

Minutes of the
Bayfield County Board of Supervisors' Meeting
Of September 18, 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 6:00 p.m. Roll call was taken by Bayfield County Clerk, Scott Fibert as follows Blahnik-present; Kacvinsky-present; Beeksma-present; Williams-present; Bichanich-present; Miller-present; Crandall-present; Rondeau-present; Good-present; Gordon-present; Jardine-present; Maki-present; Kittleson-present; Total 13: 13 present, 0 absent. Others present were: County Administrator, Mark Abeles-Allison; County Clerk, Scott Fibert; Deputy County Clerk, Dawn M. Bellile; Land Records Director, Scott Galetka; Clerk of Circuit Court, Kay Cederberg; Circuit Court Judge, John P. Anderson; Zoning Director, Karl Kastrosky; and Rick Olivo, Reporter for The Daily Press.

The Pledge of Allegiance was recited by all in attendance.

1. **Motion to Approve Minutes of the August 28, 2007 County Board of Supervisors' Meetings.** *A motion was made by Blahnik/Rondeau to approve the August 28, 2007 Minutes of the Bayfield County Board of Supervisors' meetings.* A brief discussion took place regarding the mineral rights and has this been checked into. Abeles-Allison will report later in the meeting. *The motion carried.*

2. **Public Comment.** Chairman Kacvinsky asked three times if there was any public comment, there was none.

Chairman Kacvinsky asked for the Board's permission to move agenda items around. We will be taking #7, #18, and #6 first. There were no objections from the Board.

3. **Introduction of Scott Galetka, Land Records Director.** Abeles-Allison gave a brief background on and introduced Scott Galetka to the Board. Galetka thanked the Board for hiring him. He stated the area is very welcoming and looks forward to all that Bayfield County challenges him with. He gave a brief background of himself and in closing invited any of the Board members that would like to, to visit him in his office or call him if they have any questions for him. The Board again welcomed Galetka to Bayfield County.

4. **Discussion and Possible Action Regarding Courtroom Renovation Bids, Project Costs and Approval.** Abeles-Allison reported on the bid process and stated that the low bid was Angelo Lupino at \$901,000.00. This is good news as it is about \$200,000 under what we had originally anticipated. A brief discussion took place on the bids. *A motion was made by Blahnik/Rondeau to accept the low bid of Angelo Lupino in the amount \$901,000.00.* Further discussion took place. *A roll call vote was taken as follows: Kacvinsky-yes; Beeksma-yes; Williams-yes; Bichanich-yes; Miller-yes; Crandall-yes; Rondeau-yes; Good-yes; Gordon-yes; Jardine-yes; Maki-no; Kittleson-yes; Blahnik-yes; Total 13: 12 yes, 1 no. The motion carried.*

5. **Presentation by Mark O'Connell from Wisconsin Counties Association.** Abeles-Allison introduced O'Connell and thanked him for being with us this evening. He stated that he was also present this afternoon, speaking to all Bayfield County employees and Department Heads that wanted to attend this listening session. O'Connell thanked the Board for inviting him to Bayfield County to speak on "The Wisconsin Way." He stated that the problems in our state are very large with two fundamental problems - demographics and inconsistent tax structure. O'Connell gave a power point presentation with a new vision for Wisconsin which has many groups involved such as the Realtor's Association, Teacher's Union, Transportation Builders Association, Wood Communication Group, to mention a few. Wisconsin needs a vision of more than 2 to 6 years out. These groups have gotten together with the Counties Association to group together to look forward to making Wisconsin a better place. We want Wisconsin to be public, inclusive, innovative, fair and effective. The entire presentation was motivational and takes Wisconsin to a whole new level. Discussion took place amongst the Board members and O'Connell, and it was suggested that O'Connell come back again next year to visit the Board to update them as to where we are a year from now and what has been accomplished. O'Connell stated that he would love to come back and again thanked the Board for allowing him the time to speak with everyone.

The Board took a 10-minute recess at 7:23 p.m.

