

Minutes of the  
**Bayfield County Board of Supervisors' Meeting**  
**Of May 25, 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 6:00 p.m. Roll call was taken by Bayfield County Clerk, Scott Fibert as follows: Bennett-present; Kacvinsky-present; Rantala-absent; Williams-present; Bichanich-absent; Miller-present; Crandall-absent; Rondeau-present; Meyers-present; Bussey-present; Jardine-present; Maki-present; Kittleson-present. Total 13: 10 present, 3 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; Mary Motiff, Tourism Director; and Claire Duquette, Reporter for The Daily Press; and community residents.*

The Pledge of Allegiance was recited by all in attendance.

*Supervisor Crandall arrived at 6:02 p.m.*

There was no public comment.

1. **Motion Regarding Minutes of March 30 and April 20, 2010 Bayfield County Board of Supervisors' Meetings**. The Board dispensed with the reading of the March 30<sup>th</sup> and April 20<sup>th</sup> Bayfield County Board of Supervisors' Meetings.

*A motion was made by Rondeau/Kittleson to approve the March 30, 2010, Bayfield County Board of Supervisors' Minutes as presented.* Discussion - Supervisor Bussey had concerns with Shadow Wood motion as it related to the motion of Jardine and its conditions. Bussey stated that the conditions should also be incorporated into the rezone amendment so anyone looking at this will know what it is to enforce. Discussion took place. *Rondeau amended his motion to include the contingencies of Jardine's original motion and that the contingencies also be added to the original rezone. Motion carried.*

*A motion was made by Rondeau/Williams to approve the April 20, 2010, Bayfield County Board of Supervisors' Minutes as presented. Motion carried.*

2. **Bayfield County Resolution No. 2010-24, Recognition of Connie Carlos as Past Veteran Commissioner for Bayfield County**. Mr. Carlos was present this evening accompanied by Veteran's Service Officer, Chris Johnson. Chairman Kacvinsky read Resolution, which reads as follows:

**WHEREAS**, Bayfield County's Veteran Commissioner Connie Carlos has faithfully held the position as a Commissioner for over 16 years; *and*

**WHEREAS**, his service and dedication to the Indigent Soldiers Relief Commission and our County's Veterans, has been outstanding. Veterans throughout Bayfield County know of his care and devotion to their conditions of life; *and*

**WHEREAS**, Connie's understandings and compassion for his fellow Veterans, has allowed him to be a great leader for this service.

**NOW, THEREFORE, BE IT RESOLVED**, that the Bayfield County Sheriffs, Emergency Government, Veterans, and Child Support Committee of the Bayfield County Board of Supervisors Honor his service to their

Veterans; *and*

**BE IT FURTHER RESOLVED**, that the Bayfield County Board of Supervisors, assembled this 25<sup>th</sup> day of May, 2010, stands up and applauds his service to the Bayfield County Veteran's and this County.

By Action of the Bayfield County Board of Supervisors

William D. Kacvinsky, *Chairman*

A plaque of appreciation along with a certificate of the resolution was presented to Mr. Carlos by Wayne Williams, *Chairman* of the Sheriff's, Emergency Management & Veteran's Service Committee, along with Chris Johnson. The County Board stood and applauded Mr. Carlos for his service to the Bayfield County Veteran's and this County.

*A motion was made by Jardine/Kittleson to adopt Bayfield County Resolution No. 2010-24, Recognition of Connie Carlos as Past Veteran Commissioner for Bayfield County. Motion carried.*

**3. Bayfield County Resolution No. 2010-26, Supporting Authorization of a Joint Powers Agreement Relating to the Public Finance Authority.** Liz Stevens, representative from the Wisconsin Counties Association, thanked the Board for allowing her time to speak with them regarding the Joint Powers Agreement. Stephens explained that the WCA in cooperation with league of municipalities formed a joint purchasing pool. It enables local governments to buy into services and/or goods at lower rates. The program was so successful that they thought why can't we do this for financing as well. A lengthy discussion took place regarding the agreement and resolution. The Board dispensed with the reading of the resolution, which reads as follow:

**WHEREAS**, Bayfield County recognizes the need for local governments to collaborate with one another for purposes of encouraging economic development; *and*

**WHEREAS**, conduit revenue bonds provide local government with a powerful tool in promoting economic development; *and*

**WHEREAS**, in utilizing conduit revenue bonds, local governments are able to provide public and private entities with access to the municipal bond market, thus saving significant costs associated with capital; *and*

**WHEREAS**, 2009 Wisconsin Act 205 authorizes two or more local governments to create a commission for purposes of issuing conduit revenue bonds; *and*

**WHEREAS**, a commission formed under 2009 Wisconsin Act 205 does not require the expenditure of any funds by or on behalf of any local government; *and*

**WHEREAS**, Bayfield County desires to form a commission under 2009 Wisconsin Act 205 for purposes of issuing conduit revenue bonds; *and*

**WHEREAS**, Bayfield County desires to form a commission under 2009 Wisconsin Act 205 to exercise any and all powers of a commission under 2009 Wisconsin Act 205; *and*,

**WHEREAS**, the intent of this Resolution is to authorize Bayfield County's entry into an Agreement, as that term is defined in Wis. Stat. § 66.0304(1)(a), with other political subdivisions to create a Commission, as that term is defined in Wis. Stat. § 66.0304(1)(c); *and*

**WHEREAS**, by forming a Commission, the debts and obligations of the Commission are not the debts and obligations of Bayfield County; *and*

**WHEREAS**, this Resolution is also intended as a complete and final act of the Bayfield County Board of Supervisors as it relates to the organization and creation of a Commission known as the Public Finance Authority; *and*

**WHEREAS**, attached hereto is the Joint Exercise of Powers Agreement Relating to the Public Finance Authority ("JPA Agreement"); *and*

**WHEREAS**, by executing this Resolution, it is the intent of Bayfield County to cause the creation of and to become an Initial Member of the Public Finance Authority by virtue of the execution of the JPA Agreement.

**NOW, THEREFORE, BE IT RESOLVED**, that the Bayfield County Board of Supervisors assembled this 25<sup>th</sup> day of May, 2010, hereby approves the JPA Agreement, a copy of which is attached hereto, and authorizes and directs the Bayfield County Board Chair to sign such document; *and*

**BE IT FURTHER RESOLVED**, that the Commission's sponsoring organizations, Wisconsin Counties Association, League of Wisconsin Municipalities, National Association of Counties and National League of Cities, are hereby authorized to enter into any and all contracts necessary for the formation and organization of the Commission and subject to the approval of the Board for the Commission when formed; *and*

**BE IT FINALLY RESOLVED**, that the Commission's sponsoring organizations, Wisconsin Counties Association, League of Wisconsin Municipalities, National Association of Counties and National League of Cities, are hereby authorized to take all actions necessary to complete the formation and organization of the Commission.

