

# Bayfield County Clerk

**Scott S. Fibert**, *County Clerk*

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

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



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**Draft Minutes of the:**  
**Bayfield County Board of Supervisors' Meeting**  
**June 25<sup>th</sup>, 2019 6:00 p.m.**

**Bayfield County Board Room, Bayfield County Courthouse, Washburn, WI**

The Bayfield County Board of Supervisors was called to order at 6:02 p.m. by Bayfield County *Chairman*, Dennis Pocerlich. A roll call was taken by *County Administrator*- Mark Abeles-Allison, as follows: George Newago- present; Thomas Gordon- absent; Larry Fickbohm- present; Harold Maki- absent; Jeremy Oswald- present; Jeffrey Silbert- present; Dennis Pocerlich- present; Fred Strand- present; Thomas Snilsberg- present; Marty Milanowski- present; 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; *Clerk III*- Allison Radke; *Bayfield County Sheriff*- Susienka; members of the Cervid Study Committee; *Criminal Justice Coordinator*- Barb Flynn; *Clerk of Courts*- Kay Cederberg; *Health Department Director*- Sara Wartman; *Planning and Zoning Director*- Rob Schierman; *Aging & Disability Services Manager*- Carrie Linder, *Land Records Director*- Scott Galetka, *District Attorney*- Kimberly Lawton, *Land Records GIS Tech*- Carmen Novak, *Real Property Lister*- Pam Ledin, *Deputy*- Andy Mika, *Scholarship Recipient*- Ryan Meeker, *Deputy*- John Gary; members of the public.

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

4. **Public Comment**;

**Ryan Meeker**, Bayfield County Local Government Scholarship recipient, thanked the Bayfield County Board for the scholarship.

5. **Motion Regarding the Minutes of the May 28, 2019 Bayfield County Board of Supervisors' Meeting**;

*Motion by Milanowski, Rondeau to approve the Minutes of the May 28, 2019 Bayfield County Board of Supervisors' Meeting. No additions or corrections. Motion carried.*

6. **Bayfield County Resolution No. 2019-39; In Appreciation of Lynn Divine for her 19 years of dedication and service in the Bayfield County Department of Land Records**;

*County Administrator* Abeles-Allison recognized Lynn Divine for her 19 years of service to the Bayfield County Department of Land Records. Scott Galetka, Pam Ledin, and Carmen Novak from the Land Records Department spoke to thank Lynn Divine for her service. They shared a PowerPoint presentation. It was also mentioned that Divine will remain active in the community as the Town Clerk of Barksdale and as the Clerk/Treasurer for Bay Area Solid Waste.

**WHEREAS**, Lynn Divine has served Bayfield County with distinction, honor and dedication as Real Property Lister for over 19 years,

**NOW, THEREFORE, BE IT RESOLVED**, that the Bayfield County Board of Supervisors assembled this 25th day of June 2019, honors Lynn Divine for her over 19 years of public service to Bayfield County and expresses gratitude for her efforts, wishing her well in the years ahead.

*Motion by Rondeau, Newago to approve Resolution No. 2019-39, in appreciation of Lynn Divine for her 19 years of dedication and service in the Bayfield County Department of Land Records. Motion carried.*

7. **Bayfield County Resolution No. 2019-40; Recognizing efforts above and beyond the call of duty, Deputy Mika, Bayfield County Sheriff's Department;**

Deputy Mika was acknowledged for his service above and beyond the call of duty. He was sincerely thanked for his response to a 911 call. *Board Supervisor Oswald* read Resolution No. 2019-40 thanking *Deputy Mika*.

**WHEREAS**, Deputy Mika has worked for Bayfield County for 7 years, and;

**WHEREAS**, Deputy Mika, while on duty, responded to a 911 call reporting a sinking boat and distressed individual drowning on Perch Lake, and;

**WHEREAS**, after calling for assistance, Deputy Mika donned his life jacket, dove into the chilling water, swam out to the sinking boat and rescued the victim that stated he was weak and couldn't move. Mika pulled the boat anchor and pushed the boat to shore, and;

**WHEREAS**, the victim, a Bayfield County resident, is in healthy condition today as a result of Deputy Mika's efforts.

**NOW, THEREFORE, BE IT RESOLVED**, that the Bayfield County Board of Supervisors assembled this 25<sup>th</sup> day of June 2019, recognizes **Deputy Andy Mika** for his service above and beyond and extends a sincere thank you for his service to Bayfield County.

