

**PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS**  
**Thursday, June 16, 2005, 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 County Clerk Susan T. Sandvick. There were 25 present, 3 absent. Absent and excused were John Shepard, Sr., Karen Livingston, and Kathryn McKenzie. Pat Ryan left at 8:15 p.m. Student representative present was James Paine.

Motion by James O'Brien, second Baker, to approve minutes of the May 19, 2005 meeting. Motion carried.

**CLAIMS AGAINST THE COUNTY**

Notice of Injury and Claim from Attorney Yvonne M. Novak, on behalf of Ross Johnson, based on taking of tax deed against properties located at 1018-20 John Avenue and 1022-24 John Avenue, Superior, Wisconsin. Corporation Counsel Felker recommended disallowance. Motion by Thompson, second Quam, to disallow the claim. Motion carried.

**CORRESPONDENCE**

Twenty-one 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**

Chair Finn presented a proclamation designating third Sunday of each July as Lake Superior Day in Douglas County, to Supervisor Robert Browne. Browne thanked the county on behalf of the Lake Superior Binational Forum.

On behalf of the Wisconsin Association of County Veterans Services Offices, Chair Finn presented a Certificate of Recognition to Douglas County Veterans Services Officer Jon Scheldroup, for his work on the Association's annual convention held in Superior. Thanking the County Board and the Association, Scheldroup noted that over 60 Wisconsin counties attended the convention.

Koszarek presented the Employee of the Quarter Award to David Johnson, who has been with the Highway Department for 38 years. Keith Armstrong accepted the award on behalf of David Johnson.

Chair Finn introduced Walter Raschick, a UW-Superior political science and communications major, who recently began interning for Douglas County.

Wisconsin Counties Association - Update on Arrowhead to Weston Power Line/ATC issue and pending legislation that would allow PSC to condemn public land for power lines. Chair Finn explained this presentation is being made to let the county know what is going on in Madison regarding AB437, the bill which would allow condemnation of public lands. He introduced Wisconsin Counties Association representatives Mark O'Connell and Craig Thompson, Senator Jauch, and several Washburn County officials.

Senator Jauch addressed the County Board regarding the political climate in Madison as it relates to the status of ATC and A-W power transmission line project, the pending AB437 legislation, and a statewide perspective on the power line debate. He detailed the history, various components, and evolutions of AB437, and his work on getting an additional 90 day negotiation period in the bill. Reviewing votes on the bill to date, Jauch emphasized that it is clear to him, that this bill will pass both houses and be signed by Governor Doyle. Upon becoming law, the first 90 days is open for negotiations between a municipality/county and the utility, with additional 90 days if the parties agree to continue to negotiate. If impasse occurs, a judge would appoint a mediator to make the ultimate decision. PSC has affirmed commitment to construction of the A-W line. Legislators have expressed concerns that where there is a compelling statewide interest, it is wrong that any one local government unit could forestall such necessary infrastructure. Legislation has been introduced in the federal energy bill and has already passed the House of Representatives, which preempts states rights in making these decisions, giving the siting of transmission line authority to the Federal Energy Regulatory Commission. The federal legislation is currently blocked in the Senate, but the Chair of the Senate committee has made it clear, he will not amend the preemptive authority language. Jauch reiterated that he is convinced the bill will pass both houses and will become law, which leaves the question for Douglas County as to what extent the county will be actively involved in, not debating the power line itself, but the siting of the power line in a manner that will best protect residents of Douglas County. It is possible that the bill could go to Governor as early as next Friday, and could become effective in July. The other option would be for legislators to wait until August 11 deadline for bills to be sent to the Governor, which would give the county an additional six to eight weeks to determine how to proceed. Jauch added that during discussions, ATC has publicly assured him that they be cooperative with counties to the extent possible. A lawsuit has been filed in Marathon County on constitutionality of this legislation.

Mark McConnell, WCA President, stated WCA opposed this bill in Assembly and Senate, and the various legislative committees, and testified at related hearings. He echoed Senator Jauch's message on AB437 and its predecessor bill, and stated the bill passed the assembly, and will pass the senate, and WCA believes the Governor will sign it. It is the opinion of WCA that the line will be built, and will most likely go over county land. McConnell submitted this line is just one of many going up in the future. There is an energy production problem in the State of Wisconsin, and the grid system cannot adequately handle the energy imported to the state. McConnell recognized the commitment and work Senator Jauch demonstrated to get the amendments to the bill that benefit the time frames for counties in which to make decisions. McConnell stated he sympathizes with Douglas County's plight on this, but he is certain the bill will pass into law. He suggested that if the county should decide to negotiate, there may be a possibility to acquire more dollars than not negotiating, since the line will go over at least a portion of county land. The county will have 90 days to engage in conversation with ATC to come to some agreement. McConnell opined that, after

