

PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS
Thursday, January 21, 2010, 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 David Conley, John O'Brien, Carol Johnson, Tom Stewart. Absent were Paine (arrived 6:04 p.m.), Livingston (arrived 6:08 p.m.), McKenzie (arrived 6:15 p.m.). Youth representatives present were Caitlin Pendleton, Levi Felton, Sarah Miles.

Motion by Corbin, second Thompson, to approve minutes of the December 17, 2009 meeting. Motion carried.

CORRESPONDENCE

Sixteen 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 the County Clerk.

PRESENTATIONS

Fariba Pendleton, UW-Extension, and her daughter, Caitlin Pendleton, County Board Youth Representative, shared reflections and experiences from their recent journey to Iran to visit family. The powerful photos reflected the lifestyles of and opportunities available to Iranian citizens. Both Pendletons emphasized that the Iranian people love Americans, and wish them no ill-will.

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 January 13, 2010, on the following petitions for amendment of the county zoning district ordinance map:

- (1) SW1/4-NE1/4 & SE1/4-NE1/4, Section 2, T45N-R15W, Town of Summit, from the F-1: Forestry zoning district to the A-1: Agricultural zoning district, by Path Inc., c/o John Wohlwend, 2905 E Carlson Rd., Foxboro, Wisconsin. Intended use: Pasture & hay production; and
- (2) Part of the SE1/4-SE1/4, Section 27, T45N-R12W, Town of Solon Springs, from the A-1: Agricultural zoning district to the C-1: Commercial zoning district, by Arlette Reque, 5740 E County Road A, Solon Springs, Wisconsin. Intended use: Restaurant.

WHEREAS, proof of publication of the notices 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-1-10.

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

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

Dated this 21st day of January, 2010.

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

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

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker, Nick		
6. Paine, Jim		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Sweeney		
17. Nye		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Conley		
26. Johnson, Carol		
27. Stewart		
28. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		
Rev.06/18/09		

RESOLUTIONS

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker, Nick		
6. Paine, Jim		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Sweeney		
17. Nye		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Conley		
26. Johnson, Carol		
27. Stewart		
28. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		
Rev.06/18/09		

**RESOLUTION #1-10
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE**

Subject: Land Sales

WHEREAS, the following parcels of land were advertised on December 4, 11, and 18, 2009, in accordance with Section 75.69, Wisconsin Statutes, and the highest bids received are as follows:

- \$ 550.00 PARCEL 28-09: West 34.3 feet of East 108 feet, Lots 5 and 6, Block 258, West Superior 13th Division, City of Superior (vicinity of Fourteenth Street and Baxter Avenue), (05-805-00246-00), from Wanda Brock. Intended use: Lawn space;
- \$ 1,005.00 PARCEL 30-09: Lot 4, Block 254, West Superior, Thirteenth Division, City of Superior (vicinity of North 12th Street and Weeks Avenue), (05-805-00176-00), from Ralph Watten. Intended use: Lawn and garden;
- \$ 1,001.00 PARCEL 31-09: The South 34.25 feet of Lots 1 and 2, Block 2, Belknap Place Addition to West Superior, City of Superior (vicinity of Baxter Avenue and Belknap Street), (05-805-02238-01), from Peoples Drug (Jeff Eliason). Intended use: Parking; and

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

- \$ 2,650.00 PARCEL 11-09: (August 7, 14, 21, 2009) Part of the SE1/4 of the SE1/4, and Part of the NE1/4 of the SE1/4, Section 25-43-12, Town of Wascott, (WA-032-01324-00) and F-1 Forestry District (WA-032-01303-01, WA-032-01304-00 and WA-032-01303-01), from Shoreview Properties, LLC. Intended use: Construct accessory building.

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 on the above named properties.

Dated this 21st day of January, 2010.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker, Nick		
6. Paine, Jim		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Sweeney		
17. Nye		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Conley		
26. Johnson, Carol		
27. Stewart		
28. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		
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(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$5,206.00.)

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

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker, Nick		
6. Paine, Jim		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Sweeney		
17. Nye		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Conley		
26. Johnson, Carol		
27. Stewart		
28. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend <u> X </u> Other _____		
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**RESOLUTION #2-10
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE**

Subject: Easement Policy Amended

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve the following amendment to the Douglas County **Land and Development Committee** easement policy :

ISSUANCE OF EASEMENTS AND PERMITS FOR ACCESS

It is the policy of Douglas County to grant easements to other government bodies and utilities, and only to private entities on an as-needed basis, where a permit would otherwise not be sufficient for the land owners purposes.

All requests to access county-owned land will be referred to the Land and Development Committee for review on a case-by-case basis and the committee will determine whether an easement or Permit for Access will be issued.

The committee will determine whether to charge a fee for the easement, based on the acreage requested, timber value, and other factors. In addition, a minimum administrative fee of \$500.00 will be charged for all easements granted.

