

Bayfield County Clerk

Scott S. Fibert, *County Clerk*

Kim Mattson, *Accountant*
Gail M. Reha, *Bookkeeper*

Jeran Rekemeyer, *Deputy Clerk*
Allison Radke, *Clerk III*



Ph: 715.373.6100 • Fx: 715.373.6153 • Email: sfibert@bayfieldcounty.org • 117 E. Fifth Street, PO Box 878, Washburn, WI 54891

Draft Minutes of the:
Bayfield County Board of Supervisors' Meeting
February 25th, 2020 6:00 p.m.
Bayfield County Board Room, Bayfield County Courthouse, Washburn, WI

Full copies of resolutions, ordinances, and reports can be found at:
www.bayfieldcounty.org or the Bayfield County Clerk's Office: 715-373-6100,
117 East 5th Street Washburn, WI 54891.

BAYFIELD COUNTY BOARD OF SUPERVISORS

Dennis M. Pocernich, *Chair*, Fred Strand, *Vice-Chair*
George Newago, Thomas Gordon, Larry Fickbohm, Harold Maki,
Jeremy Oswald, Jeffrey Silbert, Thomas Snilsberg, Marty Milanowski,
David Zepczyk, James Crandall, Brett Rondeau

The Bayfield County Board of Supervisors was called to order at 6:00 p.m. by Bayfield County *Chairman*, Dennis Pocernich. A roll call was taken by *County Clerk*- Scott Fibert, as follows: George Newago- present; Thomas Gordon- present; Larry Fickbohm- present; Harold Maki- present; Jeremy Oswald- present; Jeffrey Silbert- present; Dennis Pocernich- present; Fred Strand- present; Thomas Snilsberg- absent; Marty Milanowski- present; David Zepczyk- present; James Crandall- absent; Brett Rondeau- present. Total: 11 present, 2 absent. A quorum was present to conduct business.

The following were also present for today's meeting: *County Administrator*- Mark Abeles-Allison; *County Clerk*- Scott Fibert; *Clerk III*- Allison Radke.

3. **Pledge of Allegiance;** The Pledge of Allegiance was recited by all in attendance.
4. **Public Comment:** – (*Limited to 3 minutes per person, 15 minutes total.*)

Steve Sandstrom – introduced himself candidate for District 1 Board of Supervisor, to represent the Town of Russell.

Dr. Kristi Kiel – a naturopathic doctor who practices in Ashland, spoke in favor of vaccination choice.

Rebecca Nielsen – addressed the fear component and statistics in favor of vaccination choice.

Supervisor Crandall arrived at 6:08 p.m.

Laura Jennerman – from the Village of Mason. She was present to speak in favor of vaccination choice. She asked if the schools would then also require teachers and all employees to have their vaccine records up to date.

Bill Bussey – from Bayfield spoke in favor of the carbon free electricity credit purchase Resolution. Bussey also thanked the County Board for their continued efforts regarding solar energy and other climate change efforts.

Kailee Marten – from Washburn. She spoke on behalf of her mother, Anne Smith, a nurse who has practiced in the Ashland area for over 30 years. She highlighted numerous locally known adverse illnesses/reactions from vaccines.

Motion by Gordon, Zepczyk to extend public comment for an additional 15 minutes. Motion carried with one opposition.

Yulia Welk – She grew up in Russia and lives in the Cable area. She strongly urged County Board members to table the Resolution regarding personal exemption waivers for vaccines.

Tom Galazen – is an organic farmer and is a resident of Bayfield. He has been off the grid since 1982. He supports the carbon free electric credit purchase Resolution.

Jennifer Sauter-Sargent – from Cornucopia. She spoke in support of vaccine safety and personal choice. She urged the County Board to preserve the law and protect the personal exemption waiver for Wisconsin Schools and Day Care Centers.

Jenni Haan – lives outside of Eau Claire. She spoke about her three children who would all be impacted by the personal exemption waiver. Her son has a permanent medical exemption and changed after 12 months. She is very concerned about vaccine safety and medical freedoms.

George & Joe Tuttle – are two scholarship applicants for the Bayfield County 2020 Local Government Scholarship. They introduced themselves and explained where they want to attend college and what they would like to study. They have already attended a Town meeting and now have attended a County Board meeting as well.

5. Motion Regarding the Minutes of the January 28th, 2020 Bayfield County Board of Supervisors' Meeting;

Motion by Rondeau, Milanowski to approve the Minutes of the January 28th, 2020 Bayfield County Board of Supervisors' Meeting. No additions or corrections. Motion carried.

6. Bayfield County Resolution No. 2020-09; Recognizing Beth Renz for 17 years of dedication and service in the Bayfield County Sheriff's Department;

County Administrator Abeles-Allison read Resolution No. 2020-09 recognizing Beth Renz. A plaque was presented to Renz. Renz introduced herself and thanked Bayfield County.

WHEREAS, Beth Renz has served Bayfield County with distinction, honor and dedication in the Sheriff's Department for 17 years,

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25th day of February 2020, honors Beth Renz for her 17 years of public service to Bayfield County and expresses gratitude for her efforts, wishing her well in the years ahead.