talking with ATC, it is likely the day this bill becomes law, ATC will deliver a letter to Douglas County stating 90 days starts that day. If the county decides not to negotiate, arbitrator will make the decision. Extension discussion followed on the condemnation procedure with this bill, as opposed to the process used with private land. Supervisors also offered opinions on the growth of big government, and shrinking authority of local government units. McConnell reiterated his belief, that ATC will still want to talk with Douglas County, and it will be up to Douglas County whether to talk with them or not. Acquisition of an easement and all legal ramifications that go with it would still apply. Once an easement is acquired for utility purposes, the company can use it as the conveyance sets forth. Chair Finn thanked Senator Jauch and Mark McConnell for attending tonight's meeting and for their work on this bill on behalf of all counties. It appears Douglas County's credibility downstate at this juncture, is not very good. Bayfield and Ashland Counties did not even consider a resolution opposing the bill. Douglas County's A-W Power Line Committee will meet sometime next week.

Craig Thompson, WCA, briefly summarized the status of the state budget in relation to counties. Property tax freeze again passed Joint Finance Committee, and Governor vetoed it last time. What he will do this time is not known. Brief discussion followed.

County Board took a brief recess at 8:00 p.m., and reconvened at 8:15 p.m. Pat Ryan was excused from the remainder of the meeting.

## **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 June 8, 2005, on the following petitions for amendment of the county zoning district ordinance map:

- 1) Part of the SW1/4 of the NW1/4, Section 12, T46N-R14W, (SU-028-00582-00, Tri Lakes Road), Town of Summit, from the RR-1: Residential-Recreational zoning district to the C-1: Commercial zoning district, by Daniel Larson, 7702 S. County Road A, Superior, Wisconsin, referred from the May 11<sup>th</sup>, 2005 hearing. Intended use: Mini-warehouse and rental storage units; and
- 2) NW1/4 of the SW1/4 and the SW1/4 of the SW1/4, Section 14, T47N-R10W, (BR-006-00214-00, 00215-00, US Hwy 2), Town of Brule, from the R-2: Residential zoning district to the PUD: Planned Unit Development district, by Dean Baillie (Baillie 5 Properties), P.O. Box 90, Brule, Wisconsin. Intended use: Commercial and residential.

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.

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

Dated this 16<sup>th</sup> day of June, 2005.

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

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

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Eckman		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 3-18-05		

## **PLATS**

Approval of Final Plat of Fire Hill Estates Plat for Triple E LLC (Brad Essen, President), located in the NW of the SW; SW of the SW; SE of the SW; SW of the SE; SE of the SE; and in the NE of the SE, Section 36, T44N-R13W, Town of Gordon. Motion by Thompson, second James O'Brien, to approve. Motion carried.

## **RESOLUTIONS**

Motion by Browne, second C. Johnson, to suspend rules and take up Resolution #69-05. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn	X	
2. Browne		X
3. O'Brien, John		X
4. Glenn	X	
5. Baker	X	
6. Eckman	X	
7. Livingston		
8. Martin	X	
9. Prettie		X
10. Robinson	X	
11. Conley	X	
12. Jaques	X	
13. Quam	X	
14. O'Brien, James		X
15. McKenzie		
16. Shepard		
17. Egan	X	
18. Allen		X
19. Ryan		
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	X	
28. Jensen	X	
Roll: Ayes <u>  19  </u> Noes <u>   5  </u> Absent <u>   4  </u> Abstain <u>    </u>		
Passed <u>  X  </u> Lost <u>    </u> Refer <u>    </u> Amend <u>    </u> Other <u>    </u>		
Rev. 3-18-05		

**RESOLUTION #69-05**  
**RESOLUTION BY SUPERVISORS ON THE HEALTH AND HUMAN SERVICES BOARD**

Subject: Excise Tax on Cigarettes

WHEREAS every year over 16,000 Wisconsin children become addicted to tobacco, of whom more than one-third will die prematurely because of this addiction; and

WHEREAS increasing Wisconsin's excise tax on cigarettes by \$1.00 per pack would significantly reduce the number of children who become addicted to tobacco, save over a billion dollars in health care costs and provide hundreds of millions of dollars per year in additional state revenues for Medicaid and other programs.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors hereby endorses increasing the Wisconsin excise tax on cigarettes by \$1.00 per pack.

BE IT FURTHER RESOLVED that the Douglas County Board of Supervisors endorses using the money raised by this excise tax to: (1) Assure that Wisconsin has a comprehensive program to reduce tobacco use that follows and is funded within the Centers for Disease Control best practice guidelines; and (2) Fund other state programs that will advance the health, education and general welfare of Wisconsin citizens.

BE IT STILL FURTHER RESOLVED that upon passage, copies of this resolution be forwarded to the Wisconsin Counties Association, Senator Jauch, Representative Boyle, and all Wisconsin counties.

