

PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS
Thursday, April 19, 2007, 6:00 p.m., Board Room, Second Floor, Government Center
1316 North 14th Street, Superior, Wisconsin

Meeting called to order by Chairman Douglas Finn.

Pledge of Allegiance recited.

Roll call taken by County Clerk Susan T. Sandvick. There were 24 present, 4 absent. Absent and excused were Prettie, Liebaert, Livingston, and Miller. Baker left at 7:05 p.m. Student representatives present were Dalbec, Burger, and Wendland.

Motion by Stewart, second C. Johnson to approve minutes of the March 15, 2007, meeting. Motion carried.

CLAIMS

Summons and Complaint under the Civil Rights Act in the matter of Corey Isaacson vs. George Gothner, Brian Caron, Charles LaGessee, Douglas County, City of Superior Police Station.

CORRESPONDENCE

Fourteen 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

Motion by Egan, second Allen, to suspend rules and hear from Mike Rasmussen, KOOL 105 radio. Motion carried.

Rasmussen thanked County Board members for their individual responses to his request for assistance with a billing for promotions for Superior Speedway last year. The responsible party has been identified and notified of the outstanding balance.

PRESENTATIONS

County Administrator Koszarek recognized the work of Finance Director Ann Doucette and Finance Department staff, who recently received a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association. Doucette was not able to attend the meeting, but Koszarek accepted the award on behalf of Doucette and her staff.

Koszarek presented the Employee of the Quarter Award to Mary Russom, employee with the District Attorney's office for the past 30 years, the last six working with the Victim/Witness Program. District Attorney Blank lauded Russom's sensitivity and experience which has helped to enhance the Victim/Witness Program in Douglas County. Russom thanked the County Board for the recognition, and expressed appreciation for the team of excellent staff in the District Attorney's office. Explaining how the Victim/Witness Office works with citizens of Douglas County during difficult, stress-filled times of their lives. Russom stated she will donate her award stipend to Shelby Adolphson benefit.

Chair Finn presented Certificates of Outstanding Service to the following staff of the Twin Ports Veterans Clinic: Sandra Popham, M.D., Kristopher Wallman, P.A., and James Dobis, M.D. Recognizing the contributions of Popham, Wallman and Dobis, and continuing health care needs of area veterans, Dr. Clyde Markon, Clinic Administrator, noted the clinic expects an increase of 2,000 enrollees by summer's end. Supervisors Robinson and James O'Brien, Douglas County

Veterans Commission, expressed appreciation for the excellent services of the clinic staff.

ORDINANCES

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

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

WHEREAS, the Douglas County Zoning Committee held a public hearing on April 11, 2007, on the following petitions for amendment of the county zoning district ordinance map:

- (1) N1/2 of the SW1/4 of the NE1/4, Section 32, T44N-R11W, (GO-012-01283-00/Country Circle), Town of Gordon, from the F-1: Forestry & RR-1: Residential Recreation zoning districts to the A-1: Agriculture zoning district, by R. Shane & Stephanie Begley, 14114S Country Circle, Gordon, Wisconsin. Intended use: Livestock; horses and cattle;
- (2) N1/2 of the SE1/4 of the SW1/4 of the NW1/4, Section 11, T47N-R11W, (Pt. MA-020-00213-00/Estness Road), Town of Maple, from the F-1: Forestry zoning district to the A-1: Agriculture zoning district, by Jeffrey Anderson, 11283E Estness Road, Maple, Wisconsin. Intended use: Residential subdivision;
- (3) Part of the SE1/4 of the SE1/4, Section 31, T44N-R14W, (DA-010-01057-02/Kingsdale Road), Town of Dairyland,, from the R-2: Residential zoning district to the F-1: Forestry zoning district, by Greg & Julie Carlson, 3196 W Tischer Road, Duluth, Minnesota. Intended use: Seasonal residential; and
- (4) Part of the NE1/4 of the NE1/4, Part of the NW1/4 of the NE1/4 of Section 6, T45N-R12W the SW1/4 of the SW1/4, Section 32, T46N-R12W, BE-004-00067-00; 00067-01; 00066-00; 00066-01; 00066-02; 00872-00/Moose Lake Road), Town of Bennett, from the F-1: Forestry zoning district to the A-1: Agriculture zoning district, by Peter Cichucki, P.O. Box 141, Solon Springs, Wisconsin. Intended use: Agriculture.

