

Minutes of the
Bayfield County Board of Supervisors' Meeting
Of April 19, 2011 - 6:00 p.m.
Bayfield County Board Room, Courthouse, Washburn, Wisconsin

The monthly meeting of the Bayfield County Board of Supervisors was called to order by Chairman Kacvinsky at 6:00 p.m. Roll call was taken by Bayfield County Clerk, Scott Fibert as follows: Crandall-present; Rondeau-present; Meyers-present; Bussey-present; Jardine-present; Maki-present; Kittleson-present; Bennett-absent; Kacvinsky-present; Rantala-present; Williams-present; Bichanich-present; Miller-present: Total 13: 12 present, 1 absent. The motion carried and a quorum was present to conduct business. The following were also present for the meeting: *County Administrator, Mark Abeles-Allison; Deputy County Clerk, Dawn M. Bellile; Karl Kastrosky, Zoning Director; Tim Kane, UW-Extension Community Resource Agent; Elizabeth Skulan, Human Services Director; Brenda Spurlock, Criminal Justice Coordinator; and Claire Duquette, Reporter for The Daily Press; and community residents.*

The Pledge of Allegiance was recited by all in attendance.

Chairman Kacvinsky asked for a moment of silence in memory of Chris Johnson, *Bayfield County Veteran's Service Officer*, who passed away over the weekend, which was shock to us all. He was 1st Class when it came to taking care of our Veterans, will be greatly missed by all and will be some big shoes to fill. We also ask for a moment of silence in memory of Lillian Morey, Dawn Bellile's grandmother, who also passed away this weekend.

1. Public Hearing on Repealing and Recreating Section 10 of the Bayfield County, Wisconsin, Comprehensive Plan and Regarding Utilities and Community Facilities; and
2. Public Hearing Regarding County Board Redistricting.

A motion was made by Miller/Kittleson to adjourn as a County Board and Convene as a Committee of the Whole. A roll call vote was taken as follows: Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes; Maki-yes; Kittleson-yes; Bennett-absent; Kacvinsky-yes; Rantala-yes; Williams-yes; Bichanich-yes; Miller-yes; Crandall-yes: Total 13: 12 yes, 0 no, 1 absent. The motion carried.

The Board in attendance, waited for public comment. Chairman Kacvinsky asked three times if anyone from the public wanted to address any issues regarding the Comprehensive Plan or the County Board Redistricting. There were no comments.

A motion was made by Rondeau/Rantala to adjourn as a Committee of the Whole and Reconvene as a County Board. A roll call vote was taken as follows: Meyers-yes; Bussey-yes; Jardine-yes; Maki-yes; Kittleson-yes; Bennett-absent; Kacvinsky-yes; Rantala-yes; Williams-yes; Bichanich-yes; Miller-yes; Crandall-yes; Rondeau-yes; Total 13: 12 yes, 0 no, 1 absent. The motion carried.

3. **Bayfield County Amendatory Ordinance No. 2011-06 Repealing and Recreating Section 10 of the Bayfield County, Wisconsin, Comprehensive Plan and Regarding Utilities and Community Facilities.** The Board dispensed with the reading of the Ordinance, which reads as follows:

WHEREAS, Wisconsin Statutes §66.1001(4)(b) authorizes the Bayfield County Planning and Zoning Department to recommend an amendment to the Bayfield County Comprehensive Plan by adopting a resolution; and

WHEREAS, Wisconsin Statutes §66.1001(2)(d) sets forth specific requirements for the Utilities and Community Facilities element of any Comprehensive Plan; and

WHEREAS, the current Utilities and Community Facilities element of the Bayfield County Comprehensive Plan, contained in Section 10 of the Bayfield County Comprehensive Plan, does not include all of the requirements specified in Wisconsin Statute §66.1001(2)(d); and

WHEREAS, it is deemed to be in the best interest of the County of Bayfield to repeal and recreate Section 10 of the Bayfield County Comprehensive Plan to ensure all of the requirements set forth in Wisconsin Statute §66.1001(2)(d) are included in the Utilities and Community Facilities element of the Bayfield County Comprehensive Plan; and

WHEREAS, it is deemed to be in the best interest of the County of Bayfield that the Bayfield County Comprehensive Plan be further modified and amended in the manner hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED by the Bayfield County Planning and Zoning Department that the Department recommends that the Bayfield County Comprehensive Plan be amended as follows:

Section 1. Section 10 [Utilities and Community Facilities] of the Bayfield County Comprehensive Plan is hereby repealed and recreated to read as set forth in the attachment to this Resolution, which is marked as Exhibit A and is incorporated herein.

