

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

Meeting of the Bayfield County Board of Supervisors

May 30, 2023

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

Call to Order: The budget planning meeting of the Bayfield County Board of Supervisors was called to order at 4:05 p.m. by Bayfield County Board Chairman, Dennis M. Pocernich. A roll call was taken by County Clerk, Lynn Divine, as follows: Steve Sandstrom-present; Larry Fickbohm-arrived late; Charly Ray-present; Jeremy Oswald-present; Mary Dougherty-present; Jeff Silbert-present virtually; John Rautio-present; Madelaine Rekemeyer-present; Fred Strand-present; Marty Milanowski-present; Dennis Pocernich-present; Jim Crandall-present; Brett Rondeau-absent. Total: 12 present, 1 absent. A quorum was present to conduct business.

Others Present: *County Administrator-* Mark Abeles-Allison; *County Clerk-* Lynn M. Divine; *Accountant-* Kim Mattson (virtually); *Health Director-* Sara Wartman; *Chief Deputy-* Andy Runice; *Bayfield County Sheriff-* Tony Williams; *UW Extension Area Director-* Mary Pardee; *UW Extension Community Development Educator-* Kellie Pederson; *UW Extension Housing Educator-* Kelly Westlund; David Hawbaker, Michael Radtke; Gayle Chatfield; Elizabeth Andre; Kate Almont; Danielle Kaeding; Bill Bailey; *Northwest Community Services Agency CEO-* Millie Rounsville; *Bayfield County District Attorney-* Kim Lawton; and *Clerk III-* Paige Terry

BAYFIELD COUNTY BUDGET PLANNING AGENDA – 4:00 PM

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

Welcome and Opening Remarks: Chairman Pocernich welcomed the board to the budget process of the meeting and recommended each supervisor attend the budget planning meetings later in the fall.

2024 Budget Planning Presentation and Survey Questions: Abeles-Allison reviewed the budget planning presentation with the board. The treasurer balances are at \$29.9 million as of the end of April and the 2023 budget compliance is on target.

4:16 p.m. – Larry Fickbohm joined the meeting.

4:18 p.m. – The board took a short recess.

4:25 p.m. – The board reconvened.

Challenges that Bayfield County is anticipated to face include inflation, increasing personnel numbers, shortages regarding housing and childcare, changes in demographics, the Northern Lights Services Nursing Home, and the taxation of tribal lands. Potential funding sources include the state's proposed revenue sharing formula, carbon funds, forestry sales, grants, and bonds. Abeles-Allison reviewed the valuations, expenditure, and revenue changes that have occurred in the county over the past 30 years. All of the \$2.92 million in ARPA dollars have been committed and nearly all the projects have been started. The general fund has \$20.1 million dollars budgeted with approximately \$7.9 million in unassigned fund balances. The board completed a budget priority survey. Housing, youth and senior support, and water protection efforts ranked as the board's highest priorities.

Various Budget Direction Recommendations: Discussion took place regarding the budget priorities. Continued additional focus on highways and staffing for the County Administrator's Office were mentioned as possible budget priorities. Fickbohm suggested that the board set aside one to two hours to discuss housing options before the next board meeting. Extensive discussion took place regarding housing needs in Bayfield County.

Adjourn: There being no further business to come before the board regarding 2024 Budget Planning, *a motion was made by Crandall, seconded by Milanowski to adjourn the budget planning meeting. Motion carried, 12-0, 1 absent. Meeting adjourned at 5:40 p.m.*

MONTHLY MEETING OF THE BAYFIELD COUNTY BOARD OF SUPERVISORS AGENDA – APPROXIMATE START TIME OF 6:00 PM

Call to Order: The monthly meeting of the Bayfield County Board of Supervisors was called to order at 6:01 p.m. by Bayfield County Board Chairman, Dennis M. Pocernich. A roll call was taken by County Clerk, Lynn Divine, as follows: Steve Sandstrom-present; Mary Dougherty-present; Larry Fickbohm-present; Charly Ray-present; Jeremy Oswald-present; Dennis Pocernich-present; Brett Rondeau-absent; Jim Crandall-present; Madelaine Rekemeyer-present; Jeff Silbert-present; John Rautio-present; Marty Milanowski-present; Fred Strand-present. Total: 12 present, 1 absent. A quorum was present to conduct business.

Public Comment: David Hawbaker, Washburn, stated that he sent a letter to the board regarding injustices that took place during May 2020 pertaining to the COVID-19 pandemic and explained that the lack of response to the letter reflected a failure of the board as a group of elected officials. Hawbaker continued, stating that he is asking the board and Bayfield County to rectify the mistakes that it made during the COVID-19 pandemic.

Mike Radtke, Bayfield, spoke on civil engagement and the lack of engagement the public has experienced regarding the timber sale scheduled at Mount Ashwabay. Radtke stated that the process used did not acquire or involve meaningful civil input and asked that a process be developed to ensure that citizens feel heard.

Gayle Chatfield, Bayview, spoke on a previous engagement she had with the board regarding a topic she felt passionate about where she felt heard and stated that she does not feel that the voices of the public and their comments were heard regarding the Ashwabay timber sale.

Elizabeth Andre, Ashland, requested that the board develop a process to better acquire public input before a plan for a project is developed, especially if the topic is something that the public feels strongly about.

