

Minutes of the
Bayfield County Board of Supervisors' Meeting
Of October 25, 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: Maki-absent; Kittleson-present; Bennett-present; Kacvinsky-present; Rantala-present; Williams-present; Bichanich-present; Miller-present; Crandall-present; Rondeau-present; Meyers-present; Bussey-present; Jardine-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; Paul Susienka, Bayfield County Sheriff; Terri Kramolis, Health Director; Elizabeth Skulan, Human Services Director; Paula Hanson, Northern Regional Office contract Administrator with the Wisconsin Dept. of Health; Richard Pufall, Reporter for The Daily Press; and community residents.*

The Pledge of Allegiance was recited by all in attendance.

1. **2012 Bayfield County Public Hearing.** *A motion was made by Rondeau/Rantala to adjourn as a County Board and convene as a Committee of the Whole to hold a public hearing on the 2012 Bayfield County Budget. A roll call vote was taken as follows: Kittleson-yes; Bennett-yes; Kacvinsky-yes; Rantala-yes; Williams-yes; Bichanich-yes; Miller-yes; Crandall-yes; Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes; Maki-absent: Total 13: 12 yes, 0 no, 1 absent. The motion carried.*

Abeles-Allison reported that the budget was printed in the County's paper of record in accordance with State Statutes. He reported that valuations are down by 4.08%; the mill rate increased by 3%; the County levy is down \$87,525 from last year; the Human Services and Highway levies are the same as last year; the General Fund levy is down 1.69% from last year and general expenditures are up 2.2%, which total county expenditures are down by .99%. Budget changes this year include the General Fund, net increase of \$12,154 in revenues; reduction of Fund balance going toward the General Fund in the amount of \$17,773. In the Capital Improvement Fund, net increases were \$10,800 with both expenditures and revenues. There was a reduction in the Health Reserve of \$17,773. The Highway Fund \$110,000 from equipment expenditures. The Human Services Dept. moved \$7,333 from health insurance to Senior Meals. There was a budget modification of \$5,181.

Chairman Kacvinsky asked if anyone from the public wished to speak and there being no response, *a motion was made by Miller/Rondeau to adjourn the Committee of the Whole Meeting and reconvene as a County Board. The motion carried.*

A motion was made by Rondeau/Williams to adopt the Bayfield County 2012 Budget in the amount of \$25,197,325.00. Discussion took place. Supervisors from the Executive Committee reported that they tried to do a job by keeping the budget both responsible and reasonable. They also stated that Mark and his staff deserve a "big kudos" for putting all of the materials together in such a manner that was easy for the Committee to go through. *A roll call vote was taken as follows:*

Bennett-yes; Kacvinsky-yes; Rantala-yes; Williams-yes; Bichanich-yes; Miller-yes; Crandall-yes; Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes; Maki-absent; Kittleson-yes: Total 13: 12 yes, 0 no, 1 absent. The motion carried.

A motion was made by Bussey/Bichanich to adopt the 2012 levy in the amount of \$8,762,780.00. A roll call vote was taken as follows: Kacvinsky-yes; Rantala-yes; Williams-yes; Bichanich-yes; Miller-yes; Crandall-yes; Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes; Maki-absent; Kittleson-yes; Bennett-yes: Total 13: 12 yes, 0 no, 1 absent. The motion carried.

2. Motion Regarding Minutes of the October 4, 2011 Bayfield County Board of Supervisor's Meeting. The Board dispensed with the reading of the minutes. *A motion was made by Rondeau/Kittleson to approve the minutes of the October 4, 2011 Bayfield County Board of Supervisors' Meeting. The motion carried.*

3. Public Comment. No Public Comment.

4. Presentation of Level III Award to the Bayfield County Health Department. Paula Hanson, the Northern Regional office Contract Administrator with the Wisconsin Department of Health for Bayfield County was present to award a Level III Certificate to Terry Kramolis, *Health Director*. Hanson stated that in order to achieve such an award the County must provide the 5 Required Services which include: communicable disease surveillance, prevention and control; generalized public health nursing program; health promotion; disease prevention; and human health hazard prevention and control, PLUS the department also needs to employ a full-time health officer and have a Board of Health. In addition, there are 4 requirements to reach a Level I; 5 requirements to reach a Level II; and an additional 5 requirements to reach a Level III and this is no small achievement. In addition to the programs required, 92 other health departments tried for the Level III and Bayfield County was 31 out of 92 to achieve this. The Health Officer must also achieve certain educational requirements including having a master's degree in health, and Terri meets this requirement. Hanson also shared with the Board that State Health Officer, Henry Anderson, congratulated the Board and the Health Department for demonstrating the infrastructure and program capacity to be confirmed as a Level III Health Department.