By Action of the Bayfield County Board of Supervisors

William D. Kacvinsky, *Chairman*

*A motion was made by Jardine/Kittleson to adopt Bayfield County Resolution No. 2010-26, Supporting Authorization of a Joint Powers Agreement Relating to the Public Finance Authority. Discussion took place and the motion carried.*

4. **Presentation by Jason Maloney, Director of Northern Great Lakes Visitor's Center.** Mr. Maloney thanked the Board for allowing him time to speak before the Board this evening. He passed out a brochure for the Supervisors to review while he spoke, and highlighted some of the features the Visitor's Center offers. Bayfield County supports the Center every year, and he believes the County has invested their dollars well, as on an average basis, the Center receives approximately 125,000 visitors. He explained how these numbers are received and the tracking method used. A brief discussion took place amongst the Board members and Mr. Maloney, afterwards the Board thanked Mr. Maloney for his time.

5. **Bayfield County Resolution No. 2010-23, Honoring David L. Good for his 8 Years of Dedicated Service to Bayfield County.** Board dispensed with reading of the resolution, which reads as follows:

**WHEREAS**, David L. Good of 94500 N. Ladd Street, Bayfield, Wisconsin, has served Bayfield County with dedication and dignity for eight (8) years; *and*

WHEREAS, during those eight (8) years, David touched the lives of numerous citizens of Bayfield County in a positive way and was a friend to many residents and employees.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25<sup>th</sup> day of May, 2010, honors David L. Good, for his years of public service to Bayfield County and express their gratitude for his efforts and wish him well in the years ahead; *and*

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to Mr. Good at 94500 N. Ladd Street, Bayfield, WI 54891.

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

*A motion was made by Jardine/Rondeau to adopt Bayfield County Resolution No. 2010-23, Honoring David L. Good for his 8 years of Dedicated Service to Bayfield County. Motion carried.*

6. Bayfield County Resolution No. 2010-22, Establishing the Term Compensation for Bayfield County Elected Officials - Coroner, Clerk of Circuit Court and Sheriff; County Administrator, Mark Abeles-Allison explained that per Wisconsin Statutes, the wage compensation must be set for elected officials prior to taking out nomination papers on June 1<sup>st</sup>. The Board dispensed with the reading of the resolution, which reads as follows:

WHEREAS, Wisconsin Statute 59.22 (1) (a) 1 identifies the timeframe and authority for establishing compensation for county elected officials; *and*

WHEREAS, the statute requires that compensation be determined by resolution or ordinance before the earliest time for filing nomination papers for elective office to be voted on in the county

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25<sup>th</sup> day of May, 2010, authorize that elected officials shall receive pay increases as identified in the following Table:

|                   | 2011     | 2012     | 2013     | 2014     |
|-------------------|----------|----------|----------|----------|
| County Clerk      | \$60,570 | \$62,256 | X        | X        |
| County Treasurer  | \$53,299 | \$54,985 | X        | X        |
| Register of Deeds | \$53,299 | \$54,985 | X        | X        |
| Sheriff           | \$60,570 | \$62,256 | \$62,256 | \$62,256 |
| Clerk of Court    | \$53,299 | \$54,985 | \$54,985 | \$54,985 |
| Coroner           | \$5,379  | \$5,546  | \$5,546  | \$5,546  |

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

*A motion was made by Rondeau/Meyers to adopt Bayfield County Resolution No. 2010-22, Establishing the Term Compensation for Bayfield County Elected Officials. Discussion took place on what the criteria was for setting the compensation. A roll call vote was taken as follows: Kacvinsky-yes; Rantala-absent; Williams-yes; Bichanich-absent; Miller-yes; Crandall-yes; Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes; Maki-yes; Kittleson-yes; Bennett-yes. Total: 13; 11 yes, 0 no, 2 absent. Motion carried.*

7. **Bayfield County Resolution No. 2010-21, Temporary Speed Limit in Work Areas Authorizing Posting of Temporary Speed Limits in Work Zones on Highways Maintained by Bayfield County Forces.** The Board dispensed with the reading of the resolution, which reads as follows:

Section 349.11 (10) of the Wisconsin Statutes empowers local authorities and county highway committees to post temporary speed limits on local and state/federal highways below the limits imposed by ss 349.11 or 346.57 while the highways are being constructed, repaired or maintained; *and*

It is the opinion of Bayfield County Highway Committee that imposing such temporary speed limits on work sites on county and state/federal highways in county will promote the safety of highway construction and maintenance workers, and the general public.

**NOW THEREFORE, BE IT RESOLVED**, that any such temporary speed limits will be imposed by the posting of temporary regulatory speed limit signs, type R2-1, as described in the "Manual of Uniform Traffic Control Devices" as adopted by the Wisconsin Department of Transportation, Division of Highways, on 4/12/1984, and that the signs will be posted on any highway under the jurisdiction of the Highway Committee but only in the immediate area of the work being performed; *and*

**BE IT FURTHER RESOLVED**, that the speed limits to be posted in temporary work zones shall be 10 miles per hour less than the normal speed limit but no more than 45 miles per hour except when the application of a seal coat is applied to a local, state/federal highway, then the temporary speed limit shall be 35 miles per hour until the seal has cured, and that all temporary speed limit signs shall be removed or covered in the absence of work crews or when it is safe to do so for the traveling public; *and*

**BE IT FURTHER RESOLVED**, that the Bayfield County Board of Supervisors, assembled this 25<sup>th</sup> day of May, 2010, states that the Highway Commissioner be authorized under the conditions of this resolution to act on behalf of the Highway Committee at his/her discretion to impose mandatory temporary speed limits under the continuing authority of this resolution without the need of further action by the Highway Committee.

