

Minutes of the
Bayfield County Board of Supervisors' Meeting
Of August 31, 2010 - 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 6:04 p.m. Roll call was taken by Bayfield County Clerk, Scott Fibert as follows: Rantala-present; Williams-present; Bichanich-present; Miller-present; Crandall-present; Rondeau-present; Meyers-present; Bussey-present; Jardine-present; Maki-present; Kittleson-present; Bennett-present; Kacvinsky-present; Total 13: 13 present, 0 absent. 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; Tom Toepfer, *Highway Commissioner*, Jason Fischbach, UW and Rick Olivo, *Reporter for The Daily Press*; and many community residents.

The Pledge of Allegiance was recited by all in attendance.

1. Public Comment.

Jack Bailey Town of Bayfield, Chair of Core Community Resource was present to inform the public and explain CORE's mission; to get volunteer citizens to help seniors to stay in their home with no charge. Presently, the Towns of Bayview, Bell, Russell, and Red Cliff are part of CORE's area, however, CORE has also been asked to provide services to Washburn as well. They will soon be soliciting help in the Washburn area for service to citizens. The sole purpose of CORE is to hopefully keep seniors in their homes as long as possible, realizing, however, that they do need extra care. Trying to keep seniors in their homes as long as possible with a little bit of extra care from volunteers. The realization is also present as well, that leaving the home may be what is needed rather than staying in the home. Presently, CORE helps out 86 senior citizens. Recently, 5,000 surveys were mailed out looking for input so that senior housing can be fine tuned in our area. CORE hopes to work with Northern Lights and MMC as well. Bailey thanked the Board for their time.

Bob Blaszkowski, Ashland, stated that he is a summer seasonal resident on the Chain of Lakes and he is here to speak on the issue of fish sticks. It is very important that we serve the public. He stated that Sec. 30.208 called for notification to adjacent or abutting property owners and interested and potential members of the public when such issues come up. He considered himself an interested member of the public and felt he was well within his rights that he should have been notified about the fish stick installation. However, he and other lake property owners did not find out until it was installed. Quite an issue has been created and hoping that this can be cleaned up amicably. Residents of the Pike Lake Chain of Lakes are some of those who area speaking out, however, there are more that haven't spoke. He is requesting the board to create policy of public involvement for actions such as this in the future showing what exactly what will be done. Full public involvement would be the key issue and what they are looking for is an acceptable beach and a "fix" to the fish stick situation.

Neil Schultz, Delta. He stated that at a previous meeting, the board voted to have the fish stick issue revisited. He wanted to thank the board for doing this.

Trisha Marincel, Delta and Minnesota resident. She submitted a letter which she read from. *(A copy of which is on file in the County Clerk's office).*

Dave Marincel, Twin Bear Lake. He submitted a letter which he read from. *(A copy of which is on file in the County Clerk's office).*

Kathy Marincel, Twin Bear Lake. Stated she doesn't understand why the Fish Sticks project can't project be reversed. The one and only input meeting we had, we were asked what we wanted, and we spoke, to return it back to the way it was. She felt the grant should be paid back. We have expressed that we are opposed to this action, 700 people have expressed their dislike to what has taken place. Listen to the people.

John Joseph, Buskey Bay, part of Pike Chain. He received map and has been told there have been revisions to it. He has been told that 10 fish sticks will be removed, that is 2% of what has been put in there. This happened without input and without oversight from the County Board. County employee took on project and went overboard. Isn't it your responsibility to oversee your employees? What is fair is fair, remove the fish sticks accordingly.

Tim Green, Ashland. He stated he has been a long time camper at Twin Bear Lake. He has heard many reasons why the fish sticks should be removed and would like to add a couple more. There was an article from the DNR that stated animals such as turtle ducks, king fisher, etc. are using the same beach and campground as the campers who stay there. Do you think a campground is habitat for animals like this which will cause disease from the wildlife next to a swimming beach? Will animals benefit from swimming beach? Children will disturb habitat if their toys move into the fish sticks. We have heard many reasons both ways. I would like to know why the fish sticks project is there in the first place. The one and only cause was for erosion. He has a copy of the DNR permit for fish sticks which states that the tree drop will be placed solely for the purpose of increasing fish habitat. There is nothing that states it should be used for erosion control.