5. Human Services 2011 Annual Report. Elizabeth Skulan was present to go over the 2011 Annual Report of the Human Services Department, highlighting trends for the past years and what is to be expected entering the 2012 year. They are watching trends such as an increase with children with disabilities, autism, an increase in meal sites and a decrease in home delivered meals. Skulan went over the performance measures and a summary of items they have been working on for the future. Skulan thanked both her Human Services Board and the County Board for their support. The Board dispensed with reading the report. *A motion was made by Rondeau/Jardine to receive and place on file the 2011 Annual Report for the Human Services Department. The motion carried.*

6. Bayfield County Resolution No. 2011-35 - November 11, 2011-Veteran's Day Celebrated. The Board dispensed with reading the Resolution, which reads as follows:

WHEREAS, the 11th of November, 2011 is celebrated as Veteran's Day; and

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

WHEREAS, Veteran's today and in the past protect and defend our great country, and have earned the respect of their fellow citizens; *and*

WHEREAS, Veteran's inspire themselves and others by their duty and sacrifice to the people of the United States; *and*

WHEREAS, though their effort we today stand together as a great nation dedicated to freedom.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25th of October, 2011, stand and salute Veterans for their contributions, and express the Boards' gratitude for all those who serve today and those Veterans that have served their country in all branches of the Armed Forces; *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.

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

A motion was made by Kittleson/Bennett to adopt Bayfield County Resolution No. 2011-34, In Recognition of Veteran's Day, 2011. The motion carried.

7. Bayfield County Resolution No. 2011-36, Tax Charge Backs of 2010 Town of Port Wing and 2005, 2006, 2007, 2008 Town of Cable. The Board dispensed with the reading of the Resolution, which reads as follows:

WHEREAS, the Executive Committee of the Bayfield County Board of Supervisors, has examined a report of the Bayfield County Treasurer setting forth the certain Tax Certificates now owned by Bayfield County. These Tax Certificates are illegal and void in that said Certificates were issued on the tax exempt property, or property on which there was a double or incorrect description and for other reasons as set forth in said Treasurer's Report; and

WHEREAS, from said examination it has been determined that said reports are illegal and void and that the taxes upon which said Certificates are based, are not justly reassessable.

NOW, THEREFORE, BE IT RESOLVED, the amounts of said illegal and void Tax Certificates are charged back to the respective towns, cities, or villages where in such lands are situated.

Dated this 25th day of October, 2011.

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

A motion was made by Jardine/Rondeau to adopt Bayfield County Resolution No. 2011-36, Tax Charge Backs of 2010 Town of Port Wing and 2005, 2006, 2007, 2008 Town of Cable. The motion carried

8. Bayfield County Resolution No. 2011-37 Cooperative Law Enforcement Services Agreement Between the Bayfield County Sheriff's Department and the Red Cliff Community Law Enforcement. Sheriff, Paul Susienka was present to answer any questions the Board had for him. He informed them that this year the money received will go directly to Red Cliff, and Red Cliff in return will pay Bayfield County \$10,000 for software that is used jointly. The Board dispensed with the reading of the Resolution, which reads as follow:

WHEREAS, The Red Cliff Band of Lake Superior Chippewa Indians is a federally recognized Indian Tribe, organized under a Constitution adopted August 25, 1938, and approved on November 9, 1938, pursuant to section 16 of the Indian reorganization Act; and

WHEREAS, The Tribal and Bayfield County Law Enforcement Agencies have had a history of cooperation in striving to meet the Red Cliff Community's law enforcement needs; and

WHEREAS, Wisconsin Statute 165.90 provides for the establishment of cooperative law enforcement efforts between County and Tribal Law Enforcement Agencies; and

WHEREAS, County and Tribal Law Enforcement Officials have worked together to develop the FY 2012 County-Tribal Law Enforcement (CTLE) Plan and grant application.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25th day of October, 2011, do hereby encourage continued cooperation between the County and Tribal Law Enforcement Agencies and approve the FY 2012 County-Tribal Law Enforcement Plan and Grant Application.

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

A motion was made by Meyers/Rantala to adopt Bayfield County Resolution No. 2011-37, Cooperative Law Enforcement Services Agreement Between the Bayfield County Sheriff's Department and the Red Cliff Community Law enforcement. The motion carried.

9. Report of the Bayfield County Planning & Zoning Committee Regarding the Rezone for the Town of Namakagon (Shoreland/Wetland Zone), Section 3-T43N-R6W4. 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 Town of Namakagon (shoreland/wetland zone) (V. 505 P. 100)

a 5.60-acre parcel (ID #04-034-2-43-06-03-3-05-006-80000), described as a part of Government Lot Five (5) and Government Lot Six (6) more particularly described as: commencing at the Meander corner of the West line of Section 3 and the South shore of Namakagon Lake, thence N 90°00'00"E 911.50 feet, thence N 0°00'00"E, 3.44 feet to an iron pipe being the point of beginning, thence S 1°58'43"W on a chord of the curve to the Right 196.03 feet to an iron pipe, thence S 16°57'08"W 318.77 feet to an iron pipe, thence N 87°27'01"E 624.11 feet to an iron pipe, thence N 9°52'41"W 179.21 feet to an iron pipe, thence N 23°28'17"W on a chord of the curve to the Left 219.86 feet to an iron pipe, thence N 50°03'22"W on a chord of the curve to the Left 173.67 feet to an iron pipe, thence N 63°02'50"W 74.20 feet to an iron pipe, thence S 76°17'20"W 212.23 feet to the point of beginning, said parcel contains 5.60 acres more or less and is subject to any easements and reservation of record, Section Three (3), Township Forty-Three (43) North, Range Six (6) West, Town of Namakagon, Bayfield County, WI be changed from Residential-1 (R-1) to Municipal (M);

Subject, however, to the following use restrictions and conditions described on Page 101 of Volume 505.