All easements approved by the committee, will be presented to the County Board for final approval. ~~A minimum administrative fee of \$500.00 will be charged for all easements granted.~~

Dated this 21st of January, 2010.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Allen, second Jaques, to adopt. This does not affect forest lands. Motion by Liebaert, second Allen, to amend resolution and at end of first paragraph insert "Land and Development Committee" before the word "easement". Motion carried. Motion to adopt resolution as amended, carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker, Nick		
6. Paine, Jim		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Sweeney		
17. Nye		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Conley		
26. Johnson, Carol		
27. Stewart		
28. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend <input checked="" type="checkbox"/> _____ (Policy amended) Other _____		
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RESOLUTION #3-10

RESOLUTION BY THE ADMINISTRATION COMMITTEE

Subject: Personnel Policy Manual, Section VII, Personal Conduct Amended

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve amendment to the Douglas County Personnel Policy Manual, Section VII, Personal Conduct, as set forth in Exhibit C-1-10.

Dated this 21st day of January, 2010.

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

ACTION: Motion by Quam, second Corbin, to adopt. Discussion followed regarding employees pay status pending investigation; the law of innocent until proven guilty of an offense; and time frame for reporting unlawful activities. The county does not make a decision on the category of an alleged illegal activity (e.g. misdemeanor or felony), as those types of situations are reported immediately to the authorities. Corporation Counsel did review the document. Discussion continued. Motion by Sweeney, second Baker, to amend the Policy as follows: (1) Page 17, A. 1., second paragraph, change “should” to **“shall”**; (2) Page 17, A. 1., add the following paragraph after second paragraph: **“In all cases of alleged unlawful activity, written disclosure shall be referred to the appropriate law enforcement agency.”**; (3) A. 1., last paragraph to read **“...shall inform the Administration Committee within thirty days of completion of the when investigation is completed.”**; (4) Page 18, B., first sentence change “will” to **shall**; (5) Page 19, last sentence, change “may” to **shall**; and (6) Page 17, re-number 3. and 4. to 2. and 3. Motion carried. Motion to adopt resolution, with policy as amended, carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker, Nick		
6. Paine, Jim		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Sweeney		
17. Nye		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Conley		
26. Johnson, Carol		
27. Stewart		
28. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		
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**RESOLUTION #4-10
RESOLUTION BY THE ADMINISTRATION COMMITTEE
AND SUPERVISORS ON THE HEALTH AND HUMAN
SERVICES BOARD**

Subject: Reorganization of Health Division, Health and Human Services Department

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve reorganization of the Health Division within the Health and Human Services Department, as follows:

- | | | |
|-----|-----------------------|--|
| (1) | Position:
Request: | Public Health Supervisor
Eliminate the Environmental Health Manager position and establish a Public Health Supervisor position; C51, Step 8 |
| | Cost: | \$61,104.00 |

BE IT FURTHER RESOLVED that the changes take effect upon the retirement of the current Environmental Health Manager, on or about February 25, 2010.

Dated this 21st day of January, 2010.

(Committee Action: Unanimous)
(Fiscal Note: Savings of \$11,163.96)

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

Roll Call		
District Number	Yes	No
1. Finn	X	
2. Browne	X	
3. O'Brien, John		
4. Isackson	X	
5. Baker, Nick	X	
6. Paine, Jim	X	
7. Livingston	X	
8. Martin	X	
9. Prettie	X	
10. Robinson	X	
11. Coyle	X	
12. Jaques	X	
13. Quam	X	
14. O'Brien, James	X	
15. McKenzie	X	
16. Sweeney	X	
17. Nye	X	
18. Allen	X	
19. Ryan	X	
20. Hendrickson	X	
21. Johnson, Kay	X	
22. Thompson	X	
23. Corbin	X	
24. Liebaert	X	
25. Conley		
26. Johnson, Carol		
27. Stewart		
28. Bergman	X	
Roll: Ayes <u> 24 </u> Noes <u> 0 </u> Absent <u> 4 </u> Abstain <u> 0 </u> Passed <u> X </u> Lost <u> </u> Refer <u> </u> Amend <u> X </u> Other <u> </u>		
Rev.06/18/09		

RESOLUTION #5-10
RESOLUTION BY THE ADMINISTRATION COMMITTEE

Subject: Budgetary Transfers

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

- 1) Non-Departmental \$350,000.00 (J.E. #153302 transfer to cover additional payment to Unfunded Actuarial Accrued Liability);
- 2) Register of Deeds \$23,000.00 (J.E. #153307 to purchase Lighthouse software for electronic recording); ~~and~~
- 3) Highway \$28,760.00 (J.E. #153482 to purchase pick-up truck from 09 capital projects); ~~and~~
- 4) Emergency Management \$98,892.00 (J.E. #153751 down payment for building construction at tower sites).**

Dated this 21st day of January, 2010.

