

# Bayfield County Clerk

Scott S. Fibert, *County Clerk*

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

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



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**Draft Minutes of the:**  
**Bayfield County Board of Supervisors' Meeting**  
**October 27<sup>th</sup>, 2020 6:00 p.m.**  
**Meeting Held Remotely**

**BAYFIELD COUNTY BOARD OF SUPERVISORS**

Dennis M. Pocernich, *Chair*, Fred Strand, *Vice-Chair*  
Steve Sandstrom, Mary Dougherty, Larry Fickbohm, Charly Ray,  
Jeremy Oswald, Jeffrey Silbert, Thomas Snilsberg, Marty Milanowski,  
David Zepczyk, James Crandall, Brett Rondeau

The Bayfield County Board of Supervisors was called to order at 6:03 p.m. by Bayfield County *Chairman* Dennis M. Pocernich. A roll call was taken by *County Clerk*- Scott Fibert, as follows: David Zepczyk-present; James Crandall-present virtually; Brett Rondeau-present virtually; Steve Sandstrom-present virtually; Mary Dougherty-present; Larry Fickbohm-present; Charly Ray-absent; Jeremy Oswald-present virtually; Jeffrey Silbert-present virtually; Dennis Pocernich-present; Fred Strand-present; Thomas Snilsberg-present; Marty Milanowski-present. Total: 12 present, 1 absent. A quorum was present to conduct business.

The following were also present for today's meeting: *County Administrator*- Mark Abeles-Allison; *County Clerk*- Scott Fibert; *Accountant*- Kim Mattson virtually; *Clerk III*- Paige Terry virtually; Michelle Simone

3. **Pledge of Allegiance;** The pledge of allegiance was recited by all in attendance.
4. **COVID-19 Report, Bayfield County Health;** Michelle Simone, Health Department *Environmental Sanitarian*, updated the board regarding the latest COVID-19 updates. 230 positive cases, 63 monitored currently. 200 direct contacts are currently being followed up with. Due to high demand, test results are taking longer to come back. Health Department staff go through a lengthy questionnaire with every positive case. Simone informed the board on the process of contact tracing.

Simone reviewed the activities of the three drive-up flu clinics in Washburn, Drummond, and Port Wing. Nearly ran out of flue vaccines after Washburn. Ran out of 65 and up vaccine doses.

Simone announced that Bayfield County experienced its second COVID-19 related death on October 27, 2020. Bayfield County released an advisory dated October 26, 2020 in conjunction with Ashland County asking individuals to limit gatherings to 25 people or less for the next 14 days. If in enclosed spaces with inability to distance, recommending gatherings of 10 people or less.

*Motion made by Milanowski seconded by Zepczyk to close the meeting as a whole and open up the public hearing. Roll Call Vote: Crandall-yes, Rondeau-yes, Sandstrom-yes, Dougherty-yes, Fickbohm-yes, Ray-absent, Oswald-yes, Silbert-yes, Pocernich-yes, Strand-yes, Snilsberg-yes, Milanowski-yes, Zepczyk-yes. Motion Carried 12-0, 1 absent.*

5. **2021 Bayfield County Budget Public Hearing;** Abeles-Allison updated the board on previous meetings that were held by the Executive Committee to discuss the 2021 budget. The budget publication was placed in the Ashland Daily Press on October 9, 2020. Bayfield County's 2021 budget is \$31,089,911, a 6.48% reduction from previous year. Mill levy request is in the amount of \$11,312,896, a \$35,244 (0.3%) reduction from previous year.

*Motion made by Crandall seconded by Rondeau to close public hearing and open up the meeting as a whole. Roll Call Vote: Rondeau-yes, Sandstrom-yes, Dougherty-yes, Fickbohm-yes, Ray-absent, Oswald-yes, Silbert-yes, Pocernich-yes, Strand-yes, Snilsberg-yes, Milanowski-yes, Zepczyk-yes, Crandall-yes. Motion Carried 12-0, 1 absent.*

6. **Discussion and Possible Action to Adopt 2021 Budget;** Abeles-Allison announced no modifications to the budget at this time. Modifications were made and are currently included in the budget. Budget includes Levy containing \$1.65 mil short-term borrowing for County Highway projects.

*Motion by Milanowski seconded by Rondeau to adopt 2021 budget. Roll Call Vote: Sandstrom-yes, Dougherty-yes, Fickbohm-yes, Ray-absent, Oswald-yes, Silbert-yes, Pocernich-yes, Strand-yes, Snilsberg-yes, Milanowski-yes, Zepczyk-yes, Crandall-yes, Rondeau-yes. Motion Carried 12-0, 1 absent.*

7. **Discussion and Possible Action to Set the 2021 Tax Levy;** Abeles-Allison informed the board that the 2021 Tax Levy is set at \$11,312,896.

*Motion by Snilsberg seconded by Milanowski to set the 2021 tax levy at \$11,312,896. Roll Call Vote: Dougherty-yes, Fickbohm-yes, Ray-absent, Oswald-yes, Silbert-yes, Pocernich-yes, Strand-yes, Snilsberg-yes, Milanowski-yes, Zepczyk-yes, Rondeau-yes, Sandstrom-yes. Motion Carried 12-0, 1 absent.*

8. **Bayfield County Resolution No. 2020-81; Tax Charge Back: Year of 2018 – Town of Barnes; Bayfield County Treasurer;**

**No. 2020-81**

**Tax Charge Backs:  
Year of 2018 – Town of Barnes**

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

**Town of Barnes;** Tax ID #2937; Parcel in the SE ¼ SE ¼ in 2018R - 572124; Section 28 – Township 45N – Range 9W. Bayfield County purchased said property on 3/1/18. Bayfield County is tax-exempt. The Face of the Certificate is \$141.77; *and*

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Bayfield County Board of Supervisors assembled this 27<sup>th</sup> day of October 2020, authorizes that the amount of said illegal and void Tax Certificate is charged back to the respective towns, cities, or villages where in such lands are situated as follows: Town of Barnes in the amount of \$141.77.

*Motion by Crandall seconded by Fickbohm to adopt Resolution 2020-81. Roll Call Vote: Fickbohm-yes, Ray-absent, Oswald-yes, Silbert-yes, Pocernich-yes, Strand-yes, Snilsberg-yes, Milanowski-yes, Zepczyk-yes, Crandall-yes, Rondeau-yes, Sandstrom-yes, Dougherty-yes. Motion Carried 12-0, 1 absent.*

9. **Discussion and Possible Action Regarding 2022 Budget Guidance and Department/Committee direction;** Abeles-Allison informed the board that both forestry and treasurer revenues are down. Operating budget was supplemented with \$250,000 in one-time fund balance savings. Executive Committee discussed and approved directing departments and committees to consider 2%, 5%, or 7% reduction in 2022 budget. Abeles-Allison is asking that recommendations come back to the Executive Committee by March, 2021.

*Motion by Sandstrom seconded by Silbert to direct departments and committees to submit plans for levy reductions and revenue increases in 2020 by March of 2021 for consideration for the 2022 budget. Motion Carried 12-0, 1 absent.*

10. **Discussion and Possible Action, Minutes from September 29, 2020;**

*Motion by Milanowski seconded by Zepczyk to approve the minutes from September 29, 2020. Motion Carried 12-0, 1 absent.*

11. **Public Comment:** None

12. **Report of the Bayfield County Planning and Zoning Committee No. 2020-14; Petition to Change District Boundaries of a parcel owned by Dean Findley, Town of Port Wing, From Agricultural 1 (Ag-1) to Forestry 1 (F-1). Robert Schierman, Planning and Zoning Director;**

## **No. 2020-14**

### **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 Dean Findley 20-acre parcel (ID# 28328) in Doc# 2006R-506721 (V. 944 P. 280), described as the East Half of the Southeast Quarter of the Northwest Quarter (E ½ SE ¼ NW ¼), Section Twenty-Five (25), Township Fifty (50) N, Range Eight (8) W, Town of Port Wing, Bayfield County, WI from Agricultural-One (Ag-1) to Forestry-One (F-1).**

*Motion by Silbert seconded by Rondeau to receive and place on file. Motion Carried 12-0, 1 absent.*

13. **Bayfield County Ordinance Amendment No. 2020-14; Petition to Change District Boundaries of a parcel owned by Dean Findley, Town of Port Wing, From Agricultural 1 (Ag-1) to Forestry 1 (F-1). Robert Schierman, Planning and Zoning Director;**

# No. 2020-14

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 Dean Findley 20-acre parcel (ID# 28328) in Doc# 2006R-506721 (V. 944 P. 280), described as the East Half of the Southeast Quarter of the Northwest Quarter (E ½ SE ¼ NW ¼), Section Twenty-Five (25), Township Fifty (50) N, Range Eight (8) W, Town of Port Wing, Bayfield County, WI **from Agricultural-One (Ag-1) to Forestry-One (F-1)**.

*Chairman Pocernich questioned the meaning of changing boundaries. Crandall explained that the boundaries for parcels would change for the zoning map.*

*Motion by Rondeau seconded by Silbert to adopt Ordinance Amendment 2020-14. Motion Carried 12-0, 1 absent.*

14. **Bayfield County Resolution 2020-82; Request to Amend the Bayfield County Clerk Election 2020 Budget for Election Cyber Security Grant. Scott Fibert;**

## No. 2020-82

### **Request to Amend the Bayfield County County Clerk Election 2020 Budget**

**WHEREAS**, the security of our elections is a vital part of Bayfield County business; and

**WHEREAS**, the I.T. department in conjunction with the County Clerk's Office have been looking for ways to further secure the counties computer system for the upcoming election and beyond; and

**WHEREAS**, the Wisconsin Election Commission along with the Federal Government are offering a County Election Security Subgrant to help address election security needs; and

**WHEREAS**, the Bayfield County I.T. Department along with the County Clerk submitted an application and L2 risk assessment to the Wisconsin Election commission to receive a county Election Subgrant; and

**WHEREAS**, the amount requested for the 2020 budget is \$35,000 and \$.30 per eligible voter with remaining funds if any being used for remediation; and

**WHEREAS**, the Bayfield County Clerk and I.T. have received approval for the Election Security Subgrant and has received the funds of \$38,772; and

**WHEREAS**, Please amend the County Clerk's 2020 Election Budget as follows; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Bayfield County Board of Supervisors, meeting this August 25, 2020 approve the following budget amendments to reflect the county Election Security Subgrant by the total amount of \$38,772.

Increase revenue account 100-10-43517 (Election budget) by \$38,772.00

Increase expense account 100-10-51441-50290 (Election budget) by \$38,772.00

*Motion by Rondeau seconded by Milanowski to adopt Resolution 2020-82. Roll Call Vote: Ray-absent, Oswald-yes, Silbert-yes, Pocernich-yes, Strand-yes, Snilsberg-yes, Milanowski-yes, Zepczyk-yes, Crandall-yes, Rondeau-yes, Sandstrom-yes, Dougherty-yes, Fickbohm-yes. Motion Carried 12-0, 1 absent.*

15. **Discussion and Possible Action Regarding Mark Ludeking's appointment as a Citizen Member to Department of Human Services Board;** Crandall commented that Ludeking is the only individual to apply for the position, is very qualified, and comes recommended by Human Services.

*Motion by Crandall seconded by Milanowski to confirm the appointment to the Department of Human Services Board. Motion Carried 12-0, 1 absent.*

16. **Discussion and Possible Action regarding Comments on DNR South Fish Creek Study;** Vice Chairman Strand reported to the board on the status of South Fish Creek being impaired due to total instream phosphorous concentrations. The Executive and Land Conservation Committees recommend the board reapprove Bayfield County Ordinance 2018-09 which was previously approved in May of 2018. In 2018, the DNR did not approve the ordinance. DNR is now currently working to improve the water quality at South Fish Creek. Executive and Land Conservation Committees recommend that now is the time to seek the DNR's approval of Ordinance 2018-09.

Strand reported one correction for Item 2 of the South Fish Creek comments report would have to be made. The last sentence of Item 2 currently reads: The requirement to have 540 days of storage is intended to enable a livestock facility operator involved in predominant forms of agriculture to store manure through a series of missed spreading windows. The suggested change reads: The requirement to have 270 days of storage is intended to enable a livestock facility operator involved in predominant forms of agriculture to store manure through a series of missed spreading windows.

*Motion by Strand seconded by Zepczyk to approve the proposed County's comments with the one correction to the last sentence for Item 2 from 540 days to 270 days to the DNR for South Fish Creek Water Assessment. Motion Carried 12-0, 1 absent.*

17. **Discussion and Possible Action regarding resubmittal to the State of the South Fish Creek Ordinance regarding animal waste and management storage ordinance, 2018-09;**

*Motion by Seconded by Sandstrom to approve ordinance 2018-09 and submit ordinance 2018-09 to DNR for its approval.*

Abeles-Allison clarified that ordinance 2018-09 is the last ordinance that has been adopted on this topic. Ordinance 2018-09 was rejected by DNR at the time of its previous board approval. Abeles-Allison recommend the board submit the same ordinance from 2018 to the state DNR for Approval.

Strand corrected motion.

*Motion by Strand seconded by Sandstrom to resubmit ordinance 2018-09 to the DNR for its approval. Motion Carried 12-0, 1 absent.*

**18. Discussion and Possible Action Regarding Coastal Management Grant Application:**

Abeles-Allison reported that there currently is no project on the table to be submitted for the grant. Abeles-Allison informed the board that the grant previously covered the hydro atlas, the City of Bayfield playground located by the water. Sandstrom commented on a possibility that the grant be used for coastal education.

*No motion was needed.*

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

- a) Bayfield County Forestry Recognition by WI-SAF - Abeles-Allison informed the Board that Jason Bodine is currently working on a resolution for the recognition of the Forestry department. Recommends that the resolution be presented at the next board meeting. Abeles-Allison read a brief summary that Jason Bodine, head of the Forestry department, had given at the previous Forestry Committee meeting.
- b) Input on Community Development Block Grant – CV, intent to apply. - Abeles-Allison informed the board on the criteria of the Community Development Block Grant-CV. Informed the Board on a variety of projects that are covered by the grant. Abeles-Allison recommended that a coordinated meal and food pantry project as a possibility.
- c) Jail Project update- Abeles-Allison reported that the project continues to move forward. One padded cell that is in progress.
- d) Future County Board Meeting Dates:  
The following meetings are planned:
  - ✓ **November 10, 2020**
  - ✓ No meeting planned in December unless needed.

**20. Supervisors' Reports:**

- a) Crandall Reported that the highway committee, highway M project, has a verbal approval to complete project. No word on Highway E. Highway Committee will cancel November meeting.
- b) Silbert reported positive results for Chequamegon Bay Regional Housing Group. Survey has been completed and will be mailed out. Have been accepted to be a pilot community to assist with grant funding.
- c) Fickbohm reported on discussion from the previous Sheriff's Committee meeting regarding an incident that occurred between an officer and a citizen.
- d) Oswald commented on the public opinion viewing the board as frowning upon county employees working remotely.
- e) *Chairman* Pocernich stated that the board has previously approved the purchase of 40 additional laptops to enable county employees to work remotely. Abeles-Allison corrected Pocernich, stating that 20 additional laptops were authorized. Abeles-Allison commented that, with this equipment, 50% of county employees can work from home.

**21. Adjournment:**

There being no further business to come before the Bayfield County Board of Supervisors, *Chairman* Pocernich adjourned the meeting at 7:06 p.m.

Respectfully submitted,

**SCOTT S. FIBERT**

Scott S. Fibert, *Bayfield County Clerk*

SSF/pat