Kate Almont, spoke on the role of public input and its impact on trust with local government processes. Almont read the names of individuals that had signed a petition against the timber sale at Mount Ashwabay.

Northwest Community Services Agency Report: Millie Rounsville, Northwest Community Services Agency CEO, reviewed the agency's mission as well as its available services. The agency was able to continue running throughout the COVID-19 pandemic and was able to acquire the Ashland Community Shelter during the pandemic thanks to COVID-19 funds that were received. Rounsville informed the board that the agency is working on converting the two-story building on the premises to a transitional housing unit that will be able to serve 11 households at a time. Fickbohm questioned the typical length of stay for individuals utilizing the shelter. Rounsville replied that individuals typically sign up for a 30-day stay and explained the rules of the program to the board, stating that the facility is willing to give extensions to individuals that are actively working through the program. Silbert commended Rounsville on the agency's work. Pocernich asked if the transitional housing would be used for individuals that are

recently released from jail. Rounsville answered that individuals will need to get into the shelter before they will qualify for the transitional housing unit.

UW Extension 2022 Annual Report: Mary Pardee, UW Extension Area Director, reviewed the 2022 UW Extension Annual Report with the board. UW Extension received 48% of their 2022 funds from the state, 43% from Bayfield County, and 9% from other sources. Bayfield County provided \$275,897 to Extension in 2022. Pardee reviewed the breakdown in funding.

Consent Agenda:

a) Minutes from April 18, 2023 and April 19, 2023

b) Bayfield County Resolution No. 2023-46; Recognition and Appreciation of Elaine Kopp’s Years of Commitment and Service on the Board of Health:

WHEREAS, Elaine Kopp has served Bayfield County on the Board of Health as a community representative since June 2007; *and,*

WHEREAS, Wisconsin State Statute 251.04 outlines powers and duties of a Board of Health; *and,*

WHEREAS, the role of a Board of Health member is to assure measures are taken to provide an environment in which individuals can be healthy; *and,*

WHEREAS, during Elaine’s more than 15 years of service she provided guidance and support to the department while advocating for the provision of reasonable and necessary public health services on behalf of Bayfield County; *and,*

WHEREAS, we reflect on the numerous contributions that you have made during your tenure, including the transition of the Home Care program from Public Health to private enterprises, Physical Activity and Obesity Prevention programs, Tobacco-Free and Smoke-Free Initiatives; the development of the Superior Fitness Center for employee health and wellness; the establishment of a Reproductive Health – Family Planning Program; responding to several public health crises including the H1N1 pandemic and the COVID-19 global pandemic; and serving as an advocate for persons living with chronic illness or disability; *and,*

WHEREAS, your contributions to public health and wellbeing will not soon be forgotten, and your legacy will live on in the positive impact you have had on the lives of so many;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 30th day of May, 2023 honors Elaine Kopp for her more than 15 years of public service to Bayfield County and expresses gratitude for her unwavering dedication to community health and wellness, wishing her well in the years ahead.

c) Bayfield County Resolution No. 2023-47; 2023 Health Department Budget Amendments:

WHEREAS, amendments to the 2023 Health Department budget are necessary due to increases/decreases in federal and state grant funding; *and,*

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

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 30th day of May, 2023 amends the 2023 budget by \$62,825 and authorizes the increase/decrease of the following revenue and expense accounts for 2023:

ACCOUNT NUMBER	DESCRIPTION	ADJUSTMENTS
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Revenue Amendments		
100-20-43550-014	PEER Counseling Grant	5,120
100-20-43550-030	Title X Grant	(27,638)
100-20-43550-147	ELC Enhancing Detection Grant	90,784
100-20-43550-011	WIC Grant	(5,441)
	Total Revenue Amendment	62,825
Expenditure Amendments		
100-20-54124-50121	Full Time	5,120
100-20-54143-50121	Full Time	(15,957)
100-20-54143-50122	Part time	(3,085)
100-20-54143-50151	FICA/Medicare	(1,456)
100-20-54143-50154	Health insurance	(2,410)
100-20-54143-50155	Life Insurance	(4)
100-20-54143-50152	Co. share retirement	(1,085)
100-20-54143-50240	Repair and maint	(80)
100-20-54143-50310	Office supplies	(35)
100-20-54143-50313	Printing & duplication	(50)
100-20-54143-50332-002	Mileage – RN	(40)
100-20-54143-50340	Operating Supplies	(2,052)
100-20-54143-50390	Other Supplies	(1,024)
100-20-54143-50290	Contractual services	(360)
100-20-54107-50122	Part Time	(5,441)
100-20-54147-50122	Part Time	10,303
100-20-54147-50225	Telephone	208
100-20-54147-50290	Contractual Services	3,000
100-20-54147-50340	Operating Supplies	22,500
100-20-54147-50391	Medical Supplies	54,773
	Total Expenditure Amendment	62,825

d) Bayfield County Resolution No. 2023-48; Highway Department 2023 Budget Amendment:

WHEREAS, the 2023 capital improvement budget includes the Highway Microgrid Project; *and*,

WHEREAS, the project will be paid from the Highway fund and not the Capital Improvement fund;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 30th day of May, 2023 approves the following budget amendment:

Decrease	430-71-56341-50820	by	\$225,000
Decrease	430-71-43221	by	\$225,000
Increase	710-71-53281-50810	by	\$225,000
Increase	710-71-43533	by	\$225,000

e) Bayfield County Resolution No. 2023-49; Forestry and Parks Department Accepting NOAA Grant for the Sand River Acquisition Project and 2023 Budget Amendment:

WHEREAS, via Resolutions 2022-06, 2022-76, and 2023-13 the County Board provided the Forestry and Parks Department (Department) with authorization to develop, budget, administer and complete the roughly 2,001 acre Sand River land acquisition project (Sand River), in part, to replace the roughly

1,439 acres of county forest lands that were previously sold to the Red Cliff Band of Lake Superior Chippewa (Red Cliff); *and*,

WHEREAS, proceeds from the sale of county forest lands are required to be re-invested in the purchase of replacement lands, that will be enrolled in County Forest Law and managed as part of the county forest; *and*,

WHEREAS, the Department has partnered with the Trust for Public Land (TPL) on the development of the Sand River project, who are now holding said land until Bayfield County (County) has secured full funding; *and*,

WHEREAS, the final value of the Sand River project is \$2,605,759, which includes the value of the land, all closing costs, a holding fee from TPL, and \$40,000 in survey related expenses, with closing to occur on May 11, 2023; *and*,

WHEREAS, the County was recently awarded a NOAA grant in the amount of \$1,965,000, to be applied towards the Sand River project, and administered by the Wisconsin Department of Administration (DOA), Division of Intergovernmental Relations, through the Wisconsin Coastal Management Program; *and*,

WHEREAS, previously, two additional grants were also awarded to the County for use on the Sand River project, including \$1.30 million from ARPA and \$600,000 from the Community Forests Program; *and*,

WHEREAS, the entire NOAA award will be applied towards the Sand River project, with the remaining balance split equally between the Community Forests grant and County cash (as a match to the Community Forests grant); *and*,

WHEREAS, as recommended by the DNR and DOA, the ARPA grant was cancelled and will be re-packaged to the County for use towards another County land acquisition project of similar conservation value (which will likely include 100% re-imbursement of the recently completed \$1.028 million County land purchase in the Town of Clover, known as the Bark River Headwaters project); *and*,

WHEREAS, the 2023 budget amendment, as outlined below, will result in a savings of \$331,620 in County cash match that was previously approved via Resolution 2023-13; *and*,

WHEREAS, by re-packaging the previously awarded ARPA funds, approximately \$1.028 million will be returned to the County non-lapsing Purchase of Land account, to be used toward a future County land acquisition project, with the remaining ARPA balance also available to the County for a future land purchase;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 30th day of May, 2023 approves accepting the NOAA grant, re-packaging the ARPA grant, and completing the roughly 2,001 acre Sand River land acquisition project with TPL, and approves the following amendment to the 2023 Forestry and Parks Department budget:

	2023 Budget Amendment	
Increase	430-34-55205-50252	\$1,965,000
Decrease	430-34-56132-50252	\$279,620
Decrease	430-34-57100-50252	\$331,620
Increase	430-34-43584-002	\$1,965,000
Decrease	430-34-43260	\$279,620
Decrease	430-70-49301	\$331,620

f) Bayfield County Resolution No. 2023-50; FHA Charging and Fueling Infrastructure Grant Application Authorization:

WHEREAS, the Federal Highway Administration has established the Charging and Fueling Infrastructure to assist local units of government with strategically, located publicly accessible fueling infrastructure; *and*,

WHEREAS, Bayfield County has stated its interest in emission reductions; *and*,

WHEREAS, there is substantial local interest in Electric / Alternate Vehicle Fueling; *and*

NOW, THEREFORE, BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 30th day of May, 2023, hereby authorizes Bayfield County to submit a CFI grant application for fueling infrastructure.

g) Confirming Multiple Reappointments to the Human Services Board:

- 1. Stephanie Defoe-Haskins, with a Term Ending June 30, 2026**
- 2. Lona Schmidt, with a Term Ending June 30, 2026**

Motion by Crandall, seconded by Rekemeyer to adopt the consent agenda as presented. Motion carried, 12-0, 1 absent.

Bayfield County Resolution No. 2023-51:

Sheriff Office Camera System Budget Amendment and Contract Approval

WHEREAS, the Sheriff's Office and Sheriff's Committee endorses the introduction of a body camera system and an upgrade to the existing fleet dash camera system; *and*,

WHEREAS, the existing fleet camera system includes various models and makes with several units in need of replacement; *and*,

WHEREAS, the system proposed is a five-year agreement with a nationwide company. For 16 vehicle cameras, 18 body cameras, accessories and subscription fee the cost is \$46,800 in 2023. The subscription fee is \$41,400 a year over the next five years. This is a major expenditure but will bring about significant change for Bayfield County; *and*,

WHEREAS, updated cameras will create verification and accountability for all. Quality audio and video of a situation is indisputable. The introduction of audio and video will shorten the legal process and provide irrefutable evidence in many situations; *and*,

WHEREAS, the proposed system is cloud based, reducing County IT support; *and*,

WHEREAS, new cameras will result in less time spent on cases, this will benefit deputies and the District Attorney's Office directly. Specifically, it will reduce court testimony and off day call ins, meaning less overtime and increased job satisfaction by deputies, a difficult to recruit class of employees;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 30th day of May, 2023 authorizes the Sheriff's Office to sign a five-year purchase agreement of camera equipment for 18 body cams and 16 dash cams, including full warranty in an amount not to exceed \$212,400 over five years; *and*,

BE IT FURTHER RESOLVED, that the Sheriff’s Office will actively review its fee schedule and make recommendations on adjustments to the Sheriff Committee; *and*,

BE IT FURTHER RESOLVED, that Sheriff’s Office Capital costs will be reduced by approximately \$5000 per year which has previously been used for squad cameras; *and*,

BE IT FURTHER RESOLVED, that the goal of these adjustments is to secure half the camera cost internally through increased revenues or reduced expenditures with the other covered by new revenues or grant funds or county cost reductions or donations.