Bob Christian - Stated he did get a chance to review the DNR Grant. The plan is different from that which was carried out and failed to meet many of the objectives which were mentioned in the plan. It mentioned it was a collaborative effort between the Tourism Dept., Land Conservation Dept., Forestry Dept., and the DNR. The fish sticks were part of the grant which was carried out by Land Conservation and didn't conform to the vision of the DNR. The DNR verbally expressed an interest in partnering in the mess that fish sticks have left. He encouraged the board to consider the option.

Gene Luoma, Candidate for the State Assembly office, was present to give a brief background on his life and his reasons for running for office. He passed out an election card with this information on it for those to read. Thanked the Board for their time.

2. Motion Regarding Minutes of July 20, 2010 Bayfield County Board of Supervisors' Meeting. The Board dispensed with the reading of the minutes. *A motion was made by Jardine/Crandall to approve the minutes of the July 20, 2010 Bayfield County Board of Supervisors' Meeting. The motion carried.*

3. Discussion and Possible Action Regarding Twin Bear Park Restoration Plan; Recommendation from Bayfield County Tourism Committee and Baudhuin Engineering. County Administrator, Abeles-Allison gave the Board an update on what has taken place since the last meeting. There are 2 plans in front of the Board this evening, with Plan 1 being recommended by the Tourism Committee. At the meeting issues discussed were how much of the fish sticks should be removed, what length of the beach should be maintained/mowed. Plan 1 states that 70' of fish sticks is to be removed and that a fishing pier will be installed a distance away from the swimming area to provide access to kids and boaters as well so that boats would not have to come to the shoreline, and give a place for kids to fish. Discussion took place amongst the board members who are on the Tourism Committee, explaining more of what took place at the committee meeting.

A motion was made by Bussey/Jardine to suspend the rules to allow DNR Representative, Kathy Bartleson to speak. The motion carried. Bartleson explained that she has come late in the game as she was here with the project first started. The goals of the original project were to have erosion control and infiltration upheld. If you are making alterations that meet the terms of the original plan, we will need to do some review to see if any of the grant money needs to be paid back. We can exercise some flexibility. Fish sticks are placed for fish habitat and they do have secondary controls for erosion. Discussion took place whether the County needs to get a permit from the DNR to remove fish sticks. Bartleson stated that it would depend on what is going to be done and she would have to refer to John Spangler on this matter. Discussion on how many feet of the fish sticks should be removed without jeopardizing the grant. Bartleson did suggest that all of the fish sticks not be removed. Further discussion took place and *a motion was made by Rondeau/Jardine to accept the recommendation from the Tourism Committee to the Board for the Twin Bear Fish Stick Restoration Project (Plan 3). An amendment to the motion was made by Kacvinsky/Bichanich to amend the motion to Plan 3 to contain pier.* Discussion was held on the fishing pier. *A roll call vote was taken as follows: Williams-no; Bichanich-yes; Miller-yes; Crandall-yes; Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes; Maki-no; Kittleson-yes; Bennett-yes; Kacvinsky-no; Rantala-no. Total: 13; 9 yes, 4 no. The motion carried.*

Discussion next took place on the direction the Board would like the Tourism Committee to proceed and who will be liaison between DNR and grant? The Board stated that it would be their preference that Abeles-Allison and Ben Dufford over see the project with participation in the project by the DNR. *A motion was made by Rantala to designate the Land Conservation Department that will oversee the work being done and that they obtain the necessary permits as required through Zoning and the DNR and that they work side by side.* Discussion took place. This became a defacto second to the motion. *The motion carried with one opposition.* Discussion further took place as to where the money will come from to restore the project. *A motion was made by Rondeau/Bussey to follow the recommendation of Abeles-Allison's memo, including time lines, except for the removing of the trees.*

