

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

June 27, 2023

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

BAYFIELD COUNTY HOUSING WORK SESSION – 5:00 PM

Call to Order: The Bayfield County Housing Work Session was called to order at 5:00 p.m. by Bayfield County Board Chairman, Dennis M. Pocernich. The following supervisors were present: Steve Sandstrom (virtually), Larry Fickbohm (virtually), Charly Ray, Jeremy Oswald, Jeff Silbert, Dennis Pocernich, Fred Strand, John Rautio, Marty Milanowski, Madelaine Rekemeyer, and Jim Crandall. A quorum was present to conduct business.

Discussion Regarding Housing Opportunities in Bayfield County:

UW Extension Community Development Educator, Kellie Pederson and UW Extension Housing Educator, Kelly Westlund reviewed a list of Bayfield County housing opportunities, which included:

- a) Investing in development of the Cheq Bay United Impact Land Trust (CheqBuilt)
- b) Updating county zoning ordinances to support higher density housing and streamlined housing development permitting process
- c) Investing in personnel to increase capacity of the Bayfield County Housing Authority
- d) Increasing awareness and use of funding for home repair through programs administered by Northwest Regional Planning Commission
- e) Funding a gap in financing for 56-unit senior/mixed income development on county-owned land adjacent to Northern Lights
- f) Including deed restrictions on tax-foreclosed properties to support housing goals
- g) Playing a more significant role in the development of homes

Four housing topic resolutions will be addressed during the monthly meeting.

5:50 p.m. – *The board took a short recess.*

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

Call to Order: The monthly meeting of the Bayfield County Board of Supervisors was called to order at 6:07 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 virtually; Larry Fickbohm-present virtually; Jeremy Oswald-present; Fred Strand-present; Marty Milanowski-present; Jim Crandall-present; Dennis Pocernich-present; Mary Dougherty-present; Charly Ray-present; Jeff Silbert-present; John Rautio-present; Madelaine Rekemeyer-present; Brett Rondeau-present. Total: 13 present, 0 absent. A quorum was present to conduct business.

Others Present: County Administrator- Mark Abeles-Allison; County Clerk- Lynn M. Divine; Accountant- Kim Mattson (virtually); Bookkeeper- Gail Reha (virtually); Emergency Management Director- Meagan Quaderer (virtually); Planning & Zoning Director- Ruth Hulstrom; UW Extension

Community Development Educator- Kellie Pederson; UW Extension Housing Educator- Kelly Westlund; Chequamegon Bay Renewables President- Bill Bailey; and Clerk III- Paige Terry

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

Public Comment: None.

Minutes from May 30, 2023: *Motion by Milanowski, seconded by Rautio to approve the May 30, 2023 Minutes from the Monthly Bayfield County Board of Supervisors Meeting, Motion carried, 13-0.*

Consent Agenda:

a) Bayfield County Resolution No. 2023-62; Brandon Miller Sheriff's Office Employee of the Year 2023:

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

WHEREAS, Brandon Miller has served Bayfield County with distinction, honor, and dedication in the Bayfield County Sheriff's Office for 4 years; *and,*

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, assembled this 27th day of June, 2023, honors Brandon Miller as Employee of the Year for 2023, for his dedication and service to Bayfield County.

b) Bayfield County Resolution No. 2023-63; Mary Anich Courthouse Employee of the Year 2023:

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

WHEREAS, Mary Anich has served Bayfield County with distinction, honor, and dedication in the Bayfield County Human Services Department for 6 years; *and,*

WHEREAS, her fellow employees have determined that she 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, assembled this 27th day of June, 2023, honors Mary Anich as Employee of the Year for 2023, for her dedication and service to Bayfield County.

c) Bayfield County Resolution No. 2023-64; Dan Heffner Elected Official of the Year 2023:

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

WHEREAS, Dan Heffner has served Bayfield County with distinction, honor, and dedication in the Bayfield County Register of Deeds Office for 6 years; *and,*

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, assembled this 27th day of June, 2023, honors Dan Heffner as Elected Official of the Year for 2023, for his dedication and service to Bayfield County.

d) Bayfield County Resolution No. 2023-65 Maintenance, Courthouse Department of the Year 2023:

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

WHEREAS, the Bayfield County Maintenance Department has demonstrated strong cooperation with other departments; *and*,

WHEREAS, the Bayfield County Maintenance Department has received commendations from other departments, citizens, or community organizations; *and*,

WHEREAS, the Bayfield County Maintenance Department saves Bayfield County time, energy, or dollars through their efforts; *and*,

WHEREAS, the Bayfield County Maintenance encourages others through their positive image and attitude;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 27th day of June, 2023, honors the Bayfield County Maintenance Department as Department of the Year 2023.

e) Bayfield County Resolution No. 2023-66; Highway Department 2023 Energy Grant 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 27th day of June, 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

Motion by Rondeau, seconded by Crandall to adopt the consent agenda as presented. Motion carried, 13-0.