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

*A motion was made by Maki/Rondeau to adopt Bayfield County Resolution No. 2010-21, Temporary Speed Limit in Work Areas Authorizing Posting of Temporary Speed Limits in Work Zones on Highways Maintained by Bayfield County Forces. Discussion took place and the motion carried.*

8. **Bayfield County Resolution No. 2010-25, Supporting Bayfield County's Participation in the Utility Terrain Vehicle Pilot Program.** Administrator Abeles-Allison and Tourism Director, Mary Motiff explained the resolution, which reads as follows:

**WHEREAS**, due to increasing interest in the use of utility terrain vehicles (UTVs) on all-terrain vehicle (ATV) routes and trails; *and*

**WHEREAS**, the "Utility terrain vehicle Pilot Program" (Pilot Program), 2009 Wisconsin Act 175, was signed into law by Governor James Doyle and became effective on March 15, 2010; *and*

**WHEREAS**, if a county elects to participate in the Pilot Program, the governing body of the county shall adopt a resolution to that effect, in strict conformity to s. 23.33, Wis. Stats.; *and*

**WHEREAS**, if a county adopts such a resolution, the resolution shall apply to all of the cities, villages and towns (municipalities) within the county unless the governing body of a municipality adopts an resolution that provides that the municipality will not participate in the Pilot Program; *and*

**WHEREAS**, the governing body of each participating county or municipality may withdraw from the pilot program before July 1, 2012, by adopting a resolution to that effect; *and*

**WHEREAS**, if a county or municipality adopts a resolution, its clerk shall immediately send a copy of the resolution to the Department of Natural Resources, ATV Administrator, 101 S. Webster St., Madison, WI 53707-7921 and also to the office of any law enforcement agency of municipality or county having jurisdiction over any all-terrain vehicle route or trail designated as open to UTVs.

**NOW, THEREFORE, BE IT RESOLVED**, that the Bayfield County Board of Supervisors assembled this 25<sup>th</sup> day of May, 2010, hereby approves allowing registered UTVs to use all roads in Bayfield County that are open to ATV use, unless a municipality prohibits such operation by resolution; *and*

**BE IT FURTHER RESOLVED**, that continued study is underway on roads and trails under the National Forest Service jurisdiction and, this action does not open forest service roads or trails to UTV use as study is pending; *and*

**BE IT FURTHER RESOLVED**, that the Bayfield County Board urge the Tri-County Corridor Commission to open the Bayfield County section of the Corridor to UTVs.

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

*A motion was made by Rondeau/Maki to adopt Bayfield County Resolution No. 2010-25, Supporting Bayfield County's Participation in the Utility Terrain Vehicle Pilot Program.* Discussion took place as to adding different wording to the following areas: in the Now, Therefore paragraph, 2<sup>nd</sup> sentence, add the word "registered" before "UTV's to use." Under the first Be It Resolved paragraph, change wording to "roads and trails"; 2<sup>nd</sup> line, change wording to read "roads or trails to UTV use." Rondeau amended his motion to include the changes, Maki agreed. Further discussion took place, *motion carried with changes.* (The changes have been incorporated into the above resolution by underlining and bolding the text changed).

*The Board took a short recess at 7:15 p.m. calling the meeting back to order at 7:25 p.m.*

9. **Bayfield County Resolution No. 2010-27, Land Records Budget Amendment for Server Purchase.** Administrator Abeles-Allison explained that the budget adjustment is for additional storage and another server for the land records modernization. The Board dispensed with the reading of the resolution, which reads as follows:

**WHEREAS**, there is a need for an additional server in the Land Records Department; *and*

**WHEREAS**, the Land Records Department brought in an additional \$19,612 over budgeted revenues in 2009; *and*

**WHEREAS**, the Land Records Department utilized \$14,000 less levy dollars in 2009 than budgeted; *and*

**WHEREAS**, the Land Records Department utilized \$10,000 of a \$23,000 Land Records Modernization grant in 2009 and \$13,000 remains to be spent for land records modernization;

**WHEREAS**, the new server would have the expansion capability to accommodate growth over the next three to four years; *and*

**WHEREAS**, the data stored on this server is used frequently by numerous County Departments as well as local businesses; *and*

**WHEREAS**, excess revenues have been received in 2010 for a grant project that was completed in 2009, allowing for the purchase of the server without the need for levy dollars.

**NOW, THEREFORE, BE IT RESOLVED**, that the Bayfield County Board of Supervisors assembled this 25<sup>th</sup> day of May, 2010, hereby authorizes a budget amendment approving the purchase of a server for the Land Records Department and utilizing excess revenues received in 2010.

Increase Land Records Capital Improvement expense 100-13-51741-50810 by \$18,200  
Increase Coastal Mgmt Local Govt Partners Revenue 100-13-47382 by \$18,200.

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

*A motion was made by Rondeau/Crandall to adopt Bayfield County Resolution No. 2010-27, Land Records Budget Amendment for Server Purchase. A roll call vote was taken as follows: Rantala-absent; Williams-yes; Bichanich-absent; Miller-yes; Crandall-yes; Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes; Maki-yes; Kittleson-yes; Bennett-yes; Kacvinsky-yes. Total: 13; 11 yes, 0 no, 2 absent, motion carried.*

**10. Bayfield County Resolution No. 2010-28, Supporting Expansion of US Highway 2 to a 4-lane Highway.** Administrator Abeles-Allison explained that Bayfield County has proposed improvements to US Hwy 2 during Superior Days for over the past five years and the County is requesting that the funds be allocated to begin planning for this project. Supervisor Bussey, stated to everyone that he would be opposed to approving this resolution and gave his many reasons for this. Supervisor Crandall was also opposed but would go along with improvements to the existing highway. Supervisor Kittleson stated that this is more of a safety issue than anything.

**WHEREAS**, Bayfield County has proposed continued improvements to US Highway 2 during Superior Days over the past five years; *and*

**WHEREAS**, the Department of Transportation has undertaken significant improvements over the past two decades, including turn lanes, geometric improvements and passing lanes; *and*

**WHEREAS**, US Highway 2 is the entry of all visitor and commercial traffic into the Chequamegon Bay Region; *and*

**WHEREAS**, extreme snow conditions as experienced in Bayfield County, makes two lane, high speed travel dangerous; *and*

**WHEREAS**, it is the firm belief of the county that continued expansion to a four lane highway will provide both increased safety and additional tourism, forestry and commercial opportunities to Northwest Wisconsin.

**NOW, THEREFORE, BE IT RESOLVED**, that the Bayfield County Board of Supervisors assembled this 25<sup>th</sup> day of May, 2010, hereby endorses continued expansion of US Highway 2 between Superior and Hurley, Wisconsin; *and*

**BE IT FURTHER RESOLVED**, that the Bayfield County Board requests that the Wisconsin State Legislature add a four lane highway between Superior and Hurley to the DOT 2030 planning program document; *and*

**BE IT FURTHER RESOLVED**, that the Bayfield County Board requests that engineering funds be allocated to begin planning for this project; *and*

**BE IT FURTHER RESOLVED**, that the Bayfield County Board send this document to all municipalities in Bayfield County and ask for their support of this initiative in resolution form and that at the Bayfield County July Board meeting, responses from municipalities be evaluated, a formal decision be made regarding contacting other counties in NW Wisconsin for their support of this initiative.