- 1) *Alternatively; budget authorization may be necessary to do restoration.*
 - a) *We have dollars available for highway to do some work.*
 - b) *We also have \$6,000 remaining in contingency. I would recommend committing these dollars toward the restoration.*
 - c) *Direction to include boardwalk and pier work in 2011 budget.*

2) *What is timeline:*

- a) *Dirt, drainage, sand, rip-rap, playground work, Fall 2010.*
- b) *Fish sticks removal/relocation Fall/Winter 2010-2011.*
- c) *New boardwalk and pier as shown on pier; install by May 15, 2011.*

(Memo is on file in the County Clerk's office). Further discussion on who is going to do the work. Highway Department was suggested. *An amendment was made to the motion by Bussey/Crandall that the work be done by a private contractor for the tree removal.* Discussion took place on procedures to bid out, dollars amounts, and low bids. **A roll call vote was taken as follows: Bichanich-no; Miller-yes; Crandall-yes; Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes; Maki-no; Kittleson-yes; Bennett-yes; Kacvinsky-yes; Rantala-yes; Williams-yes. Total: 13; 11 yes, 2 no. The motion carried with one opposition.**

The board recessed at 7:25 p.m. for a short break. Supervisor Rantala also left at this time.

The Board reconvened at 7:38 p.m.

4. **Bayfield County Resolution No. 2010-43, Authorizing Budget Amendment to Reflect Changes Authorized by the Bayfield County Fair Committee.** The Board dispensed with the reading of the resolution, which reads as follows:

WHEREAS, the Bayfield County Fair Committee authorized an increase in wages for the Head Groundskeeper, *and*

WHEREAS, the Bayfield County Fair Committee authorized an increase in charges for the rental of the Bayfield County Fair Grounds, *and*

WHEREAS, the 2010 budget does not reflect these increases,

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 31st day of August, 2010, hereby authorizes that the 2010 Budget be amended to reflect an increase in expenditures and revenues as follows:

Increase Expense line 100-23-55461-50123 in the amount of \$690.00

Increase Expense line 100-23-55461-50151 in the amount of \$ 53.00

Increase Expense line 100-23-55461-50152 in the amount of \$ 33.00

Increase Expense line 100-23-55461-50153 in the amount of \$ 43.00

Increase Revenue line 100-23-46745 in the amount of \$819.00

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

A motion was made by Bichanich/Kittleson to adopt Bayfield County Resolution No. 2010-43, Authorizing Budget Amendment to Reflect Changes Authorized by the Bayfield County Fair

Committee. A roll call vote was taken as follows: Miller-yes; Crandall-yes; Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes; Maki-yes; Kittleson-yes; Bennett-yes; Kacvinsky-yes; Rantala-absent; Williams-yes; Bichanich-yes. Total: 13; 12 yes, 0 no, 1 absent. The motion carried.

5. Bayfield County Resolution No. 2010-46, Amending and Certifying the Bayfield County Farmland Preservation Plan Map as Required for Final Designation of the Bayfield County Agricultural Enterprise Area. Jason Fischbach, *Agricultural Agent*, was present to explain the resolution to the Board. He reported that this is the final application to certify the farmland map, specifically to amend the farmland preservation. T50, 4W boundaries were approved in a prior resolution. The Board dispensed with the reading of the resolution, which reads as follows:

WHEREAS, Bayfield County has participated in the Farmland Preservation Program (FPP) as identified by the official 1982 FPP Map for more than 30 years; and

WHEREAS, the FPP has provided agricultural producers a financial incentive for practicing sound stewardship on their properties with conservation benefits of improved water quality and habitat; and

WHEREAS, the fruit growing region near Bayfield, WI is an important component of the cultural, social, and economic vitality of the region; and

WHEREAS, FPP is being replaced by Agricultural Enterprise Areas (AEA) which require a proposed AEA have contiguous acreage and all lands within an AEA designated as "agricultural preservation area" on the Farmland Preservation Plan Map; and

WHEREAS, the official 1982 FPP Map was developed without the aid of modern technology, contains recognized errors and omissions, and does not reflect the current or planned land-use within the Town of Bayfield; and

WHEREAS, the Wisconsin Secretary of Agricultural has selected the proposed Bayfield Agricultural Enterprise Area for the first round of AEA designations; and