Motion by Oswald, Rondeau to approve Resolution No. 2020-09, Recognizing Beth Renz for 17 years of dedication and service in the Bayfield County Sheriff's Department. Motion carried.

7. **Bayfield County Resolution No. 2020-10; Recognizing Bayfield County native, Megan Gustafson, for her basketball jersey retirement at the University of Iowa;**

County Administrator Abeles-Allison read Resolution No. 2020-10 recognizing Megan Gustafson. Family stories were shared, and her pleasant, kind personality was highlighted.

WHEREAS, Megan Gustafson was born and raised in the Town of Port Wing, Bayfield County, Wisconsin;

WHEREAS, Megan graduated from South Shore High School in Port Wing and then from the University of Iowa with a double major in Finance and Marketing with a minor in Psychology where she has been recognized as All-Academic Big Ten;

WHEREAS, Megan has consistently represented her family, community, teams, and County as a positive role model and pursued excellence in the classroom and on the court;

WHEREAS, Megan has attained recognition for her basketball skills at the High School, College, State and National levels and was drafted in the 2nd round of the WNBA Draft;

WHEREAS, Megan was recently named the greatest player in Iowa Hawkeye Women's Basketball History and her #10 was retired by the University of Iowa;

WHEREAS, among numerous other awards and records here is an abbreviated list of her college records;

- 2 time Academic All-Big Ten
- All Time scoring record at the University of Iowa
- Big Ten all-time leading rebounder
- Owner of 16 Iowa school records
- Owner of 8 Big Ten records
- 3 time 1st team All-Big Ten
- 2 time Big Ten player of the year
- ESPNW National player of the year
- Associated Press player of the year
- Naismith Trophy player of the year
- NCAA record for double/doubles in a single season
- Big Ten Tournament most outstanding player
- 23 time Big Ten player of the week

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25th day of February 2020, recognize Megan Gustafson for her outstanding achievements and express great pride that she is from Bayfield County.

Motion by Fickbohm, Milanowski to approve Resolution No. 2020-10, Recognizing Bayfield County native, Megan Gustafson, for her basketball jersey retirement at the University of Iowa. Motion carried.

8. State of the County 2020 Presentation; Mark Abeles-Allison, County Administrator;

Bayfield County Administrator, Mark Abeles-Allison, gave a presentation regarding the State of County 2020. The County Administrator is required to present an annual report about the condition of County per State Statute §59.18. Bayfield County was described as a progressive and responsible County. Bayfield County has approximately 220 full and part-time employees. There are 22 Departments at Bayfield County. Bayfield County operates a \$32 million budget. The top five priorities that were determined by an annual survey were highways, services to seniors and youth, natural resources, economic development, and public safety.

The presentation included information about: County accomplishments, Pigeon Lake on County Highway N, the commitment to Highway road repairs, local weather events, Human Services milestones, Law Enforcement updates. 17 other Departments in Bayfield County were highlighted. Numerous programs and improvements were summarized.

Bayfield County finances have a declining balance which can be partially attributed to the Highway road repairs. Some continuing challenges include: infrastructure needs, opioid and meth epidemic, demographics in Bayfield County, job creation opportunities, and Emergency services. Bayfield County plans to continue to focus on priorities, namely Human Services, Highway, and Law Enforcement needs. Bayfield County's priority is to serve citizens effectively.

Motion by Rondeau, Milanowski to receive and place on file the 2020 State of the County Presentation. Motion carried.

9. Bayfield County Resolution No. 2020-11; Carbon Free Electricity Credit Purchase and 100% Carbon Free Declaration; William Bailey, Chequamegon Bay Renewables and Mike BeBeau, Xcel Energy;

Bill Bailey from *Chequamegon Bay Renewables*, Mike BeBeau from *Xcel Energy*, and Jeff Klaver from *Xcel Energy* provided information and data related to Resolution No. 2020-11. This could make Bayfield County the first and only County with 100% Carbon Free Electricity in Wisconsin. The program discussed, Renewable Connect, is a 5-year commitment. Renewable Connect provides wind and solar energy that is renewable and carbon free. Questions were received regarding the amount Bayfield County has invested in renewable energy and the return on investments.

WHEREAS, Bayfield County has set a goal of 25% of its energy usage to be from renewables by 2025; and,

WHEREAS, Over the past decade the County has implemented a wide range of energy conservation, alternate energy, and renewable energy projects designed to reduce the county's energy consumption and carbon footprint; and,

WHEREAS, the county's efforts have stabilized utility bills and in recent years have led to reductions in bills; and,

WHEREAS, in 2018 Bayfield County purchased 190KW from Xcel Energy's Ashland Solar Garden; and,

WHEREAS, in 2019 the Board approved and received RECIP and EIGP grants through Focus on Energy and The State Office of Energy Innovation resulting in additional solar installations together with energy efficiency and conservation advancements; and,

WHEREAS, in 2019 Bayfield County used 986,700 kWh of electricity of which 74% is carbon free; and,

WHEREAS Bayfield County has an opportunity to purchase carbon free credits from Xcel Energy and Bayfield Electric, at a cost of \$1627 per year to reach 100%; and,

WHEREAS, Bayfield County plans to continue to strive to advance energy conservation efforts,

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25th day of February 2020, approves the purchase of 240,000 kWh of Carbon Energy Credits in 2020 at a cost of \$1627 to achieve 100% carbon free electricity.