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

*A motion was made by Miller/Rondeau to adopt Bayfield County Resolution No. 2010-28, Supporting Expansion of US Highway 2 to a 4-lane Highway. A roll call vote was taken as follows: Williams-yes; Bichanich-absent; Miller-yes; Crandall-no; Rondeau-yes; Meyers-no; Bussey-no; Jardine-yes; Maki-yes; Kittleson-yes; Bennett-yes; Kacvinsky-yes; Rantala-absent. Total: 13; 8 yes, 3 no, 2 absent, motion carried.*

11. **Bayfield County Resolution No. 2010-29, 2010 Tourism Budget Amendment Reflecting Award of the National Forest Service ARRA Cooperative Project Grant**. The Board dispensed with the reading of the resolution, which reads as follows:

**WHEREAS**, Bayfield County includes over 270,000 acres of National Forest Land; *and*

**WHEREAS**, Bayfield County has a close working relationship with the National Forest Service; *and*

**WHEREAS**, the Forest Service received \$120,000 for improvements at the Bayfield County Valhalla Recreation Area; *and*

**WHEREAS**, improvements will include trail development; kiosk, bench, storage building/warming hut and new toilet installation in addition to parking lot improvements; *and*

**WHEREAS** the forest service wishes to work through Bayfield County with a cooperative agreement to expedite the project; *and*

**WHEREAS** the county would coordinate the project, receive forest service funds and pay bills for the project; *and*

**WHEREAS** with the county directing the project the project could be done locally per county procurement policies and on a timely basis; *and*

**NOW, THEREFORE, BE IT RESOLVED**, that the Bayfield County Board of Supervisors assembled this 25<sup>th</sup> day of May, 2010, hereby approve a budget amendment reflecting receipt of the National Forest Service ARRA Cooperative Project Grant as follows:

Increase in the revenue line item 100-23-43270-001 by \$120,000

Increase Expense line item 100-23-55203-50290 Contractual Services by \$120,000.

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

*A motion was made by Meyers/Rondeau to adopt Bayfield County Resolution No. 2010-29, 2010 Tourism Budget Amendment Reflecting Award. A roll call vote was taken as follows: Bichanich-absent; Miller-yes; Crandall-yes; Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes; Maki-yes; Kittleson-yes; Bennett-yes; Kacvinsky-yes; Rantala-absent; Williams-yes. Total: 13; 11 yes, 0 no, 2 absent, motion carried.*

**12. Appointment of Larry Loch to the Board of Commissioners for the Bayfield County Housing Authority.** There is a vacancy on the Board of Commissioners, and the Housing Authority is strongly recommending to fill the position with the appointment of Larry Loch. *A motion was made by Rondeau/Crandall to appoint Larry Loch to the Board of Commissioners for the Bayfield County Housing Authority. Motion carried.*

**13. Report of the Bayfield County Planning and Zoning Committee Regarding the Rezone of the Kenneth Abernathy, Jr. Property Located in the Town of Grand View, 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 Kenneth Abernathy, Jr. 20-acre parcel (ID# 04-021-2-45-06-22-3-04-000-60000) located in the South Half of the Southeast Quarter of the Southwest Quarter (S  $\frac{1}{2}$  SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ), Section Twenty-Two (22), Township Forty-Five (45) North, Range Six (6) West, Town of Grand View, Bayfield County, Wisconsin be changed from Forestry-One/Residential-One(F-1/R-1) to Residential-Four(R-4).

Date: April 15, 2010

**BAYFIELD COUNTY PLANNING AND ZONING COMMITTEE**

James Beeksma, Harold A. Maki, Kenneth Jardine, Shawn W. Miller, Brett T. Rondeau

*A motion was made by Rondeau/Jardine to receive and place on file the report of the Bayfield County Planning and Zoning Committee regarding the rezone of the Kenneth Abernathy, Jr. property located in the Town of Grand View, Bayfield County, Wisconsin. Motion carried.*

**14. Bayfield County Zoning Amendatory Ordinance, No. 2010-08 Regarding the Rezone of the Kenneth Abernathy, Jr. Property Located in the Town of Grand View, 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 Kenneth Abernathy, Jr. 20-acre parcel (ID# 04-021-2-45-06-22-3-04-000-60000) located in the South Half of the Southeast Quarter of the Southwest Quarter (S  $\frac{1}{2}$  SE  $\frac{1}{4}$  SW  $\frac{1}{4}$ ), Section Twenty-Two (22), Township Forty-Five (45) North, Range Six (6) West, Town of Grand View, Bayfield County, Wisconsin be changed from Forestry-One/Residential-One(F-1/R-1) to Residential-Four(R-4).

Date: May 25, 2010

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

*A motion was made by Miller/Rondeau to adopt Bayfield County Zoning Amendatory Ordinance No. 2010-08 regarding the Kenneth Abernathy, Jr. property located in the Town of Grand View, Bayfield County, Wisconsin. Motion carried.*

**15. Report of the Bayfield County Planning and Zoning Committee Regarding Zoning Amendment Section 13-1-66, Town of Drummond Overlay District.** 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:**

**1. Section 13-1-66 is created to read:**

**Sec. 13-1-66 Town of Drummond Overlay District**

- (a) **Applicability.** The Town of Drummond Overlay District shall apply to and include all lands within the Town of Drummond.
- (a) **Intent of the Town of Drummond 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 development; 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 Drummond Comprehensive Land Use Plan; to maintain water clarity in lakes, rivers and streams; to protect soil and preserve wetlands; to protect groundwater and surface water; to protect the beauty and amenities of landscape and man-made developments; and to provide healthy surroundings for recreation, tourism and family life.

- (c) **Nonconforming Parcels.** When a land division occurs in Ag-1 and F-1 zoning districts, the minimum parcel size that may be created with the intent for development is 10 acres. No development of any kind may be permitted on land divisions of less than 10 acres in Ag-1 and F-1 zoning districts created after the adopted date of this amendment.