Planning & Zoning Committee Report No. 2023-07:

Petition to Change District Boundaries of a Parcel Owned by Frank & Brenda Draft, Town of Clover, from Agricultural-One (Ag-1) to Residential-Recreational Business (R-RB)

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 **Frank & Brenda Draft 23.02-acre parcel (ID# 35671)**; described as part of the Northwest Quarter of the Southeast Quarter (NW ¼ SE ¼) in Doc# 2021R-590624, Section Twenty (20), Township Fifty (50) North, Range Seven (7) West, Town of Clover, Bayfield County, Wisconsin, except a parcel of land described as follows:

Commencing at the Northeast corner of the Northwest Quarter of the Southeast Quarter (NW ¼ SE ¼) of Section 20-50-7; thence West on the quarter section line 208 feet; thence south at right angles to the quarter section line, a distance of 208 feet; thence east on a line parallel with the East and West quarter section line a distance of 308 feet; thence North at right angles a distance of 208 feet to the East and West quarter section line; thence West 100 feet to the place of beginning;

and LESS That part of the Northwest Quarter of the Southeast Quarter (NW ¼ SE ¼), Section Twenty (20), Township Fifty (50) North, Range Seven (7) West, lying South of Touve Road.

from **Agricultural-1 (Ag-1) to Residential-Recreational Business (R-RB)**.

The Bayfield County Planning and Zoning Committee recommendation is:

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

Planning & Zoning Director, Ruth Hulstrom, reviewed the petition with the board. The Town of Clover Board and Planning & Zoning Committee have both recommended the projects disapproval.

Motion by Rondeau, seconded by Silbert to receive and place on file Report No. 2023-07 Petition to Change District Boundaries of a Parcel Owned by Frank & Brenda Draft, Town of Clover, from Agricultural-One (Ag-1) to Residential-Recreational Business (R-RB). Motion carried, 13-0.

Bayfield County Amendatory Ordinance No. 2023-07:

Petition to Change District Boundaries of a Parcel Owned by Frank & Brenda Draft, Town of Clover, from Agricultural-One (Ag-1) to Residential-Recreational Business (R-RB)

The Bayfield County Board of Supervisors ordains as follows:

That the Bayfield County Zoning Ordinance, adopted June 1, 1976, be and the same, is hereby amended as follows:

WHEREAS, Wisconsin Statutes §59.69 (5) authorizes the County Board to adopt a zoning ordinance; and

WHEREAS, Wisconsin Statutes §59.69(5)(e) authorizes the County Board to amend an ordinance; and

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

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

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

The Zoning of **Frank & Brenda Draft 23.02-acre parcel (ID# 35671)**; described as part of the Northwest Quarter of the Southeast Quarter (NW ¼ SE ¼) in Doc# 2021R-590624, Section Twenty (20), Township Fifty (50) North, Range Seven (7) West, Town of Clover, Bayfield County, Wisconsin, except a parcel of land described as follows:

Commencing at the Northeast corner of the Northwest Quarter of the Southeast Quarter (NW ¼ SE ¼) of Section 20-50-7; thence West on the quarter section line 208 feet; thence south at right angles to the quarter section line, a distance of 208 feet; thence east on a line parallel with the East and West quarter section line a distance of 308 feet; thence North at right angles a distance of 208 feet to the East and West quarter section line; thence West 100 feet to the place of beginning;

and LESS That part of the Northwest Quarter of the Southeast Quarter (NW ¼ SE ¼), Section Twenty (20), Township Fifty (50) North, Range Seven (7) West, lying South of Touve Road.

Agricultural-1 (Ag-1) to Residential-Recreational Business (R-RB).

Fickbohm informed the board that he spoke with the property owner and the owner understands that the petition is likely to be denied. The property owner has expressed interest in pursuing property elsewhere. Oswald asked for clarification on one reason the petition being recommended for denial being that the zoning would not conform with the surrounding properties. Hulstrom replied that the surrounding properties are zoned agricultural so the rezone would cause the parcel to not conform to the surrounding parcels. Fickbohm stated that the petition was also against the town's comprehensive plan.

Motion by Strand, seconded by Rondeau to deny Amendatory Ordinance No. 2023-07 Petition to Change District Boundaries of a Parcel Owned by Frank & Brenda Draft, Town of Clover, from Agricultural-One (Ag-1) to Residential-Recreational Business (R-RB). Motion carried, 13-0.