BE IT FURTHER RESOLVED, that these funds will come from the 2020 contingency line item.

Reduce Contingency 100-00-51410-50000 by \$1627

Increase Utility Cost 100-14-51601-50222 by \$1627

Motion by Silbert, Strand to approve Resolution No. 2020-11, Carbon free electricity credit purchase and 100% carbon-free declaration. A roll call was taken as follows: Newago-yes, Gordon-yes, Fickbohm-yes, Oswald-yes, Silbert-yes, Pocernich-yes, Strand-yes, Snilsberg-absent, Milanowski-yes, Zepczyk-yes, Crandall-yes, Rondeau-yes, Maki-yes. (12-yes, 0-no, 1-absent) Motion carried.

10. Apostle Islands National Park Service Report: Infrastructure Update and 2020 Projects; Lynne Dominy, Superintendent and staff;

Apostle Islands *Superintendent* Lynne Dominy reported on infrastructure updates and 2020 projects. Garyck Hoenig, facility manager and supervisor, was also present to answer infrastructure questions. The Apostle Islands National Park Services employed 88 people in 2019.

Their five priorities for 2020 include: train and care for employees, be effective and efficient, care for natural resources and cultural connections, care for infrastructure, and maintain important partnerships. There are 119 buildings in the Park. Major projects include: Sand Island – dock; improve accessibility on the islands; Devils Island – dock; accessibility project on Stockton Island; Raspberry Island – working on the roof; improve the trail on Meyers Beach. This year marks the 50th year of the Apostle Island National Lakeshore. Little Sand Bay will have an opening celebration on June 13th, 2020. Questions were received regarding cell phone service and towers.

11. University of Wisconsin-Madison, Division of Extension; Electric Car Study Report; Jason Fischbach, Extension Educator;

Extension Educator, Jason Fischbach, gave information about an electric car study report. Transportation makes up a larger portion of energy consumption than electricity or heating. Fischbach focused on the impact to Chequamegon Bay. Range anxiety was discussed, which describes the worry people feel that the electric car's battery will need to be charged before an electric charging source is reached. A survey was conducted by Extension polling the people who participated in the solar panel group buy. An electric vehicle group buy is being considered. Charging infrastructure was discussed for tourism, as well as local residents.

12. **Bayfield County Amendatory Ordinance No. 2020-02; Amending Title 10, Chapter 3: All-Terrain Vehicles and Off-Road Motor Vehicle Operation; Adding 1 Section to Sec. 10-3-10 Designated Routes; .6 mile on CTH C between Avol-Law driveway- west to South Maple Hill Road in the Town of Washburn; Paul Johanik, Bayfield County Highway Commissioner;**

This Amendatory Ordinance was reviewed and recommended for approval by the Highway Committee. This is the best alternative for this recommendation.

There were two changes made on Amendatory Ordinance No. 2020-02. The name of the individual was changed to the address and the language was also added to say: "Void upon sale of home." The changes were reviewed by the *Highway Commissioner*.

The only change that is indicated by Amendatory Ordinance No. 2020-02 is the addition of the following 1 route:

CTH C (29635 County Hwy C west to South Maple Hill Road) (Void upon sale of home) - .6 mile

Motion by Crandall, Milanowski to approve Amendatory Ordinance No. 2020-02, Amending Title 10, Chapter 2, Adding 1 Section to Sec. 10-3-10 Designated Routes. The following two changes were made: the name of the individual home was changed to the address and "Void upon sale of home" was also added. Motion carried with one opposition.

13. **Bayfield County Resolution No. 2020-12; In support of Proposed Bills SB 723 and AB 790 – Increase in County Conservation Staff Funding, Land & Water Conservation Department;**

The Land & Water Conservation Committee reviewed and recommended this Resolution for approval. The Resolution supports Bills 723 and 790. If this legislation is enacted, Bayfield County would receive approximately \$30,000 – \$40,000 in staff funding annually.

WHEREAS, in Wisconsin State Statutes ATCP 92.14 requires the state support an average of three staff per county at cost-sharing rates of 100%, 70%, and 50% funding for staff,

WHEREAS, current funding for county conservation staff and programs is currently at approximately \$9.8 million, a shortfall of the approximately \$12.7 million needed to fully fund 3 staff per county,

WHEREAS, proposed SB 723 and AB 790 provides Increased Funding for County Conservation Staff to meet Wisconsin State Statutes 92.14 supporting an average of 3 staff per county.

WHEREAS, these proposed bills increase statewide funding for county land and water conservation staff by \$2,960,000 in FY 2020-21,

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors, meeting this February 25th, 2020, supports these proposed bills directed to improve Wisconsin's surface and ground water quality in Bayfield County and state-wide.

Motion by Strand, Milanowski to approve Resolution No. 2020-12, in support of proposed Bills SB 723 and AB 790, Increase in County Conservation staff funding. Motion carried.