Dated: April 15, 2010

**BAYFIELD COUNTY PLANNING AND ZONING COMMITTEE**

James Beeksma, Harold A. Maki, Kenneth Jardine, Shawn W. Miller, Brett T. Rondeau

*A motion was made by Rondeau/Maki to receive and place on file the Report of the Bayfield County Planning and Zoning Committee Regarding the Amendment of Section 13-1-66 Town of Drummond Overlay District. Motion carried.*

16. Bayfield County Zoning Amendatory Ordinance No. 2010-09 Regarding Zoning Amendment Section 13-1-66, Town of Drummond Overlay District. 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:

1. **Section 13-1-66 is created to read:**

**Sec. 13-1-66 Town of Drummond Overlay District**

- (a) **Applicability.** The Town of Drummond Overlay District shall apply to and include all lands within the Town of Drummond.
- (b) **Intent of the Town of Drummond 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 development; 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 Drummond Comprehensive Land Use Plan; to maintain water clarity in lakes, rivers and streams; to protect soil and preserve wetlands; to protect groundwater and surface water; to protect the beauty and amenities of landscape and man-made developments; and to provide healthy surroundings for recreation, tourism and family life.
- (c) **Nonconforming Parcels.** When a land division occurs in Ag-1 and F-1 zoning districts, the minimum parcel size that may be created with the intent for development is 10 acres. No development of any kind may be permitted on land divisions of less than 10 acres in Ag-1 and F-1 zoning districts created after the adopted date of this amendment.

Date: May 25, 2010

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

*A motion was made by Rondeau/Crandall to adopt Bayfield County Zoning Amendatory Ordinance No. 2010-09 regarding zoning amendment section 13-1-66, Town of Drummond Overlay District. Discussion regarding having 2 sets of rules; this is more restrictive. Motion carried.*

17. Report of the Bayfield County Planning and Zoning Committee Regarding Amendments to Section 13-1-21(b)(6); 13-1-21(b)(4); 13-1-21(e)(aa); 13-1-22(3); 13-1-28(d)(2)-(5); 13-1-40(c)(5); 13-1-40(c)(4)a.4. and 5; 13-1-42(c)(3); 13-1-43(g)(2); 13-1-43(i)(2)a. & b.; 13-1-43(k)(2)c.; 13-1-62(a); and 13-1-62(b). The Board dispensed with the reading of the ordinance, 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:

**AMENDMENTS TO BAYFIELD COUNTY ZONING ORDINANCE (Revised 5/25/2010)**

(Deleted text lined through; new text bold and underlined)

1. Section 13-1-21(b)(6) is amended to read:

(6) ***Concurrent Jurisdiction Exemption.*** A permit under this Chapter shall not be required where another regulatory agency has concurrent jurisdiction and the substantive concerns of this Chapter are addressed and resolved by issuance of a permit under the authority of that regulatory agency **or under the direction of the Bayfield County Land and Water Conservation Department.**

2. Section 13-1-21(b) 4 is amended as follows:

(4) ***Setback Compliance; Non-Habitable Structure Compliance.*** All structures shall meet prescribed setback standards for the zoning district in which they are located. All structures in floodplain areas shall require a land use permit. A **residential** land use permit shall not be required for a non-habitable structure of less than two hundred (200) square feet in area, or for a private communication device. A temporary structure of more than two hundred (200) square feet shall require a temporary permit.

3. Section 13-1-21(e) aa. is amended as follows:

(e) Fees

aa.

**Board of Adjustment Hearing**

|                                 |           |               |
|---------------------------------|-----------|---------------|
| <b>Special Exception</b> .....  | <b>\$</b> | <b>550.00</b> |
| <b>Variance or Appeal</b> ..... | <b>\$</b> | <b>800.00</b> |
| <b>Reconsideration *</b> .....  | <b>\$</b> | <b>800.00</b> |

**\*Transcript and any copy fees shall be paid by individual(s) whom make the request)**

4. Section 13-1-22(e) is amended as follows:

(e) ***Intermittent Streams.*** No structure shall be constructed or placed within 25 feet of the top edge of the eroded bank of ~~an intermittent~~ **non navigable** stream.

5. Section 13-1-28(d)(2)-(5) amended as follows:

(2) Any recreational vehicle located outside a state or county approved park shall:

a. Require an RV placement permit issued by the Bayfield County Planning and Zoning Department prior to the unit being placed on an undeveloped parcel if placed more than twenty-one (21) days. The RV shall be permitted to be used for temporary dwelling purposes for an aggregate time period of up to four (4) months per calendar year in all zoning districts except Commercial, Forestry-2, Agricultural-2, Conservancy, and Industrial. Any such unit that is to be used for temporary dwelling purposes and which is located on an undeveloped site for a period of time greater than four (4) months per annum shall require a Class A special use permit.

d. Such units shall be permitted to be stored within a garage, carport, or accessory structure or in the rear or side yard areas of developed parcels of land, provided setback standards are met. The placement or storage of more than three (3) units shall require a conditional use permit. Units shall not be stored on undeveloped parcels.

~~(3) Recreational vehicles shall be permitted to be used for temporary dwelling purposes for an aggregate time period of up to four (4) months per calendar year in all zoning districts except Commercial, Forestry 2, Agricultural 2, Conservancy, and Industrial. Any such unit that is to be used for temporary dwelling purposes and which is located on an undeveloped site for a period of time greater than four (4) months per annum shall require a Class A permit.~~

~~(4)~~ (3) A time limit of not less than fifteen (15) days shall be given in the order for the removal of any recreational vehicle not complying with the provisions of this Section.

~~(5)~~ (4) Within one (1) year after the adoption of this amendment, all nonconforming recreational vehicles shall comply with the terms of this Section.

6. Section 13-1-40(c)(5) is amended to read:

(5) ***Mitigation Measures.*** As specified in the following provisions, the objective of these mitigation requirements is to compensate for adverse environmental effects when development is permitted to occur within designated shoreline setback areas. A site plan and implementation schedule describing any required mitigation shall be submitted by the property owner or owner's authorized agent and approved by the Planning and Zoning Department and/or Land and Water Conservation Department prior to issuance of the related land use permit(s). Mandatory mitigation measures shall include:

7. Section 13-1-40(c)(4)a.4. and 5. shall be created and amended as follows:

a. With respect to such structures located less than forty (40) feet from the ordinary high water mark:

1. Internal improvements shall be confined to the building envelope and may be constructed without a land use permit.

2. Except as provided in subparagraph b., no new foundations of any kind, additional stories, other expansion, or accessory construction shall be permitted. For the purpose of this section of the Ordinance, repair of 25% or more of the lineal perimeter of the foundation shall be considered a replacement or new foundation and not a repair.