Section 2. EFFECTIVE DATE. This resolution shall take effect and be in full force from and after its passage.

Adopted this 19th day of April, 2011.

By Action of the
Bayfield County Board of Supervisors

William D. Kacvinsky, *Chair*

A motion was made by Maki/Kittleson to adopt Bayfield County Amendatory Ordinance No. 2011-06, Repealing and Recreating Section 10 of the Bayfield County, Wisconsin, Comprehensive Plan and Regarding Utilities and Community Facilities. The motion carried.

4. **Adopt Tentative Plan for Redistricting.** Tim Kane was present to give the Board a power point presentation on the County's redistricting process. He explained that after each census, each county is to go through a 3-step process. The County has 180 days from March 22nd in which to process. He further explained that the City of Bayfield, City of Washburn and the Village of Mason and 13 towns have increased, while 12 towns have decreased. The total census for Bayfield County is 15,014. The Executive Committee has met and it is their intent to keep all of the advisory districts the same, except for the City of Washburn, where the Wards have to be adjusted slightly. The only town that is divided is the Town of Eileen being in Districts 7 and 10. All others are in tact and not split up. We have tried to keep all of the towns together.

A motion was made by Jardine/Bichanich to adopt the Tentative Redistricting Plan for Bayfield County. The motion carried and the Board thanked Tim for his presentation.

5. **Motion Regarding Minutes of the March 8, 2011 Bayfield County Board of Supervisor's Meeting.** The Board dispensed with the reading of the minutes. *A motion was made by Rondeau/Williams to adopt the Minutes of the March 8, 2011 Bayfield County Board of Supervisors' Meeting.*

6. **Public Comment.** No Public Comment.

7. **Introduction of Scottie Sandstrom, Bayfield County Economic Development Director.** Kacvinsky asked that this item be postponed. *A motion was made by Kittleson/Rondeau to postpone the introduction of Scottie Sandstrom, Bayfield County Economic Development Director.* The motion carried.

8. **Appointment of Delores Kittleson to the Vaughn Public Library Board.** Kacvinsky stated that he would like the Board to appoint Delores Kittleson to the Vaughn Public Library Board. *A motion was made by Bussey/Meyers to appoint Delores Kittleson to the Vaughn Public Library Board.* The motion carried.

9. **Discussion and Appointments to Criminal Justice Committee.** Abeles-Allison asked that this item be postponed. *A motion was made by Rondeau/Miller to postpone discussion and appointments to Criminal Justice Committee.* The motion carried.

10. **Report of the Bayfield County Planning & Zoning Committee Regarding the Rezone of the Namakagon Co./Phillip Rasmussen Agent Property in the Town of Namakagon, Bayfield County, WI.** The Board dispensed with the reading of the Report, which reads as follows:

TO: The County Board of Supervisors of Bayfield County on the hearing of petitions to amend the Bayfield County Zoning Ordinance.

The Planning and Zoning Committee of the Bayfield County Board of Supervisors, having held a public hearing pursuant to Section 59.69(5)(e), Wisconsin Statutes; notice thereof having been given as provided by law; and having been duly informed of the facts pertinent to the following changes; hereby recommends the following action on said petition:

The Zoning of Namakagon Co Inc / Philip Rasmussen, agent 35.00-acre parcel (ID# 04-034-2-43-06-21-2-04-000-10000), described as the Southeast Quarter of the Northwest Quarter (SE NW), less Volume 426 Page 337; less Volume 770 Page 990,

less Lots 1-5 and less Units A & B of Lot 6 of the Lakewood's Forest Ridges Condominiums Pine Ridge Subdivision,

and their 29.00-acre parcel (ID# 04-034-2-43-06-21-2-03-000-10000), described as that portion of the Southwest Quarter of the Northwest Quarter (SW NW)

all located lying south of County Highway M in Section Twenty-One (21), Township Forty-Three (43) North, Range Six (6) West, Town of Namakagon, Bayfield County, Wisconsin **be changed from Residential-Recreational (R-RB) to Forestry-One (F-1).**

* Note: parcels within one thousand (1,000) feet landward of the ordinary high water mark of navigable lakes, ponds or flowages or within three hundred (300) feet landward of the ordinary high water mark of navigable rivers or streams or to the landward side of the floodplain, whichever distance is greater is deemed a shoreland and/or wetland zone.

Date: February 17, 2011

BAYFIELD COUNTY PLANNING AND ZONING COMMITTEE

Kenneth Jardine, Patricia Rantala, Shawn Miller, Brett Rondeau

A motion was made by Miller/Maki to receive and place on file the Report of the Bayfield County Planning & Zoning Committee Regarding the Rezone of the Namakagon Co./Phillip Rasmussen Agent Property in the Town of Namakagon, Bayfield County, WI. The motion carried.

11. Bayfield County Zoning Amendatory Ordinance No. 2011-07, Regarding the Rezone of the Namakagon Co./Phillip Rasmussen Agent Property in the Town of Namakagon, Bayfield County, WI. Miller updated the Board and discussion took place on the background information. The Town Board as well as Comprehensive Plan Committee approved of this amendment. The Board dispensed with the reading of the Ordinance, which reads as follows:

The Bayfield County Board of Supervisors ordains as follows:

That the Bayfield County Zoning Ordinance, adopted June 1, 1976, be and the same, is hereby amended as follows:

The Zoning of Namakagon Co Inc / Philip Rasmussen, agent 35.00-acre parcel (ID# 04-034-2-43-06-21-2-04-000-10000), described as the Southeast Quarter of the Northwest Quarter (SE NW), less Volume 426 Page 337; less Volume 770 Page 990,

less Lots 1-5 and less Units A & B of Lot 6 of the Lakewood's Forest Ridges Condominiums Pine Ridge Subdivision,

and their 29.00-acre parcel (ID# 04-034-2-43-06-21-2-03-000-10000), described as that portion of the Southwest Quarter of the Northwest Quarter (SW NW)

all located lying south of County Highway M in Section Twenty-One (21), Township Forty-Three (43) North, Range Six (6) West, Town of Namakagon, Bayfield County, Wisconsin **be changed from Residential-Recreational (R-RB) to Forestry-One (F-1).**

* Note: parcels within one thousand (1,000) feet landward of the ordinary high water mark of navigable lakes, ponds or flowages or within three hundred (300) feet landward of the ordinary high water mark of navigable rivers or streams or to the landward side of the floodplain, whichever distance is greater is deemed a shoreland and/or wetland zone.

Adopted this 19th day of April, 2011

By Action of the Bayfield County Board of Supervisors
William D. Kacvinsky, *Chair*

A motion was made by Rondeau/Jardine to adopt Bayfield County Zoning Amendatory Ordinance No. 2011-07 Regarding the Rezone of the Namakagon Co./Phillip Rasmussen Agent Property in the Town of Namakagon, Bayfield County, WI. The motion carried.

12. Bayfield County Amendatory Ordinance No. 2011-08, Records Retention Ordinance.
Abeles-Allison updated the Board. This adds a supplement of about 70 pages, updating the records retention requirements from the State. This was approved at the Executive Committee. This also includes the Sheriff's Department and courthouse tapes for 120 days. The Board dispensed with reading Ordinance, which reads as follows:

WHEREAS, Wisconsin Statute § 19.21(5)(c) requires that Bayfield County retain records for a period of seven (7) years unless otherwise stated by law or unless otherwise set forth in an ordinance that has been approved by the Public Records Board; and