14. **Presentation on School Required Immunizations and Local Immunization Data, Sara Wartman, Health Director;**

Newago made a motion to delay this presentation. This motion was out of order because the agenda was already set and approved by the Chair prior to the meeting.

Health Director, Sara Wartman, presented information on school required immunizations and local immunization data. Wartman gave a general overview on the school requirements, history, science, and background of immunizations. Information was provided on the current law local immunization statistics. At present, a child who attends school or a licensed childcare facility, is required by Wisconsin law to have received 9 out of the 16 Center for Disease Control and Prevention (CDC) recommended vaccinations. These children who attend school or a licensed childcare facility can be exempt from the immunization requirements for three reasons. They include: personal exemptions, medical exemptions, and religious exemptions. Wisconsin is one of 16 states that allow personal convictions for immunizations. Wartman stated that vaccinations are considered one of the number one scientific achievements in the 20th Century for increasing longevity of humans and are responsible for the eradication and near eradication of multiple diseases. Vaccines help to protect the whole community. Wartman explained some of the protections and structures already in place for adverse reactions. Bayfield County has a 13% rate of personal conviction waivers. In Wisconsin, the State average is significantly lower. Discussion was held regarding benefits, negative side effects, and recommended immunization schedules.

15. **Bayfield County Resolution No. 2020-13; In support of Removal of Personal Exemption Waiver in Wisconsin Schools and Day Care Centers, Health Department;**

County Board *Supervisors* had a discussion including information about: the World Health Organization (WHO) stated that immunizations prevent 2-3 million deaths per year. Also according to the WHO, immunization hesitancy was declared one of the top ten threats to global health in 2019. Vaccinations protect the general public and are essential to protect the most vulnerable people, who medically cannot be vaccinated. Comments were received regarding personal choice, fear-based decision making, personal family experiences, and information on how County Board *Supervisors* arrived at their decisions.

Zepczyk said he would like to table this Resolution, comment was not in motion format, and was not recognized by the Chair.

Resolution No. 2020-13 was reviewed and recommended by the Health Committee.

WHEREAS, there are multiple important and potentially dangerous communicable diseases that are preventable by vaccinations currently required by Wisconsin law for school and day care attendance, and

WHEREAS, vaccine-preventable diseases, such as measles, are very contagious and can result in serious health complications, including pneumonia and encephalitis, and lead to death, and

WHEREAS, outbreaks of measles have impacted multiple states in 2019, and a number of other serious vaccine-preventable disease outbreaks have occurred in Wisconsin over the past two decades, and

WHEREAS, the effectiveness and safety of vaccines have been well established, and

WHEREAS, the Affordable Care Act has improved insurance coverage for vaccinations, which are readily available in medical offices and pharmacies, and public health departments continue to serve those eligible for the Vaccines for Children Program, and

WHEREAS, all states require certain vaccines for school entry in order to:

- a) assure that individual children do not contract disease in the social setting of school,
- b) protect other students from being at risk of disease and death from exposure to an individual student, and
- c) protect the broader community from these serious illnesses, including individuals who are immunocompromised and those who cannot receive vaccines for bona fide medical reasons, and

WHEREAS, Wisconsin's immunization law Wis. Stat. § 252.04(3), Wis. Admin. Code § DHS 144.06, permits parents to opt out or waive some or all of the vaccinations required to attend school or group day care based on their personal beliefs, and

WHEREAS, Wisconsin is one of only 16 states that permits parents to opt out or waive some or all of the vaccinations required to attend school or group day care based on their personal beliefs, and

WHEREAS, several other states have recently removed personal belief exemptions from their legal codes, such that 34 states now prohibit the use of personal belief exemptions for school and day care immunizations, and

WHEREAS, Wisconsin's percentage of students with religious and medical waivers have remained relatively constant over the past decade at less than 1%, but the percentage of students with a personal conviction waiver in Wisconsin has increased from 1.2% during the 1997-1998 school year to an alarming 4.6% during 2018-2019, and

WHEREAS, the Wisconsin Public Health Association (WPHA) and the Wisconsin Association of Local Health Departments and Boards (WALHDAB) support a change in school and day care center immunization law that eliminates personal conviction waivers for students in Wisconsin public and private schools and for children who attend group day cares.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 25th day of February 2020, do hereby urge the Wisconsin Legislature end the use of personal conviction waivers for school and day care center immunization requirements by adopting Assembly Bill 248 without delay.

BE IT FURTHER RESOLVED, that Bayfield County Health Department will provide additional education and information in 2020 to all Bayfield County schools on the importance of childhood vaccinations and meeting the minimum immunization requirements.

BE IT FURTHER RESOLVED, that the Bayfield County Clerk is directed to send copies of this resolution to Governor Tony Evers of Wisconsin, Wisconsin state legislators, WPHA, WALHDAB, and the Wisconsin Counties Association.

Motion by Oswald, Strand to approve Resolution No. 2020-13, In support of removal of personal exemption waiver in Wisconsin Schools and Day Care Centers. A roll call was ordered and was taken as follows: Newago-no, Gordon-yes, Fickbohm-no, Oswald-yes, Silbert-yes, Pocernich-yes, Strand-yes, Snilsberg-absent, Milanowski-no, Zepczyk-no, Crandall-yes, Rondeau-yes, Maki-yes. (8-yes, 4-no, 1-absent) Motion carried.