BE IT FURTHER RESOLVED, that the following budget amendment line items are proposed:

2023 Budget Amendments

Increase Capital Equipment	100-17-52101-50810	by	\$46,800
Decrease Capital Equipment Services	430-17-57100-50810	by	\$ 5,000
Increase Prisoner Boarding	100-17-46242	by	\$36,800
Increase Community Camera Donations	100-17-4xxxx	by	\$ 5,000
	(account will be created later)		

Bayfield County Sheriff, Tony Williams, reviewed the need for body cameras for the Sheriff’s Office and showed a camera to the board. Kim Lawton, Bayfield County District Attorney, explained the impact that a body camera can have on a court case. Fickbohm questioned how much money the court could save by not having to conduct a jury trial. Lawton explained that the costs can vary from \$5,000-\$10,000. Rekemeyer asked how often the officers will be required to turn the camera on. Williams explained that it will be department policy for the officers to have the cameras on every time that they are out of their squad or interacting with members of the public. Chief Deputy, Andy Runice, reviewed the budget breakdown for acquiring the cameras.

Motion by Oswald, seconded by Ray, to adopt Resolution No. 2023-51 Sheriff Office Camera System Budget Amendment and Contract Approval. Motion carried, 12-0, 1 absent.

Bayfield County Resolutions for Wisconsin Counties Association Platform:

a) Bayfield County Resolution No. 2023-52; Per-and Poly-Fluoroalkyl (PFAS) Testing for Biosolids (Joint Douglas and Bayfield County Resolution):

WHEREAS, according to the Wisconsin Department of Natural Resources (WDNR) PFAS Action plan 2020, per- and polyfluoroalkyl substances (PFAS) are a group of over 5,000 human made chemicals that were invented in the 1930’s; *and*,

WHEREAS, these chemicals have been used in products ranging anywhere from nonstick cookware, waterproof clothing, and stain-resistant textiles to Aqueous Film Forming (AFFF) firefighting foam and food packaging; *and*,

WHEREAS, these chemicals are exceptionally resistant to degradation and, when discharged into the environment, linger for prolonged periods of time and may bioaccumulate in humans, fish and wildlife; *and*,

WHEREAS, in recent years, it has been discovered that PFAS substances bioaccumulate in the human body and studies have found that 98% of Americans have measurable levels of PFAS in their blood; *and*,

WHEREAS, according to the Environmental Protection Agency (EPA), certain PFAS substances pose a number of risks to human health, including developmental problems in fetuses and infants, certain types of cancer, reduced antibody response, decreased immune response to vaccinations, and kidney disease; *and*,

WHEREAS, the WDNR and Department of Health Services updated the recommended rainbow smelt consumption advisory from an unrestricted amount to one meal per month for Lake Superior due to the high levels of PFAS found in the samples; *and*,

WHEREAS, according to the WDNR “Annual Municipal Sludge Land Applied Report” Sanitary Districts, both located in and outside of Wisconsin routinely and regularly spread biosolids on land in Wisconsin; *and*,

WHEREAS, the biosolids spread on land in Wisconsin is not regularly tested for PFAS;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 30th day of May, 2023 requests that WCA support legislative, policy and regulatory action requiring:

- That all biosolids applied to land in Wisconsin be tested prior to application and meet all standards for safe land application according to the Michigan Department of Environment, Great Lakes and Energy “Biosolids and Sludge PFAS Sampling Guidance” published April 2022, and
- That test results must be submitted to the County’s Land Conservation Department and the property owner where the biosolids will be applied at least three days prior to the biosolids application.

b) Bayfield County Resolution No. 2023-53; Request the State of Wisconsin to Address Concerns of Act 216, Relating to Distributing the Proceeds from the Sale of Tax Delinquent Property to the Former Owner:

WHEREAS, under the previous State law addressing sale of tax delinquent property, counties retained the net proceeds from the sale unless the property was the homestead of the former owner(s) and the former owner(s) requested such payment; *and*,

WHEREAS, before a tax delinquent property is foreclosed upon, the property must be delinquent for a minimum of three years; *and*,

WHEREAS, before a tax delinquent property is foreclosed upon, the owner receives notice of the pending action and is given the opportunity to pay the back taxes, including the potential for a payment plan; *and*,

WHEREAS, if the sale of the tax delinquent property does not cover the past due taxes, other associated costs and costs of processing the foreclosure, the county taxpayers are ultimately responsible to absorb the loss; *and*,