WHEREAS, official designation of the Bayfield Agricultural Enterprise Area requires adoption and certification of a Revised Farmland Preservation Plan Map and makes the landowners eligible for income tax credits if conservation compliance requirements are met;

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this the 31st day of August, 2010, amends the 1982 Farmland Preservation Plan Map for that portion of the Town of Bayfield in Township 50N, Range 4W as shown on the "Revised FPP Plan Map"

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

A motion was made by Bichanich/Bussey to adopt Bayfield County Resolution No. 2010-46, Amending and Certifying the Bayfield County Farmland Preservation Plan Map as Required for Final

Designation of the Bayfield County Agricultural Enterprise Area. Discussion took place as to the fact that the Town of Bayfield has recommended this proposal, this is separate from the PDR Program and agricultural is highly valued. This does not affect property tax. ***The motion carried with 2 oppositions.***

6. Discussion and Possible Action Regarding Land Information Council Recommendations and/or Appointments. Abeles-Allison reported that the Executive Committee met and it is their recommendation that the following eight (8) selected officials and individuals be appointed to the Land Information Council: Daniel Anderson - *County Treasurer*; Patricia Olson - *Registrar of Deeds*; Robert Mick - *County Surveyor*; Brett Rondeau, *County Board Supervisor*; Scott Galetka, *Land Records Administrator*; Lynn Divine, *Property Lister*; Peggy Kman - *Real Estate Agent*; and Paul Susienka - *Public Safety*.

A motion was made by Crandall/Rondeau to accept the recommendation of the Executive Committee for the five (5) appointments to the Land Information Council. Discussion took place regarding the recommendation. ***The motion carried.*** ***A motion was made by Bussey/Rondeau to amend the motion that it is eight (8) appointments, not five (5) to the Land Council Committee:*** Daniel Anderson - *County Treasurer*; Patricia Olson - *Registrar of Deeds*; Robert Mick - *County Surveyor*; Brett Rondeau, *County Board Supervisor*; Scott Galetka, *Land Records Administrator*; Lynn Divine, *Property Lister*; Peggy Kman - *Real Estate Agent*; and Paul Susienka - *Public Safety*. A brief discussion took place. ***The motion carried.***

A motion was made by Crandall/Rondeau to add an additional five (5) members to the Land Information Council, a representative from Land Conservation, Planning & Zoning, Forestry, Information Technology and Tourism. Discussion took place. ***The motion was defeated.***

7. Bayfield County Resolution No. 2010-44, 2010 Risk Reserve Account Amendment for the Department of Human Services. The Board dispensed with the reading of the resolution, which reads as follows:

WHEREAS, the Department of Human Services currently maintains a Risk Reserve Fund in the amount of \$275,000;

WHEREAS, the Department of Human Services has requested to increase the Risk Reserve Fund by \$80,000 in 2010;

WHEREAS, the \$80,000 represents unused one time funding that was included in the 2009 Department of Human Services budget;

WHEREAS, the cost of mental health placements and out of home placements have increased dramatically and such costs can quickly deplete the existing Risk Reserve Fund;

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 31st day of August 2010, does hereby approve that \$80,000 of Excess Revenue from

2009 be designated for the Department of Human Services Risk Reserve Fund, increasing the Risk Reserve Fund from \$275,000 to \$355,000.

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

A motion was made by Rondeau/Kittleson to adopt Bayfield County Resolution No. 2010-44, 2010 Risk Reserve Account Amendment for the Department of Human Services. Discussion took place on the Risk Reserve Fund and that the County is responsible for providing these services. This is in the Human Services budget and it is moving funds to another fund. A roll call vote was taken as follows: Crandall-yes; Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes; Maki-yes; Kittleson-yes; Bennett-yes; Kacvinsky-yes; Rantala-absent; Williams-yes; Bichanich-yes; Miller-yes. Total: 13; 12 yes, 0 no, 1 absent. The motion carried.

