

PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS
Monday, May 21, 2018, 6:00 p.m., Board Room, Second Floor, Government Center
1316 North 14th Street, Superior, Wisconsin

Meeting called to order by Chairman Mark Liebaert.

Pledge of Allegiance recited.

Roll call taken by County Clerk Susan Sandvick. There were 17 present, 4 absent. Absent – Joe Moen, Larry Quam, Michael Raunio, Alan Jaques. Youth representative present – Noah Pulkinen.

Motion by Pomush, second Baker, to approve April 12, 2018, and April 17, 2018, meeting minutes. Motion carried.

CLAIMS

Summons and Complaint by Misty D. Dalton and N M K vs. Douglas County Department of Health and Human Services alleging unauthorized release of information.

CORRESPONDENCE

Five items of correspondence were either received and placed on file or referred to the appropriate committee.

PRESENTATIONS

Acting Administrator Doucette acknowledged Douglas County employees and departments who diligently worked in seamless coordination during the Husky Superior Refinery fire. Emergency Operations Center and Incident Command System staff, along with a host of county employees, proved the county's emergency preparedness training was evident. Doucette highlighted the contributions of each individual employee. Emergency Management Director Kesler added accolades to the work of his staff and the coordination of all involved. Kesler stressed the importance of accurate factual communication during such an incident, and lauded the county's public information dissemination as accurate, timely, and consistent with protocol.

County Board Chair Liebaert presented a Proclamation recognizing and commending Douglas County's employees for their tireless work protecting the residents of Douglas County during the Husky Superior Refinery emergency. Liebaert encouraged all residents to recognize the professional contributions of county employees and proclaimed May 21 – 25, 2018, as "Public Service Recognition Week".

PUBLIC COMMENT

None.

ORDINANCES

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

Roll Call		
District Number	Yes	No
1. Pomush		
2. White		
3. Finn		
4. Clark		
5. Baker		
6. Leino		
7. Glazman		
8. Raunio		
9. Jaques		
10. Quam		
11. Finendale		
12. Lear		
13. Allen		
14. Ryan		
15. Hendrickson		
16. Luostari		
17. Liebaert		
18. Moen		
19. Long		
20. Borgeson		
21. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 04-17-18		

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 May 9, 2018, on the following petitions for amendment of the county zoning district ordinance map:

- 1) Part of the fractional W1/2-SW1/4 & Pt of the fractional NW1/4-SW1/4 (1.36 acres), Section 7, T46N-R10W; (HI-016-00744-00; 7836S County Road S), Town of Highland, from the R-2: Residential zoning district to the C-1: Commercial zoning district, by Larry and Kathleen Emons, Lake Nebagamon, Wisconsin. Intended use: Create new lot encompassing existing tavern;
- 2) Part of NE1/4-NW1/4 (5 acre parcel in NE corner), Section 35, T48N-R13W; (PA-024-00687-00; 6584E County Road C), Town of Parkland, from the C-1: Commercial zoning district to the R-2: Residential zoning district, by Thomas and Deborah Lach, Gordon, Wisconsin. Intended use: Residential; and
- 3) West 27 acres of the NE1/4-NW1/4, Section 1, T46N-R12W; (HA-014-00118-00; 9448E County Road B), Town of Hawthorne, from the R-2: Residential zoning district to the A-1: Agricultural zoning district, by Robert and Lindsey Dahlberg, Lake Nebagamon, Wisconsin. Intended use: Animals.

WHEREAS, public hearing notice, affidavit of publication, notice given to town clerks of the hearing, and letters of town board approval, are as shown in Exhibit A-5-18.

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

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

Dated this 21st day of May, 2018.

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

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

Roll Call		
District Number	Yes	No
1. Pomush		
2. White		
3. Finn		
4. Clark		
5. Baker		
6. Leino		
7. Glazman		
8. Raunio		
9. Jaques		
10. Quam		
11. Finendale		
12. Lear		
13. Allen		
14. Ryan		
15. Hendrickson		
16. Luostari		
17. Liebaert		
18. Moen		
19. Long		
20. Borgeson		
21. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed ___X___ Lost _____ Refer _____ Amend _____ Other _____		
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**AMENDMENT TO ORDINANCE #5.04
ALL-TERRAIN VEHICLE ROUTES AND OPERATION
PRESENTED BY THE TRANSPORTATION AND
INFRASTRUCTURE COMMITTEE**

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

The following paragraph is hereby amended:

SECTION II. ATV ROUTES

Add the following:

KK. CTH W from STH 105 to Irondale Road; 2.5 miles.

Dated this 21st day of May, 2018.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Finendale, second Bergman, to adopt. Motion carried.

