

Bayfield County Clerk

Lynn M. Divine, *County Clerk*

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

Jeran Delaine, *Deputy Clerk*
Paige Terry, *Clerk III*



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Minutes of the: Bayfield County Board of Supervisors' Meeting October 25, 2022 6:00 p.m.

Meeting Held in the Bayfield County Board Room, Courthouse, Washburn, WI

The meeting of the Bayfield County Board of Supervisors was called to order at 6:00 p.m. by Bayfield County *Chairman* Dennis M. Pocernich. A roll call was taken by *County Clerk*- Lynn Divine, as follows: Steve Sandstrom-present; Larry Fickbohm-present; Jeremy Oswald-present; Fred Strand-present; Marty Milanowski-present; Jim Crandall-absent; Mary Dougherty-present; Charly Ray-arrived late virtually; Jeff Silbert-present; John Rautio-present; Madelaine Rekemeyer-present; Brett Rondeau-arrived late virtually; Dennis Pocernich-present. Total: 12 present, 1 absent. A quorum was present to conduct business.

The following were also present for today's meeting: *County Administrator*- Mark Abeles-Allison; *County Clerk*- Lynn M. Divine; *Veteran's Services Officer*- Kevin Johnson; *Emergency Management Director*- Meagan Quaderer (virtually); and *Clerk III*- Paige Terry (virtually).

3. **Pledge of Allegiance:** The Pledge of Allegiance was recited by all in attendance.

4. **Public Hearing, 2023 Bayfield County Budget:**

Chairman Pocernich opened the Public Hearing at 6:05 p.m.

Abeles-Allison gave a review of the 2023 proposed budget and informed the board that the Executive Committee met numerous times to discuss the budget. The budget publication was published in the Daily Press on October 7, 2022. Abeles-Allison noted some of the major budget changes. The overall budget is approximately \$40 million with a levy of approximately \$12.5 million, a 9.14% increase from 2022.

6:06 p.m. – *Charly Ray* joined the meeting.

Fickbohm asked Abeles-Allison what type of feedback was received on the budget. Abeles-Allison answered that one comment was received by the Clerk's Office regarding the \$180,000 EMS levy. It is the first year the county is using the program and the funds will be distributed equally to the nine EMS agencies that serve Bayfield County. One issue that was pointed out with the distribution of funds was that each of the EMS agencies are different sizes, with some being larger than others, so the funds could have been distributed differently. Silbert asked how much of an influence the ARPA funds had on the budget. Abeles-Allison replied stating that Bayfield County received approximately \$2.9 million in ARPA funds, which were used to purchase one-time expenses versus expenses that would need additional funding in the future.

6:07 p.m. – *Brett Rondeau* joined the meeting.

Chairman Pocernich closed the Public Hearing at 6:09 p.m.

5. **Discussion and Possible Action to Adopt the 2023 Budget:**

Abeles-Allison gave a brief review of the 2023 budget. Expenditures total \$40,122,352 for 2023 and are up 8.1% from 2022. Oswald asked Abeles-Allison to review the budget changes that

were included in an email that was sent out earlier in the day. Abeles-Allison explained that a contract employee in the Land & Water Conservation Department will be converted from a contract employee to a Bayfield County Employee. The proposed budget does include this change. Abeles-Allison informed the board that a glitch occurred in the budget reporting software that caused an omission of an entry for the Emergency Management Department. It is anticipated to be funded either through the Contingency Fund or through unspent 2022 funds. Oswald asked for clarification regarding the changes that will be happening in the EOC. Bayfield County Emergency Management Director, Meagan Quaderer, explained that the EOC will be undergoing renovations including replacing the tables, installing locked cabinets, and other upgrades that will bring the room up to standard as an Emergency Operations Center. Quaderer stated that the room currently is not up to standard as an EOC. Abeles-Allison reviewed the remaining changes.

Motion by Milanowski, seconded by Sandstrom to approve the 2023 Budget as presented. Roll Call Vote: Dougherty-yes; Oswald-yes; Rautio-yes; Rekemeyer-yes; Fickbohm-yes; Sandstrom-yes; Ray-yes; Silbert-yes; Strand-yes; Milanowski-yes; Pocernich-yes; Rondeau-yes; Crandall-absent. Motion carried, 12-0, 1 absent.

6. Discussion and Possible Action to Adopt the 2022 Tax Levy:

Abeles-Allison reviewed the 2022 Tax Levy. The 2022 Tax Levy is proposed at \$12,534,773, which includes the highway bond issue and is a 9.14% increase from 2022. Abeles-Allison reviewed the levy changes for 2022. The 2022 mill rate is estimated at 3.788 mills.

