

Bayfield County Board of Supervisors' Meeting
May 19th, 2020 6:00 p.m.
Meeting Held Remotely

BAYFIELD COUNTY BOARD OF SUPERVISORS

Dennis M. Pocernich, *Chair*, Fred Strand, *Vice-Chair*

Steve Sandstrom, Mary Dougherty, Larry Fickbohm, Charly Ray,
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 6:04 p.m. by Bayfield County *Chair*, Dennis Pocernich. A roll call was taken by *County Clerk*- Scott Fibert, as follows: Steve Sandstrom- present; Mary Dougherty- present; Larry Fickbohm- present; Charly Ray- absent; Jeremy Oswald- present; Jeffrey Silbert- present; Dennis Pocernich- present; Fred Strand- present; Thomas Snilsberg- present; Marty Milanowski- absent; David Zepczyk- present; James Crandall- present; 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; *Corporation Counsel*- John Carlson; *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 maximum.**

Mike Radtke spoke on behalf of "A Road Map for Pandemic Resilience. It is a National Plan that will help prevent surges.

5. **Remote Meeting Procedure**;

County Administrator Mark Abeles-Allison read through the Remote Meeting Procedure document.

6. **Bayfield County Resolution No. 2020-36; In Recognition of Memorial Day**;

Veterans Service Officer, Kevin Johnson, read Resolution No. 2020-36, in honor and remembrance of those who have served for the freedom of all Americans.

WHEREAS, the United States government established Memorial Day in 1971 for the purpose of honoring our men and women that have died while serving in the armed forces; *and*

WHEREAS, the freedoms all U.S. citizens enjoy have been secured and protected by our military heroes from the Revolutionary War through today's ongoing confrontations around the world; *and*

WHEREAS, sons and daughters of Bayfield County have made this ultimate sacrifice; *and*

WHEREAS, May 25th, 2020 is federally recognized as Memorial Day.

NOW, THEREFORE, BE IT RESOLVED, that BAYFIELD COUNTY, WI designates May 25th, 2020 as Memorial Day in respectful remembrance of the men and women that have given their lives to the protection of our Nation.

Motion by Rondeau, Fickbohm to approve Resolution No. 2020-36, In Recognition of Memorial Day. Motion carried.

7. **Bayfield County COVID-19 Report; Sara Wartman, Health Director;**

Health Director Sara Wartman provided a report regarding COVID-19 in Bayfield County. Bayfield County currently has zero confirmed cases. The Health Department is monitoring 17 possible cases. Contact tracing was discussed.

8. **Bayfield County Resolution No. 2020-37: COVID-19 Emergency Declaration Renewal Ratification;**

WHEREAS, in December 2019, a novel strain of coronavirus known as COVID-19 was detected, and COVID-19 has continued to spread throughout the world, including to the United States and the State of Wisconsin; and

WHEREAS, the federal government, state governments, and local governments are working together to contain the further spread of the disease and treat existing cases; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services declared a Public Health Emergency, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic, and on March 12, 2020 the Governor of the State of Wisconsin declared a Health Emergency in the State; and

WHEREAS, Bayfield County (the “County”) has been working to protect the health and well-being of its residents and employees from the spread of COVID-19, and to prepare for the impacts the disease is likely to have on the County; and

WHEREAS, the County Board (the “Board”) has determined that it is necessary to make all possible resources and means available to the County in order to protect the health, safety, and welfare of its residents from the threat posed by the continued spread of COVID-19.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Wis. Stat. § 323.11 the Board finds and declares that an emergency exists within the County by reason of an imminent threat of disaster impairing medical care, health, and other critical systems of the County due to the spread of COVID-19; and

BE IT FURTHER RESOLVED, that during the period of emergency prescribed by this Resolution, the Board may order, by ordinance or resolution, whatever is necessary and expedient for the health, safety, protection, and welfare of persons and property within the County; and

BE IT FURTHER RESOLVED, that the County Administrator and County Board Chairman are hereby authorized and directed by the Board to coordinate and administer the County’s emergency management response and to carry out the orders of the Board related thereto.

BE IT FURTHER RESOLVED, that the Head of Emergency Management and the Public Health Director of the County are authorized and directed to carry out their duties under the County’s Emergency Management Plan under the supervision and direction of the County Administrator and

County Board Chairman and perform such other duties as may be directed by further resolution of the Board.

BE IT FURTHER RESOLVED, that Bayfield County Board rules regarding meeting attendance are hereby suspended during the period of emergency and the County Supervisors are hereby authorized to attend meetings of the Board remotely, and the Board shall take all actions necessary to effectuate the same in compliance with all other applicable laws.

BE IT FURTHER RESOLVED, that due to the ongoing nature of the public health emergency related to COVID-19, the expenditures related to mitigation and response, and the potential for ongoing policy and procedure decisions to be made, the Bayfield County Board of Supervisors extends the state of emergency adopted by Resolution 2020-23 until the federal state of emergency related to COVID-19, and recognized by FEMA, is ended.

BE IT FURTHER RESOLVED, that all actions heretofore taken by the Board and other appropriate public officers and agents of the County with respect to the matters contemplated under this Resolution are hereby ratified, confirmed and approved.

Motion by Sandstrom, Crandall to approve Resolution No. 2020-37, COVID-19 Emergency Declaration Renewal Ratification. Motion carried.

9. **Bayfield County Ordinance No. 2020-07; Allowing for Health Order Enforcement and Civil Forfeiture;**

Corporation Counsel John Carlson explained the background and need for this Ordinance. This would only take effect if an Order were enacted.

Title 5, Chapter 9. Change numbering. Clerical errors.

WHEREAS, Wisconsin Statutes Chapter 252 authorizes and requires Local Health Officers to perform certain duties and take certain action; and

WHEREAS, orders rendered by a Local Health Officer are enforceable pursuant to Wis. Stat. §252.25; and

NOW, THEREFORE, IT IS ORDAINED AS FOLLOWS, THAT PURSUANT TO Wisconsin Statutes Chapter 252, the Bayfield County Board of Supervisors hereby amends Title 5, Chapter 9 of its ordinance as follow:

SECTION I. AUTHORITY

Pursuant to the authority of Chapters 252, Wisconsin Statutes, the Bayfield County Board of Supervisors does hereby establish rules regarding enforcement of orders issued by Local Health Officers. The provisions of §§ 252.01 to 252.25, Wis. Stats., and DHS Ch. 145, Wis. Adm. Code, as they may be from time-to-time amended, are adopted by reference and incorporated into this section as if fully set forth herein.

SECTION II. ORDERS BY HEALTH OFFICER

The Health Officer may, in the perform all duties prescribed to him/her by the State of Wisconsin and the State Department of Health Services regarding communicable diseases, particularly, but not limited to Ch. 252, Wis. Stats., and DHS Ch. 145, Wis. Adm. Code, render such orders as he/she deems necessary to control, isolate and quarantine communicable diseases.

SECTION III. VIOLATIONS

Violations. Any person who willfully violates or obstructs the execution of any term or provision of this Chapter or any State Statute, Code or Rule, County, or Departmental Order under this section, Ch. 252, Wis. Stats., and/or DHS Ch. 145, Wis. Adm. Code, relating to the public health, for which no other penalty prescribed, shall, in addition to being subject to all other legal and equitable actions and relief available to the Bayfield County, be subject to a forfeiture of not less than \$200 and not more than \$500 for each violation.

SECTION IV. EFFECTIVE DATE

Following passage and publication by the Bayfield County Board of Supervisors this ordinance shall be in full force and effect.

SECTION V. ADOPTION

Passed and approved by the Bayfield County Board of Supervisors this 19th day of May 2020.

Motion by Rondeau, Fickbohm to approve Ordinance No. 2020-07 with modification changing Chapter number to 9, Allowing for Health Order Enforcement and Civil Forfeiture.

A roll call was taken as follows: Pocernich- no, Strand – yes, Snilsberg – yes, Zepczyk- no, Crandall – yes, Rondeau – yes, Sandstrom – yes, Dougherty – yes, Fickbohm – yes, Oswald – yes, Silbert - yes; Milanowski- absent, Ray - absent.

Motion carried.

10. Discussion and Possible Action: Jail and Courthouse COVID-19 Disinfecting Equipment;

A background was provided by *County Administrator Abeles-Allison* and *Sheriff Susienka*. It was requested to postpone this decision until the County Board Meeting next week, on May 26th. More time needs to be taken to consider this technical decision. There are grants available. Different Departments might be able to share this equipment. Questions were received regarding moving the equipment outside of the County.

BAYFIELD COUNTY BOARD BUDGET PLANNING

11. Budget Planning Introductory Remarks; Dennis Pocernich, County Board Chair;

Chair Dennis Pocernich welcomed all to the Bayfield County Budget Planning Meeting and remarked on the importance of budget.

12. Bayfield County Budget Calendar;

County Administrator Abeles-Allison explained significant dates on the Bayfield County Budget Calendar.

13. Bayfield County Annual Budget;

County Administrator gave information regarding developing the Bayfield County Annual Budget.

14. Budgeting in Times of Crisis;

General recession considerations. Levy freeze. Fund balances.

15. Bayfield County Financial Status;

COVID-19 is impacting Bayfield County's Financial Status. Groceries and pharmaceuticals are not experiencing a sales loss. Most of Wisconsin's 72 Counties mainly rely on property taxes. The 2020 County Levy was discussed. Bayfield County's financial history and trends were highlighted. Fund balance was discussed.

16. Bayfield County Budget Survey 2021 Results; Mary Pardee, Extension Area Director;

Extension Area Director Mary Pardee presented the 2021 Bayfield County Budget Survey Results.

17. Department 2021 Budget Initiatives;

There is a document that lists preliminary projects and initiatives from multiple Departments.

18. Bayfield County Board Priorities; See Packet.

19. Budget Questions and Board Direction; See Packet.

20. 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 Crandall, Fickbohm to enter Executive/Closed Session at 8:09 p.m. Motion carried with unanimous vote.

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

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, Zepczyk to return to Open Session at 8:21 p.m. Motion carried.*

Open Session;

Motion by Strand, Rondeau to accept the Settlement Agreement with Red Cliff Tribe on the Zoning Lawsuit. Motion carried.

21. Bayfield County Administrator's Report:

a) Future County Board Meeting Dates:

The following meetings are all regularly scheduled.

May 26th, 2020

June 30th, 2020

July 28th, 2020

b) Courthouse/Annex COVID-19 Planning;

This week Bayfield County is open for appointments. Next week, the Courthouse will be open for the public. It is being encouraged, however, to “Save the Trip” and call or email when possible.

22. Supervisors’ Reports;

Oswald shared reports from the Sheriff’s Committee.

23. Adjournment.

There being no further business to come before the Bayfield County Board of Supervisors, *Chair* Pocerlich adjourned the meeting at 8:26 p.m.

Respectfully submitted,

Scott S. Fibert

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