Date: September 15, 2011

BAYFIELD COUNTY PLANNING & ZONING COMMITTEE

Kenneth Jardine, Harold Maki, Patricia Rantala, Shawn Miller, Brett Rondeau

A motion was made by Rondeau/Jardine to receive and place on file the Report of the Bayfield County Planning & Zoning Committee Regarding for the Town of Namakagon (Shoreland/Wetland Zone), Section 33-T43N-R6W4. The motion carried.

10. Bayfield County Zoning Amendatory Ordinance No. 2011-20 Regarding the Rezone for the Town of Namakagon (Shoreland/Wetland Zone), Section 3-T43N-R6W4. 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, b e and the same, is hereby amended as follows:

The Zoning of Town of Namakagon (shoreland/wetland zone) (V. 505 P. 100)

a 5.60-acre parcel (ID #04-034-2-43-06-03-3-05-006-80000), described as a part of Government Lot Five (5) and Government Lot Six (6) more particularly described as: commencing at the Meander corner of the West line of Section 3 and the South shore of Namakagon Lake, thence N 90°00'00"E 911.50 feet, thence N 0°00'00"E, 3.44 feet to an iron pipe being the point of beginning, thence S 1°58'43"W on a chord of the curve to the Right 196.03 feet to an iron pipe, thence S 16°57'08"W 318.77 feet to an iron pipe, thence N 87°27'01"E 624.11 feet to an iron pipe, thence N 9°52'41"W 179.21 feet to an iron pipe, thence N 23°28'17"W on a chord of the curve to the Left 219.86 feet to an iron pipe, thence N 50°03'22"W on a chord of the curve to the Left 173.67 feet to an iron pipe, thence N 63°02'50"W 74.20 feet to an iron pipe, thence S 76°17'20"W 212.23 feet to the point of beginning, said parcel contains 5.60 acres more or less and is subject to any easements and reservation of record, Section Three (3), Township Forty-Three (43) North, Range Six (6) West, Town of Namakagon, Bayfield County, WI be changed from Residential-1 (R-1) to Municipal (M);

Subject, however, to the following use restrictions and conditions described on Page 101 of Volume 505.

Date: October 25, 2011

By Action of the Bayfield County Board of Supervisors
Attested to by: Scott S. Fibert, Bayfield County Clerk

*A motion was made by Jardine/Kittleson to adopt Bayfield County Zoning Amendatory Ordinance No. 2011-20, Regarding the Rezone for the Town of Namakagon (Shoreland/Wetland Zone), Section 3-T43N-R6W4. Karl Kastrosky, Zoning Director, was present to discuss with the Board that this Ordinance was originally denied by the Zoning Committee, and a motion this evening to approve would be to uphold the decision of the Zoning Committee. **The motion carried.***

11. Report of the Bayfield County Planning & Zoning Committee Regarding the Rezone for the Town of Namakagon (Shoreland/Wetland Zone) 2 Parcels Located in Section 23, T43N, R6W
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 Town of Namakagon (2 Parcels) (shoreland/wetland zone) (V. 505 P. 100)

a 5.00-acre parcel (ID #04-034-2-43-06-23-1-04-000-30000), described as a parcel in the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), more particularly described as: commencing at the point of where the West line of said Southeast Quarter of the Northeast Quarter intersects the South line of the right-of-way of County Highway designated at that point as County Trunk "M" and "D"; thence South following the West line of said forty, 403 feet to the East and West quarter line of said section; thence East along the quarter line a distance of 352 feet more or less to the Westerly right-of-way of the McCann Spring Road; thence North along the Westerly right-of-way said road a distance of 587 feet more or less, to the intersection with the South line of the right-of-way of County Trunk "M" and "D"; thence westerly along the southerly line of the right-of-way of said County Highway, 585 feet more or less to the point of beginning, Section Twenty-Three (23), Township Forty-Three (43) North, Range Six (6) West, Town of Namakagon, Bayfield County, WI be changed from Residential-Recreational Business (R-RB) to Municipal (M). (V. 611 P.95)

a 20.00-acre parcel (ID #04-034-2-43-06-23-1-04-000-50000), described as a parcel in the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), lying South of County Hwy "M" and East of McCann Spring Road, Section Twenty-Three (23), Township Forty-Three (43) North, Range Six (6) West, Town of Namakagon, Bayfield County, WI be changed from Residential-Recreational Business (R-RB) to Municipal (M).

Date: September 15, 2011

BAYFIELD COUNTY PLANNING & ZONING COMMITTEE

Kenneth Jardine, Harold Maki, Patricia Rantala, Shawn Miller, Brett Rondeau

A motion was made by Rondeau/Bennett to receive and place on file the Report of the Bayfield County Planning & Zoning Committee Regarding the Rezone for the Town of Namakagon (Shoreland/Wetland Zone) 2 Parcels Located in Section 23, T43N, R6W. The motion carried.