Dated this 16<sup>th</sup> day of June, 2005.  
(Committee Action: Unanimous)  
(Fiscal Note: None)

ACTION: Motion by Martin, second Egan, to adopt. Discussion followed on the age/definition of children in the legislation, because the law is 18 to buy cigarettes, and the earmarking of the revenue earned through this excise tax. Michele Hughes, Health Department, responded children refers to those under 18, and the monies will go towards education in smoking cessation program, clean indoor air, and youth access. Roll call vote taken and passed with 19 Yes, 5 No, 4 Absent. Voting no were Browne, John O'Brien, Prettie, James O'Brien, Allen. Absent were Shepard, Livingston, McKenzie, Ryan.

**RESOLUTION #60-05**  
**RESOLUTION BY THE LAND AND DEVELOPMENT**  
**COMMITTEE**

Subject: Land Sales

WHEREAS, Douglas County has advertised for sale various parcels of land on May 9, 16 and 23, 2005, in accordance with Section 75.69, Wisconsin Statutes, and the highest bids received as follows:

- |              |   |
|--------------|---|
| \$ 2,100.00  | PARCEL 22-05 - R/W thru NE1/4 of SW1/4, Section 3-47-15, Town of Superior (TS-030-00967-00), from Mark Mauer. Intended use: Recreational;   |
| \$ 2,970.00  | PARCEL 27-05 - South 20 Feet of the North 90 Feet of Lots 354, 356, 358, and 360, together with the West 10 Feet of all of Lot 360, reserved for easement purposes, Townsite of Superior, West 5 <sup>th</sup> Street, City of Superior (vicinity of 20 <sup>th</sup> Avenue East and East 5 <sup>th</sup> Street) (02-802-00499-02), from Curt and Lori Kelleher. Intended use: Adjacent property owner;   |
| \$ 300.00    | PARCEL 28-05 - Abandoned right-of-way in NW1/4 of SW1/4, Section 3-47-15, Town of Superior, (TS-030-00970-00), from John and Carol Tuomi. Intended use: Adjacent property owner; and  |
| \$ 10,777.00 | PARCEL 29-05 - Blocks 25 & 27, Townsite of Superior, East 13 <sup>th</sup> Street, and Blocks 25, 26, 27, & 28, Townsite of Superior, East 14 <sup>th</sup> Street, and Block 28, Townsite of Superior, East 15 <sup>th</sup> Street, and also Lots 226 thru 240, even no's, Beglinger's Subdivision of Block 26, East 15 <sup>th</sup> Street, City of Superior (vicinity of 39 <sup>th</sup> Avenue East and East 13 <sup>th</sup> Street), (10-810-03072-00, PT of 10-810-01322-00, 10-810-01379-00, and 10-810-01410-00), from Paul and Susan Ashley. Intended use: Build a home. |

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute a quit claim deed to the above named persons on the above named property.

Dated this 16<sup>th</sup> day of June, 2005.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$16,147.00)

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

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Eckman		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 3-18-05		

**RESOLUTION #61-05**  
**RESOLUTION BY THE LAND AND DEVELOPMENT**  
**COMMITTEE**

Subject: Sale of Land 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 land to the City of Superior, upon payment of \$1,000.00:

PARCEL 30-05 - Lots 8 & 9, Block 28, West Superior, 2<sup>nd</sup> Division, City of Superior, known as 415 - 417 Cumming Avenue (03-803-00115-00).

Dated this 16<sup>th</sup> day of June, 2005.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$1,000.00)

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

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Eckman		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <u>  X  </u> Lost       _____ Refer      _____ Amend     _____ Other      _____		
Rev. 3-18-05		

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Eckman		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 3-18-05		

**RESOLUTION #62-05**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Non-Represented Employees Compensation Plan

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve the Non-Represented Employees Compensation Plan as set forth in Exhibit C-6-05.

Dated this 16<sup>th</sup> day of June, 2005.

(Committee Action: Unanimous)

(Fiscal Note: Up to \$6,705 increase due to potential Retirement Health Savings Plan (RHS) contributions)

**ACTION:** Motion by Egan, second Hendrickson, to adopt. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Eckman		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 3-18-05		

**RESOLUTION #63-05**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Non-Represented Employees 2005 Salary Schedule

RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and approve the Non-Represented Employees 2005 Salary Schedule as set forth in Exhibit D-6-05.

Dated this 16<sup>th</sup> day of June, 2005.

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

**ACTION:** Motion by Quam, second Hendrickson, to adopt. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Eckman		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 3-18-05		

**RESOLUTION #64-05**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Labor Agreement between Douglas County and the Deputy Sheriff's Association, Local 41, Corrected

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve correction to labor agreement between Douglas County and the Douglas County Deputy Sheriff's Association, 2005-2007, as set forth in Exhibit E-6-05.