16. **2019 Budget Amendments (Please approve letters a – h as one motion.)**

a) **Bayfield County Resolution No. 2020-14; 2019 Budget Amendments; Health Department;**

WHEREAS, amendments to the 2019 Health Department budget are necessary due to increases/decreases in federal and state grant funding; and

WHEREAS, this will not affect the amount of tax levy requested by the department;

WHEREAS, additional 2019 revenues are anticipated, but these will not be received until after the 2019 books are closed at the end of February 2020.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25th day of February 2020, amends the 2019 budget by \$40,885 and authorizes the increase/decrease of the following revenue and expense accounts for 2019.

ACCOUNT NUMBER	DESCRIPTION	ADJUSTMENTS
	Revenue Amendments	
100-20-43551	Chronic Disease Self-Management Program	6,150
100-20-43550-007	Prevention Grant	2,200
100-20-43550-014	PEER Counseling Grant	6,500
100-20-43550-022	Snap Ed Grant	2,000
100-20-43550-004	Beach Monitoring Grant	8,000
100-20-43550-001	Maternal/Child Health Grant	3,000
100-20-43550-027	Communicable Disease Prevention	420
100-20-48519	Family Planning Donation from HCET	1,030
100-20-44101	Environmental Health	5,240
100-20-46510-105	Family Planning Fees	950
100-20-48509	ABCs for Healthy Communities	15,000
100-20-48508	AODA/HYHE	-2,730
100-20-48500	Donations	1,320
100-20-46510-012	Flu Vaccine	4,055
100-20-46510-001	Water Testing Fees	-17,000
100-20-43560-119	WIMCR	500
100-20-43550-018	Opioid STR Grant	4,250
	Total increase to Revenues	40,885
	Expenditure Amendments	
100-20-54101-50121	Full Time	-50,000
100-20-54103-50121	Full Time	10,500

100-20-54103-50154	Health Ins	4,500
100-20-54103-50320	Publication, Subscriptions & Dues	871
100-20-54103-50390	Other supplies	5,000
100-20-54104-50121	Full Time	1,000
100-20-54104-50122	Part time	300
100-20-54104-50123	Temp empl	155
100-20-54104-50154	Health Ins	900
100-20-54104-50315	Advertising	250
100-20-54104-50332-002	Mileage – RN	100
100-20-54104-50336-008	Lodging – PH Ed	100
100-20-54104-50390	Other supplies	450
100-20-54107-50290	Contr Svcs	5,660
100-20-54107-50390	Other supplies	8,700
100-20-54107-50810	Capital Equip	9,347
100-20-54110-50121	Full Time	600
100-20-54111-50123	Temp Empl	-1,500
100-20-54114-50121	Full Time	20,727
100-20-54114-50151	FICA	1,400
100-20-54114-50152	Retirement	1,300
100-20-54114-50154	Health ins	7,000
100-20-54114-50290	Contr Svcs	5,000
100-20-54114-50320	Publication, Subscriptions & Dues	1,900
100-20-54114-50332	Mileage	4,350
100-20-54114-50335-008	Meals – PH Ed	50
100-20-54114-50340	Operating Supplies	1,800
100-20-54114-50810	Capital Equip	6,135
100-20-54119-50332-008	Mileage – PH Ed	-1,825
100-20-54119-50810	Capital Equip	-7,050

100-20-54120-50121	Full time	1,150
100-20-54120-50123	Temp empl	2,650
100-20-54120-50332	mileage	1,200
100-20-54120-50340	Operating supplies	3,000
100-20-54121-50390	Other supplies	3,040
100-20-54127-50121	Full time	-9,900
100-20-54134-50123	Full time	-2,200
100-20-54134-50390	Other supplies	-1,600
100-20-54135-50121	Full time	-2,000
100-20-54135-50152	Retirement	-260
100-20-54135-50154	Health ins	-750
100-20-54135-50313	Printing	-300
100-20-54135-50390	Other supplies	-200
100-20-54138-50121	Full time	1,000
100-20-54139-50121	Full time	4,235
100-20-54139-50313	Printing	850
100-20-54139-50390	Other supplies	2,500
100-20-54139-50810	Cap Equip	13,000
100-20-54141-50121	Full time	-1,500
100-20-54141-50154	Health ins	-600
100-20-54141-50290	Contr svc	-500
100-20-54141-50315	Adv	-1,800
100-20-54141-50332-002	Mileage – RN	-300
100-20-54141-50340	Operating supplies	-950
100-20-54910-50121	Full time	-4,500
100-20-54910-50390	Other supplies	-2,100

	Total increase to Expenditures	40,885

b) Bayfield County Resolution No. 2020-15; 2019 Budget Amendment; Human Services Department;

WHEREAS, adjustments to and transfers within the Department of Human Services 2019 budget are necessary to satisfy state statutes and accounting principles; and

WHEREAS, unanticipated budget adjustments are necessary because the Aging and Disability Resource Center of the North (ADRC-N) exceeded its 2018 regional operations budget; and

WHEREAS, Bayfield County, as Fiscal Agent of the ADRC-N, holds but does not own the ADRC-N's Contingent Fund, and funds which were paid out in 2018 with Bayfield County funds and the Department has yet to be reimbursed for them; and

WHEREAS, the Department has recently been informed of a new budget adjustment process which requires a budget resolution to release the funds;

WHEREAS, this resolution satisfies that requirement;

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors' assembled this 25th day of February 2020 does hereby approve that the following 2019 budget line adjustments.