WHEREAS, the Wisconsin Counties Association has created a model ordinance for records retention and disposition that has been approved by the Public Records Board, a copy of which is attached hereto, marked as Exhibit A, and incorporated herein; and

WHEREAS, the Wisconsin Counties Association's model ordinance for records retention and disposition allows for some records to be disposed of in a time period less than the default period of seven (7) years that would otherwise be required by Wisconsin Statute § 19.21(5)(c); and

WHEREAS, adopting the Wisconsin Counties Association's model ordinance for records retention and disposition would allow Bayfield County to dispose of certain records earlier than the default seven (7) years in order to free up needed storage space and to afford Bayfield County departments and agencies a level of certainty and flexibility that might not otherwise be present; **and**

WHEREAS, it is deemed to be in the best interest of the County of Bayfield to adopt the Wisconsin Counties Association's model ordinance for records retention and disposition by amending Chapter 4 Code of Ordinances, Bayfield County, Wisconsin; and

WHEREAS, it is deemed to be in the best interest of the County of Bayfield that the Code of Ordinances, Bayfield County, Wisconsin be further modified and amended in the manner hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 19th day of April, 2011, does hereby ordain as follows:

Section 1. Section 4-1-7 [Countywide Records.] of Chapter 1 [Records Retention] of Title 4 [Records] of the Code of Ordinances, Bayfield County, Wisconsin is hereby repealed and recreated to read as follows:

Sec. 4-1-7 Records Retention/Disposition Schedule.

Bayfield County shall retain and dispose of all records pursuant to the *County Records Retention/Disposition Schedule - 2010*, including the Addenda thereto, a copy of which is on file with the County Clerk. If the Schedule does not identify a particular record, the minimum retention and time limits set forth in any applicable state or federal statutes shall apply. If the Schedule does not identify a particular record and no other state or federal statute is applicable, then such record shall be kept a minimum of seven (7) years.

Section 2. Sections 4-1-8 [Administrative Coordinator.], 4-1-9 [Child Support Records.], 4-1-10 [Coroner Records.], 4-1-11 [Corporation Counsel Records.], County Clerk Records., 4-1-13 [Court Records.], 4-1-15 [Emergency Government.], 4-1-16 [Family Court Commissioner.], 4-1-17 [Forestry Department.], 4-1-18 [Health Department.], 4-1-19 [Highway Department Records.], 4-1-20 [Human Services Records.], 4-1-21 [Register of Deeds Records.], 4-1-22 [Sheriff's Department Records.], 4-1-23 [Treasurer Records.], 4-1-24 [Veteran's Service Office.], and 4-1-25 [Zoning.] of Chapter 1 [Records Retention] of Title 4 [Records] of the Code of Ordinances, Bayfield County, Wisconsin are hereby repealed.

Section 3. Section 4-1-1 [Purpose; General Retention Period.] of Chapter 1 [Records Retention] of Title 4 [Records] of the Code of Ordinances, Bayfield County is hereby amended to read as follows:

Sec. 4-1-1 Purpose-

The purpose of this Chapter is to establish a Countywide records retention schedule and authorize destruction of Bayfield County records pursuant to that schedule on an annual basis. Record custodians do not have the authority to destroy records prior to the established retention period unless such records have been photographically reproduced as original records pursuant to Sec. 16.61(7), Wis. Stats.

Section 4. Section 4-1-2 [Historical Records; Waiver of Notification.] of Chapter 1 [Records Retention] of Title 4 [Records] of the Code of Ordinances, Bayfield County is hereby amended to read as follows:

Sec. 4-1-2 Historical Records; Waiver of Notification.

The State Historical Society of Wisconsin (SHSW) has waived the required statutory sixty (60) day notice under Sec. 19.21(5)(d), Wis. Stats., for the records marked "Waived." SHSW must be notified prior to the destruction of records marked "Notify." Notice is also required for any record not listed in this Chapter. "N/A" indicates the SHSW notice requirement is not applicable and applies to all County records designated for permanent retention.