12. Bayfield County Zoning Amendatory Ordinance No. 2011-21 Regarding the Rezone for the Town of Namakagon (Shoreland/Wetland Zone), 2 Parcels Located in Section 23, T43N, R6W
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 **Town of Namakagon (2 Parcels)** (shoreland/wetland zone) (V. 505 P. 100)

a 5.00-acre parcel (ID #04-034-2-43-06-23-1-04-000-30000), described as a parcel in the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), more particularly described as: commencing at the point of where the West line of said Southeast Quarter of the Northeast Quarter intersects the South line of the right-of-way of County Highway designated at that point as County Trunk "M" and "D"; thence South following the West line of said forty, 403 feet to the East and West quarter line of said section; thence East along the quarter line a distance of 352 feet more or less to the Westerly right-

of-way of the McCann Spring Road; thence North along the Westerly right-of-way said road a distance of 587 feet more or less, to the intersection with the South line of the right-of-way of County Trunk "M" and "D"; thence westerly along the southerly line of the right-of-way of said County Highway, 585 feet more or less to the point of beginning, Section Twenty-Three (23), Township Forty-Three (43) North, Range Six (6) West, Town of Namakagon, Bayfield County, WI be changed from Residential-Recreational Business (R-RB) to Municipal (M). (V. 611 P.95)

a 20.00-acre parcel (ID #04-034-2-43-06-23-1-04-000-50000), described as a parcel in the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), lying South of County Hwy "M" and East of McCann Spring Road, Section Twenty-Three (23), Township Forty-Three (43) North, Range Six (6) West, Town of Namakagon, Bayfield County, WI be changed from Residential-Recreational Business (R-RB) to Municipal (M).

Date: October 25, 2011

By Action of the Bayfield County Board of Supervisors
Attested to by: Scott S. Fibert, Bayfield County Clerk

A motion was made by Crandall/Jardine to adopt Bayfield County Zoning Amendatory Ordinance No. 2011-21 Regarding the Rezone for the Town of Namakagon (Shoreland/Wetland Zone), 2 Parcels Located in Section 23, T43N, R6W. The motion carried.

13. Report of the Bayfield County Planning & Zoning Committee Regarding the Town of Namakagon (Shoreland/Wetland Zone), 6 Parcels; 2 Located in Section 13, T43N, R6W; 2 Located in Section 18-T43N-5W; 1 Located in Section 19-T43N-R5W; and 1 Located in Section 24-T43N-6W. 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 Town of Namakagon (6 parcels)

(1) (V. 639 P. 278)

a 10.00-acre parcel (ID #04-034-2-43-06-13-4-03-000-40000), described as the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$), South of County Hwy M in V. 221 P. 553, Section Thirteen (13), Township Forty-Three (43) North, Range Six (6) West, Town of Namakagon, Bayfield County, WI be changed from Forestry-1 (F-1) to Municipal (M);

(2) (V. 506 P. 143)

a 37.10-acre parcel (ID #04-034-2-43-06-13-4-04-000-10000), described as the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$), less V. 300 P. 419, Section Thirteen (13), Township Forty-Three (43) North, Range Six (6) West, Town of Namakagon, Bayfield County, WI be changed from Residential-3 (R-3) to Municipal (M);

(3) (V. 384. P. 43)

a 41.20-acre parcel (ID #04-034-2-43-05-18-3-03-000-10000), described as the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$), Section Eighteen (18), Township Forty-Three (43) North, Range Five (5) West, Town of Namakagon, Bayfield County, WI be changed from Forestry-1 (F-1) to Municipal (M);

(4) (V. 611 P. 95-96)

a 40.00-acre parcel (ID #04-034-2-43-05-18-3-04-000-10000), described as the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$), Section Eighteen (18), Township Forty-Three (43) North, Range Five (5) West, Town of Namakagon, Bayfield County, WI be changed from Forestry-1 (F-1) to Municipal (M);

(5) (V. 402 P. 101)

a 41.60-acre parcel (ID #04-034-2-43-05-19-2-02-000-10000), described as the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$), Section Nineteen (19), Township Forty-Three (43) North, Range Five (5) W, Town of Namakagon, Bayfield County, WI be changed from Forestry-1 (F-1) to Municipal (M);

(6) (V. 384 P. 43)

a 40.00-acre parcel (ID #04-034-2-43-06-24-1-01-000-10000), described as the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), Section Twenty-Four (24), Township Forty-Three (43) North, Range Six (6) West, Town of Namakagon, Bayfield County, WI be changed from Forestry-1 (F-1) to Municipal (M).

Date: September 15, 2011

BAYFIELD COUNTY PLANNING & ZONING COMMITTEE

Kenneth Jardine, Harold Maki, Patricia Rantala, Shawn Miller, Brett Rondeau

A motion was made by Rantala/Kittleson to receive and place on file the Report of the Bayfield County Planning & Zoning Committee Regarding the Rezone for the Town of Namakagon (Shoreland/Wetland Zone), 6 Parcels; 2 Located in Section 13, T43N, R6W; 2 Located in Section 18-T43N-5W; 1 Located in Section 19-T43N-R5W; and 1 Located in Section 24-T43N-6W. The motion carried.