WHEREAS, Act 216 purportedly requires a county to pay the net proceeds of the sale of tax delinquent property to any former owner, regardless of whether the former owner requests the payment and regardless of whether the former owner used the property as his or her homestead, and hold such proceeds for five years if the former owner does not request payment; *and*,

WHEREAS, the Act further attempts to require a county to pay off any lien placed on the property at the time of the foreclosure sale, notwithstanding the fact that all liens are discharged at the time of the foreclosure judgment, causing confusion for counties and courts; *and*,

WHEREAS, the Act is further imprudent for the following reasons:

1. most often in tax foreclosure cases, property owners are not responsive;
2. informs the County they will be forfeiting the property to the County.
3. it shifts the risk of loss onto the county causing the county to have an incentive to NOT exercise its authority to foreclosure, leading to many blighted properties throughout the county;
4. the Act purported to cause counties to act as realtors for private parties;
5. the Act requires treasurers to make complex ownership decisions between parties, tenants-in-common; LLCs, corporations and decedents' estates;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 30th day of May, 2023 urges the Legislature to repeal the changes implemented by Act 216, or, in the alternative, to modify the law to take away the risk to counties and consider a provision to place any proceeds from the sale of tax delinquent properties in a segregated account established by the county to be used for clean-up of blighted properties; increase the value and create affordable housing opportunities; *and*,

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Governor Tony Evers, Legislators representing Bayfield County, the Wisconsin Counties Association and all Wisconsin Counties.

c) Bayfield County Resolution No. 2023-54; Enact Stronger Regulations to Limit the Spread of Chronic Wasting Disease:

WHEREAS, Chronic Wasting disease (CWD) is a fatal neurological disease of cervids which threatens to cause significant economic, cultural and ecological damage to Wisconsin's deer and elk populations; *and*,

WHEREAS, since its discovery in Wisconsin in a deer harvested in 2001 it has now spread to wild deer in 41 counties and has been found in over 25 captive cervid farms; *and*,

WHEREAS, there are 60 counties that are 'CWD affected', either having CWD detected in the county or are within 10 miles of CWD detection; *and*,

WHEREAS, in the most highly infected areas of Dane and Iowa counties the prevalence rate in adult males is about 50 percent and in adult females is about 35 percent; *and*,

WHEREAS, the Wisconsin Department of Health, the Center for Disease Control, and the World Health Organization all recommend that cervid meat only be eaten after the animal harvested has tested negative for CWD; *and*,

WHEREAS, in 2022 nearly 800,000 gun and archery deer hunting licenses were sold in Wisconsin; *and*,

WHEREAS, according to a study, hunters in Wisconsin spent \$2.5 billion in 2011. Eighty-eight percent of the hunters in Wisconsin participated in deer hunting, making it the most popular form of hunting in the state; *and*,

WHEREAS, with no known cure or preventative vaccine, the only option currently available to manage CWD is to aggressively limit the transmission and spread of CWD; *and*,

WHEREAS, current regulations do not adequately limit the human assisted transmission of CWD;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 30th day of May, 2023 recommends that the Wisconsin Counties Association urge the State Legislature to make the following changes to State Statutes and supporting Administrative Rules:

- Change ATCP 10.56(1) to eliminate the exceptions that allow the transport of live cervids without a Certificate of Veterinary Inspection.
- Change NR 10.105(7) to prohibit the export of cervid carcasses which have any part of the spinal column or head attached from CWD affected areas in which wild or captive cervids have tested positive for CWD within the last 10 years.
- Enact new rules to require the disposal of harvested cervids carcasses in landfills, rendering, or composting facilities capable of managing carcasses safely.
- Enact new rules to prohibit the export of live cervids from areas within 10 miles of a known positive CWD detection within the last 5 years.
- Enact new rules to require all captive cervid operation to install either solid perimeter or double fencing.
- Once a reliable live animal CWD test has been developed, enact rules to prohibit the transport of live cervids unless the animal tests negative of CWD.

d) Bayfield County Resolution No. 2023-55; Conduct Additional Research on Chronic Wasting Disease to Improve Testing, Treatment, and Management Options:

WHEREAS, Chronic Wasting disease (CWD) is a fatal neurological disease of cervids which threatens to cause significant economic, cultural and ecological damage to Wisconsin's deer and elk populations; *and*,

WHEREAS, a better understanding of CWD is needed to develop better management tools; *and*,

WHEREAS, current funding and research levels are not commensurate to the threat posed by CWD; *and*,

WHEREAS, since the discovery of CWD in Wisconsin in 2001 it is now found in wild deer in 41 counties and has been found in over 25 captive cervid farms; *and*,

WHEREAS, in the most highly infected areas of Dane and Iowa counties the prevalence rate in adult males is about 50% and in adult females is about 35%; *and*,

WHEREAS, the Wisconsin Department of Health, the Center for Disease Control, and the World Health Organization all recommend that cervid meat only be eaten after the animal harvested has tested negative for CWD; *and*,

WHEREAS, in 2022 nearly 800,000 gun and archery deer hunting licenses were sold in Wisconsin; *and*,

WHEREAS, according to a study, hunters in Wisconsin spent \$2.5 billion in 2011. Eighty-eight percent of the hunters in Wisconsin participated in deer hunting, making it the most popular form of hunting in the state;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 30th day of May, 2023 recommends that the Wisconsin Counties Association urge the State Legislature to fund and direct state agencies to conduct the following research in order to better manage CWD:

- Develop a reliable, rapid, and easy to administer CWD test that can be conducted on live cervids.
- Develop a reliable, rapid, and easy to administer CWD test that can be implemented in the field on harvested cervids that will provide immediate test results.