G/L Account Number	Account Description	Description	Debit Amount	Credit Amount
235-50-48907	ADRC Contingency	From ADRC North Assigned Fund Bal for 2018 Expenses	\$20,186.00	
235-50-49301	Fund Balance Applied	From ADRC North Assigned Fund Bal for 2018 Expenses		\$20,186.00

c) Bayfield County Resolution No. 2020-16; 2019 Budget Amendments; Register of Deeds;

WHEREAS, A change of life circumstances of staff in the Register of Deed's Department during 2019 resulted in health insurance and HRA costs;

WHEREAS, additional Transfer fees are anticipated to cover cost overages in the department.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25th day of February 2020, does hereby authorize that the 2019 Register of Deeds Department Budget be amended to reflect the additional costs for Health Insurance and HRA and Revenues from Transfer Fees as follows:

EXPENDITURES:

Increase Health Insurance Line Item 100-15-51711-50154 by \$5,300
Increase HRA Line Item 100-15-51711-50156 by \$2,400

REVENUES:

Increase Transfer Fees 100-15-41230 by \$7,700

d) Bayfield County Resolution No. 2020-17; 2019 Budget Amendments; Squad Car Fund;

WHEREAS, the 2019 Sheriff’s Squad Car Fund expense budget is used for squad related expenses with revenues coming from insurance recoveries, sale of vehicles and depreciation (squad mileage charges).

WHEREAS, Repair and Maintenance service costs exceeded budgeted expenses; *and*

WHEREAS, Fuel costs exceeded budgeted figures, and

WHEREAS, Insurance and insurance deductibles on Vehicles exceeded budgeted figures, and

WHEREAS, Depreciation & Amortization costs exceed budgeted figures

WHEREAS, the Sheriff’s Squad Revenue account has an excess balance of \$7,594 and Fund Balance has a sufficient balance (\$113,075) to cover these expenses;

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25th day of February 2020 does hereby authorize the 2019 Sheriff’s Squad Car Fund budget be amended to reflect the expenses from unexpected costs to:

Increase Fund Balance Applied	760-76-49301	by	\$25,062.00
Increase Squad Mileage Charges Revenue	760-76-47421	by	\$ 7,594.00

TOTAL REVENUE = \$32,656

Increase Repair & Maintenance Expenses	760-76-52120-50350	by	\$ 2,300.00
Increase Fuel Expenses	760-76-52120-50351	by	\$ 6,050.00
Increase CNG Fuel Expenses	760-76-52120-50354	by	\$ 650.00
Increase Insurance on Vehicles	760-76-52120-50512	by	\$ 851.00
Increase Insurance Deductible Expenses	760-76-52120-50513	by	\$ 11,100.00
Increase Depreciation & Amortization Expenses	760-76-52120-50540	by	\$ 11,705.00

TOTAL EXPENDITURES = \$32,656

e) Bayfield County Resolution No. 2020-18; 2019 Budget Amendments; Forestry & Parks;

WHEREAS, as per Wisconsin State Statute 28.11(9)(d), Bayfield County is required to distribute 10% of net timber sale proceeds to towns that contain county forest lands;

WHEREAS, the 2019 expense budget for the 10% net timber sale receipts due to Towns (100-34-56125-50590) was \$332,500;

Increase Revenue 100-17-46218 by \$ 75,614.00

TOTAL REVENUE= \$87,913

Increase K9 Registration Fees & Expenses	100-17-52112-50325	by	\$ 3,635.00
Increase K9 Meal Expenses	100-17-52112-50335	by	\$ 841.00
Increase K9 Lodging Expenses	100-17-52112-50336	by	\$ 1,320.00
Increase K9 Operating Supplies Expenses	100-17-52112-50340	by	\$ 1,213.00
Increase K9 Repair & Maintenance Expenses	100-17-52112-50350	by	\$ 5,887.00
Increase K9 Capital Equipment Expenses	100-17-52112-50810	by	\$ 1,300.00
Increase K9 Other Expenses	100-17-52112-50998	by	\$ 10,000.00
Increase Contractual Expenses	100-17-52101-50290	by	\$ 5,447.00
Increase Operating Supplies Expenses	100-17-52101-50340	by	\$ 4,838.00
Increase Overtime Expenses	100-17-52101-50135	by	\$ 20,048.00
Increase Jail Temporary Employee Expenses	100-17-52701-50123	by	\$ 33,384.00

TOTAL EXPENDITURES=\$87,913

g) Bayfield County Resolution No. 2020-20; 2019 Budget Amendments; Coroner;

WHEREAS, Bayfield County Coroner's Office contracts for autopsy services; and,

WHEREAS, it is difficult to budget an exact figure for autopsies; and,

WHEREAS, \$10,000 was budgeted in 2019, expenses came in at \$13,450; however, some other expenses were less than expected in the Coroner budget, leaving a total over expense of \$338; and,

