

PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS
Thursday, June 20, 2013, 6:00 p.m., Board Room, Second Floor, Government Center
1316 North 14th Street, Superior, Wisconsin

Meeting called to order by Chairman Douglas Finn.

Pledge of Allegiance recited.

Roll call taken by County Clerk Susan Sandvick. There were 20 present, 1 absent. Absent - Susan Hendrickson. Youth representative present - Jacob Sutherland.

Motion by Pomush, second Quam, to approve May 16, 2013 meeting minutes. Motion carried.

The following new employees were introduced: Michael Plachetka, Katherine German-Olson, Cynthia Freeberg, Audrey Jordahl, Angel TePoel; Not present – Patrick Carey, Michael Bach, Kristine Swanson.

PUBLIC HEARING

Public input regarding Douglas County's application for Community Development Block Grant Emergency Assistance Program (CDBG-EAP) funds. Sheldon Johnson, NWRPC, explained the application process and the CDBG assistance program, including deadlines for resident applications for assistance. Assistance is specifically for those affected by Germann Road fire. Advertising the program was conducted in various newspapers. Ten requirements for the grant were reviewed. Johnson provided information on meetings he has had to date regarding the EAP with state/local officials, and affected residents. Johnson opened the floor to the public and County Board Supervisors for questions or concerns. If Supervisors know of residents whose homes were affected, let them know to contact Johnson. Chair Finn reiterated the call for public input. No members of the public came forward. Public Hearing was closed.

RESOLUTIONS

RESOLUTION #48-13
RESOLUTION BY THE ZONING COMMITTEE

Subject: Citizen Participation Plan for Community Development Block Grant
Emergency Assistance Program

WHEREAS, the County of Douglas has applied for a Community Development Block Grant Emergency Assistance Program grant, and

WHEREAS, the State of Wisconsin Department of Administration and the U.S. Department of Housing and Urban Development require recipients of Community Development Block Grant Emergency Assistance monies to have in place a Citizen Participation Plan, and

WHEREAS, the Citizen Participation Plan shall encourage citizen participation (especially by persons of low to moderate income), provide citizens reasonable and timely access

to local meetings and information, provide for technical assistance, provide for public hearings, provide for a complaint procedure and accommodate non-English speaking residents, and

WHEREAS, the County of Douglas has prepared and publicly reviewed a Citizen Participation Plan.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors officially adopts the Citizen Participation Plan as set forth in Exhibit A-6-13.

Dated this 20th day of June, 2013.

(Committee Action: Unanimous)
(Fiscal Note: None)

ACTION: Motion by Quam, second Pomush, to adopt. Motion carried.

**RESOLUTION #49-13
RESOLUTION BY THE ZONING COMMITTEE**

Subject: Community Development Block Grant Emergency Assistance Program Application

WHEREAS, Federal monies are available under the Wisconsin Small Cities Community Development Block Grant-Emergency Assistance housing program, administered by the State of Wisconsin, Department of Administration, Division of Housing, for the purpose of housing activities, and

WHEREAS, after public hearing and due consideration, the Zoning Committee has recommended that an application be submitted to the State of Wisconsin for the following projects:

*Owner-Occupied Housing Rehabilitation and Replacement
Business and Economic Development Assistance, and*

WHEREAS, it is necessary for the County Board to approve the preparation and filing of an application for Douglas County to receive funds from this program, and

WHEREAS, the County Board has reviewed the need for the proposed projects and the benefits to be gained therefrom.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors approves and authorizes the preparation and filing of an emergency application for funds under this program in accordance with this resolution.

BE IT FURTHER RESOLVED, that the Douglas County Board Chair is hereby authorized to sign all necessary documents on behalf of Douglas County.
Dated this 20th day of June, 2013.

(Committee Action: Unanimous)
(Fiscal Note: None)

ACTION: Motion by Robinson, second Mock, to adopt. Motion by Bergman, second Liebaert, to amend second Whereas, end of sentence, after "Owner-Occupied Housing Rehabilitation and Replacement", add: "Business and Economic Development Assistance". Motion carried. Motion to adopt resolution as amended, carried.

**RESOLUTION #50-13
RESOLUTION BY THE ZONING COMMITTEE**

Subject: Residential Antidisplacement and Relocation Plan

RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Zoning Committee and adopts the Residential Antidisplacement and Relocation Plan as set forth in Exhibit B-6-13 in accordance with requirements of the Community Development Block Grant Emergency Assistance Program.

Dated this 20th day of June, 2013.