- Develop a cervid vaccine for CWD.
- Develop a cure for CWD infected cervids.
- Breed inheritable resistance to CWD in captive cervids such that the cervids do not carry or shed CWD prions.
- Determine CWD prion longevity and virulence in contaminated soil, feed, and crops under a wide range of environmental conditions.
- Develop a better understanding of CWD prion movement in the environment once outside of cervids
- Expand monitoring of wild cervids in CWD endemic zones to better understand the effect of CWD on cervid populations.
- Conduct epidemiological assessment of CWD prions on human health including whether humans are already carriers of CWD prions, the likelihood of CWD prions infecting humans and causing disease, and the impact of eating CWD positive cervids.
- Conduct additional research to determine the viability and methodology for composting CWD infected cervids.

e) Bayfield County Resolution No. 2023-56; Fair Access to Meat Processing and Inspection for Wisconsin Small to Medium Meat Producers:

WHEREAS, Local agriculture is a primary economic activity in Wisconsin; *and*,

WHEREAS, the lack of meat processors and inspectors is stifling agriculture economic activity in the region and state; *and*,

WHEREAS, there is a severe shortage of meat processors for small producers reducing marketing options for Wisconsin meat products; *and*,

WHEREAS, long delays and distances significantly adds to the cost of production and reduces already slim margins; *and*,

WHEREAS, many processors are retiring without younger skilled processors to replace them, creating additional shortages; *and*,

WHEREAS, Wisconsin Counties are committed to creating sustainable and resilient communities including local food supplies;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 30th day of May, 2023 requests that the Wisconsin Counties Association work to support efforts that strengthen local meat processing for counties, including but not limited to more inspectors.

f) Bayfield County Resolution No. 2023-57; Support for Emergency Medical Services in Rural Areas:

WHEREAS, many areas, especially rural areas, rely on volunteer EMS service providers; *and*,

WHEREAS, declining workforce and an aging population is creating crisis emergency response situations across Wisconsin; *and*,

WHEREAS, only counties are allowed to exceed the levy for county wide EMS;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 30th day of May, 2023 requests that WCA support legislative, policy and regulatory action that

creates stronger county emergency medical services even though many of these services are traditionally municipal in nature.

g) Bayfield County Resolution No. 2023-58; WCA Resolution Supporting Five Wisconsin Counties Restructure in light of the LCO v Evers Tribal Taxation Decision:

WHEREAS, In August of 2022 the Federal Court of Appeals in LCO v Evers ruled that lands owned by tribal members on reservation are not taxable, regardless of the chain of custody. This decision settled a decades long claim that tribal members were not subject to property tax on reservation lands; *and*,

WHEREAS, this decision overturned a long-standing practice of Tribal Land taxation as established by the Wisconsin Department of Revenue. This has had significant tax implications for Bayfield County for the five years before the 2022 decision. Going forward it will create structural taxation challenges for local governments; *and*,

WHEREAS, the LCO V. Evers Tribal Taxation decision is not a town, school district or county issue. Rather it is an issue created by state and federal governments; *and*,

WHEREAS, the Court of Appeals held the 1854 treaty between the Chippewa Indians of Lake Superior and the Federal Government guaranteed reservation lands to tribal members in exchange for millions of acres of land in Northern Wisconsin. The court held that taxes conflicted with the treaty as originally agreed; *and*,

WHEREAS, as a result of the decision by the Court of Appeals, both the Federal and State Governments wholly reversed their position on the taxability of tribal lands. The State and Federal Government should now take ownership of the difficult position they have placed the counties, towns, schools, and technical colleges; *and*,

WHEREAS, by state law, counties guarantee annual taxes to taxing entities (towns, cities, schools, counties, and technical colleges) regardless of payment by property owners. This is known as the settlement process. When taxes are not paid, counties make taxing entities whole. This ensures sufficient operational funds for the coming year for these entities. These out-of-pocket county payments are recouped after the tax delinquent property is sold by the County. The LCO v. Evers decision prohibits the county from taking ownership, meaning no tax sale, leaving counties unreimbursed for settlements. Of the five Wisconsin counties impacted by the decision, \$3.6 million was paid to taxing entities **by counties** between 2015 and 2022. The counties of Ashland, Bayfield, Iron, Sawyer and Vilas will not be reimbursed for these payments as a result of the decision. Counties are bearing the financial consequences of enforcing a tax policy created by the State that was found to be illegal. The State should be responsible for the policy created and enforced on municipalities and counties to follow; *and*,

WHEREAS, Tribal properties removed from the tax roll because of this decision substantially impacts the local tax base. In Bayfield County this represents approximately 25% reduction in total valuation in the Town of Russell, and in Ashland County the Town of Sanborn, an approximate 80% reduction. This means local government operational costs will be spread over a smaller tax base and a reduced number of property owners. The impact will be increases in local mill rates; *and*,

WHEREAS, Across the five counties the reduction in tax collections due to the court decision is anticipated to be over \$900,000 annually or approximately \$1.8 million over the next two years. This amount is expected to increase as additional parcels are removed from the tax roll; *and*,