Dated this 16<sup>th</sup> day of June, 2005.

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

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

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Eckman		
7. Livingston		
8. Martin		
9. Prettle		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 3-18-05		

**RESOLUTION #65-05**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Labor Contract between Douglas County and  
 Communication Workers of America, Corrected

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve correction to the labor contract between Douglas County and Communication Workers of America, 2005-2007, as set forth in Exhibit F-6-05.

Dated this 16<sup>th</sup> day of June, 2005.

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

**ACTION:** Motion by Hendrickson, second Jensen, to adopt. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Eckman		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <u>  X  </u> Lost _____ Refer _____ Amend _____ Other _____		
Rev. 3-18-05		

**RESOLUTION #66-05**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Health Insurance Side Letters to Labor Union Contracts

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve side letters to the following labor contracts, as set forth in Exhibit G-6-05:

- (1) Communications Workers of America;
- (2) Douglas County Buildings & Grounds and Forestry Employees Local Union No. 244-B;
- (3) Douglas County Professional Child Support Employees Local Union No. 2375, American Federation of State, County and Municipal Employees AFL-CIO;
- (4) Douglas County Professional Social Workers Employees Local Union No. 2375, American Federation of State, County and Municipal Employees AFL-CIO;
- (5) Douglas County Professional Registered Nurses Local Union No. 2375-A, American Federation of State, County and Municipal Employees AFL-CIO;
- (6) Douglas County Deputy Sheriff's Association, Local 41 of the Law Enforcement Employee Relations Division of the Wisconsin Professional Police Association; and
- (7) Douglas County Deputy Sheriff's - Jail Division, Local 441-A of the Law Enforcement Employee Relations Division of the Wisconsin Professional Police Association.

Dated this 16<sup>th</sup> day of June, 2005.

(Committee Action: 6 Yes; 0 No; 3 Abstention; 2 Absent)  
 (Fiscal Note: Within budget)

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

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Eckman		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 3-18-05		

**RESOLUTION #67-05**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Statewide Voter Registration System Resource Sharing  
 Relationship

WHEREAS, Congress passed the Help America Vote Act of 2002 (HAVA) to create a more uniform voter registration and voting system in the United State, and

WHEREAS, the State Elections Board (SEB) is charged with implementing a Statewide Voter Registration System (SVRS) that complies with HAVA, and

WHEREAS, local units of government understand their obligations and commitments as mandated by HAVA and state statutes to administer, implement and maintain local voter registration information within a centralized SVRS, and

WHEREAS, the State Legislature has enacted legislation which allows local units of government to share technology and resources with the county or other municipalities to maintain the local voter registration information within the centralized SVRS.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors hereby directs the County Clerk, upon the request of a municipality, to enter into a Memorandum of Understanding with that municipality that will comply with the requirements of HAVA and provide a more efficient and cost effective implementation of SVRS through the sharing of technology and resources.

BE IT FURTHER RESOLVED that the County Clerk is directed to follow the technology, security, maintenance, support, and process guidelines developed by the State Elections Board relating to use of the Statewide Voter Registration System (SVRS).

BE IT STILL FURTHER RESOLVED that a copy of this resolution and the Memorandums of Understanding be sent to the State Elections Board.

Dated this 16<sup>th</sup> day of June, 2005.

(Committee Action: Unanimous)

(Fiscal Note: \$8,650.00 revenue for two-year contract period, to offset direct and indirect costs)

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Eckman		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 3-18-05		

ACTION: Motion by Glenn, second James O'Brien, to adopt. Sandvick explained that federal legislation requires states to have statewide voter registration by 2006, and the state is dictating how this will happen. The county will be providing technology and staff resources to the municipalities, and the indirect costs, staff time, etc., are hard to determine at this time. Voter ID is not related to this legislation. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn	X	
2. Browne	X	
3. O'Brien, John	X	
4. Glenn	X	
5. Baker	X	
6. Eckman	X	
7. Livingston		
8. Martin	X	
9. Prettie	X	
10. Robinson	X	
11. Conley	X	
12. Jaques	X	
13. Quam	X	
14. O'Brien, James	X	
15. McKenzie		
16. Shepard		
17. Egan	X	
18. Allen	X	
19. Ryan		
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	X	
28. Jensen	X	
Roll: Ayes <u>  24  </u> Noes <u>    0  </u> Absent <u>    4  </u> Abstain <u>      </u>  Passed <u>    X    </u> Lost <u>      </u> Refer <u>      </u> Amend <u>      </u> Other <u>      </u>		
Rev. 3-18-05		

**RESOLUTION #68-05**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Budgetary Transfer

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

General Fund                    \$1,000,000 (J.E. #120607 from General Fund to Highway Department - road construction accounts).

