

Minutes of the
Bayfield County Board of Supervisors' Meeting
Of October 26, 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: Kacvinsky-present; Rantala-absent; Williams-present; Bichanich-present; Miller-present; Crandall-present; Rondeau-present; Meyers-present; Bussey-present; Jardine-present; Maki-absent; Kittleson-present; Bennett-present: Total 13: 11 present, 2 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; Shirl LaBarre, Republican Candidate for State Assembly; Darrell Pendergrass, Washburn Library Director; Elizabeth Skulan, Human Services Director Claire Duquette, Reporter for The Daily Press; community residents.*

The Pledge of Allegiance was recited by all in attendance.

1. 2011 Bayfield County Public Hearing. *A motion was made by Jardine/Meyers to adjourn as a County Board and convene as a Committee of the Whole to hold a public hearing on the 2011 Bayfield County Budget. A roll call vote was taken as follows: Rantala-absent; Williams-yes; Bichanich-yes; Miller-yes; Crandall-yes; Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes; Maki-absent; Kittleson-yes; Bennett-yes; Kacvinsky-yes: Total 13: 11 yes, 0 no, 2 absent. The motion carried.*

Abeles-Allison explained the budget, stating that it was compiled from 6 weeks' worth of meetings. He reported that at many of those meetings, not just Executive Committee members were present, in fact, at almost every meeting 9 of the 13 board members were present so they could listen and be a part of the discussion. He further reported that at all of the meetings it was always reiterated that the County Board wanted to keep the levy or mill rate the same and this is just what has been done again this year. This is no easy task considering revenue cuts that have been made by the State, budget increases as they are related to insurance and miscellaneous expenditures, not to mention capital projects that are always on-going. The Board reviewed a spreadsheet of modifications that have also been made.

Chairman Kacvinsky asked three times if anyone from the public cared to speak regarding the budget. There being no response or comments, *a motion were made by Rondeau/Crandall to adjourn the Committee of the Whole Meeting and reconvene as a County Board. A roll call vote was taken as follows: Williams-yes; Bichanich-yes; Miller-yes; Crandall-yes; Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes; Maki-absent; Kittleson-yes; Bennett-yes; Kacvinsky-yes; Rantala-absent: Total 13: 11 yes, 0 no, 2 absent. The motion carried.*

2. Discussion and Possible Action to Adopt 2011 Budget. Supervisor Rondeau stated that the Executive Committee and other Board members spend a lot of time on the budget process, dug deep and realized that it is hard times for everyone. This is a good budget that we came up with. We worked very hard to balance the budget and it is not an easy job. He thanked Abeles-Allison and Kris for their

long hard hours in putting the budget together for this meeting. Supervisor Meyers also thanked Abeles-Allison and his staff for their long hours, it isn't easy putting this type of budget together.

A motion was made by Bussey/Bichanich to adopt the 2011 Bayfield County Budget as presented in the amount of \$25,705,569.00. There was no discussion. A roll call vote was taken as follows: Bichanich-yes; Miller-yes; Crandall-yes; Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes; Maki-absent; Kittleson-yes; Bennett-yes; Kacvinsky-yes; Rantala-absent; Williams-yes: Total 13: 11 yes, 0 no, 2 absent. The motion carried.

3. Discussion and Possible Action to Set the 2011 Tax Levy. A brief discussion took place regarding setting the 2011 tax levy with a *motion made by Rondeau/Bichanich to set the 2011 tax levy at \$8,850,305.00. A roll call vote was taken as follow: Miller-yes; Crandall-yes; Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes; Maki-absent; Kittleson-yes; Bennett-yes; Kacvinsky-yes; Rantala-absent; Williams-yes; Bichanich-yes: Total 13: 11 yes, 0 no, 2 absent. The motion carried.*

4. Approval of the Minutes of the September 21, 2010 Bayfield County Board of Supervisors' Meeting. The Board dispensed with the reading of the minutes. *A motion was made by Bichanich/Rondeau to approve the Minutes of the September 21, 2010 Bayfield county Board of Supervisors' Meeting. The motion carried.*

5. Public Comment.

Lori Groskopf of Tomahawk, and was present to speak regarding the resolution on the agenda as it relates to the delisting of wolves in Wisconsin.