*Motion by Oswald, Rondeau to approve Resolution No. 2019-40, recognizing efforts above and beyond the call of duty, Deputy Mika, Bayfield County Sheriff's Department. Motion carried.*

8. **Bayfield County Resolutions No. 2019-41; No. 2019-42; No. 2019-43; Please address Resolutions as one motion.**

a) **Recognizing Bayfield County Courthouse Employee of the Year - 2019;**

Carmen Novak, from the Land Records Department, was awarded Bayfield County Courthouse Employee of the Year for 2019. *Board Supervisor Rondeau* read Resolution No. 2019-41.

**WHEREAS**, the Bayfield County Board of Supervisors recognizes the value of dedicated employees;

**WHEREAS**, Carmen Novak has served Bayfield County with distinction, honor and dedication in the Land Records Department for nearly 6 years;

**WHEREAS**, her fellow employees have determined that she reflects the highest level of values within her work group and promotes a positive image of Bayfield County;

**NOW, THEREFORE, BE IT RESOLVED**, that the Bayfield County Board of Supervisors honors:

**Carmen Novak**, as Employee of the Year for 2019, for her dedication and service to Bayfield County.

**b) Recognizing Bayfield County Sheriff's Employee of the Year - 2019;**

*Deputy Andy Mika* was nominated by his fellow employees as Bayfield County Sheriff's Employee of the Year for 2019. *Board Supervisor Oswald* read Resolution No. 2019-42.

**WHEREAS**, the Bayfield County Board of Supervisors recognizes the value of dedicated employees;

**WHEREAS**, Andy Mika has served Bayfield County with distinction, honor and dedication in the Sheriff's Department for nearly 7 years;

**WHEREAS**, his fellow employees have determined that he reflects the highest level of values within his work group and promotes a positive image of Bayfield County;

**NOW, THEREFORE, BE IT RESOLVED**, that the Bayfield County Board of Supervisors honors:

**Andy Mika**, as Sheriff's Employee of the Year for 2019, for his dedication and service to Bayfield County.

**c) Recognizing Bayfield County Department of the Year - 2019;**

The Bayfield County Aging & Disability Services Section was selected as the Bayfield County Department of the Year for 2019. *Board Supervisor Crandall* read Resolution No. 2019-43.

**WHEREAS**, the Bayfield County Board of Supervisors recognizes the value of dedicated employees and departments;

**WHEREAS**, the Bayfield County Aging & Disabilities Services Section of the Department of Human Services has demonstrated strong Cooperation with other departments.

**WHEREAS**, the Bayfield County Aging & Disabilities Services Section has received commendations from other departments, citizens, or community organizations.

**WHEREAS**, the Bayfield County Aging & Disabilities Services Section saves Bayfield County time, energy or dollars through their efforts.

**WHEREAS**, the Bayfield County Aging & Disabilities Services Section encourages others through their positive image and attitude.

**NOW, THEREFORE, BE IT RESOLVED**, that the Bayfield County Board of Supervisors honors:

The **Bayfield County Aging & Disabilities Services Section** as Department of the Year for 2019.

*Motion by Rondeau, Fickbohm to approve Resolutions No. 2019-41; No. 2019-42; No. 2019-43, Recognizing Bayfield County Courthouse Employee of the Year, Bayfield County Sheriff's Employee of the Year; Bayfield County Department of the Year. Motion carried.*

County Administrator Abeles-Allison gave further information about the picnic, including those who helped to organize and *Board Supervisors* who attended. Abeles-Allison also acknowledged employees who celebrated 20 or more years of service and significant year anniversaries. He also explained the selection process for employees and department of the year and recognized employees and departments who were nominated.

**9. Cervid Study Committee Findings and Recommendations Presentation;**

*Committee Member* Mike Amman gave a presentation focused on findings and recommendations from the Cervid Study. Committee members were introduced, and their study process was explained. Chronic Wasting Disease (CWD) was the main focus of the Cervid Study Committee. Data, maps, and graphs were shared. Amman gave information about the transmission, spread, projections, and prevention of CWD. The findings included 9 points of recommendation to reduce the risk of CWD. The Committee recommends:

1. Bayfield County develop and implement a public information program to educate citizens about ways to help keep chronic wasting disease (CWD) out of Bayfield County.
2. The Bayfield County Board develop and implement programs to support more CWD testing and proper carcass disposal.
3. Bayfield County develop and implement a captive cervid fencing ordinance that:
  - a) Requires all existing captive cervid operations in Bayfield County to comply with WI DNR fencing standards specified in NR 16.45.
  - b) Requires annual inspection of the fencing at all existing and new captive cervid operations at least once per year to ensure compliance with the standards.
  - c) Requires all new captive cervid operations in Bayfield County to comply with the WI DNR fencing standards specified in NR 16.45 AND to implement one of the following:
    - i. Install and maintain a second 8-foot high perimeter fence that meets the standards specified in NR 16.45 with at least 8 feet but not more than 16 feet between the two fences.
    - ii. Install and maintain one solid perimeter fence with the lower 7 feet covered with solid material that prevents animals on opposite sides of the fence from making visual or physical contact. The solid perimeter fence shall contain at least one single strand of electrified wire on the inside or outside of the entire length of the perimeter fence at a height of 3 feet and shall be at least 2 feet from the main fence.
    - iii. Install and maintain at least three strands of electrified wire on the inside or outside of the entire length of the perimeter fence, including gates, at heights ranging from 6 inches to 48 inches from the ground.

4. The Committee recommends Bayfield County develop and implement a captive cervid import ordinance that:
  - a) Prohibits the importation of live cervids into Bayfield County *without exception* unless:
    - i. The animal comes from a herd enrolled in the Herd Status Program as specified in ATCP 10.53.
    - ii. The animal has a certificate of veterinary inspection (CVI) as specified in ATCP 10.56(2-3).
    - iii. Documentation is provided that shows the animal is coming from a location that is not within 10 miles of a known positive CWD detection in a wild or captive cervid recorded within five years prior to the animal being moved.
5. The Bayfield County Zoning Committee consider applying conditions specifically targeted to CWD when granting use permit (CUP) for the citing of new captive cervid operation in Bayfield County, which may include, but are not limited to, conditions such as:
  - a) If not otherwise required by County zoning ordinance, require enhanced perimeter fencing as specified in Recommendation #5(b-c).
  - b) Install a remote monitoring system to the perimeter fence to immediately detect damage to fence lines caused by falling trees or flooding. The form and type of remote monitoring system should be negotiated with the permit applicant and consider the technology available upon application for the permit.
  - c) Remove or prune all trees with 3-inch dbh (diameter at breast height) or greater inside and outside of the perimeter fencing to ensure that were the tree to fall it would not contact the fence. Install the outermost perimeter fence with a setback from property lines sufficient to allow for pruning and removal of trees necessary to meet this condition.
  - d) Require double gates at each ingress and egress point in the perimeter fence or other comparable system to ensure no animals can pass through the gates when moving vehicles through the fencing.
  - e) If not otherwise required by County zoning ordinance, prohibit the import of live cervids into Bayfield County unless the conditions specified in Recommendation #6a are met.
  - f) Require testing all testable cervids 12 months or older that are killed or are found dead for CWD.
  - g) If a cervid within the captive operation tests positive for CWD require the following actions:
    - i. Depopulate all cervids from the operation within 3 months.
    - ii. Maintain the perimeter fencing for a minimum of 5 years from the date the last cervid is removed.
    - iii. Quarantine the facility with no cervids moved into the facility within 5 years from the date the last cervid is removed.
6. The Bayfield County Board request the legislature to fund and direct the University of Wisconsin, WI DNR, WI DATCP, and WI Department of Health to conduct additional research on chronic wasting disease as specified in the Resolution shown in Appendix 2: “Conduct Additional Research on Chronic Wasting Disease to Improve Testing, Treatment, and Management Options.”
7. Bayfield County facilitate a multi-stakeholder planning process to develop a coordinated response plan to be prepared in the event chronic wasting disease is found in wild or captive deer in Bayfield County.
8. In order to more aggressively limit the spread of CWD, the Committee recommends that the Bayfield County Board request the legislature to enact more stringent regulations as specified in the Resolution shown in Appendix 3: “Enact Stronger Regulations to Limit the Spread of CWD.”

9. In order to more aggressively limit the spread of CWD, the Committee recommends that the Bayfield County Board share this report with adjacent counties and urge them to implement the recommendations to further slow the potential spread of CWD in NW Wisconsin.

A comment was received regarding hunting in the tribal communities.

10. **Discussion and possible action regarding Cervid Study Committee Recommendations;**

Comments were received regarding the recommendations presented from the Cervid Study Committee.

*Motion by Strand, Silbert to:*

- *Receive and place on file the Cervid Committee's report, and to*
- *Refer the Report to the Executive and Planning and Zoning committees,*
- *Direct the Executive Committee to review Report Recommendation numbers 1, 2, 6, 7, 8, & 9, and*
- *Direct the Planning and Zoning Committee to review Report Recommendations numbers 3, 4 & 5, and*
- *Direct these Committees to report their recommendations at the July County Board meeting, and*
- *That the Executive and Planning and Zoning Committees and all other County Committees may review the entire Report and Recommendations and may report their recommendations at the July County Board meeting, and*
- *In the event that a Committee does not meet prior to the July County Board meeting, Department Heads and/or Committee Chairs may review the entire Report and Recommendations and may report their recommendations at the July County Board meeting, and*
- *To place the Report's Recommendations and Resolutions on the July County Board meeting agenda for discussion and possible action as prompt actions are needed to be prepared for the 2019 deer hunting seasons.*

*Motion carried.*

11. **Bayfield County Resolution No. 2019-44; In Recognition and Appreciation to the Cervid Study Committee Members for their dedication and service to this cause;**

County Administrator Abeles-Allison and Board Supervisors thanked the members of the Cervid Study Committee for their time, effort, and commitment. They were recognized for their professionalism.

**WHEREAS**, Bayfield County established a Cervid Study Committee in the Summer of 2018 to examine the impact of communicable diseases on cervids and other animals, humans and soil in Bayfield County, and;

**WHEREAS**, the following were appointed to the committee:

- Rob Lombard
- Jon Gilbert
- Sandra Naas
- Tim Bratley
- Fred Strand

- Mike Amman
- Jason Fischbach
- Ben Dufford
- Rob Schierman (Advisor)
- Mark Abeles-Allison (Advisor)

**WHEREAS**, the committee met nine times, between October 2018 and June 2019, calling on representatives from across the industry to present information relevant to the study, and;

**WHEREAS**, all committee members were dedicated in their contributions and interest, all sharing a commitment to address how to prevent further spread in Bayfield County.

**NOW, THEREFORE, BE IT RESOLVED**, that the Bayfield County Board of Supervisors assembled this 25<sup>th</sup> day of June 2019, recognizes the time and effort expended by these individuals, in the interest of Bayfield County visitors and residents alike and extends a sincere thank you for their dedication to our communities.

*Motion by Silbert, Crandall to approve Resolution No. 2019-44 in recognition and appreciation to the Cervid Study Committee members for their dedication and service to this cause. Motion carried.*

**12. Criminal Justice Annual Report; Barb Flynn, Criminal Justice Coordinator;**

*Criminal Justice*, Barb Flynn, gave the 2018 annual report from the Criminal Justice Department. The report included figures from three licensed Therapists that work within the Bayfield County Jail. There was also information provided regarding the Treatment Alternatives Diversion (TAD) Program. This program is also called Treatment Court. TAD is funded through the Department of Justice. In 2018, the Criminal Justice program collaborated with the Sheriff's Office for the jail re-entry project. A question was received regarding urine analysis.

A client from the Treatment Court program shared her story to advocate for the Treatment Court. She reported being addicted for 39 years, was incarcerated, now has been working the program, and has been sober for 344 days. She commented that the program has helped her tremendously. Comments were received regarding the beneficial cooperation that happens within the departments and staff at Bayfield County.

*Motion by Rondeau, Crandall to receive and place on file the Criminal Justice Annual Report. Motion carried.*

**Agenda item 19 was moved up to 13, due to Sheriff Paul Susienka's attendance. Unanimous consent was given.**

**13. Discussion and possible action regarding Jail holding cell redesign project options;**

Jail holding cell redesign project options were discussed. *Bayfield County Sheriff* Susienka described two of the options with floor plan visuals. *Sheriff* Susienka explained the need and that these options will increase efficiency. The 2<sup>nd</sup> plan would better prepare the jail for the future and would be a better use of space.

*Motion by Oswald, Rondeau to proceed with the 2<sup>nd</sup> option of the Jail holding cell redesign project. Motion carried.*

14. **Clerk of Courts Annual Report; Kay Cederberg, Clerk of Court & Register in Probate;**

*Clerk of Court & Register in Probate, Kay Cederberg, delivered information regarding the 2018 Clerk of Courts Annual Report. Data was presented with topics including: caseloads, finances, outstanding accounts receivables, collections, warrants, payment plans.*

*Motion by Rondeau, Milanowski to receive and place on file the Clerk of Courts Annual Report. Motion carried.*

15. **Health Department, Review of the 2018-2020 Community Health Improvement Plan; Sara Wartman, Health Department Director;**

*Health Department Director, Sara Wartman, spoke about the 2018-2020 Community Health Improvement Plan (CHIP). Counties are required to write a Community Health Improvement Plan is required by Wisconsin State Statutes. Bayfield County partners with Ashland County, Iron County, and Memorial Medical Center. Alcohol and other drug abuse (AODA), mental health, and chronic disease were identified as the top three priorities.*

*The plan addresses issues including: resiliency, ACEs (Adverse Childhood Experiences), upstream approaches, sources of strength programs, fact-based campaigns, evidence-based strategies, cultural concerns, alcohol/nicotine/other drug usage. Comments were received regarding alcohol and other drugs and their impacts on local communities.*

*Motion by Oswald, Fickbohm to receive and place on file the 2018-2020 Community Health Improvement Plan. Motion carried.*

16. **Bayfield County Amendatory Ordinance No. 2019-10; Amending Title 10, Chapter 3: All Terrain Vehicles and Off-Road Motor Vehicle Operation; Adding 1 Section to Sec. 10-3-10 Designated Routes, 2 miles on CTH G from USH 2 east to Pristash Road in the Town of Keystone; Paul Johanik, Bayfield County Highway Commissioner;**

*Amendatory Ordinance No. 2019-10 proposes adding an additional 2 miles on CTH G from USH 2 east to Pristash Road in the Town of Keystone. The additional section was reviewed and recommended by the Bayfield County Highway Committee and approved by the Highway Commissioner. It would allow residents to access the Tri-County Corridor. There was discussion regarding the potential to open all roads to ATV/UTVs throughout Bayfield County.*

*The only change is the addition of the following 1 route to Sec. 10-3-10:  
CTH G from USH 2 east to Pristash Road in the Town of Keystone – 2 miles*

*Motion by Crandall, Milanowski to adopt Amendatory Ordinance No. 2019-10, Adding 1 Section to Sec. 10-3-10 Designated Routes, 2 miles on CTH G from USH 2 east to Pristash Road in the Town of Keystone. Motion carried.*

17. **Report of the Bayfield County Planning and Zoning Committee No. 2019-11; Petition to amend the Bayfield County Zoning Ordinance regarding the Zoning of a Bill & Millie's**



**Cabin, LLC parcel in the Town of Barnes from Residential-One (R-1) / Residential-Three (R-3) to Residential-One (R-1); Rob Schierman, Planning and Zoning Director;**

*Planning and Zoning Director* Rob Schierman gave information regarding Report No. 2019-11. Zoning Report No. 2019-11 was reviewed and recommended by the Bayfield County Planning and Zoning Committee.

**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 **Bill & Millie's Cabin, LLC** 25.90-acre parcel (ID# 2176) (V. 978 P. 900), located in that part of Government Lot 1 (GL 1); further described commencing at the SE corner of said Section 19 and point of beginning of the lands herein described, said SE corner of said Section 19 is also the SE corner of Government Lot 1, thence N88 degrees-05'-10"W and along the south line of said Section and Government Lot, 1353.83 feet to a 2" capped iron pipe with stamped identification indicating said point to be a Meander Comer on east shore of Lower Eau Claire Lake; thence meandering along said east shore N01 degrees-33'-43"W, 857.38 feet to a meander line point at the Southwest corner of Certified Survey Map No. 000626 recorded as Document No. 376030 In Volume 4 of Certified Survey Maps on pages 266 and 267; thence S87 degrees-07'-16" E on and along the south line of said CSM and said south line extended 1339.02 feet to a point on the east line of said Section 19 and Government Lot 1; thence S02 degrees 40'-55'E, 835.93 feet to the point of beginning.

Together with the following two easements or rights of way for ingress and egress (1) that certain right of way 1 rod wide following the electric power line to the North lot line of said Lot 1 aforesaid as set forth in the Codicil to the Last Will and Testament of William Buchman, deceased, certified copy of which Last Will and Codicil was recorded in the office of the Register of Deeds for Bayfield County, Wisconsin, in Volume 182 of Miscellaneous on Page 125 on July 31, 1962; (2) easement 16 ½ feet wide sworn to by Wm. Buchman, Henry F. Weiss and Anna F. Weiss on July 16, 1953, as set forth in copy of agreement contained in affidavit recorded in the office of the said Register of Deeds, on August 24, 1962, in Volume 182 of Miscellaneous on Page 149. Lands contains 26.7 acres plus or minus; exclusive of lands lying between the meander line and the waters edge Section Nineteen (19), Township Forty-Four (44) N, Range Nine (9) W, Town of Barnes, Bayfield County, WI from **Residential-One (R-1) / Residential-Three (R-3) to Residential-One (R-1)**.

*Motion by Silbert, Rondeau to receive and place on file Report No. 2019-11. Motion carried.*

18. **Bayfield County Ordinance No. 2019-11; Amendment regarding the Zoning of a Bill & Millie's Cabin, LLC parcel in the Town of Barnes from Residential-One (R-1) / Residential-Three (R-3) to Residential-One (R-1); Rob Schierman, Planning and Zoning Director;**

*Planning and Zoning Director Schierman explained Ordinance No. 2019-11. Zoning Ordinance No. 2019-11 proposes to amend Bill & Millie's Cabin, LLC 25.90-acre parcel in the Town of Barnes from Residential-One (R-1) / Residential-Three (R-3) to Residential-One (R-1).*

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**, it is deemed in the best interest of the County of Bayfield that the District Boundaries 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 **Bill & Millie's Cabin, LLC 25.90-acre parcel (ID# 2176)** (V. 978 P. 900), located in that part of Government Lot 1 (GL 1); further described commencing at the SE corner of said Section 19 and point of beginning of the lands herein described, said SE corner of said Section 19 is also the SE corner of Government Lot 1, thence N88 degrees-05'-10"W and along the south line of said Section and Government Lot, 1353.83 feet to a 2" capped iron pipe with stamped identification indicating said point to be a Meander Corner on east shore of Lower Eau Claire Lake; thence meandering along said east shore N01 degrees-33'-43"W, 857.38 feet to a meander line point at the Southwest corner of Certified Survey Map No. 000626 recorded as Document No. 376030 In Volume 4 of Certified Survey Maps on pages 266 and 267; thence S87 degrees-07'-16" E on and along the south line of said CSM and said south line extended 1339.02 feet to a point on the east line of said Section 19 and Government Lot 1; thence S02 degrees 40'-55'E, 835.93 feet to the point of beginning.

Together with the following two easements or rights of way for ingress and egress (1) that certain right of way 1 rod wide following the electric power line to the North lot line of said Lot 1 aforesaid as set forth in the Codicil to the Last Will and Testament of William Buchman, deceased, certified copy of which Last Will and Codicil was recorded in the office of the Register of Deeds for Bayfield County, Wisconsin, in Volume 182 of Miscellaneous on Page 125 on July 31, 1962; (2) easement 16 ½ feet wide sworn to by Wm. Buchman, Henry F. Weiss and Anna F. Weiss on July 16, 1953, as set forth in copy of agreement contained in affidavit recorded in the office of the said Register of Deeds, on August 24, 1962, in Volume 182 of Miscellaneous on Page 149. Lands contains 26.7 acres plus or minus; exclusive of lands lying between the meander line and the waters edge Section Nineteen (19), Township Forty-Four (44) N, Range Nine (9) W, Town of Barnes, Bayfield County, WI **from Residential-One (R-1) / Residential-Three (R-3) to Residential-One (R-1).**

*Motion by Rondeau, Zepczyk to adopt Ordinance No. 2019-11. Motion carried.*

**19. Bayfield County Resolution No. 2019-45; Authorizing Matching Funds for Bayfield County US DOT BUILD Project on County Highways A & N;**

It was reported that the estimated cost for this project is \$28,750,000 for 22 miles of County Highway reconstruction. If the grant is received, Bayfield County would commit \$3.75 million or 13% towards this project over a period of five years. Questions were received regarding the feasibility of this expense. County Highways A & N would be all-season roads.

**WHEREAS**, Bayfield County maintains 172 miles of county highways; and

**WHEREAS**, Forestry is a critical industry for Bayfield County; and

**WHEREAS**, Bayfield County annually places road weight limit restrictions on county highways during the spring break-up to protect roads which negatively impact the ability of the logging industry to access and transport forest product; and

**WHEREAS**, County Highways A and N provide access to thousands of acres of forestland that supplies timber for forest products; and

**WHEREAS**, funding for highways is important. Scarce resources make funding difficult. Bayfield County has annually dedicated additional resources to highway projects, and

**WHEREAS**, over the past five years both the Bayfield County Board and the Citizens of Bayfield County have ranked Highways as the number one priority of the County during the annual budget process and budget survey; and

**WHEREAS**, maintenance and upkeep of roadways are of regional concern to support the forest industry; and

**WHEREAS**, alternate funding mechanisms are important to supplement the county's ability to properly maintain county roads; and

**WHEREAS**, the US Department of Transportation BUILD program offers matching grant funds for economic development projects and in May 2018 the Bayfield County Board authorized submittal of an application to the BUILD grant program for reconstruction of County Highways A and N to all season road standards; and

**WHEREAS**, the estimated cost for the project is \$28,750,000 dollars encompassing 22 miles of county highway reconstruction, and

**WHEREAS**, this improvement project would have a significant economic development impact on Bayfield County Communities and businesses in addition to improving safety and reducing maintenance costs.

**NOW THEREFORE BE IT RESOLVED** that The Bayfield County Board, this 25<sup>th</sup> day of June 2019 will commit and hereby encumbers \$3.75 million (13%) toward this project over a period of five years.

**BE IT FURTHER RESOLVED** that Bayfield County has previously supported efforts at the state level to raise additional funds for county highway reconstruction and that the Bayfield County Board hereby petitions the Governor, the Assembly, and Senate of the State of Wisconsin to pursue supplemental funding for county highways in Wisconsin.

*Motion by Oswald, Rondeau to approve Resolution No. 2019-45, authorizing matching funds for Bayfield County US DOT BUILD Project on County Highways A & N. A roll call was taken as follows: Newago-yes, Gordon-absent, Fickbohm- yes, Oswald-yes, Silbert-yes, Pocernich-yes, Strand-yes, Snilsberg-yes, Milanowski-yes, Zepczyk-yes, Crandall-yes, Rondeau-yes, Maki-absent. (11-yes, 0-no, 2 absent) Motion carried.*

**20. Discussion and possible action regarding Fund Balance Policy;**

County Administrator Abeles-Allison gave information about the Bayfield County Fund Balance Policy and explained its' purpose, policy, and procedures.

*Motion by Rondeau, Zepczyk to approve the Bayfield County Fund Balance Policy. Motion carried.*

**21. Discussion regarding Assigning \$500,000 fund balance, annually over 5 years (total \$2.5 million) to Bayfield County Highway Reconstruction Projects;**

County Administrator Abeles-Allison led a discussion regarding assigning funds to the Bayfield County Highway Reconstruction projects for the years 2019-2024.

**22. Bayfield County Resolution No. 2019-46; Sale of Land to Nathan Merritt to address a Trespass and Withdrawal of Land from County Forest Law; Department of Forestry & Parks;**

The Forestry and Parks Committee reviewed and recommended approval of this Resolution. It would resolve a trespass issue on Bayfield County Forest Land. Supervisor Strand informed that it would put the landowner in compliance with Bayfield County Zoning setback regulations; it is not punitive to the landowner; and it holds Bayfield County fiscally harmless. Questions were received regarding the trespass.

**WHEREAS**, Bayfield County discovered an encroachment of county forest land located in Section 3, T47N-R8W, in the Town of Iron River,

**WHEREAS**, upon further inspection, it was established that the adjacent landowner, Nathan Merritt, was responsible for the encroachment,

**WHEREAS**, Bayfield County determined that the encroachment comprised a total of roughly 0.40 acres of county forest land,

**WHEREAS**, the Bayfield County Forestry and Parks Department concluded that the most efficient way to address the encroachment was to sell a portion of the encroached upon land to Nathan Merritt,

**WHEREAS**, the portion of encroached upon property considered for sale was calculated to be 0.10 acres, and only included enough land to comply with Bayfield County zoning ordinances,

**WHEREAS**, the local assessed value of comparable land near the encroached upon property was determined to be roughly \$4,600.00 per acre,

**WHEREAS**, to fully address the encroachment and determine fair compensation to Bayfield County, the assessed value was doubled and rounded up to \$10,000.00 per acre,

**WHEREAS**, Bayfield County agrees to sell the approximately 0.10 acres of encroached upon land to Nathan Merritt for \$1,000.00, in addition to all other terms outlined in the real estate sales agreement, including Nathan Merritt paying all expenses associated with a survey, including the development of a CSM, all recording fees, all legal fees incurred by Bayfield County, and the cost of replanting the encroached upon property not part of the transaction,

**WHEREAS**, in addition to the cost of land and other associated expenses, as outlined in the real estate sales agreement Nathan Merritt will be required to remove all personal items/property from the encroached upon land not included in the transaction, including the obliteration of a secondary driveway and removal of all materials and landscaping,

**WHEREAS**, as part of the Forestry and Parks Committee's recommendation to sell the land, as described above, to Nathan Merritt, all proceeds from the sale are to be reinvested in forest land and made part of the County Forest,

**WHEREAS**, the sale of County Forest land currently enrolled in County Forest Law is inconsistent with the purposes set forth in ss. 28.11, Wisconsin Statutes (County Forest Law),

**WHEREAS**, any proposal to sell County Forest land will first require filing an application, to the DNR, to withdraw said parcel from County Forest Law,

**WHEREAS**, the Forestry and Parks Committee has recommended the sale of the approximately 0.10 acres of land to Nathan Merritt, as described above, and the withdrawal of said land from County Forest Law, with all proceeds being reinvested in land that would eventually be enrolled in County Forest Law,

**NOW, THEREFORE, BE IT RESOLVED**, that the Bayfield County Board of Supervisors assembled this 25th day of June 2019, authorizes the Bayfield County Forestry and Parks Administrator, on behalf of Bayfield County, to make application to the Wisconsin Department of Natural Resources, pursuant to Section 28.11(11), Wisconsin Statutes, to withdraw the real estate described above from the provisions of the County Forest Law (Section 28.11, Wisconsin Statutes),

**BE IT FURTHER RESOLVED**, that, if the application for withdrawal from County Forest Law is approved by the Wisconsin Department of Natural Resources, the Bayfield County Board of Supervisors approves the sale of the above described property to Nathan Merritt, in the amount of \$1,000.00, including all other terms as outlined in the real estate sales agreement,

**BE IT FURTHER RESOLVED**, that all proceeds from the sale of the above described property must be reinvested in forest land that will be enrolled in County Forest Law and made part of the County Forest and that the Forestry and Parks Department will search for other lands suitable for addition to the County Forest,

**BE IT FURTHER RESOLVED**, the following budget amendments will be made to the 2019 Forestry and Parks Budget:

**REVENUES:**

Increase Land Acquisition NL:  
100-34-46813 by \$1,000

*Motion by Strand, Zepczyk to approve Resolution No. 2019-46, sale of land to Nathan Merritt to address a trespass and withdrawal of land from County Forest Law. Motion carried with one opposition.*

**23. Discussion and possible action regarding appointment and confirmation of Interim Bayfield County Veterans' Service Officer;**

*Veterans' Services Officer Kevin Johnson is being deployed in early July for potentially a year in duration. Due to his deployment, an interim Bayfield County Veterans' Service Officer is being recommended. Michelle Anderson, a Bayfield County resident, has extensive military experience and is being appointed for the interim position.*

*Motion by Newago, Rondeau to approve the appointment of Interim Bayfield County Veterans' Service Officer, Michelle Anderson. Motion carried.*

**No Executive/Closed session was held.**

**24. Bayfield County Administrator's Report:**

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

The next 3 meetings are regularly scheduled meetings.

- ✓ **July 30<sup>th</sup>, 2019**
- ✓ **August 27<sup>th</sup>, 2019**
- ✓ **September 24<sup>th</sup>, 2019**

**b) Census 2020;**

Bayfield County is looking to organize a Complete Count Committee. There is a need to educate regarding the importance and value of the 2020 Census.

**c) Opioid/ Meth/ Substance Abuse Epidemic in Bayfield County;**

This item was discussed earlier in the meeting.

**d) County Highway N Update;**

There were maps and pictures from Pigeon Lake. The road will be open for the July 4<sup>th</sup> holiday. Caution is recommended because of water.

**25. Supervisors' Reports;**

An update was received from the Northern Lights Board and the continued improvements. Carriage Health forgave Northern Lights Nursing Home \$450,000 in debt.

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

27. **Adjournment.**

There being no further business to come before the Bayfield County Board of Supervisors', *Chair* Pocernich adjourned the meeting at 8:32 p.m.

Respectfully submitted,

**SCOTT S. FIBERT**

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