WHEREAS, revenues were budgeted at \$6,500, however, \$5,201.54 was actually received; and,

WHEREAS, the use of contingency funds are requested to pay the unanticipated coroner expenses;

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25th day of February 2020, does hereby authorize that the 2019 Budget be amended as follows:

Decrease Contingency	100-00-51410-50000	\$338
Increase Coroner Cremation Fees	100-06-51205-50250	\$338

h) Bayfield County Resolution No. 2020-21; 2019 Budget Amendments; Courthouse Maintenance;

WHEREAS, the Courthouse budget includes designated maintenance activities for the courthouse and annex; and,

WHEREAS, heavy snowstorms the past two years have required extensive assistance from the Bayfield County Highway Department staff and equipment often costing thousands of dollars; and,

WHEREAS, a decision was made to purchase a snow blower attachment to the Highway Department's Skid Steer allowing Courthouse Maintenance to blow snow farther without requiring highway assistance. The cost of the attachment was \$13,300; and,

WHEREAS, overall Maintenance expenses, prior to the blower attachment in late December, were within budget; and,

WHEREAS, revenues exceeded expectations by \$1,692.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25th day of February 2020 does hereby authorize that the 2019 budget be amended as follows:

Decrease Contingency	100-00-51410-50000	by	\$868
Increase Incentive Revenues	100-14-48511	by	\$1,692
Increase Capital Equipment	100-14-51601-50810	by	\$2,560

Motion by Newago, Rondeau to approve Resolution No. 2020-14; 2020-15; 2020-16; 2020-17; 2020-18; 2020-19; 2020-20; 2020-21; 2019 Budget Amendments for the Health, Human Services, Register of Deeds, Squad Car Fund, Forestry & Parks, Sheriff, Coroner, and Courthouse Maintenance Departments. A roll call was taken as follows: Newago-yes, Gordon-yes, Fickbohm-yes, Oswald-yes, Silbert-yes, Pocernich-yes, Strand-yes, Snilsberg-absent, Milanowski-yes, Zepczyk-yes, Crandall-yes, Rondeau-yes, Maki-yes. (12-yes, 0-no, 1-absent) Motion carried.

17. Discussion and Possible Action Regarding Northern Lights Lease Modifications due to audit procedures;

The Executive Committee voted to amend the Northern Lights Lease. This would modify the requirements for the audit. A discussion was held regarding advantages and disadvantages of making this modification. The main difference would be that it would allow Northern Lights to have a compilation audit this year, followed by a full audit next year.

Motion by Silbert, Rondeau to accept the Northern Lights Lease modifications due to audit procedures. Motion carried with one opposition.

18. Bayfield County Resolution No. 2020-22; 2019 Budget Amendment Authorizing the use of Fund Balance for Highway and Jail Solar Projects, Amending Bayfield County Resolution No. 2019-21;

This is to correct the financial figures from Resolution No. 2019-21. This budget amendment is due to grants totaling \$113,450. The total project cost is \$309,000. The proposal is not to spend more money, but to have the figures reflect the grants received.

WHEREAS, Bayfield County has set a goal of 25% of its energy usage to be from renewables by 2025; and,

WHEREAS, local energy production creates local jobs and reduces utility bills; and,

WHEREAS, Bayfield County is part of a group buy along with the City and School District of Washburn and the Bayfield Waste Water Treatment Plant; and,

WHEREAS, bids for all four of these entities will be submitted by Friday, April 19, 2019 and,

WHEREAS, Bayfield County has two solar panel projects planned at the Bayfield County Jail and the Bayfield County Highway Department as part of this project; and,

WHEREAS, Bayfield County has applied for and received approval for two solar grants for these projects in the amount of \$113,450; and,

WHEREAS, the estimated total project cost is \$309,000 leaving a remaining implementation cost of approximately \$195,550; and,

WHEREAS, the financial return of solar investments is currently greater than that of having monies in the bank; and,

WHEREAS, the return on investment is over 7%, this is in comparison with the current 10-year treasury bill return of 2.51%.

WHEREAS, the County investment has a 12-year payback, while the panels have a 30-year warranty and 40-50 year life expectancy; and,

WHEREAS, resolution 2019-21 included the net cost of the projects and did not include the full expense and revenues as needed for budget and audit purposes;

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25th day of February 2020, authorizes a correction to Bayfield County Resolution No. 2019-21 to reflect full revenues and expenses associated with these projects,

Increase General Fund Balance applied account	100-00-49301 by	\$195,550
Increase Transfer to CIP account	100-00-59430-50820 by	\$195,550
Increase CIP Energy Innovation Grant	430-14-43510-133 by	\$35,535
Increase CIP Focus on Energy RECIP	430-14-43510 by	\$77,915
Increase CIP Transfer from Other Funds	430-70-49201 by	\$195,550
Increase CIP Capital Projects	430-00-57100-50820 by	\$309,000

Motion by Newago, Gordon to approve Resolution No. 2020-22, 2019 Budget Amendment authorizing the use of Fund Balance for Highway and Jail Solar Projects, Amending Bayfield County Resolution No. 2019-21. A roll call was taken as follows: Newago-yes, Gordon-yes, Fickbohm-yes, Oswald-yes, Silbert-yes, Pocernich-yes, Strand-yes, Snilsberg-absent, Milanowski-yes, Zepczyk-yes, Crandall-yes, Rondeau-yes, Maki-yes. (12-yes, 0-no, 1-absent) Motion carried.