Jim Brakken, Cable, WI, was present to speak on the wolf resolution and the mismanagement of the wolf population.

Larry Peterson, Howling Wolf Resort, Barnes, WI was present again, and asked another time to please be put on the County Board Agenda so he can speak with the supervisors and explain what has happened to his property as a result of the Fish Sticks project.

Todd Naas, DNR Representative, Ashland, WI was present to answer questions the Board may have for him regarding the wolf resolution. He explained the 2 drafts of resolutions that had been circulated and he encouraged the Board to approve the resolution before them this evening.

John Olson, Washburn, WI stated he is a member of the wolf science team and was a member of the wolf recovery team, and was at the meeting this evening basically to listen, however, would like to echo items Mr. Nass has stated. He has been informed by the DNR that the petitions are warranted and he encouraged the Board to pass the resolution in from of them this evening delisting the wolves.

6. Introduction of and Presentation by Shirl LaBarre, Republican Candidate to the Assembly, District #74. LaBarre thanked the Board for giving her time to speak to them this evening.

LaBarre outlined what she is hoping to achieve if elected . She passed out a leaflet for everyone to read which gave a synopsis of both her personal and business background. The Board thanked her for coming.

7. **Bayfield County Resolution No. 2010-53, Federal Delisting of Wolves.** The Board dispersed with the reading of the resolution, which reads as follows:

WHEREAS, the WI DNR established a wolf management population goal of 350 animals outside of Indian reservations in 1999, and such a goal would equate to as many as 370 to 380 wolves across the state; *and*

WHEREAS, the WI DNR 1999 wolf plan and all subsequent updates have provided scientifically sound conservation of the state wolf population; *and*

WHEREAS, the management goal in the 1999 wolf plan is more than 3.5 times the minimum delisting goal set for Wisconsin by the U.S. Fish and Wildlife Service; *and*

WHEREAS, at the recent minimum population estimate of 690-733 wolves in the state in winter 2010, the wolf population is currently 7 times as high as the federal delisting goal and is about 2 times the state management goal; *and*

WHEREAS, Wisconsin's residents have experienced increased rates of depredations to pets and livestock, and bold incidents involving wolves toward people have occurred; *and*

WHEREAS, the WI DNR has not been able to apply the meaningful controls to depredating and problem wolves due to continuation of federal endangered listing; *and*

WHEREAS, the current continued endangered listing for wolves is eroding public support for wolf conservation across Wisconsin and in our country, and is eroding public support for the endangered species act.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 26th day of October, 2010, recommends that the US DOI, US FWS delist wolves, as petitioned by the WI DNR, transferring management of the wolf population in Wisconsin to the State of Wisconsin; *and*.

BE IT FURTHER RESOLVED, that the Bayfield County Board of Supervisors requests that the WI DNR not relocate wolves, which have caused problems in Wisconsin or other areas, to Bayfield County, Wisconsin.

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. 2010-53, Federal Delisting of Wolves. Discussion took place with the main objective to get the wolves delisted and then come up with a number. The motion carried with one opposition.

8. Bayfield County Resolution No. 2010-54, In Recognition of Veteran's Day 2010. The Board dispensed with the reading of the resolution, which reads as follows:

WHEREAS, the 11th of November, 2010 is celebrated as Veteran's Day and

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 26th of October, 2010, stand and salute Veterans for their contributions and express the Boards' gratitude for all those serve today and those Veterans that have honor served their country in of the Armed Forces; and

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

By Action of the
Bayfield County Board of Supervisors

William D. Kacvinsky, *Chairman*

A motion was made by Crandall/Bennett to adopt Bayfield County Resolution No. 2010-54, In Recognition of Veteran's Day 2010. The motion carried.

9. Department of Human Services 2009 Annual Report. Elizabeth Skulan, *Human Services Director*, was present to go over the Human Services Annual Report with the Board and shared points of interest. The Board thanked her coming to the meeting. *(A copy of the report is on file in the County Clerk's for review).*

10. Bayfield County Resolution No. 2010-55, Tax Charge Backs of 2005, 2006, 2007, Town of Bayfield. Abeles-Allison gave a brief explanation regarding the charge backs. The Board dispensed with the reading of the resolution, which reads as follows:

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

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

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

Dated this 26th day of October, 2010.

