

Minutes of the
Bayfield County Board of Supervisors' Meeting
Of March 11, 2008 - 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: Miller-present; Crandall-absent; Rondeau-present; Good-present; Gordon-present; Jardine-present; Maki-present; Kittleson-present; Blahnik-present; Kacvinsky-present; Beeksma-present; Williams-present; Bichanich-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; Scott Galetka, Land Records Director; Butch Lobermeier, County Conservationist; Stefania Stralkowska, Aquatic Invasive Species Specialist, and Claire Duquette, Reporter for the Daily Press.

The Pledge of Allegiance was recited by all in attendance.

1. **Motion to Approve Minutes of the January 29, 2008 County Board of Supervisors' Meetings.** *A motion was made by Blannik/Miller to approve the January 29, 2008 Minutes of the Bayfield County Board of Supervisors' meeting. The motion carried.*

2. **Public Comment.** There was no public attendance for comment.

3. **Presentation by Matt Rudig of Congressman Obey's Office.** Abeles-Allison reported that Mr. Rudig was unable to be at our meeting this evening and asked if we would postpone his attendance to the April meeting. *A motion was made by Jardine/Beeksma to postpone the presentation of Matt Rudig of Congressman Obey's office. The motion carried.*

4. **Discussion and Possible Action Regarding Emergency Fire Warden Organization List for 2008.** *A motion was made by Gordon/Bichanich to approve the 2008 Emergency Fire Warden Organization List.* Discussion took place on how names are added and removed from the list. The County Clerk's office will look into this with the DNR. *The motion carried.*

5. **Bayfield County Resolution No. 2008-06, Recognition of the St. Croix Riverfest and to Declare June 13-14, 2008, River Days.** The Board dispensed with the reading of the resolution, which reads as follows:

WHEREAS, Bayfield County is committed to preserve the natural beauties and pristine water quality of the county's watersheds, and;

WHEREAS, the St. Croix **Riverfest** event will focus on the Upper St. Croix-Eau Claire Rivers watershed, and;

WHEREAS, the Upper St. Croix-Eau Claire Rivers watershed is within the Towns of Barnes, Drummond and Hughes, and;

WHEREAS, a watershed conference and sustainable tourism workshop are planned, along with a series of educational and entertaining community events all open to the general public, and;

WHEREAS, the Riverfest will take place June 13-14, 2008.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 11th day of March, 2008, does accept the recommendation of the Bayfield County Aquatic Invasive Species Committee and formally and officially recognizes the St. Croix RiverFest and events and declare June 13-14, 2008 **Riverfest Days**.

BAYFIELD COUNTY BOARD OF SUPERVISORS

William D. Kacvinsky, John J. Blahnik, David L. Good, Thomas J. Gordon, Kenneth Jardine,
Harold A. Maki, Delores Kittleson, Shawn W. Miller, Wayne H. Williams,
James Beeksma, Marco T. Bichanich

A motion was made by Good/Kittleson to adopt Bayfield County Resolution No. 2008-06, Recognition of the St. Croix Riverfest and to Declare June 13-14, 2008, River Days. The motion carried.

6. Report of the Bayfield County Planning & Zoning Committee Regarding Amendments to Section 13-1-62, Classification of Uses and Section 13-1-64, Town of Bayfield Overlay District. The Board dispensed with the reading of the report, which reads as follows:

TO: The County Board of Supervisors of Bayfield County on the hearing of petitions to amend the Bayfield County Zoning Ordinance.

The Planning and Zoning Committee of the Bayfield County Board of Supervisors, having held a public hearing pursuant to Section 59.69(5)(e), Wisconsin Statutes; notice thereof having been given as provided by law; and having been duly informed of the facts pertinent to the following changes; hereby recommends the following action on said petition:

Sec. 13-1-62 Classification of Uses.

