

Minutes of the
Bayfield County Board of Supervisors' Meeting
Of August 25, 2009 - 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 6:03 p.m. Roll call was taken by Bayfield County Clerk, Scott Fibert as follows Rondeau-present; Good-present; Gordon-present; Jardine-present; Maki-present; Kittleson-present; Blahnik-present; Kacvinsky-present; Beeksma-present; Williams-absent; Bichanich-present; Miller-present; Crandall-present; Total 13: 12 present, 1 absent; a quorum was present to conduct the meeting. Others present this evening were: County Administrator, Mark Abeles-Allison; County Clerk, Scott Fibert; Deputy County Clerk, Dawn M. Bellile.

The Pledge of Allegiance was recited by all in attendance.

Chairman Kacvinsky asked for a Moment of Silence in memory of Gail Celinsky, who worked in the Treasurer's Department as Deputy Treasurer from 1963-1987..

1. **Motion to Approve Minutes of the July 28 & August 5, 2009 County Board of Supervisors' Meetings.** The Board dispensed with reading the minutes. *A motion was made by Gordon/Bichanich to approve the July 28, 2009 Minutes of the Bayfield County Board of Supervisors' Meeting. The motion carried.*

A motion was made by Good/Rondeau to approve the August 5, 2009 Minutes of the Bayfield County Board of Supervisors' Meeting. The motion carried.

2. **Public Comment.** None.

3. **Presentation by State Treasurer, Dawn Marie Sass.** Ms. Sass asked the Board to please have Senator Jauch to give his presentation first, since he is our State's Senator and should go first. Senator Jauch thanked Sass and the Board for allowing this.

4. **Presentation by Senator Jauch.** Senator Jauch thanked the Board for allowing him a few minutes of their time to speak to them regarding issues around the State as well as local government and school issues. He couldn't emphasize enough how important local (town, city and county) government is to the people in the community. He stated that it is no surprise to anyone that this has been an incredibly tough year for everyone. We are in the worst economic times since the depression and it looks like it is going to take some time to turn everything around. This has been extremely hard on our state revenues as well. The State is approximately 7 billion dollars in the "red" which is primarily due to the collapse in our revenue. It isn't because something was done wrong, it is because the state revenue has dropped. He went on to explain the different ways the State has been doing to try to offset the budget, starting by cutting their own state government spending, cutting 1,400 positions, and having every state employee taking 16 days of furlough each year. He went on to further how the State decided on what to and not to cut to balance the budget which was not an easy task. Jauch talked about the stimulus packages, school system dollars, highway enhancement, and overall state programs. Jauch also shared with the Board that he is always amazed at the reception and encouragement of Northern Wisconsin people. We all work hard and take pride in our work and in our local communities and it is being shown through new businesses opening and the reinvesting in the communities.

Questions were asked of Senator Jauch and dialogue took place amongst the board members. One topic of discussion was the 24% mill rate increase the Washburn School Board is proposing to the taxpayers in that school district. He explained that there is genuine concern since the school enrollment has dropped 22% over the last 5 years which means that state aid drops as well. This then shifts the more of the expense of the school

district on to the taxpayers. He went on to further state that this type of increase is not happening anywhere else in the State and that he has offered to meet with the Washburn School Board to see what the problems actually are and what can be done to come to some sort of middle ground.

Discussion also took place on the Library 420 Fund. It was discussed that it seems that Bayfield County now pays more to the Vaughn Library alone than to all of the Bayfield County libraries combined. It was suggested that the formula be looked at again as something is wrong with this.

There being no further questions for Senator Jauch, the Board thanked him for his time and for coming to the meeting.

5. Presentation by State Treasurer Dawn Marie Sass Thanked the Board for allowing her the time to speak to the Board. Sass stated that she is making it her mission to go around the State visiting all 72 counties. Sass spoke on what her office has done in ways to encourage young people to invest their money by conducting essays and contests to teach young people the importance of saving money for their college education. Sass spoke about the CD option that was recently launched whereby there was 1 million dollars invested almost immediately, which couldn't have come at a better time since our economic downturn. She reported that her office is in charge of the Local Government investment pool, of which, Bayfield County is a member. Sass also spoke on the unclaimed property program.

