

**PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS**  
**Thursday, August 18, 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 24 present, 3 absent. Absent and excused were Carol Johnson, Larry Quam, Nick Baker. Student representatives present were Johnson, Waterman, and Paine.

Motion by Prettie, second Corbin, to approve minutes of the July 13, 2005 special meeting and July 21, 2005 regular meeting. Motion carried.

**CORRESPONDENCE**

Twenty 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 Certificates of Participation to the outgoing County Board high school representatives. Kimber Johnson and Ashley Waterman were present and accepted their certificates. Jackie Avis was not able to attend the meeting.

Chair Finn and Veterans Commission members, John Robinson, James O'Brien and Bill Eckman presented Certificates of Outstanding Service to Jeff Hall and David Schroeder, Social Workers with the Twin Ports Outpatient Veterans Clinic, for their outstanding service to area veterans. Dr. Clyde Markon, Clinic Administrator, stated these two individuals serve beyond the normal duties of their profession. Schroeder thanked the Board on behalf of himself and Hall, and for the support which helped keep the clinic open.

**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 August 10, 2005, on the following petition for amendment of the county zoning district ordinance map:

Lots 39 & 40 of Pokegama Diagram Lots 2<sup>nd</sup> Division, Section 8, T48N-R14W, (TS-030-02580-00/02581-00, Old Highway 105), Town of Superior, from the F-1: Forestry zoning district to the A-1: Agriculture zoning district, by Julia Williams, 230 W 6<sup>th</sup> St., Duluth, Minnesota (buyer), Nicholas & Patricia O’Kash (seller). Intended use: Residential and horses.

WHEREAS, proof of publication of the notice of the public hearing, proof of giving notice to the town clerk of the hearing, and letter of approval from the town, are as shown in Exhibit A-8-05.

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

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

Dated this 18<sup>th</sup> day of August, 2005.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Ryan, 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.		
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. 7-12-05		

## **RESOLUTIONS**

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.		
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 <input checked="" type="checkbox"/> TABLED		
Rev. 7-12-05		

**RESOLUTION #92-05**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: ATC Litigation Attorney Fees Cap Established

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and establish a cap of \$7,000 for attorney fees for American Transmission Company litigation.

Dated this 18<sup>th</sup> day of August, 2005

(Committee Action: 9-1-0)

(Fiscal Note: \$4,000 Corporation Counsel and \$3,000 Contingency Fund)

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

**ACTION:** Motion by Browne, second O'Brien, to table 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.		
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. 7-12-05		

**RESOLUTION #93-05**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Fiscal Note on Resolutions

WHEREAS, Resolution #30-95 requires all County Board resolutions which have a financial impact to include a fiscal note, and

WHEREAS, the fiscal note is to be provided by the department head or committee chair, and the resolution is not presented to the County Board until this information is furnished, and

WHEREAS, after review, the Administration Committee has determined the need to amend the policy.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and require all fiscal notes to be reviewed and approved by the Finance Department.

BE IT FURTHER RESOLVED that upon passage of this resolution, all department managers and committee chairs receive a copy of this resolution.

Dated this 18<sup>th</sup> day of August, 2005

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

ACTION: Motion Allen, 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.		
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. 7-12-05		

**RESOLUTION #94-05**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Personnel Policies and Procedures Amended

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and amend Section VI. Absence from Work, in the Manual of Personnel Policies and Procedures, as set forth in Exhibit B-8-05.

Dated this 18<sup>th</sup> day of August, 2005

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

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

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

**RESOLUTION #95-05**  
**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:

2005 Finance Dept.   \$7,100.00   (J.E. #121769 from Contracted Services account to Capital account for purchase of printer).

Dated this 18<sup>th</sup> day of August, 2005.

(Committee Action: Unanimous)  
(Fiscal Note: None)  
(Administrative Note: Two-thirds vote of Board-elect required)

**ACTION:** Motion by Hendrickson, second Thompson, to adopt. Roll call vote taken and passed with 24 Yes, 0 No, 3 Absent. Absent were C. Johnson, Quam, Baker.

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
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8. Martin		
9. Prettie		
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12. Jaques		
13. Quam		
14. O'Brien, James		
15. McKenzie		
16.		
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. 7-12-05		

**RESOLUTION #96-05**  
**RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS**

Subject: State Transportation Fund Segregated

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

WHEREAS, the current state budget transferred \$675 million from the Transportation Fund to help address the General Fund's \$3.2 million deficit, \$524 million was restored, not with fuel tax revenues, but through state bonding adding to Wisconsin's "negative" Aa3 Moody's rating, and

WHEREAS, the proposed 2005-07 state biennium budget also calls for transferring over \$600 million from the Transportation Fund to the General Fund and replacing a portion of those funds again through bonding; the proposed budget is "balanced" with over \$1 billion of one-time monies, fund transfers and accounting shifts to the next biennium, and

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

WHEREAS, maintaining and rebuilding the state's highway infrastructure and bridges is vital to the state, counties and all municipalities to support commerce and tourism, and we must maintain quality of roads to provide safe transportation of not only goods and services, but for the citizens of the state.