8. Bayfield County Resolution No. 2010-45, Withdrawal of .23-Acres of County Forest Land from the County Forest Law for the Purpose of Building a Telecommunications Tower. Jason Bodine, *Forest Administrator*, was present to explain this resolution to the Board. The Board dispensed of the reading of the resolution, which reads as follows:

WHEREAS, cell phone reception in the southern portion of Bayfield County is extremely poor; and

WHEREAS, citizens will benefit from the construction of telecommunication towers in areas where coverage is limited; and

WHEREAS, Bayfield County is interested in establishing a telecommunications tower on Bayfield County Forest land in the Town of Barnes; and

WHEREAS, a .23 acre parcel of County Forest land described as part of the NW $\frac{1}{4}$ -NW $\frac{1}{4}$ of Section 21, T43N R9W has been identified as a lease space for telecommunications tower development; and

WHEREAS, the construction of telecommunications towers on County Forest land is inconsistent with the purposes set forth in County Forest Law, s. 28.11, Wis. Stats.; and

WHEREAS, any proposal to locate telecommunication towers on County Forest land will first require filing an application to withdraw said parcel from County Forest Law; and

WHEREAS, the Bayfield County Forestry Committee has recommended the withdrawal of the .23 acre parcel of County Forest land for the purpose of developing a telecommunications tower.,

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 31st day of August, 2010, recommends the withdrawal from County Forest Law the above described .23 acre parcel for the purpose of developing a telecommunications tower.

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

A motion was made by Bichanich/Maki to adopt Bayfield County Resolution No. 2010-45, Withdrawal of .23-Acres of County Forest Land from the County Forest Law for the Purpose of Building a Telecommunications Tower. The motion carried.

9. Bayfield County Resolution No.2010-47, Placing Advisory Referendum Question on November 2, 2010 Ballot. Tom Toepfer, *Highway Commissioner*, was present to explain this question to the Board, noting that this has been to the Highway Committee and was approved. The Board dispensed with the reading of the resolution, which reads as follows:

WHEREAS, according to the Legislative Fiscal Bureau, over the past decade, the State of Wisconsin has transferred approximately \$1.2 billion from the state's segregated transportation fund to the state's general fund and replaced it with approximately \$800 million in *General Obligation (GO)* bonds. Thereby, reducing the amount available for transportation purposes by approximately \$400 million.

WHEREAS, Wisconsin's practice of transferring money from the segregated transportation fund to the general fund has eroded the public's confidence that the "user fees" they pay through the state gasoline tax and vehicle registration fees will be used for their intended purpose; and

WHEREAS, Wisconsin's practice of replacing the dollars transferred from the state's segregated transportation fund with *GO* bonds puts our state in the precarious position of bonding to fund ongoing operations; and

WHEREAS, the Pew Center on the States recently released a report that included Wisconsin as having one of the ten worst budget situations in the country and specifically cited transferring money from the transportation fund to fund ongoing operations as an example of one of the practices that has put Wisconsin in such an untenable position; and

WHEREAS, the debt service for these bonds will have to be paid for out of the state's general fund which hinders its ability to fund other programs like Shared Revenue, Youth Aids, Community Aids and courts in the future; and

WHEREAS, using the state's general obligation (*GO*) bonds in this way has hurt the state's bond rating. A report issued by CNN in 2009 listed Wisconsin as having the second worst *GO* bond rating in the country; and

WHEREAS, gas tax and vehicle registration fees comprise over 90% of the state's segregated transportation account. Revenues from these two sources have been declining and are inadequate to meet the existing transportation needs in this state; and

WHEREAS, Wisconsin's transportation infrastructure is a fundamental component in its ability to attract and retain business and produce jobs; and

WHEREAS, the citizens of Bayfield County deserve the right to have their voices heard on this important issue; and

WHEREAS, providing constitutional protection much like our neighbors in Minnesota, Iowa, Michigan and Ohio already have is the only way to ensure that this practice will not continue;

NOW, THEREFORE, BE IT RESOLVED by the Bayfield County Board of Supervisors assembled this 31st day of August, 2010, that the following question will be put to the voters of Bayfield County in an advisory referendum during the November 2010 election:

Should the Wisconsin Constitution be amended to prohibit any further transfers or lapses from the segregated transportation fund?