6. **Discussion and Possible Action Regarding Multi-Jurisdictional Comprehensive Planning Project Conflict Resolution Process.** Zoning Director, Karl Kastrosky was present to explain what has taken place to date regarding the comprehensive planning project. He then introduced Sheldon Johnson of the Northwest Regional Planning Commission and turned the meeting over to him. Johnson thanked the Board for allowing him to speak to the Board concerning this matter. Bayfield County had previously been turned down for the grant and Johnson said he has spoken with the grant administrator who identified several areas on the application that Bayfield County can state that will enhance the application. Johnson went on to explain that this plan is in front of the Board this evening for their consideration in preparing the application. It outlines the procedures and is intended to provide a low-cost, flexible approach to resolving planning disputes between the government entities. Discussion took place on the plan and the fact that many towns may already have a plan in place and how the County's plan would or would not have jurisdiction over them. *A motion was made by Crandall/Beeksma that Bayfield County Adopt for a Multi-Jurisdictional Comprehensive Planning Project Conflict Resolution Process. The motion carried with one opposition.*

7. **Discussion and Possible Action Regarding Comprehensive Plan Public Participation Plan.** Johnson explained the contents of this plan and stated that all towns that are participating in the County's plan have adopted the same plan. This plan will dictate how each municipality coordinates with each other. *A motion was made by Crandall/Beeksma to adopt the Comprehensive Plan Public Participation Plan. A brief discussion took place and the motion carried with one opposition.*

8. Bayfield County Resolution No. 2007-44, Bayfield County Grant Application in the Development of a Multi-Jurisdictional Comprehensive Plan. Johnson explained the contents of this Resolution, which reads as follows:

WHEREAS, Bayfield County agrees to participate in the preparation of the Multi-jurisdictional Comprehensive Plan for the general purpose of guiding and accomplishing coordinated, harmonious development within Bayfield County and other participating jurisdictions; and

WHEREAS, Bayfield County acknowledges the requirements of Wisconsin's Comprehensive Planning Legislation including the adoption of the plan (s. 66.1001, Stats.), the benefits of comprehensive planning, and funding that would be awarded by the Wisconsin Department of Administration to financially assist the County and participating communities in preparation of the comprehensive plan; and

WHEREAS, the development of the Multi-jurisdictional Comprehensive Plan would require a local financial contribution by Bayfield County; and

WHEREAS, a series of meetings have been recently held throughout the County by county planning staff and their consultant which discussed the planning process and community responsibilities, gathered public input, provided information and answered questions relative to the planning process; and

WHEREAS, as part of participating in the Bayfield County multi-jurisdictional planning process Bayfield County and other participating jurisdictions will receive an individual planning document for review and adoption which addresses the requirements as specified under Wisconsin's Comprehensive Planning Legislation; and

WHEREAS, Bayfield County acknowledges the receipt of a copy of the multi-jurisdictional comprehensive planning grant application and agrees to fulfill the goals set in Part III of the grant application.

NOW, THEREFORE, BE IT RESOLVED, that Bayfield County Board of Supervisors, assembled this 18th day of September, 2007, hereby agrees to have Bayfield County participate in the development of *the Multi-jurisdictional Comprehensive Plan* in cooperation with other communities within the county pursuant to Wisconsin Statute s. 66.1001.

Motion for adoption moved by _____.

Motion for adoption seconded by _____.

BAYFIELD COUNTY BOARD OF SUPERVISORS

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

A motion was made by Blahnik/Beeksma to adopt Bayfield County Resolution No. 2007-44, Bayfield County Grant Application in the Development of a Multi-Jurisdictional Comprehensive Plan. Discussion took place, the motion carried with one opposition.

9. Report of the Bayfield County Planning and Zoning Committee Regarding the Amendment of the Rezone of the David Barningham Property in the Town of Bayfield. 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 the David Barningham 37.5 acre (ID#0006-1063-04-000) located in part of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ -SE $\frac{1}{4}$), excluding the portion of Town Road, Section Twenty-nine (29), Township Fifty (50) North, Range Four (4) West, Town of Bayfield, Bayfield County, Wisconsin, is changed from Forestry-1 to Residential-Recreational Business.