Housing Resolutions and Future Action Topics to Pursue Further:

a) Bayfield County Resolution No. 2023-67; Resolution in Support of Housing Outreach Intern:

WHEREAS, Bayfield County recognizes the critical importance of quality affordable and accessible housing for all its residents; *and*,

WHEREAS, the Northwest Regional Planning Commission offers valuable grant programs aimed at enhancing the quality, safety, and affordability of housing in our community; *and*,

WHEREAS, the success and impact of these housing grant programs depend on effective outreach, education, and engagement with eligible residents; *and*,

WHEREAS, a dedicated outreach intern can significantly contribute to the visibility and utilization of these important programs; *and*,

WHEREAS, the County seeks to enhance public awareness and understanding of the housing grant programs offered by the Northwest Regional Planning Commission; *and*,

WHEREAS, the intern will be responsible for learning about these programs, developing outreach materials, giving public presentations, and improving overall program visibility would greatly benefit our community; *and*,

WHEREAS, the UW-Extension Housing Educator will oversee the housing grants outreach intern, in partnership with the Northland College Internship Coordinator;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 27th day of June, 2023 shall allocate \$4,000 to hire a housing improvement grants outreach intern for the 2023-2024 academic year; *and*,

BE IT FURTHER RESOLVED, that the housing improvement grants outreach intern shall be responsible for:

- Learning about the housing grant programs offered by the Northwest Regional Planning Commission and becoming knowledgeable about the eligibility criteria, application process, and program benefits.
- Working with UW-Extension and NWRPC to develop informative and engaging outreach materials, such as brochures, flyers, and digital content, to promote the housing grant programs to eligible residents.
- Giving public presentations and attending community events to raise awareness about the housing grant programs and encourage participation.
- Collaborating with local organizations, community leaders, and housing advocates to expand the reach and effectiveness of the housing grant programs; *and*,

BE IT FURTHER RESOLVED, that the UW-Extension Housing Educator and Northland College Internship Coordinator are authorized to proceed with the recruitment, selection, and hiring of the housing improvement grants outreach intern, in compliance with applicable County policies and procedures.

b) Bayfield County Resolution No. 2023-68; Resolution Regarding a Zoning Code Update and Authorization to Pursue Related Grant Funds:

WHEREAS, the Bayfield County Board of Supervisors recognizes the need to review and update the existing zoning code to ensure it aligns with current needs, goals, and best practices, especially as they relate to new housing development; *and*,

WHEREAS, Bayfield County has a shortage of affordable and workforce housing that could be addressed through zoning amendments encouraging increased density reducing infrastructure development costs; *and*,

WHEREAS, these efforts will help protect water quality, a top priority of the county board by encouraging development in areas with existing infrastructure and treatment systems; *and*,

WHEREAS, the existing ordinance needs review to address land development needs, fix incorrect references, ensure state and federal requirements are accurately captured, incorporate best practices for zoning, implement new language based updated practices identified by the updated comprehensive plan; *and*,

WHEREAS, an updated code will improve access and navigability, improve flow of ordinances, create direct links to corresponding sections and simplify language so it is easier fo the general public to understand; *and*,

WHEREAS, a combination of county legal counsel and outside planning support to ensure public input is recommended; *and*,

WHEREAS, a Request for Proposals (RFP) to solicit professional services for the comprehensive review and update of the zoning code would provide necessary information; *and*,

WHEREAS, the County desires to secure grant funds to support this endeavor and acknowledges the potential funding opportunities available through the Department of Natural Resources (DNR), Wisconsin Coastal Management, and the Department of Transportation (DOT);

NOW, THEREFORE, BE IT RESOLVED by the Bayfield County Board of Supervisors, that the County prepare a Request for Proposals (RFP), to be approved by the Planning and Zoning Committee, to solicit professional services for the comprehensive review and update of the zoning code in concert with Corporation Counsel; *and*,

BE IT FURTHER RESOLVED, that the County authorizes the submission of grant applications to the Department of Natural Resources (DNR), Wisconsin Coastal Management, and the Department of Transportation (DOT) to secure funds for the review and update of the zoning code, with County matching funds of \$50,000; *and*,

BE IT FURTHER RESOLVED, that the County sets a target completion date for the review and update of the zoning code by June 31, 2025.

c) Bayfield County Resolution No. 2023-69; Regarding Tax Delinquent Land Sales with Residential Covenant Requirements and Short-Term Rental Restriction:

WHEREAS, there is a housing shortage in Bayfield County; *and*,

WHEREAS, Bayfield County wants to be proactive in encouraging new homestead properties; *and*,