BE IT FURTHER RESOLVED that the County Clerk is directed to cause a copy of the Notice of Referendum to be published in the county's official newspaper as required by law; and

BE IT FURTHER RESOLVED that the County Clerk is directed to provide a copy of this resolution and a copy of the results of the advisory referendum to the Wisconsin Counties Association.

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

*A motion was made by Rondeau/Bichanich to adopt Bayfield County Resolution No. 2010-47, Placing Advisory Referendum Question on November 2, 2010 Ballot. Discussion took place on what the cost is to the county for having this referendum. Fibert responded that it will cost between \$1,000 and \$1,500. Toepfer also noted that as of today, 40 counties have passed this in favor of holding a referendum. **The motion carried.***

10. Bayfield County Amendatory Ordinance No. 2010-19, Language Amendments to the Bayfield County Code of Ordinances, Chapter 3, County Highways, Section 10-3-2, Designated All Terrain Vehicle (ATV) Route on County Highway. The Board dispended with the reading of the Ordinance, which reads as follows:

The Bayfield County Board of Supervisors ordains as follows:

That Title 10 of the Bayfield County Ordinance, revised January 1, 2002, hereby be amended as follows:

Chapter 3 County Highways

Sec. 10-3-2 Designated All Terrain Vehicle (ATV) Route on County Highway

(c) Designated Route.

Adding: County Highway E from Sutherland Road to STH 63 in the Town of Mason is hereby declared an All Terrain Vehicle (ATV) route.

(d) Effective Date.
August 31, 2010.

(e) Enforcement.
The ordinance shall be enforced pursuant to WI Statute 23.33 (12) and shall be subject to the penalties of WI Statute 23.33 (13).

Dated this 31st day of August, 2010.

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

A motion was made by Bichanich/Rondeau to adopt Bayfield County Amendatory Ordinance, No. 2010-19, Language Amendments to the Bayfield County Code of Ordinances, Chapter 3, County Highways, Section 10-3-2, Designated All Terrain Vehicle (ATV) Route on County Highway. The motion carried.

11. Bayfield County Resolution No. 2010-48 Lake Protection Grant Signatories. Abeles-Allison explained that he is asking that Ben Dufford and he be signatories as it needs specific signatures. The Board dispensed with the reading of the resolution, which reads as follows:

WHEREAS, Pike / Delta Chain of Lakes is an important resource used by the public for recreation and enjoyment of natural beauty; and

WHEREAS, the protection of critical waters and areas and reasonable lake use activities are paramount in the protection of water quality and the natural ecosystem of the lake; and

WHEREAS, we are qualified to carry out the responsibilities of this protection project; and

WHEREAS, Bayfield County approved resolution 2009-23 on May 26, 2009, authorizing the Lake Protection Grant; and

WHEREAS it has become necessary to designate a replacement contact person for grant oversight.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 31st day of August, approves the Bayfield County Land and Water Conservation Department request to amend Resolution 2009-23 designating who oversees the LPT-343-10 grant with the Wisconsin Department of Natural Resources; and

BE IT FURTHER RESOLVED, that the Bayfield County Conservationist Interim, Resource Management Specialist, Benjamin A. Dufford and County Administrator, Mark Abeles-Allison to act on behalf of Bayfield County to: sign documents; and take necessary action to undertake, direct, and complete an approved protection project; and

BE IT FURTHER RESOLVED, that the Bayfield County Land & Water Conservation Department will comply with state rules for the program, may perform force account work, and will meet the financial obligations under the grant.

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

A motion was made by Crandall/Meyers to adopt Bayfield County Resolution No. 2010-48 Lake Protection Grant Signatories. Discussion took place on needing more approval than 2 people for allowing grant monies to be spent. The motion carried.