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

BE IT FURTHER RESOLVED, that upon passage of this resolution, a copy be conveyed to Governor Doyle, Senator Jauch, Representative Boyle, and all Wisconsin counties.

Dated this 18<sup>th</sup> day of August, 2005.  
 (Committee Action: Unanimous)  
 (Fiscal Note: None)

Roll Call		
District Number	Yes	No
1. Finn		
2. Browne		
3. O'Brien, John		
4. Glenn		
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19. Ryan		
20. Hendrickson		
21. Johnson, Kay		
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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. 7-12-05		

**ACTION:** Motion by K. Johnson, second Stewart, to adopt. Motion by Allen, second McKenzie, to amend resolution and have it sponsored by entire County Board. Motion carried. Motion to adopt resolution as amended, carried.

**COUNTY ADMINISTRATOR REPORT:** Koszarek reported budget process has begun, and with the county limited to a cap of \$240,000, there will be some issues to address. The price of gas and oil will impact heavily on some departments. Human Services lost significant dollars due to the state changing some funding formulas for various programs. Some services may be in jeopardy.

Chair Finn welcomed back Supervisor Livingston. Livingston thanked everyone for the “Get Well” cards, letters, etc., over the past couple months.

**COUNTY BOARD CHAIR REPORT AND APPOINTMENTS:** ATC negotiating team and Douglas County’s team met this week, and a tentative agreement will be discussed in closed session.

The following appointments were recommended: **16<sup>th</sup> District Supervisor** - Jack Sweeney, 1601 East 6<sup>th</sup> Street, Superior, to serve out Jack Shepard, Sr.’s term; **Administration Committee; Northwest Wisconsin Community Action Program; Northwest Wisconsin Regional Planning Commission Board** - Jack Sweeney; **Highway Committee, Vice Chair** - Woody Budnick; **Northwest Wisconsin Concentrated Employment Program, Inc.** - Mary Lou Andresen; **Long-Term Support Planning Committee** - Larry Quam. Motion by McKenzie, second Hendrickson, to approve appointments. Motion carried.

#### **COMMITTEE REPORTS:**

Conley reported the Health and Human Services Board meets next Thursday. A special budget meeting will be scheduled for early September. W-2, recently approved by the County Board for renewal application, is on the agenda again, due to further study of the program’s future.

Prettie reported Judiciary, Legislative and Veterans Committee meeting has been rescheduled for Monday, August 29.

Liebaert reported that Forestry Department will have their annual picnic on Monday, August 29<sup>th</sup>, at the Forestry Department headquarters in Solon Springs.

Martin reported Northwest Community Action Program’s new director is Millie Rounsville.

Ryan reported Land Records Committee met and approved that budget.

McKenzie reported on a shoreland workshop held in Door County, sponsored by Door County and GLNAC. No one from our area attended, but a CD on the workshop is available from the Ashland Land Conservation office. A renewable energy workshop will be held in Elkhart, Wisconsin, in October.

K. Johnson reported the Highway Committee meets September 7<sup>th</sup>. Library Board Planning Committee will meet September 14.

Thompson reported on POWTS; waiting to hear back from Department of Commerce.

James O’Brien reported Senior Picnic was a success with over 500 in attendance.

Egan reported that a study will begin on the financial impact of the fairgrounds on the county. Fariba Pendleton, Extension office, will be in charge of the study.

**APPROVAL OF BILLS AND CLAIMS:** Motion by James O'Brien, second Browne, to approve. Motion carried.

**SUCH OTHER MATTERS AS AUTHORIZED UNDER THE WISCONSIN STATUTES:**  
**ATC/County Board Negotiations:** UW-Superior economist, Dr. Robert Beam, addressed the board, and recommended that the county be aware of the value of the land in question for the power line, as negotiations go forward. He urged supervisors to talk with their constituents to get their opinions before final agreement is reached.

**ADJOURNMENT/CLOSED SESSION:** Motion by Ryan, second Martin, to adjourn open session and convene in closed session pursuant to Section 19.85(1)(e) of the Wisconsin Statutes for update on negotiations with ATC regarding Arrowhead to Weston Power Line and to take action, if recommended. Roll call vote taken and passed with 24 Yes, 0 No, 3 Absent. Absent were Baker, C. Johnson, Quam. Open session adjourned at 6:35 p.m. Next regularly scheduled meeting - Thursday, September 15, 2005.

Submitted by,

Susan T. Sandvick  
Douglas County Clerk