WHEREAS, Bayfield County wants to encourage long term rentals; *and*,

WHEREAS, Bayfield County is responsible for the tax delinquent IN REM process;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 27th day of June, 2023 allows buildable properties to have covenants requiring building construction and occupancy within 24 months of purchase; *and*,

BE IT FURTHER RESOLVED, that Bayfield County prohibits short-term rental within the first 10 years of purchase.

d) Bayfield County Resolution No. 2023-70; Regarding Housing 2023 Budget Amendment:

WHEREAS, \$500,000 is budgeted in Capital Improvements for Housing Development in 2023; *and*,

WHEREAS, the Executive Committee authorized \$30,000 per year in 2023, 2024, and 2025 to be given to the Housing Commission for the addition of extra personnel at the meeting on June 8, 2023; *and*,

WHEREAS, funding for an intern at Northland College to share information about housing assistance programs is proposed for \$4,000; *and*,

WHEREAS, a planning firm will be retained to assist with a zoning code rewrite, supplementing grant funds to applied for resulting in a county cost of \$50,000;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 27th day of June, 2023 approves the following 2023 budget amendment:

Decrease	430-00-57100-50820	Capital Improvements	\$84,000
Increase	430-00-56710-50290	Contractual Services	\$84,000

Oswald asked if the marketing component of the intern position would be taken into consideration when selecting a candidate. Abeles-Allison replied stating that the county will be attempting to increase marketing and outreach. Oswald asked if the towns would be able to contribute to the zoning code rewrite. Abeles-Allison stated that there is intent to utilize a consultant to ensure the county is adequately communicating with the towns to address their needs.

Motion Silbert, seconded Rautio to approve Resolution No. 2023-67, No. 2023-68, No. 2023-69, and No. 2023-70; as presented. Motion carried, 12-1.

Bayfield County Resolution No. 2023-71:

Ashland and Bayfield County 911 Public Service Answering Point Consolidation Project

WHEREAS, Ashland and Bayfield Counties are supportive of consolidating 911 Dispatch Centers; *and*,

WHEREAS, both counties have gone on record and have expended funds for a feasibility study and Consolidation implementation plan; *and*,

WHEREAS, on May 30, 2023, Bayfield County received notification from the Wisconsin Office of Military Affairs that a Consolidated Dispatch Grant in the amount of \$833,330 with \$699,997.20 coming from the State and \$133,332.80 provided locally was approved; *and*,

WHEREAS, the notification listed 10 conditions that are addressed here;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 27th day of June, 2023 confirms its approval and commitment for both the consolidation plan and approval of the final Technology Migration Plan; *and*,

BE IT FURTHER RESOLVED, that this resolution shall serve as an official notification of intent to consolidate dispatch centers; *and*,

BE IT FURTHER RESOLVED, that the Consolidation Plan Committee has agreed to a 50/50 split of both long-term operational costs of the consolidated PSAP; and the respective County Boards confirm this approval and refer to cost sharing details on page 12 of the attached Intergovernmental Agreement; *and*,

BE IT FURTHER RESOLVED, that the Ashland / Bayfield County PSAP will be backed up by the Douglas County PSAP; *and*,

BE IT FURTHER RESOLVED, that Ashland and Bayfield County have agreed upon a 50/50 cost sharing and in the event of a future dissolution the provisions in Sections 12-15, page 9 of the Intergovernmental Agreement this same formula would be used in the event of dissolution/decommissioning of equipment acquired as a result of the consolidation; *and*,

BE IT FURTHER RESOLVED, that Ashland and Bayfield County include the attached land / mobile radio communications migration and dispatch plan addressing startup plans using two separate radio systems with a consolidation plan to WISCOM in the next five years; *and*,

BE IT FURTHER RESOLVED, that Ashland and Bayfield have updated equipment and material quotes and have found the numbers substantially the same and are attached here; *and*,

BE IT FURTHER RESOLVED, that the intended source of local matching funds will be local government funds balances; *and*,

BE IT FURTHER RESOLVED, that a copy of the Bayfield County procurement process is attached here; *and*,

BE IT FURTHER RESOLVED, that the project manager for the consolidation project will be paid by both parties, 50/50 with an estimated cost of \$25,000 over the next 18 months and the parties have selected, Meagan Quaderer, Bayfield County Emergency Management Director, as the Project Manager. Time for Meagan Quaderer will be provided through an increase from 0.50 FTE to 0.75 FTE for Emergency Management Program Assistant, until project manager is no longer needed; *and*,

BE IT FURTHER RESOLVED, that the Bayfield County Board designates Larry Fickbohm as the County Board Supervisor serving on the Board of Directors.