By Action of the
Bayfield County Board of Supervisors

William D. Kacvinsky, *Chairman*

A motion was made by Rondeau/Kittleson to adopt Bayfield County Resolution No. 2010-55, Tax Charge Backs of 2005, 2006, 2007, Town of Bayfield. The motion carried.

11. **Confirmation of Appointment of Health Director.** Abeles-Allison reported that they have confirmed the appointment of Terri Kramolis as the new Bayfield County Health Director. *A motion was made by Kittleson/Crandall to accept the recommendation from the County Administrator to hire Terri Kramolis as Bayfield County Health Director. The motion carried.*

12. **Report of the Bayfield County Planning & Zoning Committee Regarding Amendments to Section 13-1-4, Definitions; 13-1-21, General Land Use Requirements; Section 13-1-29, Multiple Unit Developments; Section 13-1-29A, Conservation Subdivisions; Section 13-1-40, Nonconforming Uses and Structures; Section 13-1-62, Classification of Uses; Section 13-1-42, Fees; and Section 15-1-18, Maintenance Program.** 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:

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

("Revised" 7/28/10-11:42am)

Sec. 13-1-4 Definitions.

(a) The following terms used in this Chapter have the meanings indicated:

(4x) ***Bunkhouse/Guest Quarters.*** A residential accessory structure or part of a residential accessory structure with or without plumbing which is used as temporary sleeping quarters only; ~~no cooking facilities~~ no cooking or food preparation facilities; and no greater than 500 sq. ft. of enclosed dwelling space.

(56m) ***Residence.*** A structure, or that part of a structure, which is arranged, designed, used or intended to be used as home, with one or more person(s).

Sec. 13-1-21 General Land Use Requirements.

(b) **Land Use Permits.**

(6) ***Concurrent Jurisdiction Exemption.*** A permit under this Chapter ~~shall~~ may 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.~~

(e) **Fees.**

cc. Miscellaneous

2. Failure to Obtain Permit Prior to Construction..... Double Fee
Possible Citation

~~(Doubling of fee may be waived by Department in its sole discretion)~~

Sec. 13-1-29 Multiple Unit Developments.

(b) **Requirements.**

(3) Multiple Unit Developments not providing shoreline access to navigable waters shall have a minimum of 30,000 square feet of open space per unit, with the following exceptions:

c. A Multiple Unit Development in an R-3 zoning district shall have a minimum open space requirement of two acres (87,120 sq. ft.) per unit.

d. A Multiple Unit Development in an F-1, A-1, or R-2 zoning district shall have a minimum open space requirement of 4.5 acres (196,020 sq. ft.) per unit.

Sec. 13-1-29 Multiple Unit Developments.

(b) **Requirements.**

- (7) Multiple Unit Developments shall not be allowed in A-2, or F-2 zoning districts and Multiple Unit Developments of more than three units shall not be allowed in A-1 or F-1 zoning districts. A single lot in an A-1 or F-1 zoning district requesting more than three units shall require a rezone.

Sec. 13-1-29A Conservation Subdivisions

(b) Requirements.

- (9) Conservation Subdivisions shall not be allowed in A-2, or F-2 zoning districts and Conservation Subdivisions of requesting more than three ~~units~~ lots shall not be allowed in A-1 or F-1 zoning districts. More than three lots in an A-1 or F-1 zoning district shall require a rezone.

Sec. 13-1-40 Nonconforming Uses and Structures.

- (4) *Additional Requirements for Nonconforming Buildings and Structures on Shoreland Lots.* Except as otherwise provided in paragraphs (4a) and (4b), nonconforming buildings and structures on inland lake lots shall be subject to paragraphs (c)(2) and (3) of this Section, and in addition thereto, principal buildings and structures on such lots of six hundred (600) square feet of enclosed dwelling space or larger shall be subject to the following provisions of this paragraph:

b. With respect to structures located twenty (20) or more feet but less than forty (40) feet from the ordinary high water mark:

- 1. A life time maximum of one hundred seventy-five (175) square feet of enclosed dwelling space.**
- 2. Shall be located on the landward side of the structure.**
- 3. Shall be permitted if the resulting structure's resulting height does not exceed twenty-six (26) feet.**
- 4. Its footprint does not exceed one thousand five hundred (1,500) square feet, its roof overhang does not exceed one thousand nine hundred (1,900) square feet, its enclosed dwelling space does not exceed two thousand five hundred (2,500) square feet, and**
- 5. A plan meeting all of the following requirements is submitted to and approved by the Bayfield County Zoning Department and is fully implemented and complied with:**
 - 1.a. The septic system shall be upgraded in accordance with COM 83, Wis. Adm. Code, and the Bayfield County Sanitary Private Sewage Ordinance.**
 - 2.b. Water runoff from the structure shall be handled in accordance with**

best management practices.

3.c. A shoreline vegetation protection area shall be established and maintained for at least one-half of the distance from the ordinary high water mark to the structure. Any natural vegetation located closer to the structure than one-half the distance from the ordinary high water mark shall also be maintained.

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

c. With respect to such structures located forty (40) or more feet but less than seventy-five (75) feet from the ordinary high water mark.

1. The resulting structure shall not exceed twenty-six (26) feet in height, as defined in Section 13-1-22(h).

2. The addition shall be within the existing footprint or landward thereof and

a. Shall not increase the existing footprint by more than fifty percent (50%)

b. Shall not increase the resulting footprint (of the existing structure and addition combined) beyond one thousand five hundred (1,500) square feet. ~~(but this provision does not prohibit an addition to a structure whose existing footprint is more than one thousand five hundred (1,500) square feet if the addition does not increase the footprint)~~

c. May have a vertical addition (i.e. 2nd story) provided the existing structures integrity and load bearing capacity is verified (in writing) by a structural engineer.

d. May have a horizontal / lateral addition if the expanded area meets the building setback requirements provided all the provisions of paragraph (4) c. are complied with.

Sec. 13-1-62 Classification of Uses.

(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.]~~

Sec. 14-1-42 Fees.

(a) The applicant shall pay the fee specified in Section 13-1-21(e)(1) for each lot created.

(b) A Class B special use fee shall be required prior to any review of subdivision plats.

~~(b)(c)~~ The applicant shall also pay the recording fee as determined by the Register of Deeds prior to recording a certified survey map or plat.

Sec. 15-1-18 Maintenance Program.

(a) Maintenance agreements for all POWTS using a soil absorption component shall be recorded with the Bayfield County Register of Deeds prior to the issuance of a sanitary permit.

(b) The applicant for a sanitary permit shall be provided written notice of the maintenance program at the time the sanitary permit is issued.

~~(b)(c)~~ The maintenance and servicing of all POWTS in Bayfield County shall occur as required by Comm. 83.54 Wis. Adm. Code and Sec. 145.245 Wis. Stats.

~~(c)(d)~~ The reporting of the inspection, maintenance and serving event shall be specified by the County and shall include the minimum requirements of Comm. 83.55 Wis. Adm. Code.

Date: August 19, 2010

BAYFIELD COUNTY PLANNING AND ZONING COMMITTEE

Kenneth Jardine, Harold Maki, Brett Rondeau

A motion was made by Rondeau/Bennett to receive and place on file the Report of the Bayfield County Planning & Zoning Committee Regarding Amendments to Section 13-1-4, Definitions; 13-1-21, General Land Use Requirements; Section 13-1-29, Multiple Unit Developments; Section 13-1-29A, Conservation Subdivisions; Section 13-1-40, Nonconforming Uses and Structures; Section 13-1-62, Classification of Uses; Section 13-1-42, Fees; and Section 15-1-18, Maintenance Program. The motion carried.

13. Bayfield County Zoning Amendatory Ordinance No. 2010-23, Amending Section 13-1-4, Definitions; 13-1-21, General Land Use Requirements; Section 13-1-29, Multiple Unit Developments; Section 13-1-29A, Conservation Subdivisions; Section 13-1-40, Nonconforming Uses and Structures; Section 13-1-62, Classification of Uses; Section 13-1-42, Fees; and Section 15-1-18, Maintenance Program. 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,

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:

(Deleted text lined through; new text bolded and underlined)
("Revised" 7/28/10-11:42am)

Sec. 13-1-4 Definitions.