Dated this 16<sup>th</sup> day of June, 2005.

(Committee Action: Unanimous)  
(Fiscal Note: None; previously approved by Resolution #34-05)  
(Administrative Note: Two-thirds vote of Board-elect required)

**ACTION:** Motion by Baker, second Egan, to adopt. Egan explained this transfer is in addition to the bonding resolution later in the agenda. Roll call vote taken and passed with 24 Yes, 0 No, 4 Absent. Absent were Livingston, McKenzie, Ryan, Shepard.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Eckman		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 3-18-05		

**RESOLUTION #70-05**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: County Board Chair Authorized Signatories

RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and designate the County Administrator and the County Clerk as authorized signatories for the County Board Chair.

BE IT FURTHER RESOLVED that those individuals are authorized to sign documents on behalf of the County Board Chair, when an authorized signatory is acceptable.

Dated this 16<sup>th</sup> day of June, 2005.

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

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

**RESOLUTION #71-05**  
**RESOLUTION BY THE LAW ENFORCEMENT**  
**COMMITTEE**

Subject: Senate Bill 114 - Protective Status for Jailers Supported

WHEREAS, Senate Bill 114 would specifically classify county jailers as protective occupation participants, and

WHEREAS, under current Wisconsin Statutes, Section 40.02(48)(c), police officers, deputy sheriffs, state probation and parole officers, conservation wardens, state park rangers, State of Wisconsin prison guards, Department of Revenue tax investigators, and other positions, are considered protective occupation participants, and

WHEREAS, county jailers are required to supervise and discipline the same persons that the above mentioned protective occupation participants come in contact with, including times when those persons are still intoxicated due to alcohol and/or drugs, are still resistive, aggressive and hostile towards anyone in a position of authority, and

WHEREAS, within the past two years, Douglas County has voluntarily placed the jailer occupation in the protective occupation category because it enhanced the pool of applicants needed to staff the new jail facility, and may also have the potential to attract other certified, well trained jailers from other jail facilities, and will help retain current valued employees.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Law Enforcement Committee and express support for Senate Bill 114.

BE IT FURTHER RESOLVED, that upon passage of this resolution, a copy be forwarded to Governor James Doyle, Senator Bob Jauch, Assemblyman Frank Boyle, the Joint Survey Committee on Retirement Systems, and the Wisconsin Counties Association.

Dated this 16<sup>th</sup> day of June, 2005.

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

Roll Call		
District Number	Yes	No
1. Finn		X
2. Browne		X
3. O'Brien, John	X	
4. Glenn	X	
5. Baker	X	
6. Eckman	X	
7. Livingston		
8. Martin	X	
9. Prettie		X
10. Robinson	X	
11. Conley	X	
12. Jaques	X	
13. Quam	X	
14. O'Brien, James	X	
15. McKenzie		
16. Shepard		
17. Egan	X	
18. Allen		X
19. Ryan		
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	X	
28. Jensen		X
Roll: Ayes <u>  18  </u> Noes <u>   6  </u> Absent <u>   4  </u> Abstain <u>    </u>  Passed <u>  X  </u> Lost <u>    </u> Refer <u>    </u> Amend <u>    </u> Other <u>    </u>		
Rev. 3-18-05		

Roll Call		
District Number	Yes	No
1. Finn		X
2. Browne		X
3. O'Brien, John	X	
4. Glenn	X	
5. Baker	X	
6. Eckman	X	
7. Livingston		
8. Martin	X	
9. Prettie		X
10. Robinson	X	
11. Conley	X	
12. Jaques	X	
13. Quam	X	
14. O'Brien, James	X	
15. McKenzie		
16. Shepard		
17. Egan	X	
18. Allen		X
19. Ryan		
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	X	
28. Jensen		X
Roll: Ayes <u>  18  </u> Noes <u>   6  </u> Absent <u>   4  </u> Abstain <u>      </u>  Passed <u>  X  </u> Lost <u>      </u> Refer <u>      </u> Amend <u>      </u> Other <u>      </u>		
Rev. 3-18-05		

ACTION: Motion by Glenn, second Liebaert, to adopt. Discussion followed. Roll call vote taken and passed with 18 Yes, 6 No, 4 Absent. Voting no were Finn, Browne, Prettie, Allen, C. Johnson, Jensen. Absent were McKenzie, Ryan, Shepard, Livingston

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Eckman		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 3-18-05		

**RESOLUTION #72-05  
RESOLUTION BY SUPERVISORS ON THE HEALTH AND  
HUMAN SERVICES BOARD AND THE  
ADMINISTRATION COMMITTEE**

Subject: W-2 Program

RESOLVED that the Douglas County Board of Supervisors supports the recommendation of Supervisors on the Health and Human Services Board and the Administration Committee, and authorizes the submission of a proposal to the State of Wisconsin, for the Douglas County Department of Health and Human Services to continue as the Wisconsin Works agency for Douglas County, for the period January 1, 2006 through December 31, 2007.