WHEREAS, proof of publication of the notice of the public hearing, and proof of giving notice to the town clerks of the hearing are as shown in Exhibit A-4-07.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Zoning Committee and approve the petitions contingent on receipt of approval letters from the respective town boards.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker		
6. Ritscher		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
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 <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 12-22-06		

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker		
6. Ritscher		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
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. 12-22-06		

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

Dated this 19th day of April, 2007.

(Committee Action: Unanimous)

(Fiscal Note: None)

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

PLAT

Approval of Final Plat - Douglas County Plat of Seidling's Addition to the Town of Amnicon by Hugh McDonald for Bernard Seidling, located in the NE1/4 of the SE1/4 of Section 3, T47N-R12W, Town of Amnicon. Motion by Baker, second Thompson, to refer plat back to committee. Motion carried.

RESOLUTIONS

**RESOLUTION #17-07
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE**

Subject: Land Sales

WHEREAS, on March 10, 17 and 24, 2007, Douglas County advertised for sale various parcels of land, in accordance with Section 75.69, Wisconsin Statutes, and the highest bids received were as follows:

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker		
6. Ritscher		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
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 X_____ Lost _____ Refer _____ Amend _____ Other _____		
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\$ 101,500.00 PARCEL 1-07 - Approximately 18.5 acres in the proximity of Murphy Oil Refinery (bordered by East 12th Street, 24th Avenue East (Stinson Avenue), Hill Avenue, and North 28th Street East), as legally described in Exhibit C-4-07, from Murphy Oil USA, Inc. Intended use: Consolidate and expand buffer zone around refinery and allow for possible expansion;

\$ 5,200.00 PARCEL 2-07 - Lots 225, 227, 229 and 231, Townsite of Superior West 9th Street, except r/w, City of Superior, (PT 01-801-02685-00), from Danny L. Doolittle. Intended use: Homesite;

\$ 3,400.00 PARCEL 3-07 - Lots 170, 172, 174 and 176, and Swly ½ of West 8th Street vacated, Townsite of Superior West 8th Street, City of Superior, (PT 01-801-02313-00), from Matthew Markon. Intended use: Addition to existing adjoining property and possible building site;

\$ 1,260.00 PARCEL 4-07 - Lots 16 and 18, Townsite of Superior West 3rd Street, City of Superior, (PT 01-801-00783-00), from Byron F. Card. Intended use: Sewer line access;

\$ 1,019.00 PARCEL 6-07 - Part of the NE1/4 of NE1/4, known as Lot C in Lenzen's Landing, Section 36-43-13, Town of Wascott, (WA-032-02016-01), from Robert Wick and Sam Millward. Intended use: Investment;

\$ 1,501.00 PARCEL 8-07 - Lots 17 and 18, Block 1, Whitefish Beach, Section 16-43-12, Town of Wascott, (WA-032-02128-00), from Nathaniel E. Schilling and Erin M. Schilling. Intended use: Investment/personal use;

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker		
6. Ritscher		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
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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\$ 5,156.76 PARCEL 9-07 - Lots H, I and J, First and Second Addition to Townsite of Patzau, Section 3-46-15, Town of Summit, (SU-028-01710-00), from Douglas W Vana and Mary K. Vana. Intended use: Investment to adjacent property;

\$ 4,500.00 PARCEL 11-07 - Lots 11-15 Inclusive, Lots 20, 23, 24 and 25, Block 13, Oliver Industrial Center, Section 7-48-14, Village of Oliver, (OL-165-01833-00, OL-165-01835-00, OL-165-01837-00), from Melvin H. Krause and Linda J. Krause. Intended use: New home construction;