- (a) The letter "C" appearing in the following table for any use means that the use is allowed as a conditional use and may be permitted in the zoning district only if a conditional use permit is granted. "S-A or SB" means that the use is allowed as a Class A or Class B special use, respectively, and may be permitted in that zoning district only if a special use permit is granted. "P" means that the use is permitted in the zoning district. If the space is blank, it means that the use is not permitted in that zoning district. For uses not included on this list, application shall be made to the Zoning Committee for interpretation:

PERMISSIBLE USES	R4 R3 R1	R2	RRB	C	I	A1	A2	F1	F2	W
Signs - Town of Bayfield (See Town Overlay District 13-1-64) *subject to 13.1-80 et seq.	S-A*	S-A*	S-A*	S-A*	S-A*	S-A*	S-A*	S-A*	S-A*	S-A*

Add Section 13-1-64

Section 13-1-64 Town of Bayfield Overlay District

- (a) Applicability. The Town of Bayfield Overlay District shall apply to and include all lands within the Town of Bayfield.
- (b) Intent of Town of Bayfield Overlay District. The intent of this overlay district is to promote the public health, safety, convenience and general welfare; to encourage planned and orderly land use development; to protect property values and the property tax base; to permit the careful planning and efficient maintenance of roadways; to ensure adequate highway, utility, health, educational and recreational facilities; to recognize the needs of agriculture, forestry, industry and business in future growth; to encourage uses of land and other natural resources which are in accordance with their character and adaptability; to encourage the protection of old-growth forests; to preserve wetlands; to conserve soil, water and forest resources; to protect the beauty and amenities of landscape and man-made developments; to provide healthy surroundings for family life; and to promote the efficient and economical use of public funds.
- (c) Sign Regulation Purpose. The purposes of this ordinance are to protect the natural scenic beauty and rural character of the Town of Bayfield, promote traffic safety and provide important information to the traveling public. These purposes shall be achieved by restricting the number, size, location, maintenance, and spacing of outdoor advertising signs through the administration of this ordinance.
 - 1. No outdoor advertising sign visible to the traveling public shall be erected, structurally altered, or maintained except as provided in this ordinance.
 - 2. Number and Size of Permitted Signs.

Class Type	Maximum	Number	Maximum Size (Square Feet)
A	On premise	2	50 per sign*
B	Off premise	2	50 per sign**

* Except as provided in (4)

** No off premise signs shall be permitted along State Highway 13 other than those authorized by State law.

Note: For purposes of this Section, two back-to-back faces on one sign structure constitute a single sign.

3. Off Premise Signs

Off premise signs visible from the same road and located on the same side thereof, including signs advertising different businesses, products, etc., shall have a minimum separation distance of one thousand three hundred twenty (1,320) feet between them.

4. Exempt Signs

The following signs are exempt from the requirements of this ordinance.

- a. Signs advertising garage sales, auctions, carnivals, or other events if all of the following requirements are met:
 - (1) The sign does not hinder traffic safety or visibility
 - (2) The sign is less than eight (8) square feet
 - (3) The sign is erected no sooner than fourteen (14) days prior to the advertised event end,
 - (4) The sign is removed no later than 7 days after the advertised event.
- b. Signs on rolling stock of common carriers parked in a visible location while loading and unloading.
- c. Signs of two (2) square feet or less with no letters, numbers, symbols, logos, or designs in excess of two (2) inches in vertical or horizontal dimensions.
- d. Specific information signs authorized under Sec. 86.195, Wis. Stats., tourist oriented directional signs authorized under Sec. 86.196, Wis. Stats., and guidance signs authorized under TRANS 200.03, Wis. Adm. Code.
- e. Temporary "For Sale" signs if they do not hinder traffic safety or visibility, and if less than ten (10) square feet.
- f. Temporary banners over roads if all of the following requirements are met:
 - (1) The banner is securely fastened
 - (2) Made of durable materials
 - (3) Mounted at least twenty (20) feet high above the road surface
 - (4) Located so as to not hinder traffic safety or visibility, and not displayed for more than one hundred twenty (120) days in any year.