Section 5. Except as specifically modified and amended by this ordinance, the Code of Ordinances, Bayfield County, Wisconsin shall remain in force and effect exactly as originally adopted and previously amended. All ordinances or parts of ordinances inconsistent with or in contravention of the provisions of this ordinance are hereby repealed.

Section 6. 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 7. EFFECTIVE DATE. This ordinance shall take effect and be in full force from and after its passage.

Adopted this 19th day of April, 2011

By Action of the Bayfield County Board of Supervisors
William D. Kacvinsky, *Chair*

A motion was made by Bussey/Jardine to adopt Bayfield County Amendatory Ordinance No. 2011-08, Records Retention Ordinance. The motion carried.

13. Bayfield County Resolution No. 2011-07, 2011 Forestry & Parks Department Budget Amendment. Abeles-Allison explained the resolution to the Board and the Board dispensed with the reading of the Resolution, which reads as follows:

WHEREAS, in 2009 the Forestry Committee approved a policy designating 1% of Gross County Timber Sale revenues for town road repair when revenues exceed 101% of budget; *and*

WHEREAS, the funds shall be placed in a line item within the Forestry Budget to be used for Town Road Maintenance on town roads that provide access to County Forest land within the township, at the discretion of the county forestry department; *and*

WHEREAS, the balance of funds in the account will be limited to no more than \$40,000; *and*

WHEREAS, Towns with County Forest Land within their boundaries will submit proposals for road projects to the County Forestry and Parks Administrator and Forestry and Parks Committee for consideration of funding; *and*

WHEREAS, county timber sales exceeded 101% of budget in 2010, 1% totals \$20,476.63; *and*

WHEREAS, the policy requires a budget amendment for the forestry budget in 2011 for these funds to be expended.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 19th day of April, 2011, approve the following budget amendment to the 2011 Forestry and Parks Department (100-34) budget:

Increase Revenue line 100-00-49301 by \$20,476.63 authorizing the use of fund balance for the Town Road Maintenance account.

Increase Expense line 100-34-56129-50241 by \$20,476.63 for the Town Road Maintenance account.

Adopted this 19th day of April, 2011

By Action of the Bayfield County Board of Supervisors
William D. Kacvinsky, *Chair*

A motion was made by Maki/Bichanich to adopt Bayfield County Resolution No. 2011-07, 2011 Forestry & Parks Department Budget Amendment. A roll call vote was taken as follows: Bussey-yes; Jardine-yes; Maki-yes; Kittleson-yes; Bennett-absent; Kacvinsky-yes; Rantala-yes; Williams-yes; Bichanich-yes; Miller-yes; Crandall-yes; Rondeau-yes; Meyers-yes: Total 13: 12 yes, 0 no, 1 absent. The motion carried.

14. Bayfield County Resolution No. 2011-08, In Recognition of Memorial Day, 2011. The Board dispensed with the reading of the Resolution, which reads as follows:

WHEREAS, the 30th of May 2011 is celebrated as Memorial Day; *and*

WHEREAS, Veteran's by their service to the Country, State and this county; *and*

WHEREAS, Veteran's have given their all; *and*

WHEREAS, Veteran's that have gave their lives in defense of the people of this Great union; *and*

WHEREAS, though their very breath we enjoy being a free nation.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 19th day of April, 2011, bow our head in a moment of silent recognition and express the Boards' gratitude for their sacrifice of life; *and*

BE IT FURTHER, BE IT RESOLVED, that the Bayfield County Board Clerk shall provide a copy of this resolution to all Bayfield County Service Organizations.

Adopted this 19th day of April, 2011

By Action of the Bayfield County Board of Supervisors
William D. Kacvinsky, *Chair*

A motion was made by Bichanich/Crandall to adopt Bayfield County Resolution No. 2011-08, In Recognition of Memorial Day, 2011. The motion carried.