\$ 2,551.00 PARCEL 12-07 - Lots 1-21 Inclusive, Block 7, Hammond Avenue Park Addition to South Superior, Section 14-48-14, Town of Superior, (TS-030-02425-00), from John J. Krivinchuk and Rozanne Krivinchuk. Intended use: Recreation;

\$ 4,800.00 PARCEL 13-07 - Lots 546 through 556, even numbers, 9th Street, except r/w, and 14th Avenue East vacated, Ely's Addition to Superior, City of Superior, (02-802-02231-00), from Bruce W. Johnson and Tamara L. Johnson. Intended use: Yard for adjacent property homesite; and

WHEREAS, the following parcels of land were also previously advertised on the dates indicated, in accordance with Section 75.69, Wisconsin Statutes, and the highest bids received are as follows:

\$ 1,176.00 PARCEL 85-04 (December 6, 13, 20, 2004) - Lot 35, Nakoma Gardens, Town of Parkland, (PA-024-02108-00), from Robert Wick and Sam Millward. Intended use: Investment;

\$ 1,176.00 PARCEL 86-04 (December 6, 13, 20, 2004) - Lot 42, Nakoma Gardens, Town of Parkland, (PA-024-02114-00), from Robert Wick and Sam Millward. Intended use: Investment;

\$ 12,090.00 PARCEL 42-05 (September 6, 12, 19, 2005) - Lots 1, 2, 3, subject to easement for winter recreational trail, Pokegama Diagram Lots, Section 8-48-14, Town of Superior, (TS-030-02567-00), from Brian Lee Youderin and Anita LaRae Youderin. Intended use: Adjacent property owner/homesite; and

Roll Call		
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1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker		
6. Ritscher		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
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		
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Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		
Rev. 12-22-06		

\$ 25,204.00 PARCEL 14-06 (June 5, 12, 19, 2006) - Part of the NW1/4 of the SE1/4, lying west of right-of-way, and also part of the NE1/4 of SW1/4, in NE corner, and part of SE1/4 of NW1/4, west of railroad, and part of the NE1/4 of NW1/4, and also the W-1/2 of SW1/4 and NE1/4, SW of railroad, Section 5-46-12, described 173 DP 358, Town of Hawthorne, (HA-014-00226-00, HA-014-00231-00, HA-014-00236-00, HA-014-00238-00, HA-014-00244-00), from Durwood J. Scholz and Darius D. Scholz. Intended use: Recreation.

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 April, 2007.

(Committee Action: Unanimous)
 (Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$170,533.76)

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

RESOLUTION #18-07
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE

Subject: Sale of Property to City of Superior

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve sale of the following described property (approximately 126 acres) to the City of Superior, for the amount of \$126,000, and as shown in Exhibit D-4-07:

PA-024-00323-00: PT NE1/4, lying West of Railroad, Section 16-48-13, except power easement, except parcel to railroad (.23 acres) described 567 RP 882, except platted area;

PA-024-00324-00: PT NE1/4 of NW1/4, Section 16-48-13, except power easement, except platted area, except 341 RP 338, 355 RP 313;

PT PA-024-00327-00: NW1/4 of NW1/4, Section 16-48-13, except 662' x 85' (part of parcel described in 355/313), and except Lot 1, C.S.M. No. 1021, Vol. 7, Page 182 (7.6 acres); and

PA-024-00328-00: SW1/4 of NW1/4, Section 16-48-13, except right-of-way;

PA-024-00329-00: SE1/4 of NW1/4, Section 16-48-13, except platted part.

BE IT FURTHER RESOLVED that the above described property will become part of the City of Superior's SAMP II Mitigation Site, with further title research required to determine exact legal descriptions to be included on the transfer deed.