19. **The Bayfield County Board of Supervisors may entertain a motion to move in and out of Executive/Closed Session pursuant to: §19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.**

Motion by Newago, Rondeau to enter Executive/Closed Session at 9:31 p.m. Motion carried with unanimous vote.

The following were allowed to remain in Executive/Closed Session: Mark Abeles-Allison, County Administrator; Scott Fibert, County Clerk; Allison Radke, Clerk III.

Discussion took place regarding the Red Cliff Zoning Lawsuit.

There being no further business to conduct in Executive/Closed Session, *a motion was made by Rondeau, Crandall to return to Open Session at 9:48 p.m. Motion carried.*

20. **Bayfield County Ordinance No. 2020-01; Amendment regarding the Zoning of Bonney – Bayfield Properties, LLC parcel in the Town of Russell from Agricultural-One (Ag-1) to Commercial; Rob Schierman, Planning and Zoning Director;**

This Ordinance will allow the property to change from Agricultural-One (Ag-1) to Commercial. There is a stay of proceeding by Judge Conway on the court order which influenced the County Board's decision.

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:

WHEREAS, Wisconsin Statutes §59.69 (5) authorizes the County Board to adopt a zoning ordinance; and

WHEREAS, Wisconsin Statutes §59.69(5)(e) authorizes the County Board to change district boundaries; and

WHEREAS, an application was submitted by Bayfield Properties, LLC through its agent, Todd Bonney, to rezone a 4.5-acre fee-simple parcel of land located within reservation boundaries of the Red Cliff Band of Lake Superior Chippewa reservation; and

WHEREAS, the federal district court of the Western District of Wisconsin ruled in case number 18-CV-828 that Bayfield County does not have zoning authority over tribal members on fee simple properties located within the boundaries of the Red Cliff reservation; and

WHEREAS, notice has been filed to appeal the decision of the Western District of Wisconsin court to the 7th Circuit Court and a stay was granted February 25th, 2020; and

WHEREAS, Todd Bonney, who is a tribal member, has requested that the County Board take action on his petition to rezone notwithstanding the decision of the Western District of Wisconsin court; and

WHEREAS, fee simple landowners can sell their land to whomever they choose; and

WHEREAS, Bayfield County presently is responsible for zoning of fee-simple parcels of real estate owned by non-tribal members within reservation boundaries; and

WHEREAS, the property that is the subject of the rezone application could be subject to Bayfield County Zoning, notwithstanding the decision of the Western District of Wisconsin court in the event it comes under ownership of a non-tribal member; and

WHEREAS, Bayfield County is not seeking to enforce any zoning ordinance against the property that is the subject of the rezone application at this time; and

WHEREAS, it is deemed in the best interest of the County of Bayfield that the District Boundaries be further modified and amended in the matter hereinafter set forth:

NOW, THEREFORE, the Bayfield County Board of Supervisors does hereby ordain as follows:

The Zoning of **Bonney – Bayfield Properties, LLC, owner and Todd Bonney, agent** 4.5-acre parcel in a shoreland (ID# #29514), described as that part of the Northeast Quarter of the

Northeast Quarter (NE ¼ NE ¼), lying North of Hwy 13 in V. 895 P. 697, Section 36, Township 51 North, Range 4 West, Town of Russell, Bayfield County, WI **from Ag-1 to Commercial.**

(* Note: parcels within one thousand (1,000) feet landward of the ordinary high-water mark of navigable lakes, ponds or flowages or within three hundred (300) feet landward of the ordinary high-water mark of navigable rivers or streams or to the landward side of the floodplain, whichever distance is greater is deemed a shoreland and/or wetland zone).

Motion by Crandall, Maki to approve Amendatory Ordinance No. 2020-01 regarding the Zoning of Bonney – Bayfield Properties in the Town of Russell. Motion carried.

21. **Bayfield County Administrator’s Report:**

No additional reports were received by the County Administrator compared to what was in the packet.

a) **Future County Board Meeting Dates:**

- ✓ **March 31st, 2020 – Regularly Scheduled meeting**
- ✓ **April 21st, 2020 – Statutory meeting: 9:00 a.m – 3:00 p.m.**
- ✓ **May 26th, 2020 – Regularly Scheduled meeting**

b) **2020 Census**

c) **Superior Days**

d) **WCA Legislative Exchange**

e) **Xcel 2nd Circuit Line**

22. **Supervisors’ Reports;** None received.

23. **Future Agenda Items;** None identified.

24. **Adjournment.**

There being no further business to come before the Bayfield County Board of Supervisors, *Chair* Pocernich adjourned the meeting at 9:51 p.m.

Respectfully submitted,

SCOTT S. FIBERT

Scott S. Fibert, *Bayfield County Clerk*
SSF/alr