Questions were asked of Sass and a brief dialogue took place. There being no further questions for Sass, the Board thanked her for her time and for coming to the meeting.

6. Bayfield County Resolution No. 2009-34, Authorizing Submission of the Application Relating to Bayfield County's Participation in the Wisconsin Community Development Block Grant Housing Program for Small Cities and Counties, Regarding CDBG Block Grant. The Board dispensed with the reading of the Resolution, which reads as follows:

WHEREAS, Federal monies are available under the Wisconsin Community Development Block Grant housing program, administered by the State of Wisconsin, Department of Commerce, Division of Housing and Community Development, for the purpose of housing activities; and

WHEREAS, after public meeting and due consideration, the CDBG Housing Rehabilitation Fund Committee has recommended that an application be submitted to the State of Wisconsin for the following projects:

***OWNER OCCUPIED REHABILITATION
RENTER OCCUPIED REHABILITATION
HOMEBUYER OPPORTUNITY
ACQUISITION & DEMOLITION***

WHEREAS, it is necessary for the County Board, to approve the preparation and filing of an application for the county to receive funds from this program; and

WHEREAS, the County Board has reviewed the need for the proposed projects and the benefits to be gained therefrom.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 25th day of August, 2009, does APPROVE and authorize the preparation and filing of an application for the above-named projects; and

BE IT FURTHER RESOLVED, that the County Board Chair is hereby authorized to sign all necessary documents on behalf of Bayfield County; and

BE IT FURTHER RESOLVED, that authority is hereby granted to CDBG Housing Rehabilitation Fund Committee to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution.

BAYFIELD COUNTY BOARD OF SUPERVISORS

William D. Kacvinsky, John J. Blahnik, David L. Good, Thomas J. Gordon, Kenneth Jardine, Harold A. Maki, Delores Kittleson, James Beeksma, Marco T. Bichanich, Shawn W. Miller, James A. Crandall, Brett T. Rondeau

A motion was made by Good/Crandall to adopt Bayfield County Resolution No. 2009-34, Authorizing Submission of the Application Relating to Bayfield County's Participation in the Wisconsin Community Development Block Grant Housing Program for Small Cities and Counties, Regarding CDBG Block Grant. The motion carried.

7. Bayfield County Resolution No. 2009-33, Adopting a Citizen Participation Plan, Regarding CDBG Block Grant. The Board dispensed with the reading of the Resolution, which reads as follows:

WHEREAS, Bayfield County has applied for a Community Development Block Grant, and

WHEREAS, the State of Wisconsin Department of Administration and the U.S. Department of Housing and Urban Development require recipients of Community Development Block Grant monies to have in place a Citizen Participation Plan; and

WHEREAS, the Citizen Participation Plan shall encourage citizen participation (especially by persons of low to moderate income), provide citizens reasonable and timely access to local meetings and information, provide for technical assistance, provide for public hearings, provide for a complain procedure, and accommodate non-English speaking residents; and

WHEREAS, County of Bayfield has prepared and publicly reviewed a Citizen Participation Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 25th day of August, 2009, officially adopts the Citizen Participation Plan.

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A motion was made by Good/Gordon to adopt Bayfield County Resolution No. 2009-33, Adopting a Citizen Participation Plan, Regarding CDBG Block Grant. The motion carried.

8. Bayfield County Resolution No. 2009-35, Residential Antidisplacement and Relocation Plan, Regarding CDBG Block Grant. The Board dispensed with the reading of the Resolution, which reads as follows:

WHEREAS, Bayfield County will provide relocation assistance, as described in 570.496a (b)(2) and in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended; *and*

WHEREAS, Bayfield County will replace all occupied and vacant occupiable low- and moderate-income dwelling units demolished or converted to a use other than as low- and moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, and described in 24 CFR 570.496a (b)(1) and in Section 104 (d) of the Housing and Community Development Act of 1974, as amended. All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion; *and*

WHEREAS, before obligating or expending funds that will directly result in such demolition or conversion, Bayfield County will make public and submit, in writing, to the Department of Commerce, Division of Housing and Community Development, the following information:

1. A description of the proposed activity.
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low- to moderate-income dwelling units as a direct result of the assisted activity, and that will be provided as replacement dwelling units.
3. A timetable for the commencement and completion of the demolition or conversion.
4. The source of funding and time schedule for the provision of replacement dwelling units.
5. The basis for concluding that each replacement dwelling unit will remain a low- to moderate-income dwelling unit for at least ten years from the date of initial occupancy.