Dated: October 29, 2002

Revised: Sept. 18, 2007

BAYFIELD COUNTY PLANNING AND ZONING COMMITTEE

James Beeksma, March T. Bichanich, Kenneth Jardine, Harold A. Maki, Brett T. Rondeau

A motion was made by Good/Gordon to receive and place on file the Report of the Planning and Zoning Committee Regarding the Amendment of the Rezone of the David Barningham Property in the Town of Bayfield. The motion carried.

10. Bayfield County Zoning Amendatory Ordinance No. 2007-19, Regarding the Amendment of the Rezone of the David Barningham Property in the Town of Bayfield. 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 the David Barningham 37.5 acre (ID#0006-1063-04-000) located in part of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ -SE $\frac{1}{4}$), excluding the portion of Town Road, Section Twenty-nine (29), Township Fifty (50) North, Range Four (4) West, Town of Bayfield, Bayfield County, Wisconsin, is changed from Forestry-1 to Residential-Recreational Business.

Dated: October 29, 2002

Revised: Sept. 18, 2007

By Action of the BAYFIELD COUNTY BOARD OF SUPERVISORS

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

A motion was made by Miller/Kittleson to adopt Bayfield County Zoning Amendatory Ordinance No. 2007-19 Regarding the Amendment of the Rezone of the David Barningham Property in the Town of Bayfield. The motion carried.

11. Report of the Bayfield County Planning and Zoning Committee Regarding the Rezone of the Joseph A. and Patricia A. Bruneau Property 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 Joseph A. and Patricia A. Bruneau 0.50-acre parcel (ID# 04-014-2-50-07-08-1 04-000-08000) (014-1032-06-000) described as a parcel in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$), more particularly described as: starting at the Northwest corner of said Forty; thence South along the West line a distance of 660 feet; thence East 459 feet to the place of beginning located on the East right-of-way of Lenawee Road; thence continuing East 208 feet; thence Northeasterly 100 feet to an iron pipe placed in the ground; thence West, approximately 204 feet to the East side of Lenawee Road; thence South along the East side of Lenawee Road to the place of beginning, Section Eight (8), Township Fifty (50) North, Range Seven (7) West, Town of Clover, Bayfield County, Wisconsin be changed from Agricultural- One (Ag-1) to Residential-Recreational Business (R-RB).

Date: July 26, 2007

BAYFIELD COUNTY PLANNING AND ZONING COMMITTEE

James Beeksma, March T. Bichanich, Kenneth Jardine, Harold A. Maki, Brett T. Rondeau

A motion was made by Jardine/Beeksma to receive and place on file the Report of the Planning and Zoning Committee Regarding the Rezone of the Joseph A. and Patricia A. Bruneau Property in the Town of Clover. The motion carried.

12. Bayfield County Zoning Amendatory Ordinance No. 2007-21, Regarding the Rezone of the Joseph A. and Patricia A. Bruneau Property 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 Joseph A. and Patricia A. Bruneau 0.50-acre parcel (ID# 04-014-2-50-07-08-1 04-000-08000) (014-1032-06-000) described as a parcel in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$), more particularly described as: starting at the Northwest corner of said Forty; thence South along the West line a distance of 660 feet; thence East 459 feet to the place of beginning located on the East right-of-way of Lenawee Road; thence continuing East 208 feet; thence Northeasterly 100 feet to an iron pipe placed in the ground; thence West, approximately 204 feet to the East side of Lenawee Road; thence South along the East side of Lenawee Road to the place of beginning, Section Eight (8), Township Fifty (50) North, Range Seven (7) West, Town of Clover, Bayfield County, Wisconsin be changed from Agricultural- One (Ag-1) to Residential-Recreational Business (R-RB).

Date: September 18, 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/Kittleson to adopt Bayfield County Zoning Amendatory Ordinance No. 2007-21 Regarding the Joseph A. and Patricia A. Bruneau Property in the Town of Clover. The motion carried.