Motion by Strand, seconded by Milanowski to approve the 2022 Tax Levy as presented. Roll Call Vote: Oswald-yes; Rekemeyer-yes; Sandstrom-yes; Rondeau-yes; Rautio-yes; Silbert-yes; Dougherty-yes; Fickbohm-yes; Ray-yes; Strand-yes; Milanowski-yes; Pocernich-yes; Crandall-absent. Motion carried, 12-0, 1 absent.

7. Presentation, Northern Lights Project Update:

Chairman Pocernich informed the board that Pauline Darling was not present to deliver the Northern Lights update and asked if the board would be willing to skip ahead on the agenda to item number 17 to allow Kevin Johnson the chance to speak on the item. The board agreed.

8. Bayfield County Resolution No. 2022-101:

Supporting Operation Green Light for Veterans

WHEREAS, the residents of Bayfield County have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served our country and this community in the Armed Forces; *and*,

WHEREAS, the contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; *and*,

WHEREAS, Bayfield County seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all; *and*,

WHEREAS, Veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and by functioning as County Veteran Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; *and*,

WHEREAS, Approximately 200,000 service members transition to civilian communities annually; *and*,

WHEREAS, an estimated 20 percent increase of service members will transition to civilian life in the near future; *and*,

WHEREAS, Studies indicate that 44-72 percent of service members experience high levels of stress during transition from military to civilian life; *and*,

WHEREAS, Active Military Service Members transitioning from military service are at a high risk for suicide during their first year after military service; *and*,

WHEREAS, the National Association of Counties encourages all counties, parishes and boroughs to recognize Operation Green Light for Veteran; *and*,

WHEREAS, Bayfield County appreciates the sacrifices of our United State Military Personnel and believes specific recognition should be granted;

NOW THEREFORE BE IT RESOLVED, with a designation as a Green Light for Veterans, that the Bayfield County Board of Supervisors assembled this 25th day of October 2022, hereby declares from October through Veterans Day, November 11th, 2022, a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service; *and*,

BE IT FURTHER RESOLVED, that in observance of Operation Green Light, Bayfield County encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying a green light in a window of their place of business or residence.

Bayfield County Veteran's Services Officer, Kevin Johnson, read the resolution to the board and explained Operation Green Light.

Oswald asked if it would be possible to light up the courthouse dome green to support Operation Green Light. Johnson stated that the Veterans' Services Office is working towards making that happen. Sandstrom asked what the office is doing to distribute lights and where someone might be able to get a green light. Johnson explained that the office currently has 28 bulbs to give away for free and that Walmart has plenty of green bulbs in stock and bulbs can be purchased at other stores in the area.

Motion by Milanowski, seconded by Oswald to adopt Resolution No. 2022-101 Supporting Operation Green Light for Veterans. Motion carried, 12-0, 1 absent.

Chairman Pocernich stated that the board would move forward to items 18 and 19 to allow Megan Quaderer to speak.

9. Bayfield County Resolution No. 2022-102:

Countywide EMS

WHEREAS, Emergency Medical Services in Bayfield County are provided by Bayfield County's local jurisdictions; *and*,

WHEREAS, the massive land area, low population density, and extensive public lands make rural EMS very challenging; *and*,

WHEREAS, in 2021 and 2022 Bayfield County facilitated a year-long study with county, municipal, tribal, and EMS representatives. The study noted the need for additional resources for EMS; *and*,

WHEREAS, Counties and municipalities are limited to their levy authority under current tax law; *and*,

WHEREAS, Countywide EMS services are able to exceed the levy to help provide funding for this critical service; *and*,

WHEREAS, Bayfield County recognizes the need for a Mass Casualty Incident (MCI) EMS response team;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25th day of October 2022, does hereby create a Countywide Mass Casualty Incident Emergency Medical Service to assist local jurisdictions in the provision of EMS services; *and*,

BE IT FURTHER RESOLVED, that the board does hereby create a levy to support Countywide EMS in Bayfield County.

Quaderer explained that the Countywide Mass Casualty Incident Emergency Medical Service was approved by the state earlier in the day. Quaderer continued by informing the board that the Mass Casualty Team has the support of the Ashland/Bayfield County EMS Council and received the Council's support for the Team's application. Quaderer reviewed the resolution and stated that the comment mentioned by Abeles-Allison earlier is the only negative comment that has been received and the team has received a lot of positive feedback.