BE IT STILL FURTHER RESOLVED that payments will be made over a four year time frame, commencing in 2007 and continuing due the first quarter for the following three years.

Dated this 19th day of April, 2007.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$126,000)

ACTION: Motion by Allen, second John O'Brien, to adopt. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker		
6. Ritscher		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
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 X_____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 12-22-06		

RESOLUTION #19-07
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE

Subject: Transfer of Ownership of Property to City of Superior

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve transfer of ownership of the following described property to the City of Superior:

Lot 3, Block 15, Merriam Park, An Addition to West Superior, except right-of-way, City of Superior, Parcel 07-807-02175-00, known as 2305 Butler Avenue.

BE IT FURTHER RESOLVED that the proceeds from any future sale of the property be divided equally between Douglas County and the City of Superior.

Dated this 19th day of April, 2007.

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

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

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

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker		
6. Ritscher		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
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 <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 12-22-06		

RESOLUTION #20-07
RESOLUTION BY THE ADMINISTRATION COMMITTEE

Subject: Forestry Department Position Reclassifications

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

1. Department: Forestry
 Position: Account Clerk
 Request: Reclassify Account Clerk from A-12 to Accounting Assistant A-13.

 Cost: \$472 annually
 Committee Action: Unanimous.

2. Department: Forestry
 Position: Accounting Technician
 Request: Reclassify Accounting Technician B-21 to Accounting Assistant A-13.

 Cost: (\$2,030)
 Committee Action: Unanimous.

Dated this 19th day of April, 2007.

(Committee Action: Indicated above)
 (Fiscal Note: Savings of \$1,558 in personnel budget)

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

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker		
6. Ritscher		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
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. 12-22-06		

RESOLUTION #21-07
RESOLUTION BY THE BUILDINGS AND GROUNDS
COMMITTEE AND ADMINISTRATION COMMITTEE

Subject: Buildings and Grounds Interim Department Manager
 Position Continued

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Buildings and Grounds Committee and the Administration Committee and approve continuing appointment of Dennis Arras, Interim Buildings and Grounds Department Manager, from May 1, 2007, through December 31, 2007, with a monthly stipend of \$1,000.00.

Dated this 19th day of April, 2007.

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

ACTION: Motion by Corbin, second John O'Brien, to adopt. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker		
6. Ritscher		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
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. 12-22-06		

RESOLUTION #22-07
RESOLUTION BY THE ADMINISTRATION COMMITTEE

Subject: Youth Representatives Stipend for County Board Meetings

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve a \$25.00 stipend for youth representatives per County Board meeting.

Dated this 19th day of April, 2007.

(Committee Action: Unanimous)
(Fiscal Note: Within County Board budget)

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

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker		
6. Ritscher		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
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. 12-22-06		

RESOLUTION #23-07
RESOLUTION BY THE ADMINISTRATION COMMITTEE

Subject: Side Letter Agreement Between Douglas County and
 Douglas County Professional Registered Nurses Local Union No.
 2375-A, AFSCME, AFL-CIO

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve "Side Letter Agreement, After hours on-call phone service coverage schedule" between Douglas County and the Douglas County Professional Registered Nurses Local Union No. 2375-A, American Federation of State, County and Municipal Employees AFL-CIO, as set forth in Exhibit E-4-07.

Dated this 19th day of April, 2007.

(Committee Action: Unanimous)
 (Fiscal Note: Minimum \$3,500 – Maximum \$10,000; dependent on amount of calls received)

ACTION: Motion by Hendrickson, second Corbin, to adopt. Koszarek explained that there was a previous side letter agreement that expired, and this will extend that agreement. Union has not yet approved it, so County Board approval is contingent on union approval. Brief discussion. Motion carried.

