

PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS
Thursday, November 15, 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 18 present, 2 absent. Absent – Marvin Finendale, Steve Long. Youth representatives present – Lora Randa, Sasha Achucarro.

Motion by Pomush, second Hendrickson, to approve October 18 and October 30, 2018, meeting minutes. Motion carried.

CORRESPONDENCE

None.

PRESENTATION

Superior Vocations Center, Inc., Executive Director Paul Fischer, summarized the history of Superior Vocations Center, Inc., and presented an overview of SVC programs and client data.

PUBLIC COMMENT

Public comment will be allowed on action items listed on the agenda. All comments shall be limited to three minutes in length, unless otherwise directed by the board.

Motion by Finn, second Hendrickson, to allow two persons five minutes each, to speak on Ordinance #8.17; one in opposition to and one in support of the moratorium. Motion carried.

Quinn Musch, opponent of the moratorium explained how the moratorium will impact their existing deer farm business and emphasized that his farm is highly regulated; he does not oppose the year-long CWD study. Al Horvath, proponent of the moratorium, presented data to support his position that current regulations do not effectively combat the CWD transmittal to wild deer herd population in Wisconsin.

ORDINANCES

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

Roll Call		
District Number	Yes	No
1. Pomush		
2 VACANT		
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. 10-18-18		

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 November 6, 2018, on the following petitions for amendment of the county zoning district ordinance map:

Part of N1/2-SW1/4-NE1/4 (lying west of the Brule River), Section 3, T46N-R10W; (7544S Castle Road; HI-016-00673-00), Town of Highland, from the F-1: Forestry zoning district to the RR-1: Residential-Recreation zoning district, by Neal & Kathleen Hessen, et al, Port Charlotte, Florida. Intended use: Residential;

Part of SW1/4-SE1/4, Section 9, T47N-R12W; (8247E Middle River Road; AM-002-00308-01), Town of Amnicon, from the F-1: Forestry zoning district to the A-1: Agricultural zoning district, by Michael Booker, South Range, Wisconsin. Intended use: Farm animals; and

Part of Gov't Lot 3 - Lot 1, CSM #1154, Vol 8, Pgs 203-4 & Gov't Lot 9 in Sections 7 & 8 and Pt N1/2-W1/2-NW1/4-SW1/4 (N-295.16' of W-295.16') in Section 8, T48N-R15W; (Old Hwy 23 & Mont Du Lac Road; TS-030-01896-00; 01912-01), Town of Superior, from the R-2: Residential and RR-1: Residential-Recreation zoning districts to the C-1: Commercial zoning district, by DL Skiing LLC / Lawrence Pulkrabek, Superior, Wisconsin. Intended use: Campground.

WHEREAS, public hearing notice, affidavit of publication, notice given to town clerks of the hearing, and letters of town approvals, are as shown in Exhibit A-11-18.

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 15th day of November, 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	X	
2 VACANT		
3. Finn	X	
4. Clark		X
5. Baker	X	
6. Leino	X	
7. Glazman	X	
8. Raunio	X	
9. Jaques	X	
10. Quam		X
11. Finendale		
12. Lear		X
13. Allen	X	
14. Ryan		X
15. Hendrickson	X	
16. Luostari		X
17. Liebaert	X	
18. Moen	X	
19. Long		
20. Borgeson		X
21. Bergman	X	
Roll: Ayes <u> 12 </u> Noes <u> 6 </u> Absent <u> 1 </u> Abstain <u> </u> Passed <u> X </u> Lost <u> </u> Refer <u> </u> Amend <u> X </u> Other <u> </u>		
Rev. 10-18-18		

**ORDINANCE #8.17
MORATORIUM ON THE IMPORTATION AND RAISING
OF CERVIDS IN DOUGLAS COUNTY
PRESENTED BY THE ZONING COMMITTEE**

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

SECTION I.

1.1 Statutory Authorization

This ordinance is adopted pursuant to the powers granted under Wisconsin Constitution, and Wisconsin Statutes including but not limited to Section 59.02(2) and 59.69.

1.2 Title and Purpose

The title of this ordinance is “Moratorium on the Importation and Raising of Cervids in Douglas County”.

The purpose of this ordinance is to allow Douglas County to impose a moratorium providing adequate time to study, review, consider and determine whether amendments to the Zoning Ordinance or other ordinances of Douglas County is required to protect public health or safety in Douglas County in light of the unique environment and the key concerns identified in recent planning efforts.