(c) The following terms used in this Chapter have the meanings indicated:

(4x) ***Bunkhouse/Guest Quarters.*** A residential accessory structure or part of a residential accessory structure with or without plumbing which is used as temporary sleeping quarters only; ~~no cooking facilities~~ no cooking or food preparation facilities ; and no greater than 500 sq. ft. of enclosed dwelling space.

(56m) ***Residence.*** A structure, or that part of a structure, which is arranged, designed, used or intended to be used as home, with one or more person(s).

Sec. 13-1-21 General Land Use Requirements.

(b) **Land Use Permits.**

(6) ***Concurrent Jurisdiction Exemption.*** A permit under this Chapter ~~shall~~ may 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.~~

(e) **Fees.**

cc. Miscellaneous

2. Failure to Obtain Permit Prior to Construction..... Double Fee
Possible Citation

~~(Doubling of fee may be waived by Department in its sole discretion)~~

Sec. 13-1-29 Multiple Unit Developments.

(b) **Requirements.**

(3) Multiple Unit Developments not providing shoreline access to navigable waters shall have a minimum of 30,000 square feet of open space per unit, with the following exceptions:

c. A Multiple Unit Development in an R-3 zoning district shall have a minimum open space requirement of two acres (87,120 sq. ft.) per unit.

d. A Multiple Unit Development in an F-1, A-1, or R-2 zoning district shall have a minimum open space requirement of 4.5 acres (196,020 sq. ft.) per unit.

Sec. 13-1-29 Multiple Unit Developments.

(b) Requirements.

(7) Multiple Unit Developments shall not be allowed in A-2, or F-2 zoning districts and Multiple Unit Developments of more than three units shall not be allowed in A-1 or F-1 zoning districts. A single lot in an A-1 or F-1 zoning district requesting more than three units shall require a rezone.

Sec. 13-1-29A Conservation Subdivisions

(b) Requirements.

(9) Conservation Subdivisions shall not be allowed in A-2, or F-2 zoning districts and Conservation Subdivisions ~~of~~ requesting more than three ~~units~~ lots shall not be allowed in A-1 or F-1 zoning districts. More than three lots in an A-1 or F-1 zoning district shall require a rezone.

Sec. 13-1-40 Nonconforming Uses and Structures.

(4) *Additional Requirements for Nonconforming Buildings and Structures on Shoreland Lots.* Except as otherwise provided in paragraphs (4a) and (4b), nonconforming buildings and structures on inland lake lots shall be subject to paragraphs (c)(2) and (3) of this Section, and in addition thereto, principal buildings and structures on such lots of six hundred (600) square feet of enclosed dwelling space or larger shall be subject to the following provisions of this paragraph:

b. **With respect to structures located twenty (20) or more feet but less than forty (40) feet from the ordinary high water mark:**

6. A life time maximum of one hundred seventy-five (175) square feet of enclosed dwelling space.

7. Shall be located on the landward side of the structure.

8. Shall be permitted if the resulting structure's resulting height does not exceed twenty-six (26) feet.

9. Its footprint does not exceed one thousand five hundred (1,500) square feet, its roof overhang does not exceed one thousand nine hundred (1,900) square feet, its enclosed dwelling space does not exceed two thousand five hundred (2,500) square feet, and

10. A plan meeting all of the following requirements is submitted to and approved by the Bayfield County Zoning Department and is fully implemented and complied with:

- ~~1.a.~~ The septic system shall be upgraded in accordance with COM 83, Wis. Adm. Code, and the Bayfield County Sanitary Private Sewage Ordinance.
 - ~~2.b.~~ Water runoff from the structure shall be handled in accordance with best management practices.
 - ~~3.c.~~ A shoreline vegetation protection area shall be established and maintained for at least one-half of the distance from the ordinary high water mark to the structure. Any natural vegetation located closer to the structure than one-half the distance from the ordinary high water mark shall also be maintained.
 - ~~4.d.~~ The mitigation requirements of paragraph (5) below are complied with.
- c. With respect to such structures located forty (40) or more feet but less than seventy-five (75) feet from the ordinary high water mark.
3. The resulting structure shall not exceed twenty-six (26) feet in height, as defined in Section 13-1-22(h).
 4. The addition shall be within the existing footprint or landward thereof and