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

RESOLUTION #24-07
RESOLUTION BY SUPERVISORS MCKENZIE, BROWNE,
RITSCHER, HENDRICKSON, AND LIEBAERT

Subject: Separation of Douglas County from the Four-County Land and Water Conservation Department

WHEREAS, Chapter 92 of the Wisconsin Statutes requires all counties in the State of Wisconsin to form a Land Conservation Committee (LCC) which shall administer a Land and Water Conservation Program, provide periodic updates to the County Land & Water Resource Management Plan, and other duties listed in Chapter 92, and

WHEREAS, Chapter 92 of the Wisconsin Statutes provides for all counties in the State of Wisconsin to develop and maintain a Land and Water Conservation Department (LWCD) whose purpose is to uphold goals and standards for conservation of soil and water resources; provide access to cost sharing, technical assistance, educational programs, and other programs to conserve soil and water resources; and encourage coordinated soil and water conservation planning and program implementation; and whose activities are monitored and supported by the Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP), and

WHEREAS, the Douglas County LCC and Douglas County LWCD are currently members of a four-county organization, the Ashland Bayfield Douglas & Iron Counties Land & Water Conservation Department (ABDI-LWCD), and

WHEREAS, the Douglas County LCC has stated in its long-term plan, approved in 2003, its intent to form a Douglas County LWCD independent of the four-county organization, ABDI-LWCD; and,

WHEREAS, the Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP) has recently urged the Douglas County LCC to dissolve its formal membership in the four-county organization, ABDI-LWCD, to bring Douglas County into compliance with relevant state statutes, and

WHEREAS, the Douglas County Land Conservation Committee has determined that Douglas County citizens and local conservation programs would be better served by an independent Land & Water Conservation Department, separate from the four-county organization, ABDI-LWCD, and

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

WHEREAS, at their February 21st, 2007 meeting, the Douglas County Land Conservation Committee approved the separation from the four-county organization, ABDI-LWCD, and formation of an independent Douglas County Land & Water Conservation Department and forwarded this action to the Douglas County Board for their review and action.

NOW THEREFORE BE IT RESOLVED that the Douglas County Board of Supervisors, does approve the separation of the Douglas County Land & Water Conservation Department from the four-county organization, ABDI-LWCD; effective January 1, 2008.

Dated this 19th day of April, 2007.

(Fiscal Note: Undetermined)

ACTION: Motion by McKenzie, second Baker, to adopt. Chair Finn indicated this has been an ongoing issue for some time, and he has some concerns about splitting from the other counties. Browne and Hendrickson reported that the other counties in the organization do not disagree with Douglas County separating from the group. It may be wise that this be referred to Zoning Committee, because the standing committee process was not followed. Browne reiterated that it was made clear at the ABDI Ashland meeting, that the separation should be done, as the initial formation of Land Conservation was never meant to be a joint group. Costs versus benefits of the proposed separation were discussed at length. Absence of a dollar figure in the resolution's fiscal note evoked some concern. Hendrickson explained the Douglas County Land Conservation Committee representatives chose to separate from the group first, then work on a staffing and budget plan.

Motion by Allen, second Stewart, to refer the resolution to the Zoning Committee and Administration Committee. Discussion followed. Several supervisors noted their concern over what could result in creation of an independent Land Conservation Department. Strongly opposing the referral, McKenzie emphasized this is not about staffing, but what DATCP is requiring. She cautioned if the county doesn't do this, the DATCP dollars are going down. Roll call vote taken on the referral and passed with 19 Yes, 5 No, 4 Absent. Voting no were Baker, Ritscher, McKenzie, Hendrickson, Corbin. Absent were Liebaert, Prettie, Livingston, Miller.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker		
6. Ritscher		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
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 X_____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 12-22-06		

RESOLUTION #25-07
RESOLUTION BY SUPERVISORS HENDRICKSON, K. JOHNSON, AND THE ENVIRONMENT, AGRICULTURE AND EXTENSION COMMITTEE

Subject: Cooperative Agreement for Business Recycling Between the City of Superior and Douglas County Supported

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of Supervisors Hendrickson, K. Johnson, and the Environment, Agriculture and Extension Committee and approve the Cooperative Agreement for Business Recycling between the City of Superior and Douglas County, as set forth in Exhibit F-4-07.