14. Bayfield County Zoning Amendatory Ordinance No. 2011-22 Regarding the Rezone for the Town of Namakagon (Shoreland/Wetland Zone), 6 Parcels; 2 Located in Section 13, T43N, R6W; 2 Located in Section 18-T43N-5W; 1 Located in Section 19-T43N-R5W; and 1 Located in Section 24-T43N-6W. 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 Town of Namakagon (6 parcels)

(1) (V. 639 P. 278)

a 10.00-acre parcel (ID #04-034-2-43-06-13-4-03-000-40000), described as the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$), South of County Hwy M in V. 221 P. 553, Section Thirteen (13), Township Forty-Three (43) North, Range Six (6) West, Town of Namakagon, Bayfield County, WI be changed from Forestry-1 (F-1) to Municipal (M);

(2) (V. 506 P. 143)

a 37.10-acre parcel (ID #04-034-2-43-06-13-4-04-000-10000), described as the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$), less V. 300 P. 419, Section Thirteen (13), Township Forty-Three (43) North, Range Six (6) West, Town of Namakagon, Bayfield County, WI be changed from Residential-3 (R-3) to Municipal (M);

(3) (V. 384. P. 43)

a 41.20-acre parcel (ID #04-034-2-43-05-18-3-03-000-10000), described as the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$), Section Eighteen (18), Township Forty-Three (43) North, Range Five (5) West, Town of Namakagon, Bayfield County, WI be changed from Forestry-1 (F-1) to Municipal (M);

(4) (V. 611 P. 95-96)

a 40.00-acre parcel (ID #04-034-2-43-05-18-3-04-000-10000), described as the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$), Section Eighteen (18), Township Forty-Three (43) North, Range Five (5) West, Town of Namakagon, Bayfield County, WI be changed from Forestry-1 (F-1) to Municipal (M);

(5) (V. 402 P. 101)

a 41.60-acre parcel (ID #04-034-2-43-05-19-2-02-000-10000), described as the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$), Section Nineteen (19), Township Forty-Three (43) North, Range Five (5) W, Town of Namakagon, Bayfield County, WI be changed from Forestry-1 (F-1) to Municipal (M);

(6) (V. 384 P. 43)

a 40.00-acre parcel (ID #04-034-2-43-06-24-1-01-000-10000), described as the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), Section Twenty-Four (24), Township Forty-Three (43) North, Range Six (6) West, Town of Namakagon, Bayfield County, WI be changed from Forestry-1 (F-1) to Municipal (M).

Dated: October 25, 2011

By Action of the Bayfield County Board of Supervisors
Attested to by: Scott S. Fibert, Bayfield County Clerk

A motion was made by Rondeau/Crandall to adopt Bayfield County Ordinance No. 2011-22 Regarding the Rezone for the Town of Namakagon (Shoreland/Wetland Zone), 6 Parcels; 2 Located in Section 13, T43N, R6W; 2 Located in Section 18-T43N-5W; 1 Located in Section 19-T43N-R5W; and 1 Located in Section 24-T43N-6W. The motion carried.

15. Report of the Bayfield County Planning & Zoning Committee Regarding the Rezone of the Town of Namakagon Overlay District, Chapter 13-1-67. 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:

- (a) **Applicability.** The Town of Namakagon Overlay District shall apply to and include all lands within the Town of Namakagon.
- (b) **Intent of the Town of Namakagon Overlay District.** The intent of this overlay district is to promote the public health, safety, convenience, and general welfare: to encourage planned and orderly land use developments: to protect property values and the property tax base: to encourage uses of land, water, and other natural resources which are consistent with the Town of Namakagon Comprehensive Land Use Plan: to maintain water clarity in lakes, rivers, and streams: to protect the beauty and amenities of landscape and man-made developments: and to provide healthy surroundings for recreation, tourism, and family life.

(c) Part of the Purpose and Intent of the Town of Namakagon Overlay shall be achieved by restricting all mobile homes to mobile home parks in the Town of Namakagon. Mobile homes in the Town of Namakagon shall also be subject to the following requirements:

- (1) Limiting mobile homes to licensed mobile home parks.
- (2) All licensed mobile home parks must be a minimum of 6 acres.
- (3) All other county ordinance rules regarding mobile homes will be enforced.

Date: October 20, 2011

BAYFIELD COUNTY PLANNING & ZONING COMMITTEE

Kenneth Jardine, Harold Maki, Patricia Rantala, Shawn Miller, Brett Rondeau

A motion was made by Rantala/Kittleston to receive and place on file the Report of the Bayfield County Planning & Zoning Committee Regarding the Rezone of the Town of Namakagon Overlay District, Chapter 13-1-67. The motion carried.

16. Bayfield County Zoning Amendatory Ordinance No. 2011-23 Regarding the Rezone of the Town of Namakagon Overlay District, Chapter 13-1-67. This is an Ordinance that was denied prior. This is a situation where the Town Board took action to approve a Comp Plan Amendment and the Planning and Zoning Committee met and they disagreed with the Town's decision. Kastrosky asked that the Board open the floor to allow the Town Chair, Robert Rasmussen, to discuss this situation with them. *A motion was made by Bussey/Crandall to suspend the rules to allow for Robert Rasmussen, Chair, to speak to the Board. The motion carried.*

Rasmussen explained that mobile homes have to be located in a mobile home park. This has been in effect since 1979. The Town made an addendum to that in 1980 which spelled it out more stating that in order to have a mobile home on your property, you have to own at least 6 acres of land. The Town is asking that an overlay be adopted to the Town of Namakagon which puts both the County and Town on the same page with its criteria. The Board asked questions of Rasmussen and debated for a considerable amount of time.

The Board dispensed with the reading of the Report, 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:

- (a) Applicability. The Town of Namakagon Overlay District shall apply to and include all lands within the Town of Namakagon.