 - a. Shall not increase the existing footprint by more than fifty percent (50%)
 - b. Shall not increase the resulting footprint (of the existing structure and addition combined) beyond one thousand five hundred (1,500) square feet. ~~(but this provision does not prohibit an addition to a structure whose existing footprint is more than one thousand five hundred (1,500) square feet if the addition does not increase the footprint)~~
 - c. May have a vertical addition (i.e. 2nd story) provided the existing structures integrity and load bearing capacity is verified (in writing) by a structural engineer.
 - d. May have a horizontal / lateral addition if the expanded area meets the building setback requirements provided all the provisions of paragraph (4) c. are complied with.

Sec. 13-1-62 Classification of Uses.

- (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.}~~

Sec. 14-1-42 Fees.

- (a) The applicant shall pay the fee specified in Section 13-1-21(e)(1) for each lot created.
- (d) A Class B special use fee shall be required prior to any review of subdivision plats.
- ~~(b)(c)~~(c) The applicant shall also pay the recording fee as determined by the Register of Deeds prior to recording a certified survey map or plat.

Sec. 15-1-18 Maintenance Program.

- (c) Maintenance agreements for all POWTS using a soil absorption component shall be recorded with the Bayfield County Register of Deeds prior to the issuance of a sanitary permit.
- (d) The applicant for a sanitary permit shall be provided written notice of the maintenance program at the time the sanitary permit is issued.
- ~~(b)(c)~~(c) The maintenance and servicing of all POWTS in Bayfield County shall occur as required by Comm. 83.54 Wis. Adm. Code and Sec. 145.245 Wis. Stats.
- ~~(e)(d)~~(d) The reporting of the inspection, maintenance and serving event shall be specified by the County and shall include the minimum requirements of Comm. 83.55 Wis. Adm. Code.

Date: October 26, 2010

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

A motion was made by Rondeau/Williams to adopt Bayfield County Zoning Amendatory Ordinance No. 2010-23 Amending Section 13-1-4, Definitions; 13-1-21, General Land Use

Requirements; Section 13-1-29, Multiple Unit Developments; Section 13-1-29A, Conservation Subdivisions; Section 13-1-40, Nonconforming Uses and Structures; Section 13-1-62, Classification of Uses; Section 13-1-42, Fees; and Section 15-1-18, Maintenance Program. A brief discussion took place that this is simply clean up language. The motion carried.

14. Report of the Bayfield County Planning & Zoning Committee Regarding Rezone of the Gregory and Erin Munson Property Located in the Town of Drummond, 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 Gregory & Erin Munson 2.889-acre parcel (ID# 04-018-2-44-07-34-4-05-001-05000) located in Lot 2, CSM # 000750, Section Thirty-Four (34), Township Forty-Four (44) North, Range Seven (7) West, Town of Drummond, Bayfield County, Wisconsin **is changed from Forestry-One (F-1) to Residential One (R-1).**

Date: August 19, 2010

BAYFIELD COUNTY PLANNING AND ZONING COMMITTEE

Kenneth Jardine, Harold Maki, 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 Rezone of the Gregory and Erin Munson Property Located in the Town of Drummond, Bayfield County, Wisconsin. The motion carried.

15. Bayfield County Zoning Amendatory Ordinance No. 2010-24 Regarding the Rezone of the Gregory and Erin Munson Property Located in the Town of Drummond, 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 Gregory & Erin Munson 2.889-acre parcel (ID# 04-018-2-44-07-34-4-05-001-05000) located in Lot 2, CSM # 000750, Section Thirty-Four (34), Township Forty-Four (44) North, Range Seven (7) West, Town of Drummond, Bayfield County, Wisconsin **is changed from Forestry-One (F-1) to Residential One (R-1).**

Date: October 26, 2010

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

A motion was made by Rondeau/Crandall to adopt Bayfield County Zoning Amendatory Ordinance No. 2010-24, Regarding the Rezone of the Gregory and Erin Munson Property Located in the Town of Drummond, Bayfield County, Wisconsin. The motion carried.