15. Bayfield County Resolution No. 2011-09, 2011 Health Department Budget Adjustments. Terri Kramolis, *Health Director*, was present and informed the Board that this has been to the Health Committee, and it now in front of the Board to hopefully pass. She explained the contents of the Resolution to the Board. The Board dispensed with the reading of the Resolution, which reads as follows:

WHEREAS, adjustments to the 2011 Health Department budget are necessary due to increases/decreases in federal and state grant funding; and

WHEREAS, state and federal grant funding adjustments provide additional revenues to Bayfield County and help limit county expenditures; and

WHEREAS, no additional county levy is required in the Department's 2011 budget;

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 19th day of April, 2011 amends the 2011 budget by \$25,179 and authorizes the increase of the following revenue and expense accounts for 2011.

ACCOUNT NUMBER	DESCRIPTION	ADJUSTMENTS
	Revenue Adjustments	
100-20-43550-001	Maternal/Child Health Grant	120
100-20-43550-006	Bioterrorism Grant	5,482
100-20-43550-007	Prevention Grant	105
100-20-43550-005	IAP LHD Expanded Immunization Grant	43
100-20-43550-018	Public Health Emergency Response Grant	8,006
100-20-43550-011	WIC Grant	12,019
100-20-43550-014	PEER Counseling Grant	(596)
	Total Increase to Revenues	\$25,179
	Expenditure Adjustments	
100-20-54103	Maternal/Child Health Grant	120
100-20-54111	Bioterrorism Grant	5,482
100-20-54104	Prevention Grant	105
100-20-54113	IAP LHD Expanded Immunization Grant	43
100-20-54127	Public Health Emergency Response Grant	8,006

100-20-54107	WIC Grant	12,019
100-20-54124	PEER Counseling Grant	(596)
	Total Increase to Expenditures	\$25,179

Passed by the Health Department Board on April 6, 2011 and forwarded to the Bayfield County Board of Supervisors.

A motion was made by Crandall/Williams to adopt Bayfield County Resolution No. 2011-09, 2011 Health Department Budget Adjustments. A roll call vote was taken as follows: Jardine-yes; Maki-yes; Kittleson-yes; Bennett-absent; Kacvinsky-yes; Rantala-yes; Williams-yes; Bichanich-yes; Miller-yes; Crandall-yes; Rondeau-yes; Meyers-yes; Bussey-yes: Total 13: 12 yes, 0 no, 1 absent. The motion carried.

Adopted this 19th day of April, 2011

By Action of the Bayfield County Board of Supervisors
William D. Kacvinsky, *Chair*

16. Bayfield County Resolution No. 2011-10, To Oppose the Centralization of Economic Support Programs as Proposed in the Governor's Biennial Budget. Elizabeth Skulan, *Human Services Director*, was present to explain the contents of the Resolution. The service now provided will be moved from Bayfield County to be centralized in Milwaukee. This Resolution opposed the centralization of this proposal. Discussion took place, and it was reported that the Wisconsin Counties Association is trying to come up with an alternate plan. The Board dispensed with the reading of the Resolution, which reads as follows:

WHEREAS, the State 2011 - 2013 Biennial Budget Bill requires that the Income Maintenance Administration Unit (IM Unit) services be centralized at the State by May 1, 2012;

WHEREAS, these services include the eligibility determination for Family Care, Caretaker Supplement, Medicaid, Badger Care, and Food Share, and have been successfully provided locally at the county level;

WHEREAS, 3169 Bayfield County residents, 21 % of the population, receive these services;

WHEREAS, local IM staff provide a vital role in both ensuring that those who are eligible for benefits receive them in a courteous and timely manner and in directing Bayfield County residents who either do not qualify or who may qualify for other, additional services to other community resources;

WHEREAS, the State presently determines eligibility for Badger Care Core, Badger Care Core Plus, Family Waiver, and some FoodShare cases through an Enrollment Services Center (ESC) and has experienced a higher error rate than the balance of State and only 16.22% of its cases have been processed within thirty days of the application;

WHEREAS, the Biennial Budget Bill requires a decrease in the Base County allocation for Bayfield County of \$86,878 which represents county levy dollars used in 2009 to provide superior IM services to Bayfield County residents;

WHEREAS, not having a local presence of IM staff would result in less effective service delivery and an anticipated increase of cost in crisis services such as child protective services, mental health, substance abuse, and juvenile justice;

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 19th day of April, 2011, does hereby oppose the initiative in the Governor's Budget to create a statewide Income Maintenance Unit.