3. Exterior improvements shall be limited to those which do not change the size or shape of the structure, except that a flat roof may be replaced by a pitched roof,

provided that the additional space under the pitched roof may not be used for living area, storage, or other purpose.

4. Repair or replacement of a foundation or wall(s) which requires any land disturbance in the vegetation protection area shall require a land use permit.

5. The mitigation requirements of paragraph (5) below are complied with.

8. Section 13-1-42(c)(3) is amended to read:

(3) The **Planning and** Zoning Department and **Planning and** Zoning Committee may request review of an E.I.A. by the Wisconsin Department of Natural Resources; the ~~Ashland, Bayfield, Douglas and Iron~~ County Land **and Water** Conservation Department; or a private consultant.

9. Section 13-1-43(g)(2) is amended to read:

(g) Information Report.

(2) Information Report Fee. Following the conditional use approval and with the initial filing of the Report, the tower owner shall submit to the **Planning and** Zoning Department a one-time fee of Two Hundred Dollars (\$200.00) per tower site. The fee submittal is the responsibility of each tower owner. Failure to provide this information as required above may result in a civil forfeiture for each day elapsing until the information is received by the **Planning and** Zoning Department.

10. Section 13-1-43(i)(2)a. & b. are amended to read:

(i) Preexisting Telecommunication Towers and Antennas.

**(2) Existing Use Review.**

a. Existing Use Review for Those Towers Structurally Capable to Collocate -

Beginning February 28, 2002, within forty-five (45) days: (1) of receipt of a written request from the Bayfield County **Planning and** Zoning Department; or (2) of any change in ownership or occupancy of the tower, all telecommunications tower owners operating in Bayfield County prior to the adoption of this section shall provide the information required under subsection (a) (except proof of bond and proof of insurance), of this section. ~~By February 28, 2002, such owners shall pay a one-time fee of Two Hundred Dollars (\$200.00) per tower site.~~ Failure to provide this information as required above may result in a civil forfeiture for each day elapsing until the information is received by the **Planning and** Zoning Department.

b. Existing Use Review for Those Towers Structurally Incapable for Collocation -

By February 28, 2002, within forty-five (45) days: (1) of receipt of a written request from the Bayfield County Zoning Department; or (2) of any change in ownership or occupancy of the tower, all telecommunications tower owners operating in Bayfield County prior to the adoption of this section shall provide the information required under subsection (g) (except proof of bond and proof of insurance), and submit documents that the tower is structurally incapable of collocation. ~~By February 28, 2002, such owners shall pay a one-time fee of Two Hundred Dollars (\$200.00) per tower site.~~ Failure to provide this information as required above may

result in a civil forfeiture for each day elapsing until the information is received by the Bayfield County Zoning Department.

11. Section 13-1-43(k)(2)c. is created to read:

- b. Towers shall be permitted to a maximum height of 199 feet, including antennas, except that this height limitation shall not apply to radio or television broadcasting towers. Unless permitted by the Committee after review, towers shall be constructed so as to accommodate a minimum of three collocation sites. Collocation sites need not be available on the tower as initially placed or constructed, provided that the tower will support at the specified maximum height later addition of at least three collocation sites. Notwithstanding the height and number of collocation sites on the tower as initially placed or constructed, the tower design approved and permitted shall be for a tower capable of extension to 199 feet in height, including the required collocation sites. The Committee may vary the above collocation requirements if use of a monopole is a condition of the permit.
- c. The Planning and Zoning Committee may grant a tower to a height not exceeding 250 400 feet in height if applicant can demonstrate the need [e.g. increase coverage area, lack of existing towers, impact of density area, alleviating the need for additional towers, greater collocation capability, lighting requirements].

12. Section 13-1-62(a) is created and amended as follows:

| PERMISSIBLE USES   | R-4<br>R-3<br>R-1 | R-2      | R-RB      | C         | I         | A-1        | A-2 | F-1         | F-2 | W        |
|--|-------------------|----------|-----------|-----------|-----------|------------|-----|-------------|-----|----------|
| <u>Campground, Equestrian [Private or Commercial]</u>                                    |                   |          |           |           |           | <u>C</u>   |     |             |     |          |
| <u>Campground, Private [Commercial], Camping Resort</u>                                  |                   |          | <b>C</b>  |           |           |            |     | <b>C</b>    |     |          |
| <u>Campground, Public &amp; Camping Resort</u>   |                   |          | <b>C</b>  |           |           |            |     | <b>C</b>    |     |          |
| <u>Dwelling, Single Family, Duplex*</u><br><u>Subject to 13-1-62(b) see also 13-1-63</u> | <b>P</b>          | <b>P</b> | <b>P</b>  | <b>SB</b> |           | <b>S-A</b> |     | <b>S-A*</b> |     |          |
| <u>Fish or Meat, Wholesale, Storage or Curing</u>  |                   |          |           | <b>C</b>  | <b>SB</b> |            |     |             |     |          |
| <u>Fish Farm, Processing, Storage or Curing</u>  |                   |          |           | <b>C</b>  |           | <b>C</b>   |     |             |     |          |
| <u>Fish Hatchery, Public or Private</u>  |                   |          | <b>SB</b> |           |           | <b>SB</b>  |     | <b>SB</b>   |     | <b>C</b> |

13. Section 13-1-62(b) is created and amended as follows:

- (b) A lot created by the subdivision of a parcel of land in an F-1 zoning district into three (3) or more lots of less than ten (10) acres each within a five (5) year period, regardless of any change(s) in ownership during such period, may not be improved with a single family dwelling or duplex unless the subdivision has been approved as a Conservation Subdivision meeting the requirements of Section 13-1-29A or an alternative development meeting the requirements of Section 13-1-63(e). [Note: Under Section 13-1-29A(b)(9) a Conservation Subdivision in an F-1 zoning district may not be developed with more than 3 units.]

Dated: May 05, 2010

Bayfield County Planning and Zoning Committee

James Beeksma, Kenneth Jardine, Harold A. Maki, Shawn W. Miller, Brett T. Rondeau

A motion was made by Rondeau/Maki to receive and place on file the Report of the Bayfield County Planning & Zoning Committee Regarding Amendments to Section 13-1-21(b)(6); 13-1-21(b)(4); 13-1-21(e)(aa); 13-1-22(3); 13-1-28(d)(2)-(5); 13-1-40(c)(5); 13-1-40(c)(4)a.4. and 5; 13-1-42(c)(3); 13-1-43(g)(2); 13-1-43(i)(2)a. & b.; 13-1-43(k)(2)c.; 13-1-62(a); and 13-1-62(b), motion carried.