Dated this 16<sup>th</sup> day of June, 2005.

(Committee Action: Unanimous)

(Fiscal Note: \$57,100.00 tax levy for each year, if awarded contract)

**ACTION:** Motion by K. Johnson, second Hendrickson, to adopt. Conley summarized Douglas County's participation in W-2 over the past and the current status of funding and overall program. This resolution gives the department the right to apply. Egan stated he supports the resolution, but this is not a mandated program, and until this year was not a tax levy program. The county can opt out of the contract with 120 days notice. Motion carried.

**RESOLUTION #73-05  
RESOLUTION BY THE ZONING COMMITTEE**

Subject: Zoning District Map Amendment Denied

WHEREAS, the Douglas County Zoning Committee held a public hearing on June 8, 2005, on the following petition for amendment of the county zoning district ordinance map:

SE1/4 of the NW1/4, Parcel in SE Corner, Section 2, T43N-R11W, (WA-032-00336-00, Lidberg Bridge Road), Town of Wascott, from the F-1: Forestry zoning district to the R-2: Residential zoning district, by Brad Kofal, 14231 S. Rock & Roll Lane, Gordon, Wisconsin. Intended use: Create two residential lots.

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 H-6-05, and

WHEREAS, the Town of Wascott denied the re-zoning petition and recommended such to 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 16<sup>th</sup> day of June, 2005.

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

**ACTION:** Motion by Eckman, second Jensen, to adopt. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Eckman		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 3-18-05		

**RESOLUTION #74-05  
RESOLUTION BY SUPERVISOR FINN**

Subject: Non-Represented Employees Health Plan Benefit  
Structure Change and Addition of Dental Insurance

WHEREAS, the County Insurance/Benefit Committee has reviewed the health plan benefit structure and the dental plan which expires June 30, 2005, and has made a recommendation to make health plan changes to the alternate plan from the current plan, effective July 1, 2005, and

WHEREAS, the changes outlined in the summary sheet provided in Exhibit I-6-05 are such as to provide for costs to implement the dental plan.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of Supervisor Finn and approve the non-represented employee health plan benefit structure changes and addition of dental insurance as set forth in Exhibit I-6-05.

Dated this 16<sup>th</sup> day of June, 2005.

(Fiscal Note: Within budget)

**ACTION:** Motion by Hendrickson, second Jensen, to adopt. Quam and Prettie abstained from the vote. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Eckman		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <u>  X  </u> Lost _____ Refer _____ Amend _____ Other _____		
Rev. 3-18-05		

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Eckman		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <u>  X  </u> _____ Lost _____ Refer _____ Amend <u>  X  </u> _____ Other _____		
Rev. 3-18-05		

**RESOLUTION #75-05**  
**RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS**

Subject: University of Wisconsin-Superior and University of Minnesota, Duluth Collaborative Efforts Task Force

WHEREAS, the Legislative Joint Finance Committee placed a line item in the Wisconsin budget that requires the University of Wisconsin System to create a task force and produce a study on possible collaborative efforts between the University of Wisconsin-Superior and the University of Minnesota, Duluth, with a report to be submitted to the Joint Finance Committee by March 1, 2006, and

WHEREAS, this initiative is purported to have evolved through discussions by southeastern Wisconsin legislators about a possibility of merger between the two universities, which ostensibly could mean the eventual elimination of the University of Wisconsin-Superior, and

WHEREAS, the University of Wisconsin-Superior is the only four-year campus in the northern third of Wisconsin, serving students who otherwise may not have the opportunity to attend a university and thereby improve the quality of their lives, and

WHEREAS, the University of Wisconsin-Superior is a major higher education link between northern Wisconsin and other parts of Wisconsin, and

WHEREAS, the Douglas County Board of Supervisors takes strong exception to the apparent singling out of the University of Wisconsin-Superior among all four-year University of Wisconsin campuses, for this study and perhaps merger, and

WHEREAS, there has been no public information as to the purpose or justification for this single campus study, and the Douglas County Board of Supervisors would like an explanation for exclusion of all the University of Wisconsin-Superior sister four-year campuses.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors supports collaborative studies that include all four-year campuses in the University of Wisconsin System, and strongly opposes any proposal from the Joint Finance Committee that targets only the University of Wisconsin-Superior for this questionable study.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Eckman		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend <input checked="" type="checkbox"/> _____ Other _____		
Rev. 3-18-05		

BE IT FURTHER RESOLVED, that upon passage of this resolution, copies be forwarded to Governor Doyle, Senator Jauch, Representative Boyle, Representative Hubler, Representative Sherman, UW Board of Regents President Marcovich, Dr. Kevin Reilly, Dr. Julius Erlenbach, and members of the Joint Finance Committee.