Dated this 19th day of April, 2007.

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

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

RESOLUTION #26-07
RESOLUTION BY SUPERVISORS C. JOHNSON, BAKER
AND HENDRICKSON

Subject: Comprehensive Plan – Public Participation Plan

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of Supervisors C. Johnson, Baker and Hendrickson, and approve the Douglas County Comprehensive Plan – Public Participation Plan, as set forth in Exhibit G-4-07.

Dated this 19th day of April, 2007.

(Fiscal Note: None)

ACTION: Motion by Baker, second C. Johnson, to adopt. Brief discussion on the public input process. City of Superior is doing their own plan. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker		
6. Ritscher		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
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. 12-22-06		

**RESOLUTION #27-07
RESOLUTION BY THE FOREST, PARKS AND
RECREATION COMMITTEE**

Subject: Town of Gordon Sanitary Easement Amendment

WHEREAS, Douglas County previously consented to a right-of-way and easement for the Sanitary District to accommodate the installation and operation of a sanitary sewer line upon Douglas County lands located in Sections 25 and 36 in Township 44 North, Range 12 West, Gordon Township, Douglas County, Wisconsin, and

WHEREAS, Superior Water, Light & Power Company previously consented to the placement of said sanitary sewer right-of-way and easement within the Easterly 20 feet of its preexisting right-of-way, and

WHEREAS, the parties discovered that said sanitary sewer line was mistakenly installed within Enbridge's pipeline right-of-way without the authorization or consent of Enbridge, and

WHEREAS, the present, incorrect location of the sanitary sewer line interferes with the installation, operation and future maintenance of Enbridge's 42-inch and 20-inch diameter pipelines within Enbridge's preexisting right-of-way, and

WHEREAS, on February 26, 2007, the Douglas County Forest, Parks and Recreation Committee (stewards of the subject land) unanimously approved the proposed relocation of said sanitary sewer line to a location within the Westerly 20 feet of the existing Power Companies right-of-way upon the subject Douglas County land, and

WHEREAS, Enbridge has agreed to cooperate with the Sanitary District and the Power Companies to prepare an Amendment to the original Right-of-Way and Easement Grant for said sanitary sewer line, and

WHEREAS, said Amendment to Right-of-Way and Easement Grant will be for the sole purpose of re-describing the new physical location of the Sanitary District's right-of-way within the Power Companies' right-of-way upon the subject Douglas County land and not for the purpose of changing any terms or conditions of the Sanitary District's original Right-of-Way and Easement Grant, and

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker		
6. Ritscher		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
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 X _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 12-22-06		

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker		
6. Ritscher		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
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. 12-22-06		

WHEREAS, Enbridge has agreed to pay the Sanitary District's costs necessary for relocating said sanitary sewer line, and

WHEREAS, the parties agree that said Amendment to Right-of-Way and Easement Grant shall be completed after the relocation of said sanitary sewer line in order to accommodate an accurate survey description for said Amendment.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors hereby authorizes, approves of, and otherwise fully supports the efforts of the Sanitary District, Enbridge and the Power Companies to relocate the sanitary sewer line.

BE IT FURTHER RESOLVED, that the Douglas County Clerk is hereby authorized to cause said Amendment to Right-of-Way and Easement Grant to be executed and recorded on behalf of Douglas County upon presentation by the parties following the completion of the sanitary sewer line relocation and preparation of the survey description for said amended right-of-way.

Dated this 19th day of April, 2007.

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

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

COUNTY ADMINISTRATOR REPORT: Koszarek reported that County Board passed a resolution a few months ago to pay on the unfunded pension liability, and \$400,000 has been paid on the principal. There will be an audit presentation at the June Administration Committee meeting. The 2006 budget came in underbudget, and exact figures will be known in late April/early May.

