

**PROCEEDINGS
OF THE
COUNTY BOARD
OF SUPERVISORS**

SESSIONS OF 2018

DOOR COUNTY, WISCONSIN

MEMBERS OF THE COUNTY BOARD

DISTRICT I

Town of Union and Town of Brussels - Ward 1

David Englebort 1003 Pleasant Ridge Rd,
Brussels, 54204, Phone 825-7864

DISTRICT II

Town of Brussels - Ward 2 and Town of Forestville - Ward 1,

John Neinas 8674 County Road H
Sturgeon Bay, 54235, Phone 825-7618

DISTRICT III

Town of Forestville - Ward 2, Town of Clay Banks , Village of Forestville

Roy Englebort 7290 Geier Road
Forestville, 54213, Phone 856-6706

DISTRICT IV

Town of Gardner - Ward 1, Town of Nasewaupsee - Ward 3

Jon Koch 9238 Lovers Lane
Brussels, 54204, Phone 825-7567

DISTRICT V

Town of Nasewaupsee - Ward 1, Town of Gardner - Ward 2

Nancy Robillard 2760 Bay Rd
Brussels, 54204, Phone 824-5201

DISTRICT VI

Town of Nasewaupsee - Ward 2 and Town of Sturgeon Bay

Susan Kohout 2099 Sunrise Shore Road
Sturgeon Bay, 54235, Phone 743-1527

DISTRICT VII

City of Sturgeon Bay - Wards 1,2

Helen Bacon 458 North Fifth Place
Sturgeon Bay 54235, Phone 493-7200

DISTRICT VIII

City of Sturgeon Bay - Wards 3 and 4

Daniel Austad 942 Memorial Drive
Sturgeon Bay, 54235, Phone 743-6773

DISTRICT IX

City of Sturgeon Bay - Wards 5, 6, 22,23 and 24

Laura Vlies Wotachek 1500 Tacoma Beach Rd
Sturgeon Bay, 54235, Phone 304-2046

DISTRICT X

City of Sturgeon Bay - Wards 7, 8, 20 and 21

Kenneth Fisher 967 S. Douglas Ave.
Sturgeon Bay, 54235, Phone 743-9660

DISTRICT XI

City of Sturgeon Bay - Wards 9, 10, 18, 19, 25, 26 and 27

Megan Lundahl 321 S Fulton Ave

Sturgeon Bay, 54235, Phone 559-9595

DISTRICT XII

City of Sturgeon Bay - Wards 11, 12, 15, 16, 17 and 28

Nissa Norton..... 945 Bonnie View Dr
Sturgeon Bay, 54235, Phone 246-9489

DISTRICT XIII

City of Sturgeon Bay - Wards 13 and 14

Kathy Schultz423 N. 12th Aveune
Sturgeon Bay, 54235, Phone 559-1422

DISTRICT XIV

Town of Sevastopol - Wards 2, 3, 4, and 29

Linda Wait 5075 Bluff Ct, PO Box 501
Sturgeon Bay, 54235, Phone 743-6884

DISTRICT XV

Town of Sevastopol - Ward 1 and 5

Richard Virlee3959 Glidden Drive
Sturgeon Bay, 54235, Phone 743-7040

DISTRICT XVI

Town of Egg Harbor - Ward 1 and Town of Jacksonport - Ward 1

Randy Halstead 3693 County Hwy V
Egg Harbor, 54209, Phone 559-0646

DISTRICT XVII

Town of Egg Harbor - Wards 2 and 3, Town of Jacksonport - Ward 2, Town of Baileys Harbor - Ward 1 and Village of Egg Harbor