(Committee Action: Unanimous)
(Fiscal Note: None)

ACTION: Motion by Bergman, second Mock, to adopt. Motion carried.
Regional Housing Program update by Sheldon Johnson, announced that Douglas County with the 8 member counties, has been awarded \$1.933 million.

CORRESPONDENCE

Seven items of correspondence were either received and placed on file or referred to the appropriate committee.

PRESENTATIONS

Jane Severt, Wisconsin County Forests Association, presentation moved to August meeting.

Jane Anklam, UW-Extension, presented an overview and update of the "Douglas County Dairy Farm Industry", and its contributions to the county's economy. Goals for the future of Douglas County's dairy farm industry were highlighted.

Scott Bolstad, northwest regional representative for Senator Ron Johnson, was introduced.

ORDINANCES

**AMENDMENT TO ORDINANCE #8.0
ZONING ORDINANCE
PRESENTED BY THE ZONING COMMITTEE**

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF DOUGLAS DOES ORDAIN AS FOLLOWS:

WHEREAS, the Douglas County Zoning Committee held a public hearing on June 12, 2013, on the following petition for amendment of the county zoning district ordinance map:

Subdivision of NW1/4-SE1/4 being part of Lot 30, Section 22, T46N-R12W, Town of Bennett, from I-1: Industrial to R-1: Residential district, by Open Bible Church Inc., Bennett, Wisconsin, c/o David Huray. Intended use: Residential.

WHEREAS, proof of publication of the notice of the public hearing, and proof of giving notice to the town clerk of the hearing are as shown in Exhibit C-6-13.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Zoning Committee and approves the petition, with the stipulation that letter of approval is received from Bennett Town Board.

BE IT FURTHER RESOLVED that the County Clerk notify the town clerk of this action.

Dated this 20th day of June, 2013.

(Committee Action: Unanimous)
(Fiscal Note: None)

ACTION: Motion by Bergman, second Baker, to adopt. Motion carried.

RESOLUTIONS

**RESOLUTION #51-13
RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales

WHEREAS, the following parcels of land were advertised on May 3, 10, and 17, 2013, in accordance with Section 75.69, Wisconsin Statutes, with the highest bids received as follows:

- | | |
|--------------|--|
| \$ 28,505.00 | PARCEL 20-13: Lots 1, 2, and 3, except the South 85 Feet thereof, Block 23, Ontario Land Company's Addition to West Superior, City of Superior (2204 Washington Avenue (09-809-04808-00)), from Jonathan Thralow. Intended use: Fix and restore; |
| \$ 5,051.51 | PARCEL 10-13: Blocks 61 and 62, Townsite of Superior East Bay Street, City of Superior (10-810-01717-00, 10-810-01718-00), from Aron Nordquist. Intended use: Adjacent property owner; and |

\$ 3,045.00 PARCEL 18-13: Lots 11-15 Inclusive, Block 10, Townsite of Oliver 2nd Division, Village of Oliver (OL-165-02477-00), from Northwest Wisconsin Community Services Agency, Inc. Intended use: Adjacent property owner and further development of affordable housing.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors, in regular meeting assembled, authorizes the County Clerk to execute quit claim deeds on the above named properties.

Dated this 20th day of June, 2013.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$36,601.51)

ACTION: Motion by Allen, second Jaques, to adopt. Motion carried.

**RESOLUTION #52-13
RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: 2013 Capital Projects, Phase II

RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee, and approves 2013 phase II capital projects:

<u>PROJECT</u>	<u>AMOUNT</u>
(1) FORESTRY: Lucius Woods Park Improvements	\$ 75,000.00
(2) ZONING/SURVEYOR: Remonumentation	\$ 25,275.00
(3) SHERIFF: Tactical Protective Gear	\$ 48,000.00
(4) HIGHWAY: Highway Portal Building Maintenance and Repair	\$ 109,950.00
(5) BUILDINGS & GROUNDS: Courthouse/Government Center Security	\$ 110,000.00
	<u>\$ 368,225.00</u>

Dated this 20th day of June, 2013.

(Committee Action: Unanimous)

(Fiscal Note: Funding through 2013 Capital Projects Reserve as noted in Fiscal Note for Resolution #53-13, Budgetary Transfers)
(Administrative Note: Two-thirds vote of Board-elect required)

ACTION: Motion by Corbin, second Bergman, to adopt. Roll call vote taken and passed with 19 Yes, 1 No, 1 Absent. Voting no - Baker. Absent - Hendrickson.