1.3 Adoption

This ordinance, adopted by a majority vote of the Douglas County Board of Supervisors with a quorum present and proper notice having been given, provides for the imposition of a moratorium on any cervids being brought into Douglas County that are to be housed in Douglas County. ~~The moratorium does not apply to cervids that have been brought into Douglas County prior to the adoption of this ordinance.~~

1.4 Moratorium Imposed

The Douglas County Board of Supervisors hereby imposes a moratorium on any cervids being brought into Douglas County that are to be housed in Douglas County. The moratorium does not apply to cervids that have been brought into Douglas County prior to the adoption of this ordinance.

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

Roll: Ayes <u> 12 </u> Noes <u> 6 </u> Absent <u> 1 </u> Abstain <u> </u>		
Passed <u> X </u> Lost <u> </u> Refer <u> </u> Amend <u> X </u> Other <u> </u>		

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1.5 Study Committee

The Douglas County Board of Supervisors hereby creates a study committee which shall be known as the “Communicable Diseases in Cervids Study Committee” and which shall consist of elected officials, county employees and Douglas County residents and property owners.

The Communicable Diseases in Cervids Study Committee, during the course of the moratorium imposed by this ordinance, shall research, analyze, gather and review scientific literature regarding the impact of communicable diseases of captive and wild cervids on other animals, human beings, and on soil, specifically as those issues apply in Douglas County. If funds are needed for such research, funds must be approved by a majority of the Douglas County Board of Supervisors.

The Communicable Diseases in Cervids Study Committee shall report its recommendations about appropriate county-level regulatory approaches relative to the transport and housing of cervids within Douglas County and the concerns regarding communicable diseases to the full Douglas County Board of Supervisors at least 30 days prior to the end of the moratorium adopted pursuant to this ordinance or as soon as the Committee has developed recommendations, whichever comes first.

1.6 Duration of Moratorium

This moratorium shall be in effect for a period of twelve months from the date this ordinance is passed by the County Board unless the County Board rescinds this moratorium at an earlier date, or until the study outlined by subsection 1.5 of this ordinance is complete and the County Board adopts amendments to the Douglas County Code of Ordinances, creates new ordinances, or rescinds this moratorium. This moratorium may be extended for up to 12 more months by a majority vote of the Douglas County Board of Supervisors, if necessary in order for the Communicable Diseases in Cervids Study Committee to complete its responsibilities under subsection 1.5.

SECTION II.

Except as specifically modified and amended by this ordinance, the Douglas County Code of Ordinance shall remain in force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with

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1. Pomush	X	
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3. Finn	X	
4. Clark		X
5. Baker	X	
6. Leino	X	
7. Glazman	X	
8. Raunio	X	
9. Jaques	X	
10. Quam		X
11. Finendale		
12. Lear		X
13. Allen	X	
14. Ryan		X
15. Hendrickson	X	
16. Luostari		X
17. Liebaert	X	
18. Moen	X	
19. Long		
20. Borgeson		X
21. Bergman	X	
Roll: Ayes <u> 12 </u> Noes <u> 6 </u> Absent <u> 1 </u> Abstain <u> </u> Passed <u> X </u> Lost <u> </u> Refer <u> </u> Amend <u> X </u> Other <u> </u>		
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or in contradiction of the provisions of this ordinance are hereby repealed.

SECTION III. SEVERABILITY

If a court of competent jurisdiction adjudges any section, clause, provision, or portion of this ordinance unconstitutional or invalid, the remainder of this ordinance shall not be affected thereby.

SECTION IV. EFFECTIVE DATE

This ordinance shall take effect and be in force after its passage and publication as required by law.

Dated this 15th day of November, 2018.

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

ACTION: Motion by Allen, second Bergman, to adopt. Motion by Allen, second Quam, to allow public to answer County Board questions. Motion carried. Responding to County Board questions, Quinn submitted that the moratorium will put his farm out of business if they can't increase herd size 80 to 100 annually to be profitable which takes approximately 3 years. A suggestion to grandfather existing deer farm operations, that require 2 to 3 years to grow, was not an agreeable option. Motion by Hendrickson, second Jaques, to remove last sentence of item 1.3. Motion carried. Roll call vote taken on ordinance as amended passed with 12 Yes, 6 No. Voting no were Clark, Quam, Lear, Ryan, Luostari, Borgeson.