Consistent with the goals and objectives of activities assisted under the Act, Bayfield County will take appropriate steps to minimize the displacement of persons from the homes.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 25th day of August, 2009, adopts the above resolution.

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A motion was made by Gordon/Rondeau to adopt Bayfield County Resolution No. 2009-35, Residential Antidisplacement and Relocation Plan, Regarding CDBG Block Grant. The motion carried.

9. **Bayfield County Resolution No. 2009-36, Enforcing Applicable Non-violent and Civil Rights Demonstration Laws Regarding CDBG Block Grant.** The Board dispensed with the reading of the Resolution, which reads as follows:

WHEREAS, the Bayfield County Board of Supervisors took notice of a proposed Resolution relating to the Community Development Block Grant Program requirements; *and*

WHEREAS, Bayfield County does not presently have in place a policy to enforce applicable and non-violent and civil rights demonstration laws.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 25th day of August, 2009, hereby adopts the policy to enforce applicable state and local laws against physically barring entrance or exit from a facility or location which is the subject of non-violent and civil rights demonstrations within its jurisdiction.

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A motion was made by Blahnik/Crandall to adopt Bayfield County Resolution No. 2009-36, Enforcing Applicable Non-violent and Civil Rights Demonstration Laws Regarding CDBG Block Grant. The motion carried.

10. Bayfield County Ordinance No. 2009-11 to Create Title 17 - Equal Rights as follows: Title 17, Article A, Section 17-1-1, Title 17, Article A, Section 17-1-2, Title 17, Article A, Section 17-1-3 to the Bayfield County Code of Ordinances Adopting Wisconsin Statute, Section 106.50, as amended, Relating to the Equal Rights. The Board dispensed with the reading of the Ordinance, which reads as follow:

Title 17, Chapter 1 of the Bayfield County Code of Ordinances is created to read as follows:

Title 17 - Equal Rights

Chapter 1 - Fair and Open Housing

Article A

Sec. 17-1-1 Introduction and Adoption of Section 106.50.

The Bayfield County Board of Supervisors recognizes its responsibilities under Section 106.50, Wisconsin Statutes, as amended, and endorses the concepts of fair and open housing for all persons and prohibition of discrimination therein;

The Bayfield County Board of Supervisors hereby adopts Section 106.50, Wisconsin Statutes, as amended, and all subsequent amendments thereto.

Sec. 17-1-2 Discrimination Prevention and Removal Assistance.

The officials and employees of Bayfield County shall assist in the orderly prevention and removal of all discrimination in housing within the Bayfield County by implementing the authority and enforcement procedures set forth in Section 106.50, Wisconsin Statutes, as amended.

Sec. 17-1-3 Compliance Forms and Filing Assistance.

The County Clerk shall maintain forms for complaints to be filed under Section 106.50, Wisconsin Statutes, as amended, and shall assist any person alleging a violation thereof in Bayfield County to file a complaint thereunder with the Wisconsin Department of Work Force Development, Equal Rights Division, for enforcement of Section 106.50, Wisconsin Statutes, as amended.

By Action of the
Bayfield County Board of Supervisors

Attested to by:
Scott S. Fibert, Bayfield County Clerk

A motion was made by Good/Gordon to adopt Bayfield County Amendatory Ordinance No. 2009-11, to Create Title 17 - Equal Rights as follows: Title 17, Article A, Section 17-1-1, Title 17, Article A, Section 17-1-2, Title 17, Article A, Section 17-1-3 to the Bayfield County Code of Ordinances Adopting Wisconsin Statute, Section 106.50, as amended, Relating to the Equal Rights. Discussion took place with Sheldon Johnson explaining the contents of this Ordinance as well as the preceding forms and how they are necessary components to make application to receive the funds. If we do not approve, we will not receive the approximate \$400,000 to loan out. Sept. 11th is the deadline and by early October we should receive word that all is in order. Once everything has been done, it is likely that we should have funds for disbursement in December.