**RESOLUTION #53-13
RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Budgetary Transfers

RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and approves the following budgetary transfers:

- (1) Capital Projects \$342,950.00 (J.E. #173893 release funding for (a) Lucius Woods Park improvements; (b) Sheriff's Department tactical protective gear; (c) Highway Department portal building maintenance and repair; and (d) Courthouse / Government Center security); and
- (2) Land Conservation \$ 3,750.00 (J.E. #173895 release funding for 8 environmental projects).

Dated this 20th day of June, 2013.

(Committee Action: Unanimous)

(Fiscal Note: (1) Decrease 2013 Capital Projects Reserve by \$342,950; Increase Forestry fixed assets by \$75,000; Increase Sheriff's Department operating supplies by \$48,000; Increase Highway fixed assets by \$109,950; Increase Capital Projects capital expenditures by \$110,000; (2) Increase Land Conservation Grants and Contributions by \$3,750; Decrease Environmental Reserve by same)

(Administrative Note: Two-thirds vote of Board-elect required)

ACTION: Motion by Corbin, second Quam, to adopt. Roll call vote taken and passed with 19 Yes, 1 No, 1 Absent. Voting no - Baker. Absent - Hendrickson.

**RESOLUTION #54-13
RESOLUTION BY SUPERVISORS ON THE HEALTH AND HUMAN SERVICES
BOARD AND THE ADMINISTRATION COMMITTEE**

Subject: Economic Support Positions in Health and Human Services Department

RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of Supervisors on the Health and Human Services Board and the Administration Committee and approves the following position recommendations in the Health and Human Services Department:

Positions: Two Economic Support Specialists
Request: Add two positions @Grade 5, Step 5, @ 2080 hours each

Cost: \$119,416.00
BE IT FURTHER RESOLVED that these positions are contingent on state funding.

Dated this 20th day of June, 2013.

(Committee Action: Unanimous)

(Fiscal Note: No increase in county levy; 50% of total funded by federal dollars and 50% by state dollars)

ACTION: Motion by Ryan, second Corbin, to adopt. Pat Schanen, Health and Human Service Director, explained the positions are dependent on funding and needed for Affordable Care Act.

**RESOLUTION # 55-13
RESOLUTION BY SUPERVISORS ON THE HEALTH AND HUMAN SERVICES
BOARD AND THE ADMINISTRATION COMMITTEE**

Subject: Economic Support Specialist Income Maintenance Positions, Health and Human Services Department, Increase in Hours

RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of Supervisors on the Health and Human Services Board and the Administration Committee and approves the following positions hours per week recommendations in the Health and Human Services Department:

Positions:	Economic Support Specialist Income Maintenance
Request:	Increase hours for Grade 5/Step 5-8, from 1950 hours to 2080
Cost:	\$33,906.65

BE IT FURTHER RESOLVED that increase in hours is dependent on funding.

Dated this 20th day of June, 2013.

(Committee Action: Unanimous)

(Fiscal Note: No increase in county levy; 50% of total funded by federal dollars and 50% by state dollars)

ACTION: Motion by Corbin, second Ryan, to adopt. Motion by Allen, second Jaques, to amend and add: "Be It Further Resolved that increase in hours is dependent on funding." Motion carried. Motion to adopt as amended, carried.

**RESOLUTION #56-13
RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Animal Shelter Funding Commitment

WHEREAS, the City of Superior has bonded for construction of an animal shelter, which could replace both the current City of Superior shelter and the Douglas County Humane Society

shelter, as the only shelter in Douglas County, if built to accommodate all animals county-wide, and

WHEREAS, in order to construct the size required for a county-wide shelter, the City of Superior is requesting funding from Douglas County.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and approves a funding commitment of \$410,000 to the City of Superior for construction or operation of an animal shelter to include all Douglas County animals, as follows:

- (1) \$50,000 to be paid in 2014; and
- (2) \$40,000 to be paid annually in the years 2015 to 2023 (funding source to be determined by Administration and Administration Committee).

BE IT FURTHER RESOLVED that funding is contingent on agreement by the City of Superior that Douglas County towns and villages not be subject to an assessment for usage of the shelter and no county levy be imposed for this funding; and the County Board Chair, Administrator, and Administration Committee Chair are authorized to enter into an agreement with the City of Superior regarding operations.

Dated this 20th day of June, 2013.