(Committee Action: Unanimous)

(Fiscal Note: 1) Increase General Fund Retirement Expense by \$350,000 and increase utility payment revenue by \$100,000 (Res. #36-08); 2) Increase Register of Deeds Capital Outlay by \$23,000 and decrease Computer Maintenance Reserve by same; ~~and~~ 3) Increase Highway fixed asset purchase by \$28,760 and decrease 09 Capital Projects Reserve by same; ~~and~~ **4) Decrease communications reserve by \$98,892 and increase capital outlay communications support by same.)**

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

ACTION: Motion by Corbin, second Thompson, to adopt. Motion by Baker, second Robinson, to amend resolution and add the following: 4) Emergency Management, \$98,892.00 (J.E. #153751 down payment for building construction at tower sites); and Fiscal Note: add 4) Decrease communications reserve by \$98,892 and increase capital outlay communications support by same. Motion carried. Roll call vote taken on motion to adopt resolution, as amended, with 24 Yes, 0 No, 4 Absent. Absent were David Conley, John O'Brien, Carol Johnson, Tom Stewart.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Isackson		
5. Baker, Nick		
6. Paine, Jim		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Coyle		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Sweeney		
17. Nye		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Conley		
26. Johnson, Carol		
27. Stewart		
28. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed _____ Lost _____ Refer _____ Amend _____ Other <input checked="" type="checkbox"/> Tabled		
Rev.06/18/09		

**RESOLUTION #6-10
RESOLUTION BY SUPERVISORS ON THE LAND
CONSERVATION COMMITTEE**

Subject: Aquatic Invasive Species (AIS) Control Funding Grant

WHEREAS Douglas County inland lakes and streams are important resources used by the public for recreation and enjoyment of natural beauty, and

WHEREAS public use and enjoyment of Douglas County inland lakes and streams is best served by protection of these natural resources from infestation of aquatic invasive species, and

WHEREAS Douglas County recognizes the need to provide information and education about aquatic invasive species, and

WHEREAS Douglas County is qualified to carry out the responsibilities of an aquatic invasive species control project.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors request grant funding and assistance available from the Wisconsin Department of Natural Resources under the "Aquatic Invasive Species (AIS) Control Grant Program", and hereby authorizes the Douglas County Land Conservationist to act on behalf of Douglas County to:

- Submit an application to the State of Wisconsin for financial aid for AIS control purposes;
- Sign documents;
- Take necessary action to undertake, direct and complete an approved AIS control grant; and
- Submit reimbursement claims along with necessary supporting documentation within six months of the project completion date.

BE IT FURTHER RESOLVED that Douglas County will meet the obligations of the AIS control project including timely publication of the results, and financial requirements including a 25% commitment to AIS control project costs.

Dated this 21st day of January, 2010.

(Committee Action: Unanimous)

(Fiscal Note: 25% match to be provided by in-kind services)

ACTION: Motion by Martin, second Allen, to adopt. Motion by McKenzie, second Liebaert, to table. Motion carried.

COUNTY ADMINISTRATOR REPORT: Written report distributed. The 2009 year end budget balances not final as yet, but revenues down significantly in Register of Deeds and Sheriff/Jail Departments. Employees who accepted the early retirement incentive and retired as of January, or will retire within the next month or two, include Kathy Schulties, Lila Connolly, Pat Heiser, Kay Ruport, Brenda Ostrander, Linda Ostman, Jane Ehlers, Daryl Saari. Denese Odermann also retired. Koszarek noted the county lost some key long-term employees.

COUNTY BOARD CHAIR REPORT AND APPOINTMENTS: Chair Finn had County Clerk Sandvick announce new procedures regarding submission of expense forms and travel approvals by County Board members. Meetings scheduled with Enbridge to keep communication open. County Administrator Recruitment Committee meeting January 28th. Ann Doucette will be Acting Administrator until March 1st, during Koszarek's absence.

COMMITTEE REPORTS

Martin reported NW Wisconsin Community Services received \$220,000 of federal money for rent assistance, and as of October 2009 balance is only \$65,000.

Quam reported UW-Extension to hold their annual poverty conference, February 10 at UW-S. Contact UW-Extension to register.

Allen reported Fairgrounds Leases Subcommittee meeting on January 27.

Baker reported the Northern Lights Express moving forward. State of Minnesota recently committed \$13 million for design of the track.

Ryan reported the status of Rural Housing loan applications. Also, the Douglas County Beef Association is sponsoring a fundraiser supper at Maple School, February 13. Proceeds support 4-H improvements at the fairgrounds.

McKenzie reported on several grants the Land Conservationist is working on.

Kay Johnson reported that Paul Halverson, Highway Commissioner, was elected secretary for the Wisconsin State Highway Association. As a member of the newly created City of Superior Ambulance Service Task Force, Johnson will keep the County Board informed of their progress.

YOUTH REPRESENTATIVE REPORTS: Felton reported Superior Days youth group meets in early February. Chamber of Commerce Youth Leadership groups working on various projects.

APPROVAL OF BILLS AND CLAIMS: Tabled until March meeting.

ADJOURNMENT: Motion by Allen, second James O'Brien, to adjourn. Motion carried. Adjourned 7:04 pm. Next regularly scheduled meeting - Thursday, March 18, 2010.

Submitted by,

Susan T. Sandvick
Douglas County Clerk