- (b) Intent of the Town of Namakagon Overlay District. The intent of this overlay district is to promote the public health, safety, convenience, and general welfare: to encourage planned and orderly land use developments: to protect property values and the property tax base: to encourage uses of land, water, and other natural resources which are consistent with the Town of Namakagon Comprehensive Land Use Plan: to maintain water clarity in lakes, rivers, and streams: to protect the beauty and amenities of landscape and man-made developments: and to provide healthy surroundings for recreation, tourism, and family life.
- (c) Part of the Purpose and Intent of the Town of Namakagon Overlay shall be achieved by restricting all mobile homes to mobile home parks in the Town of Namakagon. Mobile homes in the Town of Namakagon shall also be subject to the following requirements:
- (1) Limiting mobile homes to licensed mobile home parks.
 - (2) All licensed mobile home parks must be a minimum of 6 acres.
 - (3) All other county ordinance rules regarding mobile homes will be enforced.

Date: October 25, 2011

By Action of the Bayfield County Board of Supervisors
Attested to by: Scott S. Fibert, Bayfield County Clerk

A motion was made by Miller/Bennett to uphold the decision of the Planning & Zoning Committee to deny the request of the Town of Namakagon for an Overlay District. Miller proceeded to discuss with the Board his reasons for making the motion. Further discussion took place on whether the Town's Ordinance would override the County's. Discussion also took place on what other towns have in place regarding overlays. The Town is asking the County to make this Overlay a part of the County's Ordinance, to make both the Town and County consistent. A roll call vote was taken as follows: Rantala-yes; Williams-yes; Bichanich-no; Miller-yes; Crandall-no; Rondeau-no; Meyers-no; Bussey-no; Jardine-no; Maki-absent; Kittleson-yes; Bennett-yes; Kacvinsky-yes: Total 13: 6 yes, 6 no, 1 absent. The motion was defeated.

A motion was made by Bussey/Jardine to refer the Ordinance back to the Zoning Committee to work out the plans between the Committee and the Town. Discussion took place on the requirements for having a mobile home on your property, the license fee and how it feels as though this is a little bit about discrimination regulating how and what type of home a person can have on their own property. This is worth sending back to the Zoning Committee for another look. The motion carried with 1 no vote.

17. Report of the Bayfield County Planning & Zoning Committee Regarding Amendments to Sections 13-1-60 and 13-1-62, Code of Ordinances, Bayfield County, Wisconsin and Regarding the Zoning Districts in the Zoning Code. 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:

**AN ORDINANCE REPEALING AND RECREATING CHAPTER 2 OF TITLE 13,
CODE OF ORDINANCES, BAYFIELD COUNTY, WISCONSIN AND
REGARDING FLOODPLAIN ZONING**

WHEREAS, the County of Bayfield received notification from the Federal Emergency Management Agency that the County of Bayfield will be suspended from the National Flood Insurance Program unless it amends its Floodplain Ordinance; and

WHEREAS, the State of Wisconsin updated its requirements for floodplain protection and the County of Bayfield is mandated by the State of Wisconsin to include the updated requirements in its Floodplain Ordinance; and

WHEREAS, Wisconsin Statutes § 59.692 authorizes the Bayfield County Board of Supervisors enact zoning ordinances for floodplains within Bayfield County's unincorporated area and states that the provisions of Wisconsin Statutes §59.69 applies to ordinances and their amendments enacted under §59.692; and

WHEREAS, Wisconsin Statutes §59.69(5)(e) authorizes the County Board to amend an ordinance, and Section 13-2-70 Code of Ordinances, Bayfield County, Wisconsin authorizes the County Board to make amendments to Chapter 2 of Title 13 of the Code of Ordinances, Bayfield County, Wisconsin pursuant to Wisconsin Statutes §59.69; and

WHEREAS, it is deemed to be in the best interest of the County of Bayfield to repeal and recreate Chapter 2 of Title 13, Code of Ordinances, Bayfield County, Wisconsin to ensure Bayfield County's continued participation in the National Flood Insurance Program and continued compliance with the requirements mandated by the State of Wisconsin; and

WHEREAS, it is deemed 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;

Section 1. Chapter 2 [Floodplain Zoning] of Title 13 [Zoning] of the Code of Ordinances, Bayfield County, Wisconsin is hereby repealed and recreated to read as set forth in the attachment to this Ordinance, which is marked as Exhibit A and is incorporated herein.

Section 2. All Official Floodplain Zoning Maps are hereby repealed and recreated as set forth in the maps on file at the Bayfield County Planning and Zoning Department, which are available for review/inspection and which are incorporated herein.

Section 3. Except as specifically modified and amended by this ordinance, the Bayfield 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 or in contravention of the provisions of this ordinance are hereby repealed.

Date: October 20, 2011

BAYFIELD COUNTY PLANNING & ZONING COMMITTEE

Kenneth Jardine, Harold Maki, Patricia Rantala, Shawn Miller, Brett Rondeau

A motion was made by Bennett/Jardine to receive and place on file the Report of the Bayfield County Planning & Zoning Committee Regarding Amendments Amendments to Sections 13-1-60 and 13-1-62, Code of Ordinances, Bayfield County, Wisconsin and Regarding the Zoning Districts in the Zoning Code. The motion carried.