(Committee Action: Unanimous)

(Fiscal Note: \$410,000 total commitment over 10 years; 2014 funding will reduce 2014 Capital Projects Reserve by \$50,000)

(Administrative Note: Two-thirds vote of Board-elect required)

ACTION: Motion by Corbin, second Paine, to adopt. Motion by Allen, second Baker, to amend and add the following to last paragraph, fourth line: "and no county levy be imposed for this funding." Motion carried. Chair Finn explained there is no need for 2/3 vote on this resolution. Motion by Finendale, second Johnson, to require 2/3 vote of Board-elect to pass this resolution.

Roll call vote taken on motion failed, with 9 Yes, 11 No, 1 Absent. Voting yes - White, Robinson, Jaques, Finendale, Lear, Ryan, Johnson, Mock, Bergman. Absent - Hendrickson.

Motion by Allen, second Baker, to allow public comments. Motion carried.

The following individuals spoke in support of county-wide animal shelter, and lauded the cooperation between the Humane Society and Animal Allies: Bob McClelland (Superior Animal Hospital Veterinarian), Rick Sailstad (Animal Allies Director), Jean Kioski (Douglas County Humane Society Secretary), Marcie Barby, Mick MacKenzie (Superior City Councilor). Fundraising for the facility continues and revised, downsized plans are available for review. Further development depends on what the City of Superior decides. Most recent estimate is around \$2.7 million, well below the original \$3.8 million. New plan is about 8500 sq. ft. building that could be as low as \$2.0 million depending on how bids come in. There will be one or two Humane Society members on the new facility's board.

Roll call vote was taken on the resolution as amended, passed with 17 Yes, 3 No, 1 Absent. Voting no - Lear, Ryan, Johnson. Absent - Hendrickson.

**RESOLUTION #57-13
RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Personnel Policies Amended

RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and approves amendments to the Douglas County Personnel Policies as set forth in Exhibit E-6-13.

Dated this 20th day of June, 2013.

(Committee Action: Unanimous)
(Fiscal Note: None)

ACTION: Motion by Corbin, second Mock, to adopt. Motion carried.

**RESOLUTION #58-13
RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Fund Balances Assigned

WHEREAS, per Government Accounting Standards Board (GASB) 34, compensated absences (i.e. accrued sick, vacation, compensatory time) are no longer reported as liabilities in Governmental Funds, and

WHEREAS, the funds are owed to employees upon retirement and assigning the balances ensures the funds are available for that purpose.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and approves assignment of the following fund balances:

<u>Fund</u>	<u>Amount</u>	<u>Assigned Fund Balance</u>
(1) General Fund	\$ 556,587.05	15420.3429
(2) Human Services	\$ 147,800.92	44000.3429
(3) Health Department	\$ 24,590.87	41110.3429
(4) Child Support	\$ 74,462.22	45710.3429

Dated this 20th day of June, 2013.

(Committee Action: Unanimous)

(Fiscal Note: No fiscal impact, unreserved fund balances become assigned fund balances)

ACTION: Motion by Corbin, second Ryan, to adopt. Motion carried.

RESOLUTION #59-13
RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS

Subject: Constitutional Amendment Supporting Correction to Supreme Court's
Citizens United Decision

WHEREAS, protections afforded by the First Amendment to the United States Constitution to the people of our nation are fundamental to our democracy, and

WHEREAS, the United States Supreme Court's 5-4 ruling in Citizens United v. Federal Election Commission overturned longstanding precedent prohibiting corporations from spending their general treasury funds in our elections, and

WHEREAS, the Supreme Court's decision allows the free speech rights of a corporation to dilute and outweigh the free speech rights of ordinary citizens, because of the vast financial resources corporations have for spending money to influence elections compared with regular people, and

WHEREAS, the Supreme Court's elevation of corporate "rights" may have constitutional repercussions that go far beyond this one case by undermining the ability of the people to regulate corporations in numerous policy areas affecting people's health, wealth, and opportunities, and

WHEREAS, Article V of the United States Constitution empowers and obligates the people and states of the United States of America to use the constitutional amendment process to correct decisions of the United States Supreme Court that go against the heart of our democracy.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors calls upon the United States Congress to propose and send to the states for ratification, a constitutional amendment to overturn Citizens United v. Federal Election Commission and to ensure constitutional rights and fair elections to the people.

BE IT FURTHER RESOLVED that upon passage, this resolution be sent to President Obama, Vice President Biden, U.S. House of Representatives Speaker and minority leader, U.S. Senate majority and minority leaders, Senators Tammy Baldwin and Ron Johnson, Representative Sean Duffy, Governor Walker, Senator Jauch, Representative Milroy, and all Wisconsin Counties.

Dated this 20th day of June, 2013.