Dated this 16<sup>th</sup> day of June, 2005.

(Fiscal Note: None)

ACTION: Motion by Hendrickson, second Liebaert, to adopt. Motion by Allen, second Conley, to amend resolution and have it sponsored by entire County Board. Motion to adopt, as amended, carried.

Motion by Martin, second Egan, to allow resolutions not on the agenda. Motion carried.

**RESOLUTION #76-05  
RESOLUTION BY SUPERVISORS FINN AND EGAN**

Subject: Highway Improvement Project Exempted  
from Bonding Referendum Requirement

WHEREAS, Resolution #48-92, adopted on March 19, 1992, requires Douglas County to have an advisory referendum for any long term bonding or borrowing exceeding \$1,000,000.00, and

WHEREAS, the Douglas County Board adopted Resolution #45-05 on April 21, 2005, approving the Douglas County Highway System Highway Improvement Plan for the years 2005-2010, and bonding for the project not to exceed \$5,000,000.00.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of Supervisors Finn and Egan and exempt the funding of the Douglas County Highway System Highway Improvement Plan from the requirements of Resolution #48-92.

Dated this 16<sup>th</sup> day of June, 2005.

(Fiscal Note: None)

ACTION: Motion by Allen, second Budnick, to adopt. Finn explained Resolution #48-92 required an advisory referendum for any bonding or borrowing over \$1,000,000.00. Administration Committee will review the need for the resolution. Motion carried.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Eckman		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed <u>  X  </u> Lost _____ Refer _____ Amend _____ Other _____		
Rev. 3-18-05		

**RESOLUTION #77-05**  
**RESOLUTION BY SUPERVISORS FINN AND EGAN**

Subject: Borrowing of Not to Exceed \$5,000,000.00 Authorized;  
 Providing for the Issuance and Sale of General Obligation  
 Securities Therefor;  
 and Levying a Tax in Connection Therewith

RESOLVED, that the Douglas County Board of Supervisors (the "Issuer") accept the recommendation of Supervisors Finn and Egan that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation promissory notes (the "Notes") in an amount not to exceed \$5,000,000.00 (Five million dollars) for public purposes including paying the cost of Highway Improvement Projects (collectively, the "Projects"), and general obligation bonds or promissory notes (collectively with the Notes, the "Securities") in an amount not to exceed \$5,000,000.00 (Five million dollars) for the purpose of paying the cost of refunding the Notes, any outstanding obligations of the Issuer or any interim financing undertaken to pay the cost of the Projects; and there shall be levied on all the taxable property of the Issuer a direct, annual, irrevocable tax sufficient to pay the interest on said Securities as it becomes due, and also to pay and discharge the principal thereof within twenty years of the date of issuance of the Securities or such shorter period required by law.

Dated this 16<sup>th</sup> day of June, 2005.

(Fiscal Note: Up to \$5,000,000.00 in bonding proceeds. Debt service schedule to be determined)

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

**ACTION:** Motion by Baker, second Robinson, to adopt. If this is not done tonight, the property tax freeze if passed downstate, would affect the county's ability to do this when needed. This resolution just approves the concept. Roll call vote taken and passed with 24 Yes, 0 No, 4 Absent. Absent were Ryan, Shepard, Livingston, McKenzie.

Roll Call		
District Number	Yes	No
1. Finn	X	
2. Browne	X	
3. O'Brien, John	X	
4. Glenn	X	
5. Baker	X	
6. Eckman	X	
7. Livingston		
8. Martin	X	
9. Prettie	X	
10. Robinson	X	
11. Conley	X	
12. Jaques	X	
13. Quam	X	
14. O'Brien, James	X	
15. McKenzie		
16. Shepard		
17. Egan	X	
18. Allen	X	
19. Ryan		
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	X	
28. Jensen	X	
Roll: Ayes <u>  24  </u> Noes <u>    0    </u> Absent <u>    4    </u> Abstain <u>      </u>  Passed <u>  X  </u> Lost <u>      </u> Refer <u>      </u> Amend <u>      </u> Other <u>      </u>		
Rev. 3-18-05		

Roll Call		
District Number	Yes	No
1. Finn	X	
2. Browne	X	
3. O'Brien, John		X
4. Glenn	X	
5. Baker	X	
6. Eckman	X	
7. Livingston		
8. Martin	X	
9. Prettie	X	
10. Robinson	X	
11. Conley	X	
12. Jaques	X	
13. Quam	X	
14. O'Brien, James	X	
15. McKenzie		
16. Shepard		
17. Egan	X	
18. Allen	X	
19. Ryan		
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		X
28. Jensen	X	
Roll: Ayes <u>  21  </u> Noes <u>   3  </u> Absent <u>   4  </u> Abstain <u>    </u>  Passed <u>  X  </u> Lost <u>    </u> Refer <u>    </u> Amend <u>    </u> Other <u>    </u>		
Rev. 3-18-05		