Motion by Fickbohm, seconded by Sandstrom to adopt Resolution No. 2022-102 County Wide EMS. Motion carried, 12-0, 1 absent.

10. Bayfield County Resolution No. 2022-103:

In Support of Joint Dispatch Feasibility Study

WHEREAS, Bayfield and Ashland Counties have a long history of cooperation; *and*,

WHEREAS, the county courthouses are seven miles away as the crow flies; *and*,

WHEREAS, Bayfield County currently shares a records management system utilized by the Jail, Dispatch, Sheriff Deputies, and local Police Departments; *and*,

WHEREAS, Earlier this year, Bayfield and Ashland Counties approved a joint dispatch feasibility study; *and*,

WHEREAS, Joint dispatch would improve service delivery and provide backup to existing staff; *and*,

WHEREAS, the State of Wisconsin is offering a PSAP and NG911 GIS Grant Program in 2023;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25th day of October 2022, supports the ongoing feasibility study for Joint Dispatch; *and*,

BE IT FURTHER RESOLVED, that Bayfield County supports the FY 2023 PSAP Grant Program application for both mapping and consolidated dispatch; *and*,

BE IT FURTHER RESOLVED, that Bayfield County commits to match funding requirements as required; *and*,

BE IT FURTHER RESOLVED, that Bayfield County will not reduce funding for the PSAP operational budget as a result of receiving the PSAP grant award; *and*,

BE IT FURTHER RESOLVED, that Bayfield County will continue to sustain and maintain any grant-funded activities after the grant period has ended; *and*,

BE IT FURTHER RESOLVED, that Bayfield County supports the submittal of a NG911-GIS Grant to standardize data for NG 911 Use.

Quaderer explained that the resolution was to show the board’s support in the feasibility study for a consolidated dispatch service for Ashland and Bayfield Counties. Ashland and Bayfield Counties have both completed their portions of the application. Quaderer reported that the study has thus far shown the consolidation to be feasible and recommended. The consolidation will greatly increase employee working conditions as well as citizen services.

Motion by Rautio, seconded by Fickbohm to adopt Resolution No. 2022-103 In Support of Joint Dispatch Feasibility Study. Motion carried, 12-0, 1 absent.

8. **Public Comment:** None

9. **Discussion and Possible Action, Minutes from September 27, 2022:**

Motion by Milanowski, seconded by Rautio to approve the Minutes of the Monthly Bayfield County Board of Supervisors Meeting held on September 27, 2022. Motion carried, 12-0, 1 absent.

10. **Report of the Bayfield County Planning and Zoning Committee No. 2022-12:**

REPORT OF THE BAYFIELD COUNTY PLANNING AND ZONING COMMITTEE

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 **David and Susan Barningham 5-acre parcel**; (ID# 4883); described as the South Half of the Southwest Quarter of the Southwest Quarter of the Northwest Quarter (S ½ SW ¼ SW ¼ NW ¼) in Volume 424 Page 329; Section Twenty-Two (22), Township Fifty (50), North, Range Four (4) West, Town of Bayfield

from Residential-Recreational Business (R-RB) to Forestry-One (F-1).

The Bayfield County Planning and Zoning Committee recommendation is:

- Be Approved**
- Be Approved with modification**
- Be Disapproved.**

Motion by Strand, seconded by Silbert to receive and place on file Report No. 2022-12 Petition to Change District Boundaries of a Parcel Owned by David and Susan Barningham, Town of Bayfield, from Residential-Recreational Business (R-RB) to Forestry-One (F-1). Motion carried, 12-0, 1 absent.

11. Bayfield County Amendatory Ordinance No. 2022-12:

**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 amend an ordinance; and

WHEREAS, Section 13-1-105 Code of Ordinances, Bayfield County, Wisconsin authorizes the County Board to make amendments pursuant to Wisconsin Statutes §59.69; and

WHEREAS, it is deemed in the best interest of the County of Bayfield that the Code of Ordinances, Bayfield County, Wisconsin be further modified and amended in the manner hereinafter set forth;

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

The Zoning of **David and Susan Barningham 5-acre parcel: (ID# 4883)**; described as the South Half of the Southwest Quarter of the Southwest Quarter of the Northwest Quarter (S ½ SW ¼ SW ¼ NW ¼) in Volume 424 Page 329; Section Twenty-Two (22), Township Fifty (50), North, Range Four (4) West, Town of Bayfield

from Residential-Recreational Business (R-RB) to Forestry-One (F-1).