Adopted this 19th day of April, 2011

By Action of the Bayfield County Board of Supervisors
William D. Kacvinsky, *Chair*

A motion was made by Bussey/Meyers to adopt Bayfield County Resolution No. 2011-10, To Oppose Centralization of Economic Support Programs as Proposed in Governor's Biennial Budget. Chairman Kacvinsky reported to the Board that he would be abstaining from voting.

The motion carried with one abstention.

17. **Bayfield County Resolution No. 2011-11, Criminal Justice Budget Amendment FY2011 to Reflect Award of Risk Reduction Treatment Court Grant.** Brenda Spurlock, *Criminal Justice Coordinator*, was present to explain to the Board that the County has received a grant that is geared to drug and alcohol abuse population. The County will hire someone on a contractual basis, through the grant, to coordinate this program and grant.

The Board dispensed with the reading of the Resolution, which reads as follows:

WHEREAS, Bayfield County continues to put a strong emphasis on pro-active approaches to reduce criminal activity in the county;

WHEREAS, Bayfield County applied for and was awarded a Risk Reduction Treatment Court grant through the Wisconsin Office of Justice Assistance, Criminal Justice Coordinating Councils Implementation program in the amount of \$71,694;

WHEREAS, the result of this funding is that Bayfield County can begin implementing this hybrid "problem-solving" court that will more effectively address drug and alcohol abuse, domestic violence, and those identified with a co-occurring disorder in our community.

WHEREAS, the grant will allow the county to hire a 60% time case manager, provide outpatient AODA and mental health services, cognitive/behavioral community educational groups, an "alternative to violence" educational group, and provide cross-disciplinary mental health/AODA training for those working with this population.

WHEREAS, funding through this grant was not known until after the 2011 budget had been established;

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors, meeting this 19th day of April, 2011 accept the Risk Reduction Treatment Court Grant and approve the following budget amendment to the 2011 Criminal Justice (100-04) budget to reflect the funding:

Increase Revenue:	
100-04-43522-002	\$71,694
Increase Expenses:	
100-04-52713-50290 Contractual Services	\$62,988
100-04-52713-50325 Registration Fees & Tuition	\$800
100-04-52713-50332 Mileage	\$1,925
100-04-52713-50335 Meals	\$306
100-04-52713-50336 Lodging	\$280
100-04-52713-50340 Operating Supplies	\$4,395
100-04-52713-50810 Capital Equipment	\$1,000

Adopted this 19th day of April, 2011

By Action of the Bayfield County Board of Supervisors
William D. Kacvinsky, *Chair*

A motion was made by Bichanich/Williams to adopt Bayfield County Resolution No. 2011-11, Criminal Justice Budget Amendment Fy2011 to Reflect Award of Risk Reduction Treatment Court Grant. A roll call vote was taken as follows: Maki-yes; Kittleson-yes; Bennett-absent; Kacvinsky-yes; Rantala-yes; Williams-yes; Bichanich-yes; Miller-yes; Crandall-yes; Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes: Total 13: 12 yes, 0 no, 1 absent. The motion carried.

The Board thanked Brenda for going after and obtaining the grant.

18. Bayfield County Resolution No. 2011-12, Budget Amendment Carrying Forward Unspent Wisconsin Department of Administration, Office of Energy Independence, Clean Transportation Grant Funds from 2010 to 2011. The Board dispensed with the reading of the Resolution, which reads as follows:

WHEREAS, in 2008 Bayfield County declared itself a partner with the State of Wisconsin by committing to the 25x25 goals of energy independence.