RESOLUTIONS

Roll Call		
District Number	Yes	No
1. Pomush		
2. White		
3. Finn		
4. Clark		
5. Baker		
6. Leino		
7. Glazman		
8. Raunio		
9. Jaques		
10. Quam		
11. Finendale		
12. Lear		
13. Allen		
14. Ryan		
15. Hendrickson		
16. Luostari		
17. Liebaert		
18. Moen		
19. Long		
20. Borgeson		
21. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 04-17-18		

**RESOLUTION #28-18
RESOLUTION BY LAND AND DEVELOPMENT
COMMITTEE**

Subject: Land Sales

WHEREAS, the following parcel of land was advertised on March 30, April 6 and 13, 2018, in accordance with Section 76.59, Wisconsin Statutes, and the highest bid received is as follows:

\$ 500.00 Parcel 22-17: Lot 29, Subdivision of the NW1/4 of the SE1/4, Section 22-46-12, Town of Bennett ((BE-004-00662-00), from Bryan Castle. Intended use: Home; and

WHEREAS, the following parcels of land were previously advertised on the dates indicated below, in accordance with Section 76.59, Wisconsin Statutes, and the highest bids received are as follows:

\$ 1,000.00 Parcel 9-17: (May 3, 10, 17, 2013; September 8, October 9, 2013) Fractional Lots 5 thru 8, Block 1, Riverside Addition to South Superior, and Fractional Lots 9 thru 12, Block 8, Syndicate Addition to South Superior, City of Superior (PA-024-00190-00), from Brett Etter. Intended use: Residence;

\$ 5,000.00 Parcel 1-18: (March 2, 9, 16, 2018) Lots 13 and 14, Block 13, South Superior 1st Division, City of Superior (08-808-00284-00), from Karen Witthoft. Intended use: Increase size/value of adjoining property; clean up and maintain property; and

\$ 2,253.00 Parcel 19-13: (May 5, 12, 19, 2017; May 3, 10, 17, 2013) Lots 6-11 Inclusive, Block 12, Magoffin's Addition to South Superior, Section 10-48-14, Village of Superior (VS-182-00548-00), from Brett Etter. Intended use: Residential.

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 May, 2018.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$8,753.00)

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

RESOLUTION #29-18
RESOLUTION BY THE LAND AND DEVELOPMENT
COMMITTEE

Subject: Transfer and Acquisition of Land

RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Land and Development Committee and approve transfer of ownership of the following described property to Jason Springer:

A parcel of land for highway purposes in the northeast quarter (NE1/4) of the northeast quarter (NE1/4) of section thirty-five (35), Township Forty-seven (47) Range Eleven (11), sixty-six (66) feet wide, being thirty-three (33) feet measured from each side of the following described center line: Beginning at the intersection of Lake Avenue in the Village of Lake Nebagamon with the northerly right of way line of the Duluth, South Shore & Atlantic Railway; thence on a 14 degree curve to the right, central angle 54 degrees 5 minutes for a distance of 374.3 feet; thence on a tangent to said curve for a distance of 85.4 feet; thence on a 10 degree curve to the left, central angle 28 degrees 0 minutes for a distance of 65 feet to an intersection with the north line of said Section thirty-five (35) Township forty-seven (47), Range eleven (11). This last named point is forty-one (41) feet west of the northeast corner of above Section.

BE IT FURTHER RESOLVED that ownership of the following described property is to be transferred from Jason Springer to Douglas County:

A strip of land 66.00 feet in width for highway purposes located in part of the Northeast Quarter of the Northeast Quarter, Section 35, Township 47 Range, 11 West, Village of Lake Nebagamon, Douglas County Wisconsin that lies 33.00 feet each side of the following described centerline:

Commencing at the Northeast Corner of said Section 35; thence South 89 degrees 46 minutes 09 seconds West, along the north line of said Northeast Quarter of the Northeast Quarter, a distance of 31.49 feet to the Point of Beginning of said centerline; thence southwesterly, along a non-tangential curve concave to the northwest, a distance of 36.05 feet, said curve having a radius of 637.36 feet, a chord bearing of South 22 degrees 49 minutes 55 seconds West and a chord length of 36.04 feet; thence South 24 degrees 27 minutes 08 seconds West a distance of 144.69 feet; thence southerly, along a curve concave to the southeast, a distance of 336.35 feet to the northerly right of

Roll Call		
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1. Pomush		
2. White		
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4. Clark		
5. Baker		
6. Leino		
7. Glazman		
8. Raunio		
9. Jaques		
10. Quam		
11. Finendale		
12. Lear		
13. Allen		
14. Ryan		
15. Hendrickson		
16. Luostari		
17. Liebaert		
18. Moen		
19. Long		
20. Borgeson		
21. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 04-17-18		

Roll Call		
District Number	Yes	No
1. Pomush		
2. White		
3. Finn		
4. Clark		
5. Baker		
6. Leino		
7. Glazman		
8. Raunio		
9. Jaques		
10. Quam		
11. Finendale		
12. Lear		
13. Allen		
14. Ryan		
15. Hendrickson		
16. Luostari		
17. Liebaert		
18. Moen		
19. Long		
20. Borgeson		
21. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed ___X___ Lost _____ Refer _____ Amend _____ Other _____		
Rev. 04-17-18		

way line of the former Duluth, South Shore and Atlantic Railway and there terminating. Said curve has a radius of 400.00 feet, a chord bearing of South 00 degrees 21 minutes 47 seconds West and a chord length of 326.53 feet.