A roll call vote was taken as follows: Good-yes; Gordon-yes; Jardine-yes; Maki-yes; Kittleson-yes; Blahnik-yes; Kacvinsky-yes; Beeksma-yes; Williams-absent; Bichanich-yes; Miller-yes; Crandall-yes; Rondeau-yes. Total 13: 12 yes, 0 no, 1 absent, the motion carried.

Chairman asked for permission from the County Board to move Item #15 on the Agenda up next so that Sheldon Johnson could also speak on this issue. The Board gave their consent.

11. Bayfield County Resolution No. 2009-37, Establishing a Northern Regional Trail Advisory Committee (NoTRAC). Johnson stated that he is here this evening to facilitate the process of establishing a committee. The committee presently has 10 counties involved and the trail's primary use is for motorized vehicles. The Board dispensed with the reading of the Resolution, which reads as follows:

WHEREAS, Bayfield County has an extensive recreational trail system within the county; *and*

WHEREAS, Ashland, Douglas, Sawyer, Washburn, Burnett, Polk, Chippewa, Barron and Rusk Counties also have motorized recreational trails/corridors which pass through their boundaries; *and*

WHEREAS, these counties have expressed a desire to act and speak in one unified voice in implementing the development, operations, and maintenance of motorized recreational trails; *and*

WHEREAS, the parties wish to focus on the connectivity and coordination of motorized corridor development in its entirety and not segment by segment; *and*;

WHEREAS, the parties wish to encourage cooperative action between governmental units.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25th day of August, 2009 hereby supports participation in the Northern Regional Trail Advisory Committee (NoRTAC) and authorizes the County Board Chairman and County Clerk to sign the NoRTAC Cooperative Agreement.

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A motion was made by Good/Blahnik to adopt Bayfield County Resolution No. 2009-36, Establishing a Northern Regional Trail Advisory Committee (NoTRAC). Discussion took place regarding members who would be on the committee and the Board was reminded that the members were appointed a couple of months ago. The committee is an advisory committee that will give suggestions and recommendations to the county for the trail. *The motion carried.*

12. Bayfield County Resolution No. 2009-31, Request to Amend 2009 Land & Water Conservation Department Budget. The Board dispensed with the reading of the Resolution, which reads as follow:

WHEREAS, Bayfield County applied for and has been awarded Cooperative Agreement No. 301818-J207 (0810-001); *and*

WHEREAS, the FY2009 budget was developed prior to the award of this grant; *and*

WHEREAS, the Bayfield County Land & Water Conservation Department requests that their 2009 budget be adjusted as follows to reflect the revenue and expenditures anticipated to be received/expended through the Cooperative Agreement No. 301818-J207 (0810-001).

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25th day of August, 2009, approve the following budget amendments to reflect Comprehensive Planning Grant revenues and expenditures:

Increase revenue account #100-28-43274-108 by: \$40,000.00

*Increase expense account #100-28-56137-50290 by: \$40,000.00; *and**

BE IT FURTHER RESOLVED that funds not expended in 2009 shall be carried over into FY2010.

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A motion was made by Bichanich/Crandall to adopt Bayfield County Resolution No. 2009-31, Request to Amend 2009 Land & Water Conservation Department Budget. A roll call vote was taken as follows: Gordon-yes; Jardine-yes; Maki-yes; Kittleson-yes; Blahnik-yes; Kacvinsky-yes; Beeksma-yes; Williams-absent; Bichanich-yes; Miller-yes; Crandall-yes; Rondeau-yes; Good-yes. Total 13: 12 yes, 0 no, 1 absent, the motion carried.