Sandstrom stated that he was unable to determine where the property was located. The board reviewed a map of the project. *Chairman* Pocernich explained that a representative from the Zoning Department had been present in the past to discuss Zoning items on the agenda and requested that a representative be available in the future. Strand explained the Zoning Department's absence by saying that he had spoken with the Zoning Director and informed her he felt the Zoning Committee was familiar enough with the project and he felt comfortable representing the Zoning Committee, so he did not feel her presence was necessary.

Motion by Strand, seconded by Silbert to adopt Amendatory Ordinance No. 2022-12 to Change District Boundaries of a Parcel Owned by David and Susan Barningham, Town of Bayfield, from Residential-Recreational Business (R-RB) to Forestry-One (F-1). Motion carried, 12-0, 1 absent.

12. Discussion and Possible Action Regarding Investment Policy Modification:

Abeles-Allison reviewed the current investment policy and the suggested modifications. Discussion took place regarding current county practices and the suggested changes.

6:40 p.m. – Brett Rondeau and Madelaine Rekemeyer left the meeting.

Motion by Oswald, seconded by Strand to approve the modifications to Bayfield County's Investment Policy. Motion carried, 10-0, 3 absent.

13. Bayfield County Resolution No. 2022-99:

Tax Charge Backs: Year of 2022 – Town of Iron River and Town of Bayview

WHEREAS, the Bayfield County Board of Supervisors, has examined a report of the Bayfield County Treasurer setting forth the certain Tax Certificates now owned by Bayfield County. The legal description for said Tax Certificates are as follows:

Town of Iron River: Tax ID #20727; Staple’s Add. Lots 22-24, Blk 16, DOC 2020R-586303; Section 07 – Township 47N – Range 08W. Bayfield County acquired this property through foreclosure and was the owner of said property on 01/01/2021. Bayfield County is tax-exempt. The Face of the Certificate is \$136.34;

Town of Iron River: Tax ID #35959; Parcel in NW ¼ SW ¼ Less RR Row & Less HWY & Less PAR, DOC 2020R-586303; Section 11 – Township 47N – Range 08W. Bayfield County acquired this property through foreclosure and was the owner of said property on 01/01/2021. Bayfield County is tax-exempt. The Face of the Certificate is \$8.41;

Town of Bayview: Tax ID #6638; Parcel in E ½ of SW/NE, DOC 2019R-580300; Section 30 – Township 49N – Range 04W. Bayfield County acquired this property through foreclosure and was the owner of said property on 01/01/2021. Bayfield County is tax-exempt. The Face of the Certificate is \$1,180.64; *and*,

WHEREAS, this Tax Certificate is illegal and void in that said Certificate was issued on the tax exempt property, or property on which there was a double or incorrect description and for other reasons as set forth in said Treasurer’s Report and are not justly re-assessable.

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25th day of October 2022, authorizes that the amount of said illegal and void Tax Certificate is charged back to the respective towns, cities, or villages where in such lands are situated as follows: Town of Iron River in the amount of \$144.75 and Town of Bayview in the amount of \$1,180.64.

6:50 p.m. – Madelaine Rekemeyer rejoined the meeting.

Motion by Rautio, seconded by Milanowski to adopt Resolution No. 2022-99 Tax Charge Back: Year of 2022 – Town of Iron River and Town of Bayview. Roll Call Vote: Fickbohm-yes; Silbert-yes; Milanowski-yes; Sandstrom-yes; Dougherty-yes; Oswald-yes; Rautio-yes; Rondeau-absent; Ray-yes; Strand-yes; Rekemeyer-yes; Pocernich-yes. Motion carried, 11-0, 2 absent.

8. Bayfield County Resolution No. 2022-100:

Cooperative Law Enforcement Services Between the Bayfield County Sheriff’s Office and the Red Cliff Tribe

WHEREAS, the Red Cliff Band of Lake Superior Chippewa Indians is a federally recognized Indian Tribe, organized under a Constitution adopted August 25, 1938, and approved on November 9, 1938, pursuant to section 16 of the Indian reorganization Act; *and*

WHEREAS, the Tribal and Bayfield County Law Enforcement Agencies have had a history of cooperation in striving to meet the Red Cliff Community’s law enforcement needs; *and*

WHEREAS, Wisconsin Statute 165.90 provides for the establishment of cooperative law enforcement efforts between County and Tribal Law Enforcement Agencies; *and*

WHEREAS, County and Tribal Law Enforcement Officials have worked together to develop the FY 2023 County-Tribal Law Enforcement (CTLE) Plan and grant application;

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors assembled this 25th day of October, 2022, does hereby encourage continued cooperation between the County and Tribal Law Enforcement Agencies and approve the 2023 County-Tribal Law Enforcement Plan and Grant Application.