The sidelines of the strip of land terminate on the north and east lines of said Northeast Quarter of said Northeast Quarter, the west right of way line of Lake Avenue and the north right of way line of the former Duluth, South Shore and Atlantic Railway.

BE IT FURTHER RESOLVED that each transfer is contingent upon the other and is being done in order to accurately reflect the alignment and ownership of Highway F as shown in Exhibit C-5-18.

Dated this 21st day of May, 2018.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by White, second Bergman, to adopt. Motion carried.

Roll Call		
District Number	Yes	No
1. Pomush	X	
2. White	X	
3. Finn	X	
4. Clark	X	
5. Baker	X	
6. Leino	X	
7. Glazman	X	
8. Raunio		
9. Jaques		
10. Quam		
11. Finendale	X	
12. Lear	X	
13. Allen	X	
14. Ryan	X	
15. Hendrickson	X	
16. Luostari	X	
17. Liebaert	X	
18. Moen		
19. Long	X	
20. Borgeson	X	
21. Bergman	X	
Roll: Ayes <u> 17 </u> Noes <u> 0 </u> Absent <u> 4 </u> Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		
Rev. 04-17-18		

**RESOLUTION #30-18
RESOLUTION BY THE ADMINISTRATION COMMITTEE
AND EXECUTIVE COMMITTEE**

Subject: Capital Projects – 2018

RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and Executive Committee and approves the following 2018 capital projects and sources of funding:

Timber Sale Reserve Allocation	\$ 375,000
Courthouse/Government Center Building Emergency Reserve Allocation	56,250
Courthouse/Government Center Maintenance Allocation	
Law Enforcement Locker Room Repairs	\$ 33,000
Carpet Replacement	52,700
Lighting Upgrades	30,000
Elevator Power Unit	35,200
HVAC Mini-Retroconditioning	25,000
Heat Pumps	31,000
Jail Freight Elevator Controls	88,675
Veterans Office Space Modification	<u>12,000</u>
Total	307,575
Capital Improvement Allocation	
Upper St. Croix Land Acquisition	260,000
Off-Site Data Backup and Storage-Forestry	9,000
County Forest Road Improvement	50,000
Lucius Woods Park Improvements	140,000
Loader-Highway	223,500
Wells-Highway	27,000
E911 Equipment	300,000
Remonumentation	30,000
Telephone System Upgrade	119,350
Sound System Courtrooms	30,000
Radio Replacement-Sheriff	<u>60,200</u>
Total	1,249,050
Discretionary Allocation	
LIDAR 2016 Flight 3 rd Payment	118,335
Arial Photo 2019 Flight 1 st Payment	77,082
Credential Tracking System	14,250
Voting Equipment Update	128,540
CCS Software-HHS	38,500
Groundwater Program-Land Conservation	10,000
Printer-Jail	5,650
Merit Rewards	65,000
Off-Site Data Backup and Storage-Forestry	<u>6,000</u>
Total	<u>463,357</u>
Grand Total	<u>\$ 2,451,232</u>

Dated this 21st day of May, 2018.

(Committee Action: Unanimous)

(Fiscal Note: Increase Capital Projects by \$996,907; Increase Highway Capital Assets by \$250,500; Increase Forestry Capital Assets by \$465,000; Increase Courthouse/Government Center Maintenance Fund by \$363,825; Increase Timber Sales Revenue by \$375,000; Decrease undesignated reserve by \$2,451,232.

Roll Call		
District Number	Yes	No
1. Pomush	X	
2. White	X	
3. Finn	X	
4. Clark	X	
5. Baker	X	
6. Leino	X	
7. Glazman	X	
8. Raunio		
9. Jaques		
10. Quam		
11. Finendale	X	
12. Lear	X	
13. Allen	X	
14. Ryan	X	
15. Hendrickson	X	
16. Luostari	X	
17. Liebaert	X	
18. Moen		
19. Long	X	
20. Borgeson	X	
21. Bergman	X	
Roll: Ayes <u> 17 </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. 04-17-18		

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

ACTION: Motion by Ryan, second Pomush, to adopt. Roll call vote taken and passed with 17 Yes, 0 No, 4 Absent. Absent – Moen, Quam, Raunio, Jaques.