WHEREAS, Bayfield County continues to implement energy efficiencies in all aspects of county operations;

WHEREAS, Bayfield County applied for and was awarded an ARRA Wisconsin Clean Transportation Program Grant, through the Wisconsin Department of Administration, Office of Energy Independence in the amount of \$182,839 in 2010;

WHEREAS, the grant will be used to purchase hybrid cars, purchase compressed natural gas conversion systems for fleet vehicles and for the purchase and installation of a compressed natural gas fuelling station;

WHEREAS, all of the funding was not expended in 2010;

WHEREAS, \$177,526.50 remains to be spent in 2011;

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 19th day of April, 2011, hereby authorizes the 2011 budget to be amended to reflect grant funding through the ARRA Wisconsin Clean Transportation Program Grant that was not spent in 2010 be carried forward to 2011:

Increase Revenue 430-00-43590-004 to \$177,526.50

Increase Expense 430-00-51604-50820 to \$177,526.50

Adopted this 19th day of April, 2011

By Action of the Bayfield County Board of Supervisors
William D. Kacvinsky, *Chair*

A motion was made by Rantala/Kittleson to adopt Bayfield County Resolution No. 2011-12, Budget Amendment Carrying Forward Unspent Wisconsin Department of Administration, Office of Energy Independence, Clean Transportation Grant Funds from 2010 to 2011. It was asked of Abeles-Allison as to when we could actually see a savings in going to this type of vehicle vs. staying where we presently are. He was also asked to explain the compressed natural gas conversion system. Discussion also took place on who actually sells this type of car and where we would be able to get the gas in our area. A roll call vote was taken as follows: Kittleson-yes; Bennett-absent; Kacvinsky-yes; Rantala-yes; Williams-no; Bichanich-yes; Miller-no; Crandall-yes; Rondeau-no; Meyers-yes; Bussey-yes; Jardine-no; Maki-no: Total 13: 7 yes, 5 no, 1 absent. The motion carried.

A motion was made by Kittleson/Meyers to move into Executive Session pursuant to §19.85(1)(g), conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. A roll call vote was taken as follows: Bennett-absent; Kacvinsky-yes; Rantala-yes; Williams-yes; Bichanich-yes; Miller-yes; Crandall-yes; Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes; Maki-yes; Kittleson-yes: Total 13: 12 yes, 0 no, 1 absent. The motion carried.

- a) Railroad Grade Lawsuit. An update was given on the railroad grade lawsuit. Oral arguments were held, we have received correspondence from our attorney and Abeles-Allison read letter. We have strengths and weaknesses in our case and the Justices have a

hard job in front of them in hearing the case as it raises many questions. Timelines are not known at this point.

- b) The Waypoint Decision. Abeles-Allison stated that the first thing is to remind you that Bayfield County appoints the Board of Adjustment. The Board of Adjustment ruled contrary to what Zoning and County Board approved. He has spoken with corporation counsel on the role that the Bayfield County Board plays. Citizen groups will be filing a brief along with the Board of Adjustment. The Board of Adjustment and Bayfield County Planning & Zoning are both agents of Bayfield County and in essence, we are arguing with ourselves. We have to respect the duties of each of the entities and should as a Board and see what transpires. If citizen groups file with the Board of Adjustment, then Planning & Zoning can intervene. This case has now been assigned to Judge Eaton.
- c) December 24, 2010 Minutes. *A motion was made by Rondeau/Williams to adopt the Minutes of the Executive Session of the Bayfield County Board of Supervisors' Meeting of December 24, 2010. The motion carried.*

A motion was made by Meyers/Rondeau to move into open session. The motion carried.

19. Update on Howling Wolf Lawsuit. Abeles-Allison reported that this lawsuit has been referred to our insurance carrier. Once the suit has been filed, they will follow up with us.

20. Administrator's Report:

- a) Nothing to report, however, on another note, there was a serious accident earlier this winter on Co Hwy C that involved a township grader and 3 kids. The only involvement on the County's part is that the accident was on a county highway.
- b) Fibert reported that the plat books are now in and there will not be any "free" books given to departments or to the Board. If you feel that you absolutely need one, let us know so that we can charge the County Board accordingly.

There being no further business to come before the Bayfield County Board of Supervisors, Chairman Kacvinsky adjourned the meeting at 7:32 p.m.

Respectfully submitted,

Scott S. Fibert,
Bayfield County Clerk
SSF/dmb