COUNTY BOARD CHAIR REPORT AND APPOINTMENTS: Chair Finn announced he signed letter of intent to apply for housing rehabilitation grant. He emphasized the need to communicate on the Comprehensive Planning Participation Plan. WCA District meeting at Barker's Island, 1 to 4 p.m., Monday, April 30th. Chair Finn shared his thoughts on the recent County Board size referendum. He encouraged Board members to be proactive and serious in studying the issue and prepared to make a recommendation on downsizing that would be effective following the 2010 census. The referendum message was clear, and the public needs to know the Board is serious about downsizing. The City-County Committee will discuss this issue at their May 14th meeting. There is a population shift to the rural areas, and downsizing to 10 districts in the city and 6 or 7 in the rural area, may be a place to begin considering district lines. Discussion followed. Ritscher advocated for a major educational campaign to let the public know the real costs and benefits of the larger board, such as the current 28 seats.

The following appointments were recommended: County Administrator Appointees: **Health and Human Services Board – Chair, Larry Quam; Vice Chair, Alan Jaques.**.. Motion by McKenzie, second Stewart, to approve Health and Human Service Board appointments. Motion carried.

County Board Chair Appointees: **Strategic Planning Committee – Keith Allen, Jack Sweeney; Twin Ports to Twin Cities Passenger Rail Service Committee: Nick Baker (James O'Brien, Alternate).** Motion by Thompson, second Allen, to approve. Motion carried.

COMMITTEE REPORTS

Quam reported Aging Resources Committee meeting changed to Tuesday, April 24th.

The Health and Human Services Department Annual Report is available through Pat Schanen's office. Supervisors were encouraged to attend the Long Term Support Program consortium meeting in Hayward, as the new initiative will be expensive for the county.

K. Johnson reported Highway Committee meeting is May 2 at 9:30. Memo will be mailed to supervisors regarding the road inspection tour.

C. Johnson reported Zoning Committee may need to have a special meeting to discuss tonight's referral of Resolution #24-07. Land Conservation Committee meets next Tuesday.

Browne reported on a meeting he attended in Madison for UW-Extension Committees.

Robinson reported on the WCFA Spring Conference in Wausau, and summarized the educational seminars. Loggers Forum in Solon Springs yesterday was designed with no structured format, and resulted in excellent dialogue relative to loggers concerns and the market.

McKenzie reported Nancy Larson recommended as an alternate for Great Lakes Commission. Lake Superior Day placemats available. Several student projects and scholarship opportunities are available through state and federal programs. Youth should contact McKenzie if interested.

YOUTH REPRESENTATIVE REPORTS: Dalbec reported SHS forensic team competed at state level, and no one received less than 19 out of 20. FBLA team also did very well in their recent competition. Amnesty International Group raised over \$100 for donation to Darfur. Day of Silence was held to use silence of victims to advocate for silent minority groups. UW-S representative,

Tegan Wendland, reported the Student Senate is very active this year, setting up book lending program for students to help with cost of books. Jim Dan Hill Library construction project beginning soon. Sexual Assault Awareness month with activities planned on campus. Earth Day Community Cleanup this weekend, on campus and some areas of community. Some representative went to Madison yesterday to meet with Joint Finance Committee on issues affecting students.

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

SUCH OTHER MATTERS AS AUTHORIZED UNDER THE WISCONSIN STATUTES

Selection of Architects for Courtroom Completion Project: Allen questioned the standing committee approval of a contract with Stanius Johnson Architects, as well as the budget and timeline for the project. Koszarek explained in order to find out the cost of the project, Buildings and Grounds Committee acted to have the initial plans reviewed for current code compliance and any changes, in order to get the bid posted. Without moving forward with the bid, the real cost cannot be known. Brief discussion followed.

ADJOURNMENT: Motion by Allen, second Martin, to adjourn. Motion carried. Meeting adjourned 7:40 p.m. Next regularly scheduled meeting - Thursday, May 17, 2007.

Submitted by,

Susan T. Sandvick
Douglas County Clerk