16. Report of the Bayfield County Planning & Zoning Committee Regarding the Rezone of the Glen W. Harvey Property Located in the Town of Cable, 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 Glen W. Harvey 1.23-acre parcel ID# 04-012-2-43-08-35-1-01-000-04000 located in the West (W) 107 feet of the East (E) 407 feet of the North (N) 500 feet of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Section Thirty-Five (35), Township Forty Three (43) North, Range Eight (8) West, Town of Cable, Bayfield County, Wisconsin is changed from Residential Two (R-2) to Residential One (R-1).

Date: September 16, 2010

BAYFIELD COUNTY PLANNING AND ZONING COMMITTEE

Kenneth Jardine, Harold Maki, 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 Glen W. Harvey Property Located in the Town of Cable, Bayfield County, Wisconsin. The motion carried.

17. Bayfield County Zoning Amendatory Ordinance No. 2010-25 Regarding the Rezone of the Glen W. Harvey Property Located in the Town of Cable, Bayfield County, Wisconsin. The Board dispensed with the reading of the ordinance, which reads as follows:

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 **Glen W. Harvey** 1.23-acre parcel ID# 04-012-2-43-08-35-1-01-000-04000 located in the West (W) 107 feet of the East (E) 407 feet of the North (N) 500 feet of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Section Thirty-Five (35), Township Forty Three (43) North, Range Eight (8) West, Town of Cable, Bayfield County, Wisconsin **is changed from Residential Two (R-2) to Residential One (R-1).**

Date: October 26, 2010

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

A motion was made by Miller/Bennett to adopt Bayfield County Zoning Amendatory Ordinance No. 2010-25, Regarding the Rezone of the Glen W. Harvey Property Located in the Town of Cable, Bayfield County, Wisconsin. Discussion took place with a brief history given on the background of the piece of property. The motion carried.

The Board recessed for 10 minutes at 7:07 p.m.

A motion was made by Meyers/Crandall to move in and out of Executive Session pursuant to §19.85(1)(e)(g), 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 Conferring 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 follow: Crandall-yes; Rondeau-yes; Meyers-yes; Bussey-yes; Jardine-yes; Maki-absent; Kittleson-yes; Bennett-yes; Kacvinsky-yes; Rantala-absent; Williams-yes; Bichanich-yes; Miller-yes: Total 13: 11 yes, 0 no, 2 absent. The motion carried.

A motion was made by Crandall/Rondeau to reconvene in open session. The motion carried.

18. Administrator's Report.

- a) County Board meeting schedule will be as follows:
November 9th - Statutory Meeting
December 14th - Regular Meeting but early due to holidays
- b) A letter of appreciation was received from the law firm of Knudson, Torvinen, Jones & Kirk. They wrote that they had an opportunity to conduct a jury trial in Bayfield County and were very pleased with the remodeled courtroom and the modern technology it had to offer.

- c) Bayfield County has received a check from the WCA Group Health Trust, in the amount of \$12,920 to be used for the Employee Wellness Program.
- d) Highway 2 Update: 3 other counties have passed the resolution on the continued work and expansion of US Hwy 2. There will be a strong presentation topic for Superior Days. The next meeting on this topic will be held on Thurs., October 28th at WITC in Superior. The Roundabout is also on the docket for discussion.
- e) Telemark: At our last meeting we talked about bond attorneys for the Telemark purchase. The private sector for purchasing the property is not working out and an alternative plan is being looked at which involved Bayfield County. The DNR also has a grant program because the county forest is within the Telemark area. They are looking to see if some of this funding could be used. This may be back on the agenda as they are trying to get this purchase done by the end of the year. Also, the Town of Cable sent a letter of support for the issuance of a bond to Telemark partners.
- f) We are presently seeking alternate proposals for health insurance.
- g) Rural Transportation Authority. We voted on having a public hearing the first part of December. Discussed whether one public hearing is enough. Perhaps one should also be held in the southern part of Bayfield County. The Executive Committee charged Abeles-Allison and Kacvinsky with setting up the meeting.
- h) Kacvinsky reported that the Attorney General did approve the Public Finance Authority and we have lent out approximately \$30 million dollars.

There being no further business to come before the Bayfield County Board of Supervisors, Chairman Kacvinsky adjourned the meeting at 8:04 p.m.

Respectfully submitted,

Scott S. Fibert,
Bayfield County Clerk