13. Bayfield County Resolution No. 2009-32, Request to Amend 2009 Land & Water Conservation Department Budget. The Board dispensed with the reading of the Resolution, which reads as follow:

WHEREAS, Bayfield County applied for and has been awarded Cost Share Cooperative Agreement No. 301818-J182; *and*

WHEREAS, the FY2009 budget was developed prior to the award of this grant; *and*

WHEREAS, the Bayfield County Land & Water Conservation Department requests that their 2009 budget be adjusted as follows to reflect the revenue and expenditures anticipated to be received/expended through the Cost Share Cooperative Agreement.;

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25th day of August, 2009 approve the following budget amendments to reflect Comprehensive Planning Grant revenues and expenditures:

Increase revenue account #100-28-43274-107 by: \$35,275.00

Increase expense account #100-28-56135-50290 by: \$35,275.00; and

BE IT FURTHER RESOLVED, that funds not expended in 2009 shall be carried over into FY2010.

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Shawn W. Miller, James A. Crandall, Brett T. Rondeau

A motion was made by Good/Rondeau to adopt Bayfield County Resolution No. 2009-32, Request to Amend 2009 Land & Water Conservation Department Budget. A roll call vote was taken as follows: Jardine-yes; Maki-yes; Kittleson-yes; Blahnik-yes; Kacvinsky-yes; Beeksma-yes; Williams-absent; Bichanich-yes; Miller-yes; Crandall-yes; Rondeau-yes; Good-yes; Gordon-yes. Total 13: 12 yes, 0 no, 1 absent, the motion carried.

14. Executive Session: *A motion was made by Good/Maki 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: Maki-yes; Kittleson-yes; Blahnik-yes; Kacvinsky-yes; Beeksma-yes; Williams-absent; Bichanich-yes; Miller-yes; Crandall-yes; Rondeau-yes; Good-yes; Gordon-yes; Jardine-yes. Total 13: 12 yes, 0 no, 1 absent, the motion carried.*

A motion was made by Jardine/Crandall to move out of Executive Session. A roll call vote was taken as follows: Kittleson-yes; Blahnik-yes; Kacvinsky-yes; Beeksma-yes; Williams-absent; Bichanich-yes; Miller-yes; Crandall-yes; Rondeau-yes; Good-yes; Gordon-yes; Jardine-yes; Maki-yes. Total 13: 12 yes, 0 no, 1 absent, the motion carried.

15. Administrator's Report:

- a) **Budget Meeting Reminder Dates and Update:** Budget meeting dates will be: Sept. 10, 24, and 30. This will be a very difficult year for budgeting with many major changes and the directive to keep the levy the same and no increase to the mill rate.
- b) **Update on Real Estate Taxes.** Equalized value for Bayfield County was only increased by 1.89%. Overall we are the 12th in the state for an increase. 6 towns and 1 city actually have a negative equalized value. A question rose regarding how real estate taxes are going and it was reported that there is approximately \$400,000 in unpaid taxes to date.
- c) **Fair:** The fair is this coming weekend, Aug. 27-30. Supervisor Beeksma reported that advertising has been on the Fox 21 TV station, newspaper and radio ads. County Board members will get a name tag to wear this year. The well and restrooms are working good and we are ready! The Bart bus will also be offering a free shuttle service from both Washburn and Ashland to the fair. The bus will run from Noon to 10:30 p.m.
- d) **Elevator:** A couple of items on the punch list didn't pass inspection the first time and they are still being worked on. The ribbon cutting is set for 5:00 p.m., 1 hour prior to September's County Board meeting.

- e) **Comprehensive Planning Update.** Several towns are involved and open houses have been held to keep the communities up to speed on what is taking place. The project is going very well. The Board was reminded to be up to speed on this as they will be voting on this in a couple of months.

15. **Supervisors' Reports:**

- a) Governor Doyle attended the grand opening for the medical clinic in the Town of Cable. That same day, the Governor also attended the 80th anniversary celebration of Rondeau's Shopping Center.
- b) The Highway Department is dedicating a flag pole on Wednesday at the Highway Department in honor of all employees who have retired from the department.
- c) Supervisor Blahnik brought up how messy the area surrounding the Forestry Garage looks. We need to get that cleaned up. The Highway Department looks like and so should the Forestry area.

There being no further business for the Bayfield County Board of Supervisors, *a motion was made by Gordon/Bichanich to adjourn. The motion carried* and the meeting adjourned at 7:55 p.m.

Respectfully submitted,

Scott S. Fibert,
Bayfield County Clerk
SSF/dmb