**RESOLUTION #78-05**  
**RESOLUTION BY SUPERVISOR FINN**

Subject: Attorney Retained for American Transmission  
Company Litigation

WHEREAS, Douglas County has been sued by the American Transmission Company, and

WHEREAS, the American Transmission Company is seeking declaratory and injunctive relief whereby it may acquire certain rights including access to Douglas County property for purposes of constructing a high voltage transmission line across Douglas County land, and

WHEREAS, the American Transmission Company alleges that Douglas County has exceeded its Constitutional and statutory authority by denying it access to Douglas County property and by refusing to negotiate terms of easements sufficient to permit the construction of a high voltage transmission line, and further that the American Transmission Company is seeking damages and penalties therefore, and

WHEREAS, the complaint and assertions of the American Transmission Company raise many issues of Constitutional and statutory significance which are vital not only to the residents of Douglas County but to all Wisconsin residents, and

WHEREAS, it appears that it would be in the best interest of Douglas County to retain legal counsel to defend the action taken against it by the American Transmission Company, and

WHEREAS, it would further appear that Attorney John J. Prentice of Prentice and Phillips, LLP, can provide suitable and able counsel in defense of the interests of Douglas County.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors hereby authorizes retention of the services of Attorney John J. Prentice to represent the interests of Douglas County in all matters adverse to the claims and assertions of the American Transmission Company, with a budget cap to be set by the Administration Committee and subsequent approval by the Douglas County Board.

Dated this 16<sup>th</sup> day of June, 2005.  
(Fiscal Note: Undetermined; billing rate \$175 per hour)

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
5. Baker		
6. Eckman		
7. Livingston		
8. Martin		
9. Prettie		
10. Robinson		
11. Conley		
12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16. Shepard		
17. Egan		
18. Allen		
19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
22. Thompson		
23. Corbin		
24. Liebaert		
25. Budnick		
26. Johnson, Carol		
27. Stewart		
28. Jensen		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____  Passed _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 3-18-05		

**ACTION:** Motion by Conley, second Allen, to adopt. Felker explained rationale for his recommendation on this, and stated John Prentice is counsel for WCA and would do a good job for the county. Discussion followed on the need to cap the expenditures for this contract. A budget cap will be considered and set by Administration Committee with County Board approval. Roll call vote taken and passed with 21 Yes, 3 No, 4 Absent. Voting no were John O'Brien, Budnick, Stewart.

**COUNTY ADMINISTRATOR REPORT:** Written report distributed. Department Managers meeting on Tuesday and agenda available through Koszarek's office. Board members welcome.

**COUNTY BOARD CHAIR REPORT AND APPOINTMENTS:** Following A-W Power Line Committee meeting, there may be a need to have special County Board meeting.

Motion by C. Johnson, second Quam, to authorize Chair Finn to schedule special meeting of County Board if necessary. Two issues may be involved - power line and speedway. Motion carried.

The following appointment was recommended: POWTS Advisory Committee- Allen J. Olson, 4421 S. Rockmont Road, South Range, WI 54874, to serve as an Alternate. Motion by Glenn, second Liebaert, to approve appointment. Motion carried.

### **COMMITTEE REPORTS**

Quam reported on Farmer's Market, Barker's Island.

Conley reported Health & Human Services Board will meet next Wednesday, instead of the normal Thursday. Training sessions will precede the meeting.

Liebaert reported Forest, Parks and Recreation Committee meeting is Monday the 27<sup>th</sup>.

Allen reported Wisconsin Point meeting took place, with options for future preservation discussed. Goal is to put land in public trust, and bring it to County Board for approval in the fall.

Martin reported UW Agriculture research station is going to be closed, which was helpful with experimental gardening for northern Wisconsin.

K. Johnson reported on her attendance at the Highway Association Annual Convention.

Egan reported preliminary audit report was presented to Administration Committee today and there is very little in terms of recommendations.

**APPROVAL OF BILLS AND CLAIMS:** Motion by Budnick, second Baker, to approve. Motion carried.

**SUCH OTHER MATTERS AS AUTHORIZED UNDER THE WISCONSIN STATUTES:** Motion by Allen, James O'Brien, that the County Board Chair write a letter to Governor Doyle stating the County Board's position on AB437, and request Governor to veto it. Motion carried.

July 17 is official celebration for Lake Superior Day, with ceremonies beginning at 9:00 a.m.

**ADJOURNMENT:** Motion by Stewart, second Hendrickson, to adjourn. Motion carried. Meeting adjourned 9:30 p.m. Next regularly scheduled meeting - Thursday, July 21, 2005.

Submitted by,

Susan T. Sandvick  
Douglas County Clerk