(Fiscal Note: None)

ACTION: Motion by Conley, second Paine, to adopt. Motion by Corbin, second Baker, to amend and sponsor by County Board. Motion carried. Motion to adopt as amended, carried.

RESOLUTION #60-13
RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS

Subject: Off-Duty Law Enforcement Officers Exemption from Prohibition from Carrying
Firearm on School Grounds and Certain Posted Private Properties Supported

WHEREAS, under current law, a law enforcement officer may carry a concealed weapon if he or she has a license issued by the Department of Justice or if he or she carries photographic identification issued by the law enforcement agency that employs him or her, and

WHEREAS, current state law prohibits a licensee from carrying a firearm on school grounds and certain posted private properties.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Public Safety Committee and supports a proposal exempting off-duty law enforcement officers from current state law prohibiting a licensee from carrying a firearm on school grounds and certain posted private properties.

BE IT FURTHER RESOLVED that upon passage, copies of this resolution be forwarded to Governor Walker, all Wisconsin counties, Wisconsin state legislators, and Douglas County Sheriff.

Dated this 20th day of June, 2013.

(Committee Action: Unanimous)
(Fiscal Note: None)

ACTION: Motion by Robinson, second Lear, to adopt. Motion by Baker, second Liebaert, to amend and sponsor by County Board. Motion carried. Motion to adopt as amended, carried.

RESOLUTION #61-13
RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS

Subject: Jail Prisoners Reimbursement Time Period Extension Supported

WHEREAS, under current law, a county may seek reimbursement for certain expenses it incurs from a person sentenced to a county jail or placed on probation and confined to jail in relation to the crime for which the person was sentenced to or confined in jail, and

WHEREAS, expenses include the daily cost of maintaining the person in jail, costs to investigate the person's financial status, and other moneys the county spends in order to collect payment of those expenses from the person, and

WHEREAS, current law allows the county 12 months after the person is released from jail to commence a civil action in circuit court for reimbursement of expenses.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Public Safety Committee and supports a proposal extending the time period from 12 to 24 months for a county to seek reimbursement for certain expenses it incurs from a person sentenced to a county jail or placed on probation and confined to jail in relation to the crime for which the person was sentenced to or confined in jail.

BE IT FURTHER RESOLVED that upon passage, copies of this resolution be forwarded to Governor Walker, all Wisconsin counties, Wisconsin state legislators, and Douglas County Sheriff.

Dated this 20th day of June, 2013.

(Committee Action: Unanimous)
(Fiscal Note: None)

ACTION: Motion by Lear, second Pomush, to adopt. Motion by Baker, second Pomush, to amend and sponsor by County Board. Motion carried. Motion to adopt as amended, carried.

**RESOLUTION #62-13
RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: ATC Future Funds Designated to Land Improvement Account

RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and approves designation of future ATC funds to Land Improvement Account, to end in 2022.

Dated this 20th day of June, 2013.

(Committee Action: Unanimous)
(Fiscal Note: Increase miscellaneous revenue in the Land and Development account by \$91,344 in 2013; cumulative increase in miscellaneous revenue in the Land and Development account for years 2014 – 2022 is \$701,396)

ACTION: Motion by Jaques, second Allen, to adopt. Motion carried.

COUNTY ADMINISTRATOR REPORT: Written report distributed and reviewed by Lisak. State budget should be adopted by end of month; some increase in child support and highway.

COUNTY BOARD CHAIR REPORT: WCA registrations to Pam Tafelski by July 24.

Motion by Quam, second Pomush, to approve call for special County Board meeting, if necessary. Motion carried.

APPOINTMENTS: None

COMMITTEE REPORTS: Liebaert reported Forestry Department garage project moving forward. Timber sale next Tuesday. Allen reported Land and Development Committee June

meeting cancelled. Robinson reported on Veterans Commission and Land Information Council meetings. Johnson summarized seminar sessions she attended at Wisconsin County Highway Association Conference, and announced upcoming Douglas County highway projects. Pomush reported on Senior Connections meeting; Dairyland Center closing. Ryan reported on volunteer fire department fundraiser.

YOUTH REPRESENTATIVE REPORT: Sutherland summarized Badger Boys State program he attended.

APPROVAL OF BILLS AND CLAIMS: Motion by Corbin, second Johnson, to approve. Motion carried.

FUTURE AGENDA ITEMS: None.

ADJOURNMENT: Motion by Allen, second Jaques, to adjourn. Motion carried. Adjourned 8:02 p.m. Next regularly scheduled meeting – Thursday, August 15, 2013.

Submitted by,

Susan T. Sandvick
Douglas County Clerk