18. Bayfield County Zoning Amendatory Ordinance No. 2010-10 Regarding Amendments to Section 13-1-21(b)(6); 13-1-21(b)(4); 13-1-21(e)(aa); 13-1-22(3); 13-1-28(d)(2)-(5); 13-1-40(c)(5); 13-1-40(c)(4)a.4. and 5; 13-1-42(c)(3); 13-1-43(g)(2); 13-1-43(i)(2)a. & b.; 13-1-43(k)(2)c.; 13-1-62(a); and 13-1-62(b). The Board dispensed with the reading of the amendatory 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:

AMENDMENTS TO BAYFIELD COUNTY ZONING ORDINANCE (Revised 5/25/2010)  
(Deleted text lined through; new text bold and underlined)

1. Section 13-1-21(b)(6) is amended to read:

(6) ***Concurrent Jurisdiction Exemption.*** A permit under this Chapter shall not be required where another regulatory agency has concurrent jurisdiction and the substantive concerns of this Chapter are addressed and resolved by issuance of a permit under the authority of that regulatory agency **or under the direction of the Bayfield County Land and Water Conservation Department.**

2. Section 13-1-21(b) 4 is amended as follows:

(4) ***Setback Compliance; Non-Habitable Structure Compliance.*** All structures shall meet prescribed setback standards for the zoning district in which they are located. All structures in floodplain areas shall require a land use permit. A **residential** land use permit shall not be required for a non-habitable structure of less than two hundred (200) square feet in area, or for a private communication device. A temporary structure of more than two hundred (200) square feet shall require a temporary permit.

3. Section 13-1-21(e) aa. is amended as follows:

(e) Fees

|     |  |    |        |
|-----|--|----|--------|
| aa. | <b>Board of Adjustment Hearing</b>   |    |        |
|     | Special Exception .....  | \$ | 550.00 |
|     | Variance or Appeal .....   | \$ | 800.00 |
|     | Reconsideration * .....  | \$ | 800.00 |
|     | <u>*Transcript and any copy fees shall be paid by individual(s) whom make the request)</u> |    |        |

4. Section 13-1-22(e) is amended as follows:

(e) ***Intermittent Streams.*** No structure shall be constructed or placed within 25 feet of the top edge of the eroded bank of ~~an intermittent~~ **non navigable** stream.

5. Section 13-1-28(d)(2)-(5) amended as follows:

(2) Any recreational vehicle located outside a state or county approved park shall:

- a. Require an RV placement permit issued by the Bayfield County **Planning and Zoning** Department prior to the unit being placed on an undeveloped parcel if placed more than twenty-one (21) days. The RV shall be permitted to be used for temporary dwelling purposes for an aggregate time period of up to four (4) months per calendar year in all zoning districts except Commercial, Forestry-2, Agricultural-2, Conservancy, and Industrial. Any such unit that is to be used for temporary dwelling purposes and which is located on an undeveloped site for a period of time greater than four (4) months per annum shall require a Class A **special use** permit.
- d. Such units shall be permitted to be stored within a garage, carport, or accessory structure or in the rear or side yard areas of developed parcels of land, provided setback standards are met. The **placement or** storage of more than three (3) units shall require a conditional use permit. Units shall not be stored on undeveloped parcels.

~~(3) Recreational vehicles shall be permitted to be used for temporary dwelling purposes for an aggregate time period of up to four (4) months per calendar year in all zoning districts except Commercial, Forestry 2, Agricultural 2, Conservancy, and Industrial. Any such unit that is to be used for temporary dwelling purposes and which is located on an undeveloped site for a period of time greater than four (4) months per annum shall require a Class A permit.~~

~~(4)~~ (3) A time limit of not less than fifteen (15) days shall be given in the order for the removal of any recreational vehicle not complying with the provisions of this Section.

~~(5)~~ (4) Within one (1) year after the adoption of this amendment, all nonconforming recreational vehicles shall comply with the terms of this Section.

6. Section 13-1-40(c)(5) is amended to read:

- (5) **Mitigation Measures.** As specified in the following provisions, the objective of these mitigation requirements is to compensate for adverse environmental effects when development is permitted to occur within designated shoreline setback areas. A site plan and implementation schedule describing any required mitigation shall be submitted by the property owner or owner's authorized agent and approved by the **Planning and Zoning Department and/or Land and Water Conservation Department** prior to issuance of the related land use permit(s). Mandatory mitigation measures shall include:

7. Section 13-1-40(c)(4)a.4. and 5. shall be created and amended as follows:

- a. With respect to such structures located less than forty (40) feet from the ordinary high water mark:
  1. Internal improvements shall be confined to the building envelope and may be constructed without a land use permit.
  2. Except as provided in subparagraph b., no new foundations of any kind, additional stories, other expansion, or accessory construction shall be permitted. For the purpose of this section of the Ordinance, repair of 25% or more of the lineal perimeter of the foundation shall be considered a replacement or new foundation

and not a repair.

3. Exterior improvements shall be limited to those which do not change the size or shape of the structure, except that a flat roof may be replaced by a pitched roof, provided that the additional space under the pitched roof may not be used for living area, storage, or other purpose.
4. **Repair or replacement of a foundation or wall(s) which requires any land disturbance in the vegetation protection area shall require a land use permit.**
5. The mitigation requirements of paragraph (5) below are complied with.

8. Section 13-1-42(c)(3) is amended to read:

- (3) The **Planning and** Zoning Department and **Planning and** Zoning Committee may request review of an E.I.A. by the Wisconsin Department of Natural Resources; the ~~Ashland, Bayfield, Douglas and Iron~~ County Land **and Water** Conservation Department; or a private consultant.

9. Section 13-1-43(g)(2) is amended to read:

(g) Information Report.

- (2) Information Report Fee. Following the conditional use approval and with the initial filing of the Report, the tower owner shall submit to the **Planning and** Zoning Department a one-time fee of Two Hundred Dollars (\$200.00) per tower site. The fee submittal is the responsibility of each tower owner. Failure to provide this information as required above may result in a civil forfeiture for each day elapsing until the information is received by the **Planning and** Zoning Department.

10. Section 13-1-43(i)(2)a. & b. are amended to read:

(i) Preexisting Telecommunication Towers and Antennas.