WHEREAS, Communities, schools, roads, and other infrastructure were planned and built based on the financial viability and stability of the established tax structure. The recent court decision has changed the situation dramatically for communities with Indian reservations. The Federal Government currently pays

local governments payments in lieu of taxes for Federal Forest lands/parks. We request the Federal Government do the same for properties no longer subject to tax but still in need of tax-funded assistance; *and*,

WHEREAS, that the Bayfield County Board of Supervisors, assembled this 30th day of May 2023 respects the decision of the Federal Court on this long-standing tribal taxation argument. In accordance with the court decision and direction from the Wisconsin Department of Revenue, Bayfield County promptly acted implementing the court's action in 2022; *and*,

WHEREAS, that Bayfield County understands that this is a major change impacting the lives of those living on the Red Cliff reservation in many ways. Bayfield County is committed to understanding and listening to the interests of all parties on this matter. The County also understands this is a complex issue impacting Tribal members, the Red Cliff Tribe, non-tribal members on the reservation, the Town of Russel, and taxing entities; *and*,

WHEREAS, that the County urges patience and respect and commits to hearing out all those impacted.

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 30th day of May, 2023 asks the Wisconsin Counties Association to assist with legislation providing:

1. That the State of Wisconsin reimburse counties for un-recoupable settlement payments (\$3.6 million) made in accordance with state law, between 2015 and November 2022.
2. That the State of Wisconsin makes aid payments over the next two years equal to the tax on the valuation lost as a result of the decision in the amount of \$1.8 million, until a permanent solution can be developed.

h) Bayfield County Resolution No. 2023-59; Amend Wisconsin State Statute 75 to Enhance Flexibility in County Sales of Tax-Foreclosed Properties:

WHEREAS, Chapter 75 of the Wisconsin State Statutes outlines the regulations governing the sale of tax-foreclosed properties by counties; *and*,

WHEREAS, some counties may retain ownership of tax-foreclosed properties for a period of time beyond that which allows for redemption proceedings; *and*,

WHEREAS, the current limitations imposed by Chapter 75 restrict counties in their ability to donate, transfer or sell at a discount tax-foreclosed properties, thereby limiting opportunities for incentivizing revitalization, housing development, and public-private partnerships; *and*,

WHEREAS, these limitations persist indefinitely from the date of acquisition without any sunset provisions; *and*,

WHEREAS, there is a recognized need to promote the efficient and strategic utilization of tax-foreclosed properties for the purposes of housing development, while ensuring the best interests of the communities and residents of Wisconsin are served; *and*,

WHEREAS, allowing counties to donate or sell at a discount tax-foreclosed properties for the purpose of housing development after ten years from the date of acquisition would enable them to foster new public-private development partnerships, increase affordable housing options, and stimulate the local economy;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 30th day of May, 2023 recommends that the Wisconsin Counties Association advocates in support of an amendment to Chapter 75 of the Wisconsin State Statutes to modify the regulations governing the dispensation of tax-foreclosed properties by counties; *and*,

BE IT FURTHER RESOLVED, that the proposed amendment shall allow counties to discount, donate or transfer tax-foreclosed properties without penalty to public and private entities for the purposes of housing development after a period of ten years from the date of tax deed acquisition.

i) Bayfield County Resolution No. 2023-60; Create New State Funding for Demolition of Blighted Property for the Purpose of New Housing Construction:

WHEREAS, blighted properties pose significant challenges to communities, including decreased property values, increased crime rates, and negative impacts on public health and safety; *and*,

WHEREAS, repurposing blighted properties for housing development offers the opportunity to revitalize neighborhoods, improve living conditions, and stimulate economic growth; *and*,

WHEREAS, repurposing blighted properties allows for the efficient utilization of existing infrastructure, including transportation networks, water and sewer systems, and public services, resulting in substantial cost savings for both the state and local communities, rural and urban; *and*,

WHEREAS, leveraging existing infrastructure for housing development minimizes the need for costly new infrastructure construction, reducing the strain on public resources and promoting environmentally sustainable practices; *and*,

WHEREAS, the lower densities in rural areas make infrastructure costs much greater, providing an added benefit in rural areas; *and*,

WHEREAS, funding for blighted home demolition has long been available for contaminated properties; *and*,

WHEREAS, the Wisconsin Department of Financial Institutions and Wisconsin Housing and Economic Development Authority previously funded blighted home demolition through the Strategic Blight Elimination Program; *and*,

WHEREAS, the availability of adequate funding plays a crucial role in addressing the issue of blighted properties and advancing housing development initiatives; *and*,

WHEREAS, the State of Wisconsin recognizes the importance of renewing and expanding housing stock, and supports efforts to create vibrant, sustainable communities; *and*,

WHEREAS, the demolition of blighted properties is an essential step towards repurposing the lots for housing development, allowing for the creation of new, safe, and affordable housing options; *and*,

WHEREAS, state funding specifically designated for the demolition of blighted properties would provide a significant boost to local governments and community organizations engaged in revitalization efforts; *and*,

WHEREAS, targeted funding can effectively address blighted properties in a timely manner, mitigating potential hazards and promoting new housing development and community cohesion;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 30th day of May, 2023 requests that the Wisconsin Counties Association advocates for new state funding to facilitate the demolition of blighted properties for the subsequent repurposing of these lots for housing development; *and*,

BE IT FURTHER RESOLVED, that the Wisconsin Counties Association urges the State Legislature to allocate a dedicated funding stream through WHEDA to support the demolition of blighted properties intended for new housing construction in both rural and urban areas.