Abeles-Allison gave a review of the Joint Law Enforcement Agreement between the Red Cliff Band of Lake Superior Chippewa and the Bayfield County Sheriff's Office. Oswald stated that the agreement is normally approved through the Sheriff's Committee and is wondering why it was not forwarded to the Sheriff's Committee this year. Abeles-Allison replied that there was no specific reason why and asked how involved the Sheriff's Committee would like to be next year. Oswald answered that he would raise the topic at the next Sheriff's Committee meeting and would have an answer afterwards.

Motion by Silbert, seconded by Sandstrom to adopt Resolution No. 2022-100 Cooperative Law Enforcement Services Between the Bayfield County Sheriff's Office and the Red Cliff Tribe. Motion carried, 11-0, 2 absent.

9. Discussion and Possible Action Regarding Multiple Appointments to the Bayfield County Board of Adjustment:

- a) **Christina Eliason as Alternate #1 with a Term Ending June 30, 2025**
- b) **Dennis Rasmussen as Alternate #2 with a Term Ending June 30, 2025:**

Abeles-Allison explained that Dennis Rasmussen has been a member of the Board of Adjustment for a while and is looking to leave the board, but he has agreed to remain on the board until a replacement has been found. Abeles-Allison and Board of Adjustment Chairwoman, Kim Sturm, had an opportunity to meet with Christina Eliason and review her qualifications. Both Abeles-Allison and Sturm recommend Eliason's appointment to the BOA. Abeles-Allison reviewed the roles and responsibilities of the BOA with the board.

Motion by Silbert, seconded by Fickbohm to confirm the appointments of Christina Eliason as Alternate #1 and Dennis Rasmussen as Alternate #2 to the Bayfield County Board of Adjustment with Terms Ending June 30, 2025. Motion carried, 11-0, 2 absent.

10. Discussion and Possible Action Regarding Multiple Appointments to the WI Lake Superior Scenic Byway Council:

- a) **Appointment of Larry Fickbohm with a Term Ending April 2024**
- b) **Appointment of Mary Motiff as an Alternate with a Term Ending April 2024:**

Abeles-Allison informed the board that the appointments are for a record update for the council.

Motion by Oswald, seconded by Milanowski to confirm the appointments of Larry Fickbohm and Mary Motiff as an alternate to the WI Lake Superior Scenic Byway Council with terms ending April 2024. Motion carried, 11-0, 2 absent.

16. Reports:

- a) **Future County Board Meeting Dates:**
 - a. **November 15, 2022 (statutory requirement), Employee recognition program, 4:30 meet and greet with program starting at 5:00. Monthly meeting starts at 6:00.**
 - b. **December – will meet if necessary**
 - c. **January 31, 2023**
 - d. **February 28, 2023**
- b) **Wisconsin Green Book**

- c) **County Projects:** Abeles-Allison reported that work on the roof of the Annex continues along with demolition in the Courthouse Building. The county received a contract for health infrastructure funding that will help fund renovations for the Health Department.

17. **Supervisors' Reports:** Silbert asked Abeles-Allison to reinvite Pauline Darling to the next County Board meeting. Abeles-Allison replied that he would.

Fickbohm asked if there were plans to meet again in a joint meeting with the Red Cliff Tribal Council next summer or if there were plans to meet this year. Abeles-Allison answered that the Tribal-County Relations Committee would be meeting the next day and could discuss the matter then.

Rekemeyer reported that the Birkebeiner is moving forward with its Mount Telemark project.

18. **The Board may entertain a motion to move in and out of Closed Session pursuant to §19.85(1) (e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (g), to confer 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 Milanowski, seconded by Sandstrom to enter Executive/Closed Session at 7:12 p.m. Motion carried, 11-0, 2 absent.

Discussion took place regarding the Closed Session Minutes from April 19, 2022, a Teamsters Union Contract Ratification, and County Land Sales and Purchases.

There being no further business to conduct in Executive/Closed Session, a motion was made by Milanowski, seconded by Oswald to return to Open Session and immediately adjourn at 7:24 p.m. Motion carried, 11-0, 2 absent.

19. **Adjournment:**

There being no further business to come before the Bayfield County Board of Supervisors, Chairman Pocernich adjourned the meeting at 7:24 p.m.

Respectfully submitted,

LYNN M. DIVINE

Bayfield County Clerk

LMD/pat