

Minutes of the
Bayfield County Board of Supervisors' Meeting
Of August 28, 2007 - 6:00 p.m.
Bayfield County Board Room, Courthouse, Washburn, Wisconsin

The monthly meeting of the Bayfield County Board of Supervisors was called to order by Chairman Kacvinsky at 6:03 p.m. Roll call was taken by Bayfield County Clerk, Scott Fibert as follows Gordon-present; Jardine-present; Maki-present; Kittleson-present; Blahnik-present; Kacvinsky-present; Beeksma-present; Williams-present; Bichanich-present; Miller-absent; Crandall-present; Rondeau-present; Good-present; Total 13: 12 present, 1 absent. Others present were: County Administrator, Mark Abeles-Allison; County Clerk, Scott Fibert; Deputy County Clerk, Dawn M. Bellile; Northern Lights Health Care Center Director, Gene Jordan; Elizabeth Skulan, Human Services Director; Robert Lobermeier, County Conservationist; Otto Rusch and Dorothy Rusch, David and Raelyn Pearson; Mary Motiff, Bayfield County Tourism & Recreation Director; Amelia Lindsey, Health Director; Rick Olivo, Reporter for The Daily Press; other Bayfield County citizens.

The Pledge of Allegiance was recited by all in attendance.

1. **Motion to Approve Minutes of the July 31, 2007 County Board of Supervisors' Meetings.** *A motion was made by Gordon/Bichanich to approve the July 31, 2007 Minutes of the Bayfield County Board of Supervisors' meetings. The motion carried.*

A motion was made by Gordon/Bichanich to suspend the rules to allow Item #24 on the Agenda to be moved up. The motion carried. Vice-Chairman Blahnik read Resolution No. 2007-42, Honoring the Washburn Iron Works. Blahnik stated that the Washburn Iron Works is an outstanding business, the jobs pay well and they have very good benefits for their employees. Otto Rusch thanked the Board on behalf of himself, Dorothy, David and Raelyn stating that this most humbling and his thank you is coming from the heart. Raelyn also thanked the Board and invited anyone that would like a tour of the foundry to contact her. They all again thanked the Board for this honor. The Resolution reads as follows:

Bayfield County Resolution No. 2007-42 - Honoring Washburn Iron Works

WHEREAS, Otto Rusch, owner of Washburn Iron Works, has served on numerous committees and boards supporting economic development;

WHEREAS, the Otto Rusch Family and Washburn Iron Works have consistently represented the Washburn Community and Bayfield County as a positive role model;

WHEREAS, the efforts of Washburn Iron Works have resulted in development of several spin-off businesses in Ashland & Bayfield Counties;

WHEREAS, Washburn Iron Works has attained recognition as Business of the Year by the Ashland Area Development Corporation;

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 28th day of August, 2007, recognizes Otto Rusch, David Pearson and Raelyn Pearson and the Washburn Iron Works for being recognized as Business of the Year by the Ashland Area Development Corporation and express appreciation for the contributions made toward the betterment of Bayfield County.

BAYFIELD COUNTY BOARD OF SUPERVISORS

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

A motion was made by Gordon/Rondeau to adopt Bayfield County Resolution No. 2007-42, Honoring the Washburn Iron Works. The motion carried.

2. **Public Comment.** Chairman Kacvinsky if there was anyone from the public that wanted to comment on anything this evening. Jim Nemec, representing the Chequamegon ATV Club asked if he should speak now or wait until Item #16 on the agenda. The Board agreed that they would suspend the rules and allow the people from the public to speak at that time.

Carl Gazdik, Town of Keystone, spoke to the Board regarding mineral rights. He didn't believe the County is entitled to the mineral rights on the land of the property owners. Taxpayers do not get a tax break by allowing the County to retain the mineral rights. He was wondering why the mineral rights were being retained. Gazdik stated that the mineral rights were just about to lapse, and he believed they would have gone back to the property owner.

Supervisor Gordon explained that there were times when the County sold the land with the mineral rights and also with out them. According to a letter from our Corporation Counsel, it is the opinion of the Attorney General that in order for property owners to obtain the mineral rights, they have to be sold at public auction. This would mean that anyone could purchase the mineral rights for the highest bid. The County believed that they were better off retaining the mineral rights than by chancing someone other than the property owner obtaining the mineral rights on their property. The County no longer retains mineral rights on property sold at auction. A lengthy discussion took place regarding mineral rights and it was hoped this matter was cleared up.

Gazdik, in closing, commended the person who voted against the resolution. He also stated he would like the County Board to petition this matter and pass a resolution to allow property owners to retain their mineral rights. The Board did say they would look into this matter further.

Chairman Kacvinsky asked three more times if there was anyone else from the public that would like to speak and there was no one.

A brief discussion took place among the Board members on mineral rights as to why they were not given back to the property owner. It was stated that when property is sold back through the "in rem process" it is sold at that time with Bayfield County retaining the mineral rights.

3. Introduction of Mary Motiff, Tourism & Recreation Director. The County Administrator, introduced Mary Motiff, Bayfield County's new Tourism & Recreation Director. Mary thanked the Board for allowing her some time to introduce herself and to be able to lead Bayfield County. She stated that she is very well aware of Bayfield County's need for tourism. She plans on meeting with various departments as well as working directly with Mary McPhetridge in starting the new Visitor's Guide. Mary has already gotten her feet wet in the preparation of the budget with the help of Sue Trepanier, Tourism Secretary. Mary will start her park inspections and will also be meeting with the area Chambers of Commerce both individually and as a group and hopes to keep the communication open and encourages everyone to work together to promote the area. Mary has many more ideas, places to attend, and people to see and again thanked the Board for the opportunity to tackle the job of Tourism Director for Bayfield County.

4. Bayfield County Resolution No. 2007-39, Transfer of Bayfield County Home Health License. The Board dispensed with the reading of the Resolution, which reads as follows:

WHEREAS, Bayfield County has a long standing quality Home Health Care Program which has operated to the benefit of the community;

WHEREAS, Northern Lights Health Care is expanding staffing and services and is able to provide county-wide home health care services;

WHEREAS, Northern Lights Health Care has shown a commitment to serve the citizens of Bayfield County;

WHEREAS, The Bayfield County Health Board authorized staff to draft a Change of Ownership Agreement transferring home health care licensure to Northern Lights Health Care effective January 1, 2008;

WHEREAS, Corporation Counsel has worked with the Health Department to draft the Change of Ownership Agreement;

WHEREAS, Northern Lights Health Care has reviewed and approved the agreement;

WHEREAS, the Bayfield County Health Board reviewed and approved the agreement on August 28, 2007;

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 28th day of August, 2007, does hereby authorize Amelia Lindsey, Bayfield County Health Director to execute the Change of Ownership Agreement between Bayfield County and Northern Lights Health Care with an effective date of January 1, 2008.

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A motion was made by Crandall/Bichanich to adopt Bayfield County Resolution No. 2007-39, Transfer of Bayfield County Home Health License. Discussion took place and Amelia Lindsey, Health Director, was asked to update the Board on what took place at the Health Board meeting. Lindsey stated that the Health Board did endorse the transfer of the license and authorized herself to sign the necessary documents to transfer the license from Bayfield County to Northern Lights Health Care Center. The main discussion of the meeting was that Northern Lights will be able to take care of everyone in all parts of Bayfield County. Northern Lights has a proven track record as to the care they provide for Bayfield County residents. Supervisor Good spoke on potential problems with the agreement and license once transferred, stating that Home Health Care will be out of the County's hands and we will not have a say in anything after this point. If there are changes, there is always the potential that residents may not be served.

Gene Jordan, Director of Northern Lights, spoke stating that approximately 28 years ago, the County turned over the Bayfield County Nursing and got out of that business. This is almost the same situation, it worked out then, and there is no reason to think that it won't work now. The original path that Northern Lights had was not to take over Home Health Care, but rather, just to be able to provide these services to all Bayfield County residents. As it has turned out, it seems as though this is the proper path to go down, and Northern Lights has made a huge commitment to provide the staff and measures they need to take to make this work. Northern Lights is also looking at a new piece of software that will allow the person performing home visits to log in to the computer from their home, enter all of the pertinent information regarding the patients they have seen. This will prevent all of the traveling from one of the County to the other. Jordan felt that this was another way that they are committed to making the Home Health care endeavors work.

Jordan also stated that Northern Lights has survived because of its committed staff and good creative people. He also stated that the County still does have 3 ways that input can be heard. The 1st is that Bayfield County has one of its Supervisors on the Northern Lights Board, which does have a say in the policies and operations of the facility. The 2nd, is that the agreement provides that Bayfield County will have a person on the Advisory Committee for Home Health, and the 3rd includes a requirement that Northern Lights makes a presentation to the Board for the next three years on how the facility is running. Bayfield County can't tell them what to do, but we do have a voice to share our cares and concerns.

Further discussion took place between the Board members again regarding the license and agreement. *The vote for the motion was taken and the motion passed, unanimously.*

5. Bayfield County Department of Human Services 2006 Annual Report. Human Services Director, Elizabeth Skulan, was present to go over the report with the Board and highlights some of the programs and trends that seem to be happening in Bayfield County. Specifically, she shared information with the Board concerning the Total Food Share Benefits Issue, Children in Substitute Care, the Birth to Three Program, Community Options Program, Community Integration Program, Long Term Care Program, Supportive Home Care County/Community Aids, Elder Abuse, and last but not least, the accomplishments of the Department of Human Services.

A brief discussion took place with Skulan and the Board members regarding different areas of the Annual Report. *A motion was made by Good/Gordon to receive and place on file the Bayfield County Department of Human Services 2006 Annual Report. The motion carried.*

6. Long-Term Care Reform Initiative Update - Review and Discussion Regarding Paper Entitled "NW-LTCO Planning to Implement, A Proposal and Request for Financial Assistance." Skulan explained that this document is for information purposes only. The Department of Human Services will be requesting funding to support long term care options and this is one of the first steps in that process. This document serves a dual purpose. It describes NW-LTCO's proposed approach to the 11-14 month Planning to Implement phase and 3-5 month Pre-Enrollment Start-up Phase. A brief discussion took place on the document.

7. Bayfield County Resolution No. 2007-34, NW-LTCO County Board Resolution Creation of Family Care Development Council. The Board dispensed with the reading of the Resolution, which reads as follows:

WHEREAS, the Northwest Wisconsin Long Term Care Options Consortium (NW-LTCO) will complete all Phase I - Plan to Plan activities by September 30, 2007.

WHEREAS, through Resolution #2007-27 NW-LTCO - Declaration of Intent, the Bayfield County Board of Supervisors has authorized Bayfield County's staff and agents to participate in Phase II - Plan to Implement Phase activities with the good faith intention of developing a regional, public, Family Care program in partnership with the counties of Ashland, Barron, Bayfield, Burnett, Douglas, Iron, Polk, Price, Rusk, Sawyer, and Washburn.

WHEREAS, the Plan to Implement phase will result in specific plans for the governance, organization, services, provider network, care management, quality management, and financial and business management of the Managed Care Organization (MCO) operating the Family Care Program.

WHEREAS, the NW-LTCO wishes to establish a Family Care Development Council (FCDC) to work in partnership with the NW-LTCO until such time as a Long Term Care District Board is established in the spring of 2008.

WHEREAS, the Family Care Development Council will consist of one representative of each county participating in NW-LTCO; four representatives of consumers, families or advocates; and two members with expertise in managed care.

NOW, THEREFORE, BE IT RESOLVED that the Bayfield County Board of Supervisors supports creation of a Family Care Development Council and recommends the designation of Delores Kittleson as its representative and James Crandall as an alternate representative; and

BE IT FURTHER RESOLVED by the Bayfield County Board of Supervisors that a copy of this resolution will be sent to the Secretary of the Wisconsin Department of Health and Family Services and the County Clerks of Ashland, Barron, Bayfield, Burnett, Douglas, Iron, Polk, Price, Rusk, Sawyer, and Washburn Counties.

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A motion was made by Jardine/Gordon to adopt Bayfield County Resolution N. 2007-34, NW-LTCO County Board Resolution-Creation of Family Care Development Council and to appoint Delores Kittleson as its representative and James Crandall as its alternate representative. The motion passed.

8. Bayfield County Resolution No. 2007-40, Carry-Over \$125,000 of Excess Revenue to the Department of Human Services. The Board dispensed with the reading of the Resolution, which reads as follows:

WHEREAS, unspent monies at the end of each fiscal year from the Department of Human Services are returned to the General Fund as excess revenue; and

WHEREAS, in 2006, the Department of Human Services secured unanticipated revenues for nursing home diversions (\$49,879); nursing home relocations (\$62,723), high cost awards for out of home tribal placements (\$133,604), Community Integration Program (CIP) II variances (\$89,622); and additional revenues in the Community Integration Program (CIP) B (\$121,338) and the Medicare Part D Programs (\$3,333) that contributed to an approximate unaudited, excess of revenues over expenditures of over \$460,000; and

WHEREAS, it is anticipated that an undetermined amount of funding will be needed in 2008 to provide startup funding for an Aging and Disability Resource Center and may be needed for the implementation of Family Care.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 28th day of August 2007, does hereby approve that excess revenues in the amount of \$125,000 in the Human Services Department shall remain in that department and be added to the Department of Humans Services Risk Reserve Fund rather than being transferred to the General Fund to be used for the purposes defined above or, if unused at the end of 2008, left in the Risk Reserve Fund;

- Increase the 2008 Risk Reserve Fund Equity line item 235-30079 by \$125,000
- Decrease the amount of monies returned to the General Fund from the 2006 Excess Revenue by \$125,000

BE IT RESOLVED that the Bayfield County Board of Supervisors assembled this 28th day of August, 2007

BAYFIELD COUNTY BOARD OF SUPERVISORS

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A motion was made by Gordon/Blahnik to adopt Bayfield County Resolution No. 2007-40 Carry-Over \$125,000 of Excess Revenue to the Department of Human Services. Discussion that the dollars will be moved from the general fund to the risk management services. Supervisor Gordon called the Board's attention to the County's aging group. The County will be having a tough budget year with all of the government caps and that we can't keep cutting dollars when it comes to the elderly programs. Further discussion took place on the success and not so success regarding the meals on wheels program. *A roll call vote was taken as follows: Jardine-yes; Maki-yes; Kittleson-yes; Blahnik-yes; Kacvinsky-yes; Beeksma-yes; Williams-yes; Bichanich-yes; Miller-absent; Crandall-yes; Rondeau-yes; Good-yes; Gordon-yes. Total: 13, 12 yes, 0 no, 1 absent. The motion carried.*

9. **Bayfield County Resolution No. 2007-35, Drummond Lake Dam Stabilization.** The Board dispensed with the reading of the Resolution, which reads as follow:
Drummond Lake Dam Stabilization

WHEREAS, Bayfield County is the owner of the Drummond Lake Dam and provides for the regular maintenance of this structure; and

WHEREAS, the elevation of the dam is set at 1246.0 and today the elevation is at or about 1239, approximately seven feet beneath the spillway; and

WHEREAS, the Township park and numerous residents live around this lake; and

WHEREAS, this structure was reconstructed in 1997, prior to this time there was no low flow pipe; and

WHEREAS, after bidding in 1997 a low flow pipe was added at the last moment; and

WHEREAS, there are two other dams just north of this lake and there are no low flow pipes on those structures; and

WHEREAS, DNR and Forest Service testing of the low flow pipe in 2006 has compounded the low lake level currently experienced; and

WHEREAS, the DNR and Forest Service are evaluating the situation at present as it relates to utilization of the low flow pipe and expect to have a public hearing in 2009 on this topic.

NOW, THEREFORE, BE IT RESOLVED that the Bayfield County Board of Supervisors assembled this 28th day of August, 2007 go on record opposing any water being released through the low flow valve and pipe on Drummond Lake; and

BE IT FURTHER RESOLVED that Bayfield County support the Town of Drummond in their efforts to stabilize the lake level for their residents and visitors alike; and

BE IT FURTHER RESOLVED that this resolution be sent to the Counties State and Federal representatives in addition to DNR and US Forest Service Administrators.

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A motion was made by Gordon/Bichanich to adopt Bayfield County Resolution No. 2007-35, Drummond Lake Dam Stabilization. Supervisor Maki updated the Board regarding the presentation last week, and how the information is going to be provided to our state and federal representatives. *The motion carried.*

10. **Bayfield County Resolution No. 2007-36, Amending Fee Schedule for Marriage Licenses Issued by Bayfield County Clerk.** The Board dispensed with the reading of the Resolution:

Amending Fee Schedule for Marriage Licenses

Issued By Bayfield County Clerk

WHEREAS, the Bayfield County Clerk's office issues marriage licenses for the State of Wisconsin charging a fee of Fifty Dollars (\$50.00); and

WHEREAS, State Statutes, §765.15 allows counties to increase the marriage license fees by any amount and said amount becomes funds of the County; and

WHEREAS, upon reviewing the 2007 fee schedule of the counties throughout the State, at an increase from Fifty to Sixty Dollars to(\$50.00 to \$60.00) - would be justifiable for Bayfield County; and

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 28th day of August, 2007, does hereby authorize the Bayfield County Clerk to increase the existing fees as follows:

- 1) Marriage License from \$50.00 to \$60.00;
- 2) Waive Fee of \$10.00 will remain the same per Wisconsin State Statutes §767.11; and

BE IT FURTHER RESOLVED, that upon passage of this Resolution by the full Bayfield County Board of Supervisors, the new fee will be effective January 1, 2008; and a copy of this Resolution be provided to Peggy Peterson of the State Vital Records.

BAYFIELD COUNTY BOARD OF SUPERVISORS

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A motion was made by Rondeau/Blahnik to adopt Bayfield County Resolution No. 2007-036, Amending Fee Schedule for Marriage Licenses Issued by Bayfield County Clerk. This was discussed at the Executive Committee meeting. A roll call vote was taken as follows: Maki-yes; Kittleson-yes; Blahnik-yes; Kacvinsky-yes; Beeksma-yes; Williams-yes; Bichanich-yes; Miller-absent; Crandall-yes; Rondeau-yes; Good-yes; Gordon-yes; Jardine-yes. Total: 13, 12 yes, 0 no, 1 absent. The motion carried.

11. **Bayfield County Resolution No. 2007-38, Establishing an Industrial Development Agency.** The Board dispensed with the reading of the Resolution, which reads as follows:

Establishing an Industrial Development Agency

WHEREAS, Section 59.57 of the Wisconsin Statutes authorizes a county to form an industrial development agency to promote industrial development within the county upon a finding of the county board that there is a need therefore; and

WHEREAS, the creation of such an agency is needed in Bayfield County to promote industrial development as a means of preserving and enhancing the county's tax base and increasing opportunities for gainful employment of Bayfield County citizens, and in particular, to assist in financing the construction of a manufacturing building in the Town of Bayfield Industrial Park; and

WHEREAS, the county's corporation counsel, at the direction of the Bayfield County Administrator has prepared proposed articles and bylaws for such an agency, which are attached hereto; and

WHEREAS, Section 59.57(2)(e)1 of the Wisconsin Statutes provides that proposed articles of incorporation and proposed bylaws shall be made available for inspection for any municipality in the county for at least 30 days and shall then be submitted to the Board for approval;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Bayfield County Board of Supervisors finds that an industrial development agency authorized under Sec. 59.57 of the Wisconsin Statutes is needed in Bayfield County for the reasons set forth in the second premise above.
2. That the county clerk shall provide copies of this resolution and the proposed articles and bylaws attached hereto to the clerk of each municipality in Bayfield County immediately upon passage of this resolution.
3. That the articles and bylaws shall be submitted to the Board for approval at its meeting to be held on the 28th day of August, 2007.

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A motion was made by Blahnik/Beeksma to adopt Bayfield County Resolution No. 2007-38, Establishing an Industrial Development Agency. Abeles-Allison shared information with the Board regarding the process. A copy of the Articles of Incorporation as well as the By-Laws have been given to the Board for their review as well. This information will be acted on in October. The motion carried.

12. **Bayfield County Resolution No. 2007-37, Amending Budget for Appropriation of Funds for Industrial Development Loan.** The Board dispensed with the reading of the Resolution, which reads as follows:

AMENDING BUDGET FOR APPROPRIATION OF FUNDS FOR INDUSTRIAL DEVELOPMENT LOAN

WHEREAS, the Town of Bayfield ("the Town") is developing an industrial park located in the Town of Bayfield in northern Bayfield County, with financing provided by Impact Seven, Inc., a Wisconsin nonstock corporation ("Impact Seven"),

but requires additional financing in the amount of \$250,000 for the construction of a manufacturing building in said park; and

WHEREAS, the Wisconsin Legislature, in enacting Section 59.57 of the Wisconsin Statutes, has found and declared the promotion of industrial development to be a public purpose for which public money may be spent and has authorized counties to create industrial development agencies for such purposes; and

WHEREAS, the Bayfield County Board of Supervisors has commenced the process for creating an industrial development agency in Bayfield County ("the Agency"); and

WHEREAS, the provision of \$250,000 in financing towards the construction of said building will promote the public interest by preserving and enhancing the tax base and increasing opportunity for gainful employment in northern Bayfield County;

NOW, THEREFORE, BE IT RESOLVED that the County's 2007 budget is hereby amended to appropriate \$250,000 from the general fund for the purpose of making a \$250,000 loan to the Agency immediately upon its creation, upon the following terms and conditions:

1. The loan shall be for the purpose of the Agency's re-lending the loan proceeds to the Town to provide additional financing for the construction of a manufacturing building at the Town's industrial park, to be re-lent upon the same terms and conditions as the loan to the Agency as set forth herein.
2. The loans shall be for terms of 20 years and shall accrue interest at the rate of five percent (5.0%) per annum on their unpaid balances.
3. The loans shall be repaid with rental revenues generated by the leasing of the manufacturing building. They shall be contingent upon the Town, Impact Seven, and the Agency entering into a binding written agreement that Impact Seven will provide the balance of the financing needed for the construction of the building; that the building will be completed, even if the current prospective lessee defaults on its obligation to lease the building; that the Agency shall be entitled to a percentage of each rental payment paid by the lessee of the building equal to the percentage of the total financing of the building and acquisition of the lot upon which it is to be located that the Agency provides; that the Agency's loan to the Town shall be secured by a mortgage on the building and the 4.5-5 acre lot upon which it is to be located that will share a first position security interest on the property with a mortgage held by Impact Seven securing the financing it has provided or will provide for the purchase of the lot and construction of the building.

Adopted by the Bayfield County Board of Supervisors on this 28th day of August, 2007.

BAYFIELD COUNTY BOARD OF SUPERVISORS

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A motion was made by Blahnik/Gordon to adopt Bayfield County Resolution No. 2007-037, Amending Budget For Appropriation of Funds for Industrial Development Loan. Abeles-Allison explained that this is formalizing the \$250,000 expenditure. A roll call vote was taken as follows: Kittleson-yes; Blahnik-yes; Kacvinsky-abstained; Beeksma-yes; Williams-yes; Bichanich-yes; Miller-absent; Crandall-yes; Rondeau-yes; Good-yes; Gordon-yes; Jardine-yes; Maki-yes. Total: 13, 11 yes, 0 no, 1 abstainment, 1 absent. The motion carried.

13. Bayfield County Resolution No. 2007-41, Authorizing Creation of a County Ordinance Permitting Use of Specified Section on County Highway H for ATV Trail. The Board dispensed with the reading of the Resolution, which reads as follows:

Authorizing Creation of County Ordinance Permitting Use of Specified Section of County Highway H for ATV Trail

WHEREAS, the Town of Delta has made a request to allow a small section of County Highway H to be used as an ATV route;

WHEREAS, the section of road is described as 650-700 feet between Scenic Drive and Finger Lake Roads, which are also designated as ATV routes;

WHEREAS, the County Highway Committee has reviewed and approved this request on August 8, 2007;

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 28th day of August, 2007, does hereby authorize the creation of an ordinance allowing the used of County Highway H between Scenic Drive and Finger Lake Roads to be used as an ATV route;

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A motion was made by Beeksma/Gordon to suspend the rules to allow the public to speak. The motion carried.

Susan Davis, Delta Town Board. The Township has an ATV route issue. This petition would allow ATV users access to a small section of County Highway H as an ATV route. The section of road is between Scenic Drive and Finger Lake Roads. She

informed the Board that the Bayfield County Highway Committee has met on this matter and approved the same along with stressing safety precautions and well as the proper signage.

A motion was made by Blahnik/Bichanich to adopt Bayfield County Resolution No. 2007-41, Authorizing Creation of County Ordinance Permitting Use of Specified Section of County Highway H for ATV Trail. The motion carried.

14. Bayfield County Ordinance No. 2007-20, Aquatic Invasive Species and No. 15, Discussion and Possible Action Regarding Appointment to Aquatic Invasive Species Committee. Abeles-Allison reported to the Board that the Ordinance is not ready for the Board to act upon and an error was made in the appointment to the Aquatic Invasive Species Committee. *A motion was made by Blahnik/Crandall to postpone both of these items to the September County Board Meeting. The motion carried.*

16. Report of the Bayfield County Planning and Zoning Committee Regarding Amendments to Section 13-1-4, 21, 27, 29, 32, 61, 62 of the Bayfield County Code of Ordinances. 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. Sections 13-1-4 (a) (25) and (26) are repealed and recreated to read as follows:
 - (25) **Hotel/Motel.** A building, or buildings on the same lot (including a parcel constituting the common elements of a condominium) with five or more units for human occupancy used for short-terms rentals.
 - (26) **Household Occupation.** A gainful occupation conducted by a member of the family within his/her place of residence, where the space is incidental to residential use, where the floor area does not exceed twenty-five percent (25%) of the total floor space.
2. Section 13-1-21 (e) (1) is amended as follows:
 - a. Subparagraphs h, k and l are deleted and the remaining subparagraphs are re-lettered accordingly. The bracketed footnote following subparagraph h is retained as a footnote to subparagraphs e, f and g and is amended by deleting therefrom the phrase "or underlying land use".
 - b. Delete the wording "Class A or B" in subparagraph w (prior to re-lettering) and add the following at the end of the text: "(except in R-1, R-2, R-3, and R-4 districts, where the Class A Special Use fee applies)"
 - c. The fee in subparagraph y (prior to re-lettering) is increased from \$240 to \$350.
 - d. Subparagraph z (prior to re-lettering) is amended by increasing the fee for a Class A Special Use from \$75 to \$175; and by increasing the fee for a Class B Special Use from \$165 to \$250.
3. Section 13-1-27(c)(2) is amended by changing "Section 13-1-61(o)" to "Section 13-1-61(n)" and by adding the phrase "Class B" immediately before the phrase "special use permit".
4. Section 13-1-29 (b) (3) is amended by deleting subparagraph c thereof and re-lettering subparagraph d thereof as subparagraph c.
5. Section 13-1-32 (e) is amended by deleting paragraph 3 thereof and renumbering paragraphs (4), (5) and (6) thereof as paragraphs (3), (4) and (5) respectively.
6. Section 13-1-61(f) is amended as follows:
 - (f) **R-RB Residential-Recreational Business.** This district is intended to provide for permanent or seasonal residential development and associated recreational ~~value~~ use.
7. The classification table in Section 13-1-62 (a) is amended as follows:
 - a. The entry in the "C" column of the "Clothing Manufacturing" row is amended from "S" to "SB".
 - b. The entry in "Permissible Uses" column for "Electric Generating Windmill [private]" is amended to read "Electric Generating Windmill—Noncommercial", and a new row is inserted immediately above said row reading as follows:

PERMISSIBLE USES	R-4 R-3 R-1	R-2	R-RB	C	I	A-1	A-2	F-1	F-2	W
Electric Generating Windmill [Commercial]					C	C	C	C	C	

- c. Rows reading as follows are inserted immediately after the entries for "Community Center, Town Hall" and "Mobile Home Sales & Services", respectively:

PERMISSIBLE USES	R-4 R-3 R-1	R-2	R-RB	C	I	A-1	A-2	F-1	F-2	W
Conservation Subdivision *Subject to 13-1-29A and requirements for specific uses.	C*	C*	C*	C*		C*		C*		
Multiple Unit Development *Subject to 13-1-29 and requirements for specific uses	C*	C*	C*	C*		C*		C*		

Date: July 26, 2007

BAYFIELD COUNTY PLANNING AND ZONING COMMITTEE
James Beeksma, Kenneth Jardine, Harold A. Maki, 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. The motion carried.

17. Bayfield County Amendatory Ordinance No. 2007-21, Regarding Amendments to Section 13-1-4, 21, 27, 29, 32, 61, 62 of the Bayfield County Code of Ordinances. 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:

1. Sections 13-1-4 (a) (25) and (26) are repealed and recreated to read as follows:
 - (25) **Hotel/Motel.** A building, or buildings on the same lot (including a parcel constituting the common elements of a condominium) with five or more units for human occupancy used for short-terms rentals.
 - (26) **Household Occupation.** A gainful occupation conducted by a member of the family within his/her place of residence, where the space is incidental to residential use, where the floor area does not exceed twenty-five percent (25%) of the total floor space.
2. Section 13-1-21 (e) (1) is amended as follows:
 - a. Subparagraphs h, k and l are deleted and the remaining subparagraphs are re-lettered accordingly. The bracketed footnote following subparagraph h is retained as a footnote to subparagraphs e, f and g and is amended by deleting therefrom the phrase "or underlying land use".
 - b. Delete the wording "Class A or B" in subparagraph w (prior to re-lettering) and add the following at the end of the text: "(except in R-1, R-2, R-3, and R-4 districts, where the Class A Special Use fee applies)"
 - c. The fee in subparagraph y (prior to re-lettering) is increased from \$240 to \$350.
 - d. Subparagraph z (prior to re-lettering) is amended by increasing the fee for a Class A Special Use from \$75 to \$175; and by increasing the fee for a Class B Special Use from \$165 to \$250.
3. Section 13-1-27(c)(2) is amended by changing "Section 13-1-61(o)" to "Section 13-1-61(n)" and by adding the phrase "Class B" immediately before the phrase "special use permit".
4. Section 13-1-29 (b) (3) is amended by deleting subparagraph c thereof and re-lettering subparagraph d thereof as subparagraph c.
5. Section 13-1-32 (e) is amended by deleting paragraph 3 thereof and renumbering paragraphs (4), (5) and (6) thereof as paragraphs (3), (4) and (5) respectively.
6. Section 13-1-61(f) is amended as follows:
 - (f) **R-RB Residential-Recreational Business.** This district is intended to provide for permanent or seasonal residential development and associated recreational ~~value~~ use.
7. The classification table in Section 13-1-62 (a) is amended as follows:
 - a. The entry in the "C" column of the "Clothing Manufacturing" row is amended from "S" to "SB".
 - b. The entry in "Permissible Uses" column for "Electric Generating Windmill [private]" is amended to read "Electric Generating Windmill—Noncommercial", and a new row is inserted immediately above said row reading as follows:

PERMISSIBLE USES	R-4 R-3 R-1	R-2	R-RB	C	I	A-1	A-2	F-1	F-2	W
Electric Generating Windmill [Commercial]					C	C	C	C	C	

- c. Rows reading as follows are inserted immediately after the entries for "Community Center, Town Hall" and "Mobile Home Sales & Services", respectively:

PERMISSIBLE USES	R-4 R-3 R-1	R-2	R-RB	C	I	A-1	A-2	F-1	F-2	W
Conservation Subdivision *Subject to 13-1-29A and requirements for specific uses.	C*	C*	C*	C*		C*		C*		
Multiple Unit Development *Subject to 13-1-29 and requirements for specific uses	C*	C*	C*	C*		C*		C*		

Dated: August 28, 2007

By Action of the
BAYFIELD COUNTY BOARD OF SUPERVISORS

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

A motion was made by Rondeau/Beeksma to adopt Bayfield County Zoning Ordinance No. 2007-21, Regarding Amendments to Section 13-1-4, 21, 27, 29, 32, 61, 62 of the Bayfield County Code of Ordinances. The motion carried.

18. Report of the Bayfield County Planning and Zoning Committee Regarding the Sally D. Bowers Property Located in the Town of Clover. 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 Sally D. Bowers 3.0-acre parcel (ID# 04-014-2-50-07-28-2 02-000-10000) (014-1074-04-000) located in that part of the East 200 feet of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼), Section Twenty-eight (28), Township Fifty (50) North, Range Seven (7) West, which lies North of the Cranberry River, Town of Clover, Bayfield County, Wisconsin be changed from Agricultural-One (Ag-1) to Residential-Recreational Business (R-RB).

Date: August 28, 2007

BAYFIELD COUNTY PLANNING AND ZONING COMMITTEE
James Beeksma, Harold Maki, Kenneth Jardine, Brett Rondeau

A motion was made by Rondeau/Jardine to receive and place on file the Report of the Bayfield County Planning and Zoning Committee. The motion carried.

19. Bayfield County Amendatory Ordinance No. 2007-22, Regarding the Sally D. Bowers Property Located in the Town of Clover. 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 Sally D. Bowers 3.0-acre parcel (ID# 04-014-2-50-07-28-2 02-000-10000) (014-1074-04-000) located in that part of the East 200 feet of the Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼), Section Twenty-eight (28), Township Fifty (50) North, Range Seven (7) West, which lies North of the Cranberry River, Town of Clover, Bayfield County, Wisconsin be changed from Agricultural-One (Ag-1) to Residential-Recreational Business (R-RB).

Date: August 28, 2007

By Action of the
BAYFIELD COUNTY BOARD OF SUPERVISORS

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

A motion was made by Rondeau/Beeksma to adopt Bayfield County Amendatory Ordinance No. 2007-22 Regarding the Sally D. Bowers Property Located in the Town of Clover. The motion carried.

20. Bayfield County Resolution No. 2007-33, Honoring David C. Olson Upon His Retirement from the Bayfield County Highway Department. Chairman Kacvinsky read the Resolution to all in attendance, which reads as follows:

Honoring David C. Olson Upon His Retirement from the Bayfield County Highway Department

WHEREAS, David C. Olson, Port Wing, Wisconsin has served Bayfield County as an employee of the Bayfield County Highway Department with distinction, honor and dedication; and

WHEREAS, David C. Olson has completed twenty years nine months of service to Bayfield County on July 10, 2007 upon his retirement.

NOW THEREFORE BE IT RESOLVED that the Bayfield County Board of Supervisors assembled this 28th day of August, 2007, honor Mr. Olson for his years of public service to Bayfield County and express gratitude for his efforts, wishing him well in the years ahead; and

BE IT FURTHER RESOLVED that a certified copy of this resolution is forwarded to Mr. Olson at 10720 Touve Road, Port Wing, WI 54865.

BAYFIELD COUNTY BOARD OF SUPERVISORS

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

A motion was made by Good/Bichanich to adopt Bayfield County Resolution No. 2007-33, Honoring David C. Olson Upon His Retirement from the Bayfield County Highway Department. The motion carried.

21. Administrator's Report:

- a) An update regarding the WCA Conference was given. The conference will be held at the Wisconsin Dells, October 7-9th. If anyone hasn't yet done so, you can still sign up to go.
- b) The Executive Committee will be meeting on September 11, 12, 20 and 21 to start the 2008 budget process.
- c) The Agriculture Station received \$20,000 from the Department of Commerce. Contracts will be updated shortly. A further update was given stating that 2 of the houses have yet to be rented out. The Health Group has expressed some interest in the house. Also discussed using the barns for seasonal storage.
- d) An update was given on the annex construction.
- e) The Land Conservation Department will be moving into the annex basement the end of September. The State has advised that the 4-counties were in violation being together and therefore, each of the counties will have their own Land Conservation Department.
- f) A brief update was given on the drought status regarding emergency relief for local farmers.
- g) An update was given on the fair. Fibert put together some preliminary information sheets for the Board to review. Each of the sheets are labeled for each of the days the fair was held. In reviewing the numbers, remember that sales tax needs to be backed out of the dollar figures yet. Supervisor Beeksma had rough dollar figures. In 2006, the fair collected \$49,755, this year, 2007, the fair collected \$59,607. We are making progress. Chairman Kacvinsky thanked Fibert and Gail Soulier of his office for putting together the spreadsheet and for working so diligently at the fair. The fair had a very good attendance, we also had a good carnival, and the grandstand shows were full. It seems to be growing. Again, thank you to everyone who helped.
- h) No jail update.

22. Supervisors' Reports: No reports were given.

There being no further business to come before the Board, *a motion was made by Gordon/Rondeau to adjourn. The motion carried* and the meeting adjourned at 7:45.

Respectfully submitted,

Scott S. Fibert,
Bayfield County Clerk
SSF/dmb