca Division of Superior, City of Superior,

at a special committee meeting to be held on November 6, 2006.

BE IT FURTHER RESOLVED that this authorization is being granted to assist the adjacent property owner in obtaining the necessary amount of property required for a building permit.

Dated this 19th day of October, 2006.

(Committee Action: Committee to meet on 10-19-06, prior to Board meeting)

(Fiscal Note: None)

ACTION: Motion by Egan, second Hendrickson, to adopt. Vice Chair Allen explained the situation. Motion carried.

COUNTY ADMINISTRATOR REPORT

Koszarek distributed a written report covering a new city stormwater utility fee, management training, and a recent Administration Committee meeting. A letter of thanks from the Rescue Squad was also distributed. Koszarek reviewed the state's move to a family care model for long-term care, because the waiting list is quite long for the disabled. There is a meeting November 9th on the state's proposal which Koszarek and others will attend.

COUNTY BOARD CHAIR REPORT AND APPOINTMENTS

Vice Chair Allen reported that County Board Chair Finn is doing well following surgery.

The following appointment was recommended: **Comprehensive Planning Committee** - Victoria "Tori" Thayer, Gordon, Wisconsin. Motion by Corbin second Martin, to approve. Motion carried.

COMMITTEE REPORTS

Quam reported the New York Building is taking applications for senior living apartments for December occupancy. Call 392-6699 for information or an application.

Conley reported that the Health and Human Services Department will hold a public meeting October 30th, in Superior, to discuss the state's long term care initiative Koszarek mentioned earlier. Individuals who plan to attend are asked to call Kate Peterson or Pat Schanen at 395-1304.

Liebaert reported next timber sale is next Tuesday, 6:00 p.m. Forest, Parks and Recreation Committee will meet October 28th, 9:30 a.m. Log-A-Load was attended by about 800 area students.

Egan reported that Wisconsin Fair Board will hold their 2007 regional meeting in Superior.

Allen reported the Land and Development Committee selected two individuals from Superior to run the racetrack next season. The agreement should be ready for the County Board in November.

K. Johnson reported there will be no Highway Committee meeting in November.

YOUTH REPRESENTATIVE REPORTS

Naughton reported Homecoming fundraiser this year was a carnation sale. Proceeds of over \$600 were donated to the Rita Ronchi medical expense fund.

APPROVAL OF BILLS AND CLAIMS

Motion by Stewart, second Jaques, to approve. Motion carried.

SUCH OTHER MATTERS AS AUTHORIZED UNDER THE WISCONSIN STATUTES

Vice Chair Allen introduced and welcomed recently appointed 4th District Supervisor Jeff Isackson.

Hendrickson reported she attended the Annual 4-H Banquet and urged continued support for the excellent 4-H program in Douglas County.

Prettie expressed concern regarding more state and federal mandates, such as the city's new stormwater utility fee, and the fact that all these fees may result in loss of homes. Liebaert, a member of the City of Superior's Wastewater Treatment Committee, explained how this new mandate evolved.

ADJOURNMENT: Motion by McKenzie, second Martin, to adjourn. Motion carried. Meeting adjourned 7:43 p.m. Next regularly scheduled meeting - Tuesday, October 31, 2006, budget meeting.

Submitted by,

Susan T. Sandvick
Douglas County Clerk