13. Discussion and Possible Action on Wireless 911 Request for Proposals and State Grant. Abeles-Allison reported that a tremendous amount of information has been collected and alternatives are presently being looked at as it

pertains to wireless 911. Bayfield County is presently looking into a State's Public Commission Grant to help with implementing new improvements that need to be made to the present wireless 911 system. This grant would be to upgrade the 911 system presently in place and to enhance the coverage we now have. The timeline to have this up and running is June 30, 2008. At present, we do not have a final recommendation and would like the Board to authorize the Sheriff's committee to keep working on this and to be able to authorize the final contracts since time is of the essence. A brief discussion took place on the matter and *a motion was made by Jardine/Good to authorize the Sheriff's Committee to execute any necessary final contracts in implementing the wireless 911 system. The motion carried.*

14. Bayfield County Resolution No. 2007-43, Authorizing Participation in Outdoor Motorized Recreational Trail Aids, Stewardship Local Assistance Grant Programs, and Federal Recreation Trail Act. The Board dispensed with the reading of this Resolution, which reads as follows:

WHEREAS, Bayfield County is interested in maintaining, acquiring, insuring, developing lands for public outdoor purposes as described in the application: and

WHEREAS, financial aid is required to carry out the project; and

WHEREAS, Bayfield County has budgeted a sum sufficient to complete the project or acquisition.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 18th day of September, 2007, hereby authorizes Mary D. Motiff, Bayfield County Tourism & Recreation Director to:

Submit an application to the State of Wisconsin Department of Natural Resources for any financial aid that may be available; file reimbursement claims along with necessary supporting documentation within 6 months of project completion date; sign documents; and take necessary action to undertake, direct and complete the approved project.

BAYFIELD COUNTY BOARD OF SUPERVISORS

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

A motion was made by Blahnik/Rondeau to adopt Bayfield County Resolution No. 2007-43, Authorizing Participation in Outdoor Motorized Recreational Trail Aids, Stewardship Local Assistance Grant Programs, and Federal Recreation Trail Act. Discussion took place and the motion carried.

15. Discussion and Possible Action Regarding Appointment to Aquatic Invasive Species Committee. Abeles-Allison reported this item is before the Board for the appointment of Thomas Thornton to the Aquatic Invasive Species Committee. A brief discussion took place on whether or not this appointment completes the committee as a whole, and it was reported that it does. *A motion was made by Gordon/Bichanich to appoint Thomas Thornton to the Aquatic Invasive Species Committee.* Discussion took place regarding invasive species and who has jurisdiction in Lake Superior waters. *The motion carried.*

16. Administrator's Report:

- a) Abeles-Allison addressed the topic of mineral rights. He reported that he spoke to Corporation Counsel and was informed that if there are individuals who want to purchase their mineral rights, the County can offer them up for sale, but, again, they must be put up for sale at public auction, meaning that the property owner is at risk as he may not be the highest bidder and may lose the mineral rights to an outside bidder.
- b) Fibert reported that the Relocation Order Regarding Project 1009-60-59, Lake Superior Watershed (Harvey Carlson Site), Ashland, Bayfield County, is before the Board for them to receive and place on file. A brief discussion took place on the matter and *a motion was made by Gordon/Beeksma to receive and place on file the Relocation Order Regarding Project 1009-60-59, Lake Superior Watershed (Harvey Carlson Site), Ashland, Bayfield County. The motion carried.*
- c) Budget: Abeles-Allison reported that the first budget meeting was this afternoon and the next is scheduled for Thursday at 10:00 a.m. Today was a good meeting and we are hoping to wrap the budget up by Thursday.
- d) A decision has not yet been made as to where the Rural Health Clinic will be located. Talks are still taking place.
- e) Fibert reported on Election training coming up next Monday.
- f) An update was given on the trail issue - that the case has gone to oral arguments.

17. Supervisors' Reports: No Reports

There being no further business to come before the Bayfield County Board of Supervisors, *a motion was made by Gordon/Bichanich to adjourn. The motion carried* and the meeting adjourned at 8:20 p.m.

Respectfully submitted,

Scott S. Fibert,
Bayfield County Clerk
SSF/dmb