RESOLUTIONS

**RESOLUTION #70-18
RESOLUTION BY THE SUPERVISOR ALLEN**

Subject: Land Sales

WHEREAS, the following parcels of land were advertised on September 28, October 5, and 12, 2018, and also previously advertised on the dates indicated, in accordance with Section 76.59, Wisconsin Statutes, and the highest bids received are as follows:

\$15,100.00 Parcel 27-18: (August 3, 10, 17, 31, September 7, 14, 2018) The S-660' of the E-660' of the SE1/4 of the SE1/4, Section 31-44-14, Town of Dairyland, (DA-010-01057-00), excepting a parcel of land conveyed to the State of Wisconsin, Department of Transportation for highway purposes described in Volume 501 of Records at Page 143, from Terry Foss. Intended use: Permanent residence, and

~~\$ 245.00 Parcel 28-18: (August 31, September 7, 14, 28, October 5, 12, 2018) Lots 4-7, and Lots 18-21, Block 88, East Superior Third Division, Section 15-48-13, also vacated street, avenue and alleys per Resolution #850780, Town of Parkland (3444S County Road E) (PA 024 01081 00, PA 024 01080 00, PA 024 01086 00), from Robert Edelstein. 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 15th day of November, 2018.

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by ~~\$15,345.00~~ **\$15,100.00**)

ACTION: Motion by Allen, second Jaques, to adopt. Motion by Allen, second Jaques, to amend resolution and refer Parcel #28-18 to Land and Development Committee. Motion carried. Motion to adopt resolution as amended, carried.

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12. Lear		
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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 _____ <input checked="" type="checkbox"/> Parcel #28-18 Amend _____ <input checked="" type="checkbox"/> _____ Other _____		
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**RESOLUTION #71-18
RESOLUTION BY THE ZONING COMMITTEE**

Subject: Street Vacation

WHEREAS, the public and private interest requires that the following described private road, located within the Town of Solon Springs, be vacated and discontinued:

Private drive running north and south giving access to: Lots 4 and 5 of Longs Addition to Solon Springs, Town of Solon Springs (Tax Parcel #SO-026-01755-00 and #SO-026-01754-00.

NOW, THEREFORE BE IT RESOLVED that the private drive described above is vacated and discontinued, subject only to utilities, sewer, easements and usage existing thereon, future construction and maintenance rights and access, including access rights and incidentals of such easement and usage.

BE IT FURTHER RESOLVED that a certified copy of this resolution (with Exhibit C-11-18 attached thereto) shall be recorded in the Office of the Register of Deeds for Douglas County, as required by law.

Dated this 15th day of November, 2018.

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

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

Roll Call		
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15. Hendrickson		
16. Luostari		
17. Liebaert		
18. Moen		
19. Long		
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21. Bergman		
Roll: Ayes _____ Noes _____ Absent _____ Abstain _____ Passed <u> X </u> Lost _____ Refer _____ Amend _____ Other _____		
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COUNTY ADMINISTRATOR REPORT: Written report attached.

COUNTY BOARD CHAIR REPORT: Updates on Superior Days issues; Land Conservationist position posted; \$1,500,000 timber sale; continuing talks with Enbridge on resolution to damages on CTH W.

APPOINTMENTS:

Motion by Finn, second Hendrickson, to approve **Wendy Bong** as **2nd District County Board Supervisor**. Motion carried.

Committees: Motion by Quam, second Jaques, to approve the following appointments: **Land Conservation Committee** – Wendy Bong; **Extension Education and Recycling Committee** – Wendy Bong, Charlie Glazman (Vice Chair); **Land and Development Committee** – Doug Finn; **Forest, Parks and Recreation Committee** – Nick Baker. Motion carried.

COMMITTEE REPORTS: Jaques - Administration Committee.

YOUTH REPRESENTATIVE REPORTS: Randa – Superior High School activities; Achucarro – Northwestern High School activities.

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

ADJOURNMENT: Motion by Pomush, second Quam, to adjourn. Motion carried. Adjourned 6:58 p.m. Next regularly scheduled meeting – December 20, 2018.

Submitted by,

Susan T. Sandvick
Douglas County Clerk