Roll Call		
District Number	Yes	No
1. Pomush	X	
2. White	X	
3. Finn	X	
4. Clark	X	
5. Baker	X	
6. Leino	X	
7. Glazman	X	
8. Raunio		
9. Jaques		
10. Quam		
11. Finendale	X	
12. Lear	X	
13. Allen	X	
14. Ryan	X	
15. Hendrickson	X	
16. Luostari	X	
17. Liebaert	X	
18. Moen		
19. Long	X	
20. Borgeson	X	
21. Bergman	X	
Roll: Ayes <u> 17 </u> Noes <u> 0 </u> Absent <u> 4 </u> Abstain <u> </u> Passed <u> X </u> Lost <u> </u> Refer <u> </u> Amend <u> X </u> Exhibit D-5-18 Other <u> </u>		
Rev. 04-17-18		

RESOLUTION #31-18
RESOLUTION BY THE ADMINISTRATION COMMITTEE

Subject: Budgetary Transfers

RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and approves budgetary transfers as set forth in Exhibit D-5-18.

Dated this 21st day of May, 2018.

(Committee Action: Unanimous)

(Fiscal Note: Included in Exhibit D-5-18)

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

ACTION: Motion by Lear, second Ryan, to adopt. Motion by Liebaert, second Lear, to amend Exhibit D-5-18, Forestry transfer from \$9,000 to \$15,000, including Fiscal Note, for off-site data backup and storage project. Motion carried. Roll call vote taken on resolution with amended exhibit, passed with 17 Yes, 0 No, 4 Absent. Absent – Moen, Quam, Raunio, Jaques.

Roll Call		
District Number	Yes	No
1. Pomush		
2. White		
3. Finn		
4. Clark		
5. Baker		
6. Leino		
7. Glazman		
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9. Jaques		
10. Quam		
11. Finendale		
12. Lear		
13. Allen		
14. Ryan		
15. Hendrickson		
16. Luostari		
17. Liebaert		
18. Moen		
19. Long		
20. Borgeson		
21. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <input checked="" type="checkbox"/> _____ Lost _____ Refer _____ Amend <input checked="" type="checkbox"/> _____ Other _____		
Rev. 04-17-18		

RESOLUTION #32-18
RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS

Subject: Chronic Wasting Disease Safeguards to Prevent Spread of Disease

WHEREAS, the presence of Chronic Wasting Disease “CWD” continues to increase throughout Wisconsin, with 31 counties currently having CWD positive deer within them as of May 3, 2018, and

WHEREAS, of the last nine new county positives, as of May 3, 2018, five have been found on game farms which are controlled by Department of Agriculture Trade and Consumer Protection, which is a substantial increase from two years ago, and

WHEREAS, these facilities pose a risk to wild deer, which can be exposed to CWD through movement of the infected animals, fence failure, escapes, contaminated soil moved off site by wind and water, contaminated trailers and equipment, and by nose-to-nose contact, and

WHEREAS, all research indicates that it is vital to control the spread of this disease and it is obvious that our current preventative measures need to be strengthened, and

WHEREAS, mandatory participation in the CWD herd status program should be required; currently, of 376 captive cervid operations, only 46% participate in that program.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of Supervisor Allen and request that the state legislature establish more effective controls to prevent the spread of CWD, allowing the Department of Agriculture, Trade and Consumer Protection and Department of Natural Resources to work together to achieve that end, as the health of Wisconsin’s wild deer herd, citizens, and deer hunting tradition are at risk.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Governor Walker, Senator Bewley, Representatives Milroy and Meyers, Board of Agriculture, Trade and Consumer Protection, and Wisconsin Natural Resources Board, Wisconsin Counties Association, and all Wisconsin Counties, asking for their support.

Dated this 21st day of May, 2018.

(Fiscal Note: None)

ACTION: Motion by Pomush, second Hendrickson, to adopt. Motion by Allen, second Hendrickson, to amend resolution and sponsor by County Board. Motion carried. Motion to adopt resolution as amended, carried.

COUNTY ADMINISTRATOR REPORT: Written report reviewed.

COUNTY BOARD CHAIR REPORT: County – City Committee met and requesting ideas on collaboration from department managers. County Historical Society displays in courthouse are appreciated. Trails school last week went well.

APPOINTMENTS: Motion by Finn, second Luostari, to approve 2018-2020 committee appointments. Motion carried.

COMMITTEE REPORTS: Hendrickson – Extension Education and Recycling Committee.

YOUTH REPRESENTATIVE REPORTS: Pulkinen - Solon Springs High School activities.

APPROVAL OF BILLS AND CLAIMS: Motion by White, second Ryan, to approve. Motion carried.

ADJOURNMENT: Motion by Pomush, second Baker, to adjourn. Motion carried. Adjourned at 6:39 p.m. Next regularly scheduled meeting – June 21, 2018.

Submitted by,

Susan T. Sandvick
Douglas County Clerk