18. Bayfield County Zoning Amendatory Ordinance No. 2011-24, Amendments to Sections 13-1-60 and 13-1-62, Code of Ordinances, Bayfield County, Wisconsin and Regarding the Zoning Districts in the Zoning Code. The Board dispensed with the reading of the Report 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:

**AN ORDINANCE REPEALING AND RECREATING CHAPTER 2 OF TITLE 13,
CODE OF ORDINANCES, BAYFIELD COUNTY, WISCONSIN AND
REGARDING FLOODPLAIN ZONING**

WHEREAS, the County of Bayfield received notification from the Federal Emergency Management Agency that the County of Bayfield will be suspended from the National Flood Insurance Program unless it amends its Floodplain Ordinance; and

WHEREAS, the State of Wisconsin updated its requirements for floodplain protection and the County of Bayfield is mandated by the State of Wisconsin to include the updated requirements in its Floodplain Ordinance; and

WHEREAS, Wisconsin Statutes § 59.692 authorizes the Bayfield County Board of Supervisors enact zoning ordinances for floodplains within Bayfield County's unincorporated area and states that the provisions of Wisconsin Statutes §59.69 applies to ordinances and their amendments enacted under §59.692; and

WHEREAS, Wisconsin Statutes §59.69(5)(e) authorizes the County Board to amend an ordinance, and Section 13-2-70 Code of Ordinances, Bayfield County, Wisconsin authorizes the County Board to make

amendments to Chapter 2 of Title 13 of the Code of Ordinances, Bayfield County, Wisconsin pursuant to Wisconsin Statutes §59.69; and

WHEREAS, it is deemed to be in the best interest of the County of Bayfield to repeal and recreate Chapter 2 of Title 13, Code of Ordinances, Bayfield County, Wisconsin to ensure Bayfield County's continued participation in the National Flood Insurance Program and continued compliance with the requirements mandated by the State of Wisconsin; and

WHEREAS, it is deemed 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;

Section 1. Chapter 2 [Floodplain Zoning] of Title 13 [Zoning] of the Code of Ordinances, Bayfield County, Wisconsin is hereby repealed and recreated to read as set forth in the attachment to this Ordinance, which is marked as Exhibit A and is incorporated herein.

Section 2. All Official Floodplain Zoning Maps are hereby repealed and recreated as set forth in the maps on file at the Bayfield County Planning and Zoning Department, which are available for review/inspection and which are incorporated herein.

Section 3. Except as specifically modified and amended by this ordinance, the Bayfield 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 or in contravention of the provisions of this ordinance are hereby repealed.

Date: October 20, 2011

By Action of the Bayfield County Board of Supervisors
Attested to by: Scott S. Fibert, Bayfield County Clerk

*A motion was made by Jardine/Kittleson to adopt Bayfield County Zoning Amendatory Ordinance No. 2011-24, Amendments to Sections 13-1-60 and 13-1-62, Code of Ordinances, Bayfield County, Wisconsin and Regarding the Zoning Districts in the Zoning Code. Discussion was held that items were inadvertently included in the prior copy, changes have been made, a public hearing was held and the document is in its right form. **The motion carried.***

19. Report of the Bayfield County Planning & Zoning Committee Repealing and Recreating Title 13, Chapter 2, Floodplain Ordinance. 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:

**AN ORDINANCE REPEALING AND RECREATING CHAPTER 2 OF TITLE 13,
CODE OF ORDINANCES, BAYFIELD COUNTY, WISCONSIN AND
REGARDING FLOODPLAIN ZONING**

WHEREAS, the County of Bayfield received notification from the Federal Emergency Management Agency that the County of Bayfield will be suspended from the National Flood Insurance Program unless it amends its Floodplain Ordinance; and

WHEREAS, the State of Wisconsin updated its requirements for floodplain protection and the County of Bayfield is mandated by the State of Wisconsin to include the updated requirements in its Floodplain Ordinance; and

WHEREAS, Wisconsin Statutes § 59.692 authorizes the Bayfield County Board of Supervisors enact zoning ordinances for floodplains within Bayfield County's unincorporated area and states that the provisions of Wisconsin Statutes §59.69 applies to ordinances and their amendments enacted under §59.692; and

WHEREAS, Wisconsin Statutes §59.69(5)(e) authorizes the County Board to amend an ordinance, and Section 13-2-70 Code of Ordinances, Bayfield County, Wisconsin authorizes the County Board to make amendments to Chapter 2 of Title 13 of the Code of Ordinances, Bayfield County, Wisconsin pursuant to Wisconsin Statutes §59.69; and

WHEREAS, it is deemed to be in the best interest of the County of Bayfield to repeal and recreate Chapter 2 of Title 13, Code of Ordinances, Bayfield County, Wisconsin to ensure Bayfield County's continued participation in the National Flood Insurance Program and continued compliance with the requirements mandated by the State of Wisconsin; and

WHEREAS, it is deemed 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;

Section 1. Chapter 2 [Floodplain Zoning] of Title 13 [Zoning] of the Code of Ordinances, Bayfield County, Wisconsin is hereby repealed and recreated to read as set forth in the attachment to this Ordinance, which is marked as Exhibit A and is incorporated herein.

Section 2. All Official Floodplain Zoning Maps are hereby repealed and recreated as set forth in the maps on file at the Bayfield County Planning and Zoning Department, which are available for review/inspection and which are incorporated herein.

Section 3. Except as specifically modified and amended by this ordinance, the Bayfield 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 or in contravention of the provisions of this ordinance are hereby repealed.