Motion Silbert, seconded Strand to approve Resolution No. 2023-52, No. 2023-53, No. 2023-54, No. 2023-55, No. 2023-56, No. 2023-57, No. 2023-58, No. 2023-59, and No. 2023-60; as presented. Motion carried, 12-0, 1 absent.

Oswald asked Westlund if the state currently has funds budgeted for the demolition of blighted properties. Westlund stated that she was not aware of any funds related to the topic.

Reports:

- a) **Artesian Well Presentation and Future Dates:** Abeles-Allison reported that the Artesian Well Committee recently held their public meeting and there were approximately 30 people in attendance. 56 well samplings have been completed. The committee will now be moving onto the second phase, which will place a heavy emphasis on education.
- b) **Future County Board Meeting Dates:**
 - a. June 27, 2023
 - b. July 25, 2023
 - c. August 29, 2023
- c) **MOU v. Contracts:** Abeles-Allison reviewed a brief that was included in the packet that describes the difference between MOUs and contracts.
- d) **Northwest Wisconsin Regional Broadband Committee Update:** Abeles-Allison reported that the committee held its first meeting. The committee will be responsible for guiding the spending of \$200k over the upcoming years and will aim to future proof broadband in the region.
- e) **CERT Team Update:** Abeles-Allison reported that research continues on the CERT Team (Emergency Response Team) and explained that the team would be a volunteer group, so work is being done to figure out the logistics of any potential legalities and insurance.
- f) **County Picnic June 20, 2023; 11:30-1:30 p.m.**
- g) **Northern Lights Special Committee:** Abeles-Allison reported that the Northern Lights Special Committee has been formed and will meet over the coming months.

Supervisory Reports: Strand reported that the Forestry Committee recently held its semi-annual timber sale for approximately \$2.075 million. The Mount Ashwabay sale did not receive bids but was directly sold for the bare minimum amount of \$50,500.

Fickbohm reported that he recently met with the Highway Safety Committee meeting on May 19, 2023, to inquire about getting painted crosswalk in Port Wing, Herbster, and Cornucopia and received a very positive response from the committee but has not yet heard back from state representatives. The crosswalks would be painted and would have yellow flashing lights that would be activated with traffic.

Crandall reported that Highway Commissioner, Bob Anderson, spoke at the Highway Committee meeting and informed the committee that the state has announced it will be cutting back on funds for summer state and US highway maintenance. Crandall explained the state has no equipment for highway

maintenance and contracts with highways for maintaining the roads. Anderson is working with the state to get them to honor their obligations with state and US highway maintenance.

Closed Session: *Motion by Milanowski, seconded by Fickbohm, to enter Executive/Closed Session at 7:30 p.m. Motion carried, 12-0, 1 absent.*

7:30 p.m. – Jeff Silbert left the meeting.

Discussion took place regarding the Closed Session Minutes from April 18, 2023, Business Park Land Lease Negotiations, Pigeon Lake Land Lease Negotiations, Child Care Negotiations, Corporation Counsel Contract, and Land Purchase Negotiations.

There being no further business to conduct in Executive/Closed Session, *a motion was made by Crandall, seconded by Milanowski, to return to Open Session at 8:06 p.m. Motion carried, 11-0, 2 absent.*

8:08 p.m. – Jeff Silbert rejoined the meeting.

Pigeon Lake Feasibility Study: *Motion by Ray, seconded by Dougherty to authorize the County Administrator to pursue drafting a Request for Proposal for a Feasibility Study to be conducted at Pigeon Lake not to exceed \$50,000. Motion carried, 11-1, 1 absent.*

Bayfield County Resolution No. 2023-61

Landmark Land Lease

WHEREAS, Bayfield County agreed to acquire property owned by Landmark Conservancy through resolutions 2023-41; *and,*

WHEREAS, Bayfield County agreed contingent upon not being subject to the liability terms of the Landmark/Maki agreement as it relates to fire or other damage to existing facilities; *and,*

WHEREAS, Landmark has an insurance policy protecting itself from this liability; *and,*

WHEREAS, Landmark can retain this policy after transfer of the property to Bayfield County through a triple net lease allowing it to retain its insurance coverage;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 30th day of May, 2023 authorizes the Bayfield County Accountant, Forest Administrator, and County Administrator to approve a five year triple net lease with Landmark Conservancy in order to mitigate risk per the Landmark/Maki agreement; *and,*

BE IT FURTHER RESOLVED, that the Bayfield County Board of Supervisors authorizes utilization of a portion of rent from the property to cover Landmark Conservancy's insurance coverage.

Motion by Strand, seconded by Fickbohm to adopt Resolution No. 2023-61 Landmark Land Lease. Motion carried, 12-0, 1 absent.

Adjournment: There being no further business to come before the Bayfield County Board of Supervisors, Chairman Pocernich adjourned the meeting at 8:11 p.m.

Respectfully submitted,

LYNN M. DIVINE
Bayfield County Clerk

LMD/pat