**(2) Existing Use Review.**

a. Existing Use Review for Those Towers Structurally Capable to Collocate -

Beginning February 28, 2002, within forty-five (45) days: (1) of receipt of a written request from the Bayfield County **Planning and** Zoning Department; or (2) of any change in ownership or occupancy of the tower, all telecommunications tower owners operating in Bayfield County prior to the adoption of this section shall provide the information required under subsection (a) (except proof of bond and proof of insurance), of this section. ~~By February 28, 2002, such owners shall pay a one-time fee of Two Hundred Dollars (\$200.00) per tower site.~~ Failure to provide this information as required above may result in a civil forfeiture for each day elapsing until the information is received by the **Planning and** Zoning Department.

b. Existing Use Review for Those Towers Structurally Incapable for Collocation -

By February 28, 2002, within forty-five (45) days: (1) of receipt of a written request from the Bayfield County Zoning Department; or (2) of any change in ownership or occupancy of the tower, all telecommunications tower owners operating in Bayfield County prior to the adoption of this section shall provide the information required under subsection (g) (except proof of bond and proof of insurance), and submit documents that the tower is structurally incapable

of collocation. ~~By February 28, 2002, such owners shall pay a one-time fee of Two Hundred Dollars (\$200.00) per tower site.~~ Failure to provide this information as required above may result in a civil forfeiture for each day elapsing until the information is received by the Bayfield County Zoning Department.

11. Section 13-1-43(k)(2)c. is created to read:

- b. Towers shall be permitted to a maximum height of 199 feet, including antennas, except that this height limitation shall not apply to radio or television broadcasting towers. Unless permitted by the Committee after review, towers shall be constructed so as to accommodate a minimum of three collocation sites. Collocation sites need not be available on the tower as initially placed or constructed, provided that the tower will support at the specified maximum height later addition of at least three collocation sites. Notwithstanding the height and number of collocation sites on the tower as initially placed or constructed, the tower design approved and permitted shall be for a tower capable of extension to 199 feet in height, including the required collocation sites. The Committee may vary the above collocation requirements if use of a monopole is a condition of the permit.
- c. **The Planning and Zoning Committee may grant a tower to a height not exceeding 250 400 feet in height if applicant can demonstrate the need [e.g. increase coverage area, lack of existing towers, impact of density area, alleviating the need for additional towers, greater collocation capability, lighting requirements].**

12. Section 13-1-62(a) is created and amended as follows:

| PERMISSIBLE USES  | R-4<br>R-3<br>R-1 | R-2 | R-RB     | C | I | A-1      | A-2 | F-1      | F-2 | W |
|---|-------------------|-----|----------|---|---|----------|-----|----------|-----|---|
| <u>Campground, Equestrian [Private or Commercial]</u>   |                   |     |          |   |   | <u>C</u> |     |          |     |   |
| <b>Campground, Private [Commercial], Camping Resort</b> |                   |     | <b>C</b> |   |   |          |     | <b>C</b> |     |   |
| <b>Campground, Public &amp; Camping Resort</b>          |                   |     | <b>C</b> |   |   |          |     | <b>C</b> |     |   |

|  |          |          |           |                 |           |                 |  |                  |  |          |
|--|----------|----------|-----------|-----------------|-----------|-----------------|--|------------------|--|----------|
| <b>Dwelling, Single Family, Duplex*</b><br><b>Subject to 13-1-62(b) see also 13-1-63</b> | <b>P</b> | <b>P</b> | <b>P</b>  | <b>SB</b>       |           | <b>S-<br/>A</b> |  | <b>S-<br/>A*</b> |  |          |
| <b>Fish or Meat, Wholesale, Storage or Curing</b>  |          |          |           | <b>C</b>        | <b>SB</b> |                 |  |                  |  |          |
| <u>Fish Farm, Processing, Storage or Curing</u>  |          |          |           | <u><b>C</b></u> |           | <u><b>C</b></u> |  |                  |  |          |
| <b>Fish Hatchery, Public or Private</b>  |          |          | <b>SB</b> |                 |           | <b>SB</b>       |  | <b>SB</b>        |  | <b>C</b> |

13. Section 13-1-62(b) is created and amended as follows:

- (b) A lot created by the subdivision of a parcel of land in an F-1 zoning district into three (3) or more lots of less than ten (10) acres each within a five (5) year period, regardless of any change(s) in ownership during such period, may not be improved with a single family dwelling or duplex unless the subdivision has been approved as a Conservation Subdivision meeting the requirements of Section 13-1-29A **or an alternative development meeting the requirements of Section 13-1-63(e).** [Note; Under Section 13-1-29A(b)(9) a Conservation Subdivision in an F-1 zoning district may not be developed with more than 3 units.]

Dated: May 25, 2010

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

Discussion took place on revisions. *A motion was made by Rondeau/Jardine to adopt Bayfield County Zoning Amendatory Ordinance No. 2010-10, Regarding Amendments to Section 13-1-21(b)(6); 13-1-21(b)(4); 13-1-21(e)(aa); 13-1-22(3); 13-1-28(d)(2)-(5); 13-1-40(c)(5); 13-1-40(c)(4)a.4. and 5; 13-1-42(c)(3); 13-1-43(g)(2); 13-1-43(i)(2)a. & b.; 13-1-43(k)(2)c.; 13-1-62(a); and 13-1-62(b) with the new revisions as of May 25, 2010, motion carried.*

19. Reappointment of Dennis Rasmussen to the Bayfield County Board of Adjustment. *A motion was made by Kittleson/Miller to appoint Dennis Rasmussen to the Bayfield County Board of Adjustment, motion carried.*

*A motion was made by Rondeau/Crandall to move into Executive Session pursuant to §19.85(1),(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility; (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: Miller-yes; Crandall-yes; Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes; Maki-yes; Kittleson-yes; Bennett-yes; Kacvinsky-yes; Rantala-absent; Williams-present; Bichanich-absent; Total 13: 11 present, 2 absent, motion carried.*

*A motion was made by Crandall/Meyers to move out of Executive Session, motion carried.*

Open Session:

20. Update, Discussion and Possible Action Regarding Railroad Grade Right-of-Way Lawsuit between Johnson/Hawksford vs. Bayfield County. There was not action taken in executive session.

21. Administrator's Report:

- a) There will be a special Board of Supervisors meeting on June 8<sup>th</sup> which will be the start of the budget planning for 2011. The meeting will be at 4:00 p.m. The regular monthly meeting of the Board will still be on June 29<sup>th</sup> at 6:00 p.m.

22. Supervisors' Reports: There were no reports.

There being nothing further to come before the Bayfield County Board of Supervisors, Chairman Kacvinsky adjourned the meeting at 8:30 p.m.

Respectfully submitted,

Scott S. Fibert,  
Bayfield County Clerk  
SSF/dmb