12. Report of the Bayfield County Planning & Zoning Committee Regarding the Rezone of the Michael P. Barnes, George F. Barnes, Jr. and James B. Johnson Property Located in the Town of Barnes, Bayfield County, Wisconsin. 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 **Michael P. Barnes, George F. Barnes, Jr. and James B. Johnson** 20-acre parcel (ID# 04-004-2-45-09-28-2-04-000-10000) located in East Half of the Southeast Quarter and Northwest Quarter (E $\frac{1}{2}$, SE NW), Section Twenty-Eight (28), Township Forty-Five (45) North, Range Nine (9) West, Town of Barnes, Bayfield County, Wisconsin **be changed from Forestry-One (F-1) to Agricultural-One (Ag-1).**

Date: June 17, 2010

BAYFIELD COUNTY PLANNING AND ZONING COMMITTEE
Kenneth Jardine, Patricia Rantala, Shawn Miller, Brett Rondeau

A motion was made by Rondeau/Maki to receive and place on file the Report of the Bayfield County Planning & Zoning Committee Regarding the Rezone of the Michael P. Barnes, George F. Barnes, Jr. and James B. Johnson Property Located in the Town of Barnes, Bayfield County, Wisconsin. The motion carried.

13. Bayfield County Zoning Amendatory Ordinance No. 2010-17, Regarding the Rezone of the Michael P. Barnes, George F. Barnes, Jr. and James B. Johnson Property Located in the Town of Barnes, Bayfield County, Wisconsin. 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 **Michael P. Barnes, George F. Barnes, Jr. and James B. Johnson** 20-acre parcel (ID# 04-004-2-45-09-28-2-04-000-10000) located in East Half of the Southeast Quarter and Northwest Quarter (E $\frac{1}{2}$, SE NW), Section Twenty-Eight (28), Township Forty-Five (45) North, Range Nine (9) West, Town of Barnes, Bayfield County, Wisconsin **be changed from Forestry-One (F-1) to Agricultural-One (Ag-1).**

Dated this 31st day of August, 2010.

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

A motion was made by Rondeau/Maki to adopt Bayfield County Zoning Amendatory Ordinance No. 2010-17, Regarding the Rezone of the Michael P. Barnes, George F. Barnes, Jr. and James B. Johnson Property Located in the Town of Barnes, Bayfield County, Wisconsin. The motion carried.

14. Report of the Bayfield County Planning & Zoning Committee Regarding the Rezone of the Marianne Mueller Property Located in the Town of Barnes, Bayfield County, Wisconsin. 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 **Marianne Mueller** 5.19-acre parcel (ID# 04-004-2-45-09-33-1-04-000-30000) located in part of the North Half of the Southeast Quarter of the Northeast Quarter (N $\frac{1}{2}$ SE NE), described as: commence at the Northwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 33; thence South 89° 36' 53" East, 1283.47 feet; thence South 1° 43' 38" East, 176.12 feet; thence North 89° 36' 53" West, 1285.21 feet; thence North 1° 09' 51" West, 176.07 feet, to the point of beginning, Section Thirty-Three (33), Township Forty-Five (45) North, Range Nine (9) West, Town of Barnes, Bayfield County, Wisconsin **be changed from Forestry-One (F-1) to Commercial (C).**

Date: June 17, 2010

BAYFIELD COUNTY PLANNING AND ZONING COMMITTEE

Kenneth Jardine, Patricia Rantala, Shawn Miller, Brett Rondeau

A motion was made by Miller/Rondeau to receive and place on file the Report of the Bayfield County Planning & Zoning Committee Regarding the Rezone of the Marianne Mueller Property Located in the Town of Barnes, Bayfield County, Wisconsin. The motion carried.

15. Bayfield County Zoning Amendatory Ordinance No. 2010-18, Regarding the Rezone of the Marianne Mueller Property Located in the Town of Barnes, Bayfield County, Wisconsin. 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 **Marianne Mueller** 5.19-acre parcel (ID# 04-004-2-45-09-33-1-04-000-30000) located in part of the North Half of the Southeast Quarter of the Northeast Quarter (N $\frac{1}{2}$ SE NE), described as: commence at the Northwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 33; thence South 89^{36'} 53" East, 1283.47 feet; thence South 1° 43' 38" East, 176.12 feet; thence North 89° 36' 53" West, 1285.21 feet; thence North 1° 09' 51" West, 176.07 feet, to the point of beginning, Section Thirty-Three (33), Township Forty-Five (45) North, Range Nine (9) West, Town of Barnes, Bayfield County, Wisconsin **be changed from Forestry-One (F-1) to Commercial (C).**

Dated this 31st day of August, 2010.

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

A motion was made by Rondeau/Miller to adopt Bayfield County Zoning Amendatory Ordinance No. 2010-18, Regarding the Rezone of the Marianne Mueller Property Located in the Town of Barnes, Bayfield County, Wisconsin. The motion carried.

16. Bayfield County Amendatory Ordinance No. 2010-20, Regarding Language Amendments to the Bayfield County Code of Ordinances, Section 10-2-4, Snowmobile Business Sign Regulations; Sign Placement; and Section 12-1-5, Regulation of County Trail System; Operation of Vehicles. Mary Motiff, *Tourism Director*, was present to explain the Ordinance to the Board. 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 Ordinance, be and the same, is hereby amended as follows:

The Bayfield County Board of Supervisors ordains as follows:

Adding the following language and changes as follows:

Sec. 10-2-4 Snowmobile Business Sign Regulations

(d) Sign Placement. Signs may be placed at trail heads, intersections, and trail entrances to businesses only. Signs shall be erected on 4" X 4" wooden posts or **metal sign posts** and located at least two (2) feet to the right of "Stop" or other official signs.

Sec. 12-1-5 Regulation of County Trail System

(d) Operation of Vehicles

- (6) **No person shall operate a snowmobile at a speed greater than 50 55 miles per hour during the hours of darkness as defined in section 340.01 (23) Wis. Stats.**
- (7) Every snowmobile that is manufactured after July 1, 1975 and that is operated in Bayfield County is prohibited from emitting noise above ~~86~~ **88** decibels when measured in accordance with the procedures required in the January 2004 Society of Automotive Engineers Standard J2567.

Dated this 31st day of August, 2010.

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

A motion was made by Rondeau/Jardine to adopt Bayfield County Amendatory Ordinance No. 2010-20, Regarding Language Amendments to the Bayfield County Code of Ordinances, Section 10-2-4, Snowmobile Business Sign Regulations; Sign Placement; and Section 12-1-5, Regulation of County Trail System; Operation of Vehicles. The motion carried.

A motion was made by Rondeau/Miller to move in and out of Executive Session pursuant to §19.85(1)(c), to consider employment or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility; and §19.85(1)(e), Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; and §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: Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes; Maki-yes; Kittleson-yes; Bennett-yes; Kacvinsky-yes; Rantala-absent; Williams-yes; Bichanich-yes; Miller-yes; Crandall-yes. Total: 13; 12 yes, 0 no. The motion carried.

A motion was made by Crandall/Williams to move out of executive session and reconvene in open session. The motion carried.

17. **Administrator's Report:**

- a) **Fair.** Fibert reported briefly on the fair, ticket sales were up by 362. Board members reported that couple of comments received from people attending were that they appreciated the County spending tax dollars on its own residents in holding the fair. This is something that they enjoy every year. The Board specially thanked Verne Gilles, Bob Janigo, the Fibert Family, and the Board members that also worked diligently in making the fair a success. Fibert asked that if anyone sees anything that could be improved, please write them down for next year and turn them in to his office.

- b) **Budget** - Abeles-Allison reported that we are facing a shortage in next year's budget of about \$450,000-500,00. He is trying to find places where this is going to come from. In reviewing any job openings, we are looking at not filling them, whenever possible. It is easier to do this than to lay off employees. We are trying very hard to keep the mill rate as is. Discussed that it is more important to look at keeping the levy the same rather than the mill rate. There are other factors to look at also such as new construction.

- c) **Census.** Fibert reported that the County's population rose 11.1%. Information was handed out this evening for your information. The deadline for challenging these figures is September 15th.

There being no further business for the Bayfield County Board of Supervisors, *Chairman Kacvinsky adjourned the meeting at 8:50 p.m.*

Respectfully yours,

Scott S. Fibert,
Bayfield County Clerk