Date: October 20, 2011

BAYFIELD COUNTY PLANNING & ZONING COMMITTEE

Kenneth Jardine, Harold Maki, Patricia Rantala, Shawn Miller, Brett Rondeau

A motion was made by Bennett/Jardine to receive and place on file the Report of the Bayfield County Planning & Zoning Committee Repealing and Recreating Title 13, Chapter 2, Floodplain Ordinance. The motion carried.

20. Bayfield County Amendatory Ordinance No. 2011-25 Repealing and Recreating Title 13, Chapter 2, Floodplain Ordinance. 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:

**AN ORDINANCE REPEALING AND RECREATING CHAPTER 2 OF TITLE 13,
CODE OF ORDINANCES, BAYFIELD COUNTY, WISCONSIN AND
REGARDING FLOODPLAIN ZONING**

WHEREAS, the County of Bayfield received notification from the Federal Emergency Management Agency that the County of Bayfield will be suspended from the National Flood Insurance Program unless it amends its Floodplain Ordinance; and

WHEREAS, the State of Wisconsin updated its requirements for floodplain protection and the County of Bayfield is mandated by the State of Wisconsin to include the updated requirements in its Floodplain Ordinance; and

WHEREAS, Wisconsin Statutes § 59.692 authorizes the Bayfield County Board of Supervisors enact zoning ordinances for floodplains within Bayfield County's unincorporated area and states that the provisions of Wisconsin Statutes §59.69 applies to ordinances and their amendments enacted under §59.692; and

WHEREAS, Wisconsin Statutes §59.69(5)(e) authorizes the County Board to amend an ordinance, and Section 13-2-70 Code of Ordinances, Bayfield County, Wisconsin authorizes the County Board to make amendments to Chapter 2 of Title 13 of the Code of Ordinances, Bayfield County, Wisconsin pursuant to Wisconsin Statutes §59.69; and

WHEREAS, it is deemed to be in the best interest of the County of Bayfield to repeal and recreate Chapter 2 of Title 13, Code of Ordinances, Bayfield County, Wisconsin to ensure Bayfield County's

continued participation in the National Flood Insurance Program and continued compliance with the requirements mandated by the State of Wisconsin; and

WHEREAS, it is deemed 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;

Section 1. Chapter 2 [Floodplain Zoning] of Title 13 [Zoning] of the Code of Ordinances, Bayfield County, Wisconsin is hereby repealed and recreated to read as set forth in the attachment to this Ordinance, which is marked as Exhibit A and is incorporated herein.

Section 2. All Official Floodplain Zoning Maps are hereby repealed and recreated as set forth in the maps on file at the Bayfield County Planning and Zoning Department, which are available for review/inspection and which are incorporated herein.

Section 3. Except as specifically modified and amended by this ordinance, the Bayfield 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 or in contravention of the provisions of this ordinance are hereby repealed.

Date: October 25, 2011

By Action of the Bayfield County Board of Supervisors
Attested to by: Scott S. Fibert, Bayfield County Clerk

A motion was made by Rondeau/Kittleston to adopt Bayfield County Zoning Amendatory Ordinance No. 2011-25, Repealing and Recreating Title 13, Chapter 2, Floodplain Ordinance. Kastrosky informed the Board that the Zoning Committee stated that the Zoning Department is to notify all affected property owners that they may be in the floodplain zone. The reason for this is that individuals pay dearly for floodplain insurance, and if they are now, not located in the floodplain zone, their insurance premiums may go down. They should be informed of this. *The motion carried.*

At this time, Abeles-Allison informed the Board that at the Wisconsin County Code Administration Association Meeting, Karl Kastrosky was recognized as the Professional of the Year as it pertained to special shoreland statutes that the State has been developing over the past decades. The Board extended their congratulations to Kastrosky and Kastrosky told the Board he appreciated all of their efforts and support they have given the Zoning Department.

21. Administrator's Report:

- a) **Deadline for Filing Notification of Non-Candidacy or Candidacy Papers.** Fibert informed the Board that at the next County Board meeting their packets will be ready for them to declare whether they are running or not running for office in April. His office has been putting the paperwork together, however, papers cannot be circulated until December 1st.

b) **Roberts Rules of Order.** New "brief edition" rule books have been ordered (2nd edition) for all Board members.

c) **New Rule for Executive Session.** Fibert informed the Board that while he was attending a Webinar presented by the Department of Justice, the Attorney General stated that it is NO LONGER necessary to call a roll call vote when moving into Executive Session. We can make a note of this for the next time executive session is needed

d) **Upcoming County Board Meetings:**
November 15th at 6:00 p.m. - dictated by State Statute
December 13th at 6:00 p.m. if necessary to hold business

e) **Superior Days Update.** There will be a local meeting today with Ashland. Abeles-Allison passed out a topic list. On another note, there is a hearing at the Hurley Auditorium on mining. Looking for specific input. If you cannot attend and want to submit something, let Mark know.

f) **Brownstone Project Update.** The project is almost complete. It is their intention to have the majority of the work done this week. They are half-way through the column basis and putting new sections. The stone cutter is here from England overseeing the project - much of the replacement stone is from a stockpile.

There being no further business to come before the Bayfield County Board of Supervisors, Chairman Kacvinsky adjourned the meeting at 7:25 p.m.

Respectfully submitted,

Scott S. Fibert,
Bayfield County Clerk
SSF/dmb