Meagan Quaderer, Emergency Management Director, reviewed the resolution with the board. Bayfield County and Ashland County were awarded the grant with specified conditions listed in the grant before funds would be awarded, which are addressed in the resolution. Abeles-Allison clarified that adopting the resolution would also include adopting the intergovernmental agreement. Divine stated that the program assistant's name has been removed from the resolution in the event that change over occurs in the future. Oswald, should we also remove Fickbohm's name from the resolution. Divine, up to you. AA agreement does not stipulate that the representative needs to be a part of the Sheriff's Committee. AA asked that the motion include the adoption of the intergovernmental agreement presented.

Motion by Oswald, seconded by Sandstrom to adopt Resolution No. 2023-71 Ashland and Bayfield County 911 Public Service Answering Point Consolidation Project and the Intergovernmental Agreement with the recommendation to remove the Program Assistant's name from the resolution. Motion carried, 13-0.

Oswald and Abeles-Allison thanked everyone for their involvement in the project.

Bayfield County Resolution No. 2023-72:

Emergency Management Budget Amendment for 911 Public Service Answering Point Consolidation Project Backup Staffing – Increasing Assistant from 0.5 FTE to 0.75 FTE

WHEREAS, Ashland and Bayfield Counties are supportive of consolidating 911 Dispatch Centers; *and*,

WHEREAS, both counties have gone on record and have expended funds for a feasibility study and Consolidation implementation plan; *and*,

WHEREAS, on May 30, 2023, Bayfield County received notification from the Wisconsin Office of Military Affairs that a Consolidated Dispatch Grant in the amount of \$833,330 with \$699,997.20 coming from the State and \$133,332.80 provided locally was approved; *and*,

WHEREAS, this resolution shall serve as an official notification of intent to consolidate dispatch centers; *and*,

WHEREAS, the Consolidation Plan Committee has agreed to a 50/50 split of both long-term operational costs of the consolidated PSAP; *and*,

WHEREAS, the project manager for the consolidation project will be paid by both parties, 50/50 with an estimated cost of \$25,000 over the next 18 months and the parties have selected, Meagan Quaderer, Bayfield County Emergency Management Director, as the Project Manager. Time for Meagan Quaderer will be provided through an increase from 0.50 FTE to 0.75 FTE for Emergency Management Program Assistant, until project manager is no longer needed;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 27th day of June, 2023 hereby approves the following 2023 budget amendment:

Increase Revenue:

Ashland County Reimbursement	100-18-To Be Determined	by	\$7,830
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Increase Expenses:

Emergency Management Part-Time	100-18-52501-50122	by	\$6,110
Emergency Management FICA	100-18-52501-50151	by	\$ 470
Emergency Management Retirement	100-18-52501-50152	by	<u>\$1,250</u>

Total Expenses:			\$7,830
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Motion by Oswald, seconded by Rondeau to adopt Resolution No. 2023-72 Emergency Management Budget Amendment for 911 Public Service Answering Point Consolidation Project Backup Staffing – Increasing Assistant from 0.5 FTE to 0.75 FTE with the recommendation to remove the Program Assistant’s name from the resolution. Motion carried, 13-0.

Bayfield County Amendatory Ordinance No. 2023-08:

Amending Section 3-1-9 (b) of the Code of Ordinances Regarding Insufficient Funds Checks, Bayfield County, Wisconsin

WHEREAS, Wisconsin Statutes §59.03(2) provides that, except as elsewhere specifically provided in the statutes, the board of any county is vested with all powers of a local, legislative and administrative character; and,

WHEREAS, Wisconsin Statutes §59.02(2) permits the enactment of ordinances by the County Board of Supervisors; *and*,

WHEREAS, Section 2-2-3, Code of Ordinances, Bayfield County, Wisconsin, authorizes County Board committees or individual supervisors to introduce proposed ordinances; *and*,

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

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 27th day of June, 2023 does hereby ordain as follows:

Sec. 3-1-9 Insufficient Funds Checks.

~~(b) — Unless otherwise provided by law, any office or department of Bayfield County may retain overpayments of fees, licenses, and similar charges when the overpayment of Two Dollars (\$2.00) or less, unless such refund is specifically requested in writing. Underpayments of not more than Two Dollars (\$2.00) may be waived when the administrative cost of collection would exceed the amount of underpayment.~~

(b) Unless otherwise provided by law, any office or department of Bayfield County may retain overpayments of taxes, fees, licenses, and similar charges when the overpayment is Five Dollars (\$5.00) or less, unless such refund is specifically requested in writing. Underpayments of not more than Three Dollars (\$3.00) may be waived when the administrative cost of collection would exceed the amount of underpayment.

State law reference(s)--Sec. 59.54(24), Wis. Stats.

Motion by Rondeau, seconded by Ray to adopt Amendatory Ordinance No. 2023-08 Amending Section 3-1-9 (b) of the Code of Ordinances Regarding Insufficient Funds Checks, Bayfield County, Wisconsin. Motion carried, 13-0.

Bayfield County Resolution No. 2023-73:

Local Assistance and Tribal Consistency Funds (LATCF) AND Cable and Grand View Garages Budget Amendment

WHEREAS, Bayfield County will receive Local Assistance and Tribal Consistency Funds (LATCF) in the total of \$1,042,929 between 2022 and 2023; *and*,

WHEREAS, at the January 31, 2023 County Board meeting, the board approved the following projects;

Allocations:

Cable Garage	\$ 500,000
Grand View Garage	\$ 500,000
Court Room Security Glass	\$ 14,200
Joint Dispatch Study	\$ 11,000
Fair Exhibitor Fees	<u>\$ 7,000</u>
Total	\$1,038,000; <i>and</i> ,

WHEREAS, the Executive Committee, at their monthly meeting held on March 9, 2023, approved an updated estimate for Level 5 Security Glass for courtroom security at a cost of \$19,600; *and*,

WHEREAS, the Bayfield County Highway Department fund balance will pay for any costs over \$500,000 for the Cable garage, (estimated project cost \$720,000); *and*,

WHEREAS, the Bayfield County General Fund Balance will pay for any costs over \$500,000 for the Grand View Garage (estimated project cost \$720,000);

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 27th day of June, 2023 approves the following budget amendment:

Increase Revenues:

277-00-43334	by	\$ 537,660
710-71-49301	by	\$ 220,000
710-71-xxxx	by	<u>\$ 505,269</u>

Total Revenues: \$1,242,929

Increase Expenditures:

277-00-57210-50820	by	\$ 500,000
710-71-53270-50290	by	\$ 705,269
277-14-57100-50820	by	\$ 19,660
277-23-55461-50720	by	\$ 7,000
277-17-52602-50290	by	<u>\$ 11,000</u>

Total Expenditures: \$1,242,929

Oswald questioned why the allocations listed in the resolution do not match the budget amendment lines. Abeles-Allison stated that the difference was calculated in case of overages.

Motion by Rondeau, seconded by Milanowski to adopt Resolution No. 2023-73 Local Assistance and Tribal Consistency Funds (LATCF) AND Cable and Grand View Garages Budget Amendment. Motion carried, 13-0.

Bayfield County Resolution No. 2023-74:

Bayfield County Energy Improvement In Rural or Remote Areas Grant Application

WHEREAS, Earlier this year the US Department of Energy announced a grant program entitled, Energy Improvement in Rural or Remote Areas, also known as ERA; *and*,

WHEREAS, the focus of the program is three fold. Deliver measurable benefits to energy customers in rural or remote areas; Demonstrate new rural or remote energy system models; Build clean energy knowledge, capacity, and self-reliance throughout rural America; *and*,

WHEREAS, in 2022 Bayfield County applied for the State Energy Innovations Grant Program (EIGP) to upgrade infrastructure at Bayfield County Highway Garages. The County was not awarded this grant. Shortly after denial the County received an inquiry from the State of Wisconsin Office of Sustainability and Office of Rural Prosperity about the above ERA grant. The State of Wisconsin wants to make a submittal for the project and wants to partner with Bayfield County, Towns in Bayfield County and the Red Cliff Band of Lake Superior Chippewa; *and*,

WHEREAS, the grant is an 80/20 share. The State submitted a concept paper with an \$11 million total cost. About 370 concept papers were submitted across the US. 80 were chosen to move onto phase II, Bayfield County’s application was one of them; *and*,

WHEREAS, Bayfield County specific projects include:

1. Upgrade electrical, solar, EV charging and install batteries at five county highway garages.
2. Purchase two Compressed Natural Gas, Single Axle Plow Trucks.
3. Install a Compressed Natural Gas fueling compressor for fueling and update one section of the building to be compatible with natural gas equipment.
4. Fund a grant / energy specialist position for the county over 3 years; *and*,

WHEREAS, these total about \$4.5 million with a cost share of 20% or \$900,000. Direct Pay Energy incentives could lower the county share by 30% for energy projects, lowering county payments to approximately \$670k;

NOW THEREFORE BE IT RESOLVED, that the Bayfield County Board of Supervisors, assembled this 27th day of June, 2023 approves applying for the ERA Grant with the State of Wisconsin.

Motion by Crandall, seconded by Rondeau to adopt Resolution No. 2023-74 Bayfield County Energy Improvement In Rural or Remote Areas Grant Application. Motion carried, 13-0.

Confirmation of Multiple Appointments:

- a) Appointment of Sue Rosa to the Bayfield County Housing Authority with a Term Ending April 2028**
- b) Appointment of Vicky Redenbaugh to the Bayfield County Library Committee**

Motion by Rondeau, seconded by Rautio to confirm the appointment of Sue Rosa to the Bayfield County Housing Authority with a Term Ending April 2028 and Vicky Redenbaugh to the Bayfield County Library Committee. Motion carried, 13-0.

Bayfield County Resolution No. 2023-75:

Resolution Authorizing the Issuance and Delivery of Allonges for Memorial Medical Center Conduit Bonding

BE IT RESOLVED, by the Board of Supervisors (the “Board”) of Bayfield County, Wisconsin (the “Issuer”), as follows:

Section 1. Authority and Findings.

1.01 Authority. A. The Issuer previously executed and delivered its Revenue Bond (Memorial Medical Center, Inc. Project), Series 2019, dated December 6, 2019 (the “2019 Bayfield Bond”) in the original principal amount of \$7,500,000, in favor of Bremer Bank, National Association (the “Lender”). The proceeds of the 2019 Bayfield Bond were used to finance the following project by Memorial Medical Center, Inc., a Wisconsin nonstock nonprofit corporation (the “Borrower”): the expansion, improvement and equipping of hospital and related facilities located at 1615 Maple Lake in the City of Bayfield, Wisconsin that are owned and operated by the Borrower (the “Project”). The Issuer also previously issued its Revenue Bond (Memorial Medical Center, Inc. Project), Series 2020, dated January 7, 2020 in the original principal amount of \$5,000,000 (the “2020 Bayfield Bond” and together with the 2019 Bayfield Bond, the “Bayfield Bonds”) to finance the Project.

B. Ashland County, Wisconsin also issued the following obligations to finance the Project: (i) its Revenue Bond (Memorial Medical Center, Inc. Project), Series 2019, dated December 6, 2019 (the “2019 Bayfield Bond”) in the original principal amount of \$10,000,000; and (ii) its Revenue Bond (Memorial Medical Center, Inc. Project), Series 2020, dated January 7, 2020 in the original principal amount of \$7,500,000 (the “2020 Bayfield Bond” and together with the 2019 Bayfield Bond, the “Bayfield Bonds”).

1.02 Findings.

The Issuer entered into a Sale Agreement (the “2019 Sale Agreement”) with the Borrower dated December 6, 2019, whereby the Borrower sold the Facilities (as defined therein) to Issuer for the principal amount of the 2019 Bayfield Bond and Borrower acquired the Facilities from the Issuer for a purchase price equal to the principal amount of the 2019 Bayfield Bond with the purchase price payable as provided in the Promissory Note (as defined in the 2019 Sale Agreement, and hereinafter referred to as the “2019 Bayfield Promissory Note”).

The Issuer further entered into a Sale Agreement (the “2020 Sale Agreement”) with the Borrower dated January 7, 2020, whereby the Borrower sold the Facilities (as defined therein) to Issuer for the principal amount of the 2020 Ashland Bond and Borrower acquired the Facilities from the Issuer for a purchase price equal to the principal amount of the 2020 Ashland Bond with the purchase price payable as provided in the Promissory Note (as defined in the 2020 Sale Agreement, and hereinafter

referred to as the “2020 Ashland Promissory Note” and together with the 2019 Bayfield Promissory Note, the “Ashland Promissory Notes”).

The Issuer further entered into a Pledge Agreement (the “2019 Pledge Agreement”) with the Borrower and the Lender dated December 6, 2019, whereby the Issuer pledged and assigned to the Lender a security interest in all of Issuer’s right, title and interest in and to the 2019 Sale Agreement and 2019 Bayfield Note, except the Unassigned Municipality’s Rights (as defined in the 2019 Sale Agreement).

The Issuer further entered into a Pledge Agreement (the “2020 Pledge Agreement” and together with the 2019 Pledge Agreement, the “Prior Pledge Agreements”) with the Borrower and the Lender dated January 7, 2020, whereby the Issuer pledged and assigned to the Lender a security interest in all of Issuer’s right, title and interest in and to the 2020 Sale Agreement and 2020 Promissory Bayfield Note, except the Unassigned Municipality’s Rights (as defined in the 2020 Sale Agreement).

In the Prior Pledge Agreements, the Issuer authorized the Lender and Obligor the right to amend the Prior Sale Agreements without the Issuer’s consent (other than amendments which in any manner affect the Unassigned Municipality’s Rights or the terms of the Bayfield Bonds) and subject to the conditions listed in the Prior Pledge Agreements.

As a result of discontinuation of the interest rate index used in the Bayfield Bonds (that is, the LIBOR index) the Lender and Borrower have agreed to modify the terms of the Bayfield Bonds pursuant to Allonges in substantially the forms attached hereto as Exhibit A and Exhibit B and the terms of the Bayfield Promissory Notes, including replacing the LIBOR index used to calculate the interest rate on the Bayfield Bonds and related modifications.

The Lender and Borrower have further agreed to modify the terms of the Ashland Bonds and the related promissory notes, all pursuant to separate allonges to reflect the replacement of the LIBOR index and related modifications.

Section 2. Authorization

A. The Issuer approves the terms of the Allonges in substantially the forms attached hereto as Exhibit A and Exhibit B, subject to modifications as approved by bond counsel, the Chair and the County Clerk.

B. The Chair and the County Clerk are authorized and directed to execute, attest to and deliver the Allonges and such other documents necessary to evidence the modifications agreed to by Borrower and Lender and/or necessary, in the opinion of bond counsel to maintain the tax exempt status of interest on the Bayfield Bonds, all as approved as to form and substance by bond counsel. All actions of the Chair and the County Clerk taken with regard to the Allonges are ratified and approved.

Section 3. Delivery. Delivery of the Allonges shall be made at a place mutually satisfactory to the Issuer and the Lender. The Allonges, when prepared in accordance with this Resolution and executed, shall be delivered by or under the direction of the County Clerk to the Lender in exchange for execution of the Allonges by Lender.

Section 4. Effect of Resolution. Except as amended or modified by the Allonges, all terms and conditions of the Bayfield Bonds remain in full force and effect.

Adopted: June 27, 2023

Motion by Rondeau, seconded by Crandall to adopt Resolution No. 2023-75 Resolution Authorizing the Issuance and Delivery of Allonges for Memorial Medical Center Conduit Bonding. Motion carried, 13-0.

Presentation, WCHA Awards: Abeles-Allison stated that the Wisconsin County Highway Association has recognized Jim Crandall and Jeremy Oswald for their dedication and service. Chairman Pocernich read the awards to the board.

Reports:

a) Future County Board Meeting Dates:

- a. July 25, 2023
- b. August 29, 2023
- c. September 26, 2023

b) Shared Revenue Update: Bayfield County has received an additional \$272,192 in funds.

Rondeau asked for an update on the Tribal Land Taxation issue. Abeles-Allison informed the board that the county has paid settlement funds to taxing entities over the past five years, but the county will no longer be reimbursed. The Joint Finance Committee has approved appropriating \$3.6 million in funds to the five counties that have been impacted by the court ruling. These funds will be used to reimburse the five counties for the previous settlement funds. Abeles-Allison explained that the qualifying properties will no longer be on the tax roll so the remaining properties in the affected towns will experience a tax increase. Strand commended Abeles-Allison in his efforts in this endeavor.

c) WISER Broadband Survey

d) Construction Project Update: Abeles-Allison reported that the air conditioning is nearly finished in the courthouse building with air conditioning and the ceiling to be installed in the annex building next week.

e) Thank You Letter Mardea LaPointe

Supervisory Reports: Silbert reported that the board received two compliments for their participation and financial contributions in the Northwest Cleansweep event.

Oswald reported that the Sheriff's Office has received all their new squads.

Closed Session: *Motion by Rondeau, seconded by Milanowski, to enter Executive/Closed Session at 7:19 p.m. Motion carried, 13-0.*

7:19 p.m. – Larry Fickbohm and Steve Sandstrom left the meeting.

Discussion took place regarding the Closed Session Minutes from May 30, 2023, Teamster Union Wages, Land Purchase Negotiations, and the WPPA Memorandum of Understanding.

There being no further business to conduct in Executive/Closed Session, *a motion was made by Milanowski, seconded by Rautio, to return to Open Session at 7:42 p.m. Motion carried, 11-0, 2 absent.*

Non-Union Wage Scale Indexing: *Motion by Strand, seconded by Rekemeyer to approve a 1% wage increase for the non-union wage scale index effective July 1, 2023, and an additional 1% wage increase effective September 1, 2023. Motion carried, 11-0, 2 absent.*

Adjournment: There being no further business to come before the Bayfield County Board of Supervisors, Chairman Pocernich adjourned the meeting at **7:44 p.m.**

Respectfully submitted,

LYNN M. DIVINE
Bayfield County Clerk

LMD/pat