- g. Signs for religious organizations or service clubs, if all of the following requirements are met:
- (1) The sign does not hinder traffic safety or visibility.
 - (2) A single sign with multiple listings may be placed along State Highway 13 north of the City of Bayfield and south of the City of Bayfield. Each listing shall be limited to a one foot (1) by six foot (6) sign with black letters on a white background.
 - (3) With the exception of State Highway 13, no more than two (2) off premise and two (2) on premise signs shall be permitted per organization or club.
 - (4) Off premise signs visible from the same road and located on the same side thereof, including signs of different organizations or clubs, shall have a minimum separation distance of three hundred (300) feet between them.

5. Non Conforming Signs

Grace Period

- a. All signs in existence on the effective date of this ordinance which do not comply with Section 3 and Section 8 and are not exempted under Section 5 shall be brought into compliance or removed within five (5) years of such date, provided that this provision shall not apply in such instances where it would be contrary to state or federal law or where it would result in a loss of state or federal funds for maintenance of the road from which the sign in question is visible Highway 13 and provided further that any nonconforming sign in existence on the effective date of this ordinance which is adjacent to such a road and which cannot remain in its existing location due to widening of the road, may be moved to a corresponding location relative to the widened road without losing its nonconforming status.
- b. A nonconforming sign that is exempt from the removal requirement under subsection (a) above, may be replaced with a new sign that shall also be exempt from such requirement subject to the following requirements:
 - (1) The area of the new sign shall not exceed 50 square feet.
 - (2) If the sign to be replaced is fastened to a building, the new sign shall not extend above the highest part of the building's roof. If the sign to be replaced is freestanding, the new sign shall not extend more than 20 feet above ground level.

6. General Sign Requirements

- a. No back lighted, flashing, multicolored, intermittent, or moving lights, moving parts, or sound producing devices, shall be used with or on any sign.

- b. Signs shall not be placed or allowed to interfere with any governmental or directional signs, or driver visibility.
- c. Signs shall be placed on safe and sturdy supports except that on premise signs may be fastened to a building.
- d. Signs shall not be closer than three (3) feet to a property line or right of way line, and except as provided in Section 7(b)(2), shall not extend more than ten (10) feet high above the ground level, except that signs fastened to a building may be higher so long as it is not higher than the highest part of that building's roof.
- e. All signs are structures for purposes of location at the required setback from navigable waters.
- f. No business on or off premise sign shall be intended, designed, or erected to be visible by those boating or swimming on navigable waters, except that no more than two (2) unlighted signs of less than ten (10) square feet may be erected on the site of a riparian business to advertise the name and services of that business.
- g. All signs, sign faces, and sign supports shall be maintained in a safe and good state of appearance and repair as determined by the Bayfield Town Board.

7. Noncompliance

The Zoning Committee may revoke any permit or order the removal, relocation, alteration, or repair of any sign the Committee finds to be in violation of this Section. The Zoning department may issue a citation for any violation of this Article.

8. Removal Notice

Except for signs subject to removal under 13-1-64 (6), a time limit of not less than thirty (30) days shall be given in any order for the removal of any sign. The immediate removal of a sign may be ordered where the sign poses a threat to traffic safety or visibility.

9. Removal of Obsolete Signs

An off premise sign advertising a business, product, service, commodity, entertainment, or real or personal property sale which has been terminated shall be removed within three (3) months after such termination.

Date: February 21, 2008

BAYFIELD COUNTY PLANNING AND ZONING COMMITTEE

James Beeksma, Kenneth Jardine, Harold Maki, Shawn Miller, Brett Rondeau

A motion was made by Gordon/Good to receive and place on file the Report of the Bayfield County Planning & Zoning Committee Regarding Amendments to Section 13-1-62, Classification of Uses and Section 13-1-64, Town of Bayfield Overlay District. The motion carried with 1 opposition.

7. Bayfield County Amendatory Ordinance No. 2008-02, Regarding Amendments to Section 13-1-62, Classification of Uses and Section 13-1-64, Town of Bayfield Overlay District.
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:

Sec. 13-1-62 Classification of Uses.

- (a) The letter "C" appearing in the following table for any use means that the use is allowed as a conditional use and may be permitted in the zoning district only if a conditional use permit is granted. "S-A or SB" means that the use is allowed as a Class A or Class B special use, respectively, and may be permitted in that zoning district only if a special use permit is granted. "P" means that the use is permitted in the zoning district. If the space is blank, it means that the use is not permitted in that zoning district. For uses not included on this list, application shall be made to the Zoning Committee for interpretation:

PERMISSIBLE USES	R4 R3 R1	R2	RRB	C	I	A1	A2	F1	F2	W
Signs - Town of Bayfield (See Town Overlay District 13-1-64) *subject to 13.1-80 et seq.	S-A*	S-A*	S-A*	S-A*	S-A*	S-A*	S-A*	S-A*	S-A*	S-A*

Add Section 13-1-64

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(b) Intent of Town of Bayfield Overlay District. The intent of this overlay district is to promote the public health, safety, convenience and general welfare; to encourage planned and orderly land use development; to protect property values and the property tax base; to permit the careful planning and efficient maintenance of roadways; to ensure adequate highway, utility, health, educational and recreational facilities; to recognize the needs of agriculture, forestry, industry and business in future growth; to encourage uses of land and other natural resources which are in accordance with their character and adaptability; to encourage the protection of old-growth forests; to preserve wetlands; to conserve soil, water and forest resources; to protect the beauty and amenities of landscape and man-made developments; to provide healthy surroundings for family life; and to promote the efficient and economical use of public funds.

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- b. Signs on rolling stock of common carriers parked in a visible location while loading and unloading.
- c. Signs of two (2) square feet or less with no letters, numbers, symbols, logos, or designs in excess of two (2) inches in vertical or horizontal dimensions.
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two (2) unlighted signs of less than ten (10) square feet may be erected on the site of a riparian business to advertise the name and services of that business.

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Dated: March 11, 2008

By Action of the
Bayfield County Board of Supervisors

Scott S. Fibert,
Bayfield County Clerk

A motion was made by Rondeau/Gordon to adopt Bayfield County Amendatory Resolution No. 2008-02, Regarding Amendments to Section 13-1-62, Classification of Uses and Section 13-1-64, Town of Bayfield Overlay District. Discussion took place on how this will create confusion and could lead to a further mess in the future. We do have to work with the towns otherwise they will create their own zoning. The motion carried with one opposition.

8. **Presentation on Wisconsin Way.** A DVD forum presentation on the Wisconsin Way sponsored by the Wisconsin Counties Association was viewed by all in attendance. The DVD was a public conversation about lowering property taxes and ensuring excellence in public service. After viewing the same, Abeles-Allison instructed the Board to give any ideas or suggestions that they might have to his office which will then be forwarded to the Wisconsin Counties Association. A brief discussion took place.

9. **Administrator's Report:**

- a) April 1, 2008 is the Spring Election and swearing in of the Bayfield County Board of Supervisors will take place at the April 15th Board meeting at 9:00 a.m.;
- b) A strategic planning retreat for the County Board was discussed. The Board came up with the date of May 15th at 4:00 p.m.;
- c) Abeles-Allison went over construction projects that are taking place at the courthouse. Discussion took place on solar water heat - they only had 1 bid at this time. Discussion took place for Abeles-Allison to look into geo thermal as it is said to be a better system than solar.

10. **Supervisors' Reports:**

- a) The Board stated that they would like to honor Jolene Anderson for her endeavors and discussed how this might be accomplished.
- b) **Superior Days** - Kacvinsky reported that he met with the Dept. of Transportation and the 4-lane highway was discussed. Some lobbying was done but he didn't feel it went all that well, but believed that they got the "wheels turning." Further discussion took place the "T" situation, and he stated that the DOT is coming back to the Board for a future meeting. Other issues that were discussed were the Murphy Oil Refinery, Great Lakes Compact, highway expansion, and the shortfall of dollars in the budget for shared revenue.
- c) An update on the April ballot was given; there are two referendums and the Town of Pilsen will be voting on the adoption of the Bayfield County Zoning Ordinance.

There being no further business to come before the Bayfield County Board of Supervisors, ***a motion was made by Gordon/Beeksma to adjourn. The motion carried*** and the meeting adjourned at 7:15 p.m.

Respectfully submitted,

Scott S. Fibert,
Bayfield County Clerk
SSF/dmb