David M. Enigl7807 Memorial Drive
Egg Harbor, 54209, Phone 493-2294

DISTRICT XVIII

Town of Gibraltar and Village of Ephraim

Vinni Chomeau9640 Maple Grove
Fish Creek, 54212, Phone 421-1687

DISTRICT XIX

Town of Baileys Harbor - Ward 2 and Town of Liberty Grove - Ward 3

Bob Bultman..... 8073 Hwy 57, PO Box 151
Baileys Harbor, 54202, Phone 421-2283

DISTRICT XX

Town of Liberty Grove - Ward 2 and Village of Sister Bay

David Lienau 2309 Somerset Dr, PO Box 823
Sister Bay, 54234, Phone 634-5372

DISTRICT XXI

Town of Liberty Grove - Ward 1, and Town of Washington

Joel Gunnaugsson1423 Townline Road
Washington Island, 54246, Phone 847-3456

COUNTY OFFICERS

Circuit Judge, Branch ID. Todd Ehlers
 Circuit Judge, Branch II David Weber
 Clerk of Court Connie DeFere
 County Clerk Jill M. Lau
 County Treasurer Jay Zahn
 District Attorney Colleen Nordin
 Register of Deeds Carey Petersilka
 Sheriff Steve Delarwelle

DOOR COUNTY BOARD OF SUPERVISORS

Chairperson David Lienau
 Vice Chairperson Ken Fisher
 County Administrator Ken Pabich
 Clerk.....Jill M. Lau
 Corporation Counsel.....Grant Thomas

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**REGULAR MEETING
DOOR COUNTY BOARD OF SUPERVISORS
TUESDAY, JANUARY 23, 2018
DOOR COUNTY BOARD ROOM**

Call Meeting to Order

The January 23, 2018 meeting of the Door County Board of Supervisors was called to order at 9:00 a.m. by Chairman David Lienau.

Chairman Lienau led the Pledge of Allegiance to the Flag.

Roll Call by County Clerk

Roll call was taken – 16 County Board Members were present – Dan Austad, Helen Bacon, David Englebert, David Enigl, Roy Englebert, Ken Fisher, Randy Halstead, Jon Koch, Susan Kohout, David Lienau, John Neinas, Kathy Schultz, Steve Sohns, Richard Virlee, Laura Vlies-Wotachek, and Linda Wait. Joel Gunnaugsson, Megan Lundahl, Mark Moeller, Nancy Robillard, and Don Sitte were excused.

Presentation of Agenda

Motion by Enigl, seconded by Halstead to approve the agenda. Motion carried by unanimous voice vote.

Correspondence

Unassigned Fund Balance

Town of Clay Banks Resolution Supporting a Constitutional Amendment to Allow Limits on Campaign Contributions and Conducting a Non-Binding Statewide Referendum
Town of Nasewaupee Resolution Supporting a Constitutional Amendment to Allow Limits on Campaign Contributions and Conducting a Non-Binding Statewide Referendum

Public Comment

No one from the public commented.

Supervisors Response

N/A.

Approval of Minutes of December 19, 2017 Regular Meeting

Motion by Koch, seconded by Virlee to approve the minutes of the December 19, 2017 regular meeting. Supervisor Kohout noted the minutes should reflect 20 members present. Motion carried by unanimous voice vote.

Pending Business/Updates

No pending business or updates were presented.

Resolutions

2018-01 In Memoriam – James (Jim) Roberts

Supervisor Sohns read the resolution aloud.

Motion by Sohns, seconded by D. Englebert to approve Resolution 2018-01 – Recognition in honor of the achievements Jim attained during his tenure as a County Board Supervisor.

Motion carried by unanimous voice vote.

2018-02 Authorize Application For and Acceptance of Financial Assistance for George K. Pinney County Park Breakwall Repairs

Motion by Austad, seconded by Virlee to approve Resolution 2018-02 – Authorization for the Parks Director, subject to oversight by the Airport & Parks Committee, to act on behalf of Door County, prepare and submit a County Conservation Aids grant application, accept any grant award, sign necessary documents, administer any County Conservation Aids grant, and take any and all action necessary to complete the proposed project.

Administrator Pabich explained an inspection of the breakwall was performed. The inspection found the breakwall is in need of repair. A RFP has been advertised. Building & Grounds Director/Interim Parks Director Wayne Spritka

found a grant to assist with the costs of the project. This resolution is to accept the grant. The remaining monies needed for the repairs will come from the boat launch fund.

Motion carried by roll call vote with 16 Members voting Yes; 5 Members excused.

2018-03 Approval of Gift, Grant, and/or Donation to the Parks Department

Motion by Austad, seconded by Vlies Wotachek to approve Resolution 2018-03 – Approval and acceptance of the donation valued at \$1,649.13 for purposes of benefit to Frank E. Murphy Park or Horseshoe Bay Cave.

Administrator Pabich explained the Horseshoe Bay Golf Club has traditionally donated money for the cave or the park for items related to the cave. The resolution is to accept the donation. Donation will be used toward research or activities related to the cave itself.

Motion carried by roll call vote with 16 Members voting Yes; 5 Members excused.

2018-04 Non-Commercial Hangar Site Lease Agreements - Carmody-61; Laplant-55; Smith/Bauer-21 Crandall-40; Falb-49; Cummings-47; Collins 48 & 74

Motion by Austad, seconded by Sohns to approve Resolution 2018-04 – Approval to the Airport & Parks Committee to enter into a 10-year non-commercial hangar site lease agreement, with a 10-year renewal clause, for the parcels of land on which Building No. 61, 21, 40, 49, 47, 48 and 74 have been constructed.

Supervisor Austad explained these are 10-year leases and have been before the board many times. Motion carried by roll call vote with 16 Members voting Yes; 5 Members excused.

2018-05 In Support of Cellcom's Application for Public Service Commission of Wisconsin Broadband Expansion Grant FY2018 Round II To Expand Wireless Broadband Infrastructure on Washington Island, Door County

Motion by Lienau, seconded by Koch to approve Resolution 2018-05 – A resolution supporting Cellcom's application to the Public Service Commission of Wisconsin Broadband Expansion Grant Program FY2018 Round II to build a new tower on Washington Island, and add high capacity 4G coverage on the new tower and pledging

\$1,000 in financial support contingent upon the grant award with funds to be disbursed to Applicant within twelve months of date of award acceptance.

Administrator Pabich explained there are grant applications for increasing broadband throughout communities. The initial thought was to run fiber to Washington Island. After analysis it was determined to be too costly. The second proposal was to work with Nsight to provide microwave communications to the Island. The County proposes to contribute \$1,000 if the grant is awarded. As part of the grant process municipal participation helps with the scoring for obtaining the grant. Building a tower on the Island and placing a microwave at Gills Rock will not only assist for broadband on the Island but will also increase radio communications for law enforcement and emergency services operations; this is a benefit for the county.

Supervisor R. Englebert noted back in 2015 a fee for erecting towers was adopted which hindered municipalities from expanding their broadband. Other municipalities have worked with various companies to expand broadband coverage within their municipalities without assistance from the county. Administrator Pabich explained Door County is now considered a broadband forward county. CC Thomas explained he's been fairly harsh in his review for requests for County support. Washington Island is a unique situation because

there is a direct tie to improving required county services. Chairman Lienau noted the long standing relationship the county has had with Cellcom over many, many years with county equipment co-located on their towers with no charge/fees to the County. The County has had a long-standing relationship with Cellcom in providing towers and services. Motion carried by roll call vote with 16 Members voting Yes; 5 Members excused.

2018-06 Approval of Gift, Grant, and/or Donation – Water Quality Notice of Discharge – SWCD

Motion by Fisher, seconded by Virlee to approve Resolution 2018-06 – Approval and acceptance of the water quality Notice of Discharge Grant totaling \$78,161.

Supervisor Fisher explained the grant is to protect water quality. Erin Hanson, County Conservationist, explained the grant amount requested is derived from the practices that need to be installed at the site to correct the water quality issue. Soil & Water is always willing to work with landowners to identify sources of grant funds that apply to their particular site.

Typo noted on line 21 – change ‘this’ to ‘these’.

Motion carried by roll call vote with 16 Members voting Yes; 5 Members excused.

2018-07 Approval of Gift, Grant and/or Donation – Water Quality Targeted Runoff Management Program – SWCD

Motion by Fisher, seconded by Vlies Wotachek to approve Resolution 2018-07 – Approval and acceptance of the water quality Targeted Runoff Management Program Grants totaling \$247,246.

Supervisor Fisher explained this is for two small-scale grants water quality Targeted Runoff Management Program Grants through the Wisconsin DNR for the Silver Creek Headwaters Project in the amount of \$102,374 and for the Fabry Creek Headwaters Project in the amount of \$144,872. Grant funds will be used to cost-share structural best management practices to control polluted runoff and cost-share design assistance.

Motion carried by roll call vote with 16 Members voting Yes; 5 Members excused.

Ordinances

Report Amendment to the Zoning Map of Forestville – Steven Jorns

Motion by Fisher, seconded by Enigl to accept the report.

Supervisor Fisher reviewed the report. The rezoning is being sought because the farm market is being used for retail and as a community commercial kitchen neither of which can be authorized under the GA zoning district. Land Use Services Director Mariah Goode noted the rezoning request is for one lot. The department has been working with the owner of the property for two years. Discussion regarding the property survey not extending to the middle of the road.

Motion carried by unanimous voice vote.

2018-01 Amendment to the Zoning Map of Forestville – Steven Jorns

Motion by Fisher, seconded by Enigl to approve Ordinance 2018-01 – An ordinance amending the detailed zoning map of the Town of Forestville for Tax Parcel #010-00-05262511C2 to change the zoning from General Agricultural (GA) to Mixed Use Commercial (MC).

Supervisor R. Englebert explained the building on the property was used as a farm market prior to zoning coming into the township. The township recommends rezoning only the parcel with the market built on it.

Motion carried by roll call vote with 16 Members voting Yes; 5 Members excused.

Special Reports

Door County Humane Society & Wisconsin Humane Society – Carol Boudreau, Director DCHS and Anne Reed, President & CEO WHS – 9:45 a.m.
Due to the weather the report is delayed to next month's meeting.

New Business

No new business was presented.

Oral Committee Reports

No oral committee reports were presented.

Review Committee Minutes

Reviewed.

Review Vouchers, Claims and Bills

Reviewed.

Announcements

Next Regular County Board Meeting – February 27, 2018 – 10:00 a.m.

Meeting Per Diem Code

123.

Adjourn

Motion by Fisher, seconded by Schultz to adjourn. Time 9:31 a.m. Motion carried by voice vote.

Respectfully submitted by Jill M. Lau, County Clerk

**REGULAR MEETING
DOOR COUNTY BOARD OF SUPERVISORS
TUESDAY, FEBRUARY 27, 2018
DOOR COUNTY BOARD ROOM**

Call Meeting to Order

The February 27, 2018 meeting of the Door County Board of Supervisors was called to order at 10:00 a.m. by Chairman David Lienau.

Chairman Lienau led the Pledge of Allegiance to the Flag.

Roll Call by County Clerk

Roll call was taken – 19 County Board Members were present – Dan Austad, Helen Bacon, David Englebert, David Enigl, Roy Englebert, Ken Fisher, Randy Halstead, Jon Koch, Susan Kohout, David Lienau, Megan Lundahl, Mark Moeller, John Neinas, Nancy Robillard, Kathy Schultz, Steve Sohns, Richard Virlee, Laura Vlies- Wotachek, and Linda Wait. Joel Gunnlaugsson and Don Sitte were excused.

Presentation of Agenda

Motion by Moeller, seconded by Robillard to approve the agenda. Motion carried by unanimous voice vote.

Recognition – Cindy Zellner-Ehlers

Human Services Director Joe Krebsbach acknowledged the work that Cindy has done along with all of the accomplishments she has achieved over the past 35 years working for the County. Krebsbach presented Cindy with a Certificate of Appreciation. Cindy thanked the Board for their support and acknowledged her staff and co-workers.

Correspondence

Unassigned Fund Balance
Mrs. Jim Roberts – Thank You

Public Comment

Dan Powers, Redwood Pl, City of Sturgeon Bay, spoke on behalf of United to Amend requesting the resolution supporting a constitutional amendment to allow limits on campaign contributions and conducting a non-binding statewide referendum be placed on the March meeting agenda.

Supervisor Wait noted in the latest issue of the Wisconsin Counties Magazine has an update on the opioid litigation

Supervisor Vlies-Wotachek gave respect and recognition to Kewaunee County Board Supervisor John Pagel and his son-in-law Steve Witcpalek who recently passed away

Supervisors Response

None given.

Approval of Minutes of January 23, 2018 Regular Meeting

Motion by Koch, seconded by Sohns to approve the minutes of the January 23, 2018 regular meeting. Motion carried by unanimous voice vote.

Pending Business/Updates

No pending business was presented.

Resolutions

2018-08 Appointment of Door County Emergency Services Director

Motion by Koch, seconded by Vlies Wotachek to approve Resolution 2018-08 – Confirmation of Aaron LeClair as Door County's Emergency Services Director.

Administrator Pabich recommends the appointment of Aaron LeClair as Emergency Services Director and asks for confirmation of his appointment. Aaron has been very dedicated for many years to the county's emergency services department. Aaron thanked the board for the opportunity.

Motion carried by unanimous voice vote.

2018-09 Non Commercial Hangar Site Lease Agreement – Building #55, LaPlant

Motion by Austad, seconded by Schultz to approve Resolution 2018-09 – Approval to the Airport & Parks Committee to enter into a 10 year non-commercial hangar site lease agreement, with a 10 year renewal clause, for the parcel(s) of land on which Building No. 55 has been constructed.

Supervisor Austad explained this is a standard lease, over 3 years, which requires board action. Motion carried by roll call vote with 19 Members voting Yes; 2 Members excused.

2018-10 Grant of Easement to Wisconsin Public Service – LaSalle County Park

Motion by Austad, seconded by Sohns to approve Resolution 2018-10 – Authorization of an electric distribution easement to WPS...over, in and to a portion of property...to install, operate and maintain underground electric facilities. The location, length, and width of the easement is subject to review and approval

of the Parks Director and the terms and conditions of the easement document are subject to the final review, negotiation, and approval by the Corporation Counsel.

CC Thomas explained due to an electrical upgrade WPS has approached the county for an easement. Facilities and Parks personnel have inspected the area and have approved of the easement. Supervisor Kohout noted LaSalle County Park is not in the Town of Union; CC Thomas explained this has been corrected on the signed, original copy of the resolution.

Motion carried by unanimous voice vote.

2018-11 Salaries of Elective Officials

Motion by Fisher, seconded by D. Englebert to approve Resolution 2018-11 – A resolution establishing the total annual compensation for the Sheriff and Clerk of Circuit Court.

Supervisor Fisher questioned if the salary of the Sheriff should be reduced. Fisher has researched the comparable counties. Supervisor Fisher suggested the salary remain where it is now and be increased from there. Administrator Pabich noted the Law Enforcement Committee discussed. A motion was made to increase the starting pay rate; motion failed. Pabich also noted the Administrative Committee reviewed and approved. Sheriff Delarwelle has decided not to seek re-election. It was noted in 2014 the County reduced the salary of the sheriff's position because a new person was to be elected to the office. Pabich noted the reduction matches what the county does traditionally for employees. Pabich explained Elected Officials are not included in the county's compensation plan, however, based off of the County's pay plan the salary fits within it. Based on Door County's size and population the salary for the Sheriff is very competitive based on similar size counties. Supervisor Koch explained the Law Enforcement Committee did review and a motion to increase the starting salary \$1,500 failed. The Sheriff's position is a position of trust dealing with life and death situations on a regular basis. Supervisor Koch asked that the position itself be reviewed and based on the technicality of the job itself suggests the salary not be reduced.

Motion by Koch, seconded by Fisher to amend the resolution to reflect a salary of \$86,958 for years 2019 and 2020 with the percent of increase to start in 2021; year 2021 - \$87,696 and year 2022 - \$89,888.

Motion to amend carried by roll call vote with 12 Members voting yes – Austad, Bacon, R. Englebert, Fisher, Halstead, Koch, Moeller, Neinas, Robillard, Sohns, Virlee, and Vlies Wotachek; 7 Members voting no – D. Englebert, Enigl, Kohout, Lienau, Lundahl, Schultz, and Wait; 2 Members excused.

Motion to approve the resolution as amended carried by roll call vote with 18 Members voting Yes; 1 Member voting No – D. Englebert; 2 Members excused.

2018-12 Intergovernmental Agreement - Village of Egg Harbor Branch Library

Motion by Robillard, seconded by Lundahl to approve Resolution 2018-12 – Approval of the Intergovernmental Agreement.

CC Thomas explained the Village of Egg Harbor constructed a new facility which prompted a new agreement to be crafted. Both the Administrative Committee and Library Board have approved the agreement. Supervisor Enigl questioned if county owned materials are damaged who is responsible. CC Thomas explained the county would seek to hold the person who damaged responsible. The County's insurance would cover county owned items. Administrator Pabich will

work with the Village of Egg Harbor to include language on rental agreements covering damage reimbursement of county items. Supervisor Enigl questioned the contract specifically listing one person's email. CC Thomas noted changes to contacts will be updated as they occur. Supervisor Wait questioned routine cleaning. CC Thomas noted the county is to be good users of the space; there is a balance of responsibility as the occupant and the land owner.

Motion carried by roll call vote with 19 Members voting Yes; 2 Members excused.

2018-13 Committee Appointment

Motion by Lienau, seconded by Austad to approve Resolution 2018-13 – Confirmation of the appointment of Christopher Miotke to the CCS/CST Coordinating Committee.

Administrator Pabich explained the committee has youth involvement and this appointment fills that position. Motion carried by unanimous voice vote.

Ordinances

Report Repeal and Replace the Door County Floodplain Zoning Ordinance

Motion by Fisher, seconded by Kohout to accept the report.

Supervisor Fisher explained this is before the board again due to an error in publishing. No changes other than to meet the publication requirement.

Motion carried by unanimous voice vote.

2018-02 Door County Floodplain Zoning Ordinance

Motion by Fisher, seconded by Kohout to approve Ordinance 2018-02 -

Motion carried by roll call vote with 19 Members voting Yes; 2 Members excused.

Report Amendments to the Door County Land Division Ordinance

Motion by Fisher, seconded by Koch to accept the report.

Supervisor Fisher explained this is before the board again due to an error in publishing. No changes other than to meet the publication requirement.

Motion carried by unanimous voice vote.

2018-03 Amendments to the Door County Land Division Ordinance

Motion by Fisher, seconded by Moeller to approve Ordinance 2018-03.

Motion carried by roll call vote with 19 Members voting Yes; 2 Members excused.

Report Amendment to the Zoning Map of Baileys Harbor - Baumann

Motion by Fisher, seconded by Kohout to accept the report. Motion carried by unanimous voice vote.

2018-04 Amendment to the Zoning Map of Baileys Harbor - Baumann

Motion by Fisher, seconded by Koch to approve Ordinance 2018-04.

Supervisor Fisher explained an individual is selling land to a campground and the land required rezoning. This is supported by the Town of Baileys Harbor.

Motion carried by roll call vote with 19 Members voting Yes; 2 Members excused.

Special Reports

Report – Status Update – Canine Unit

Reviewed. Administrator Pabich noted at the end of each year a report will be brought before the Board outlining the expenditures and revenues. Supervisor Koch pointed out several items not related to the K-9 unit were expended and reminded Supervisors that the Crime Prevention Fund was set-up for more than just the K-9 unit.

Door County Housing Authority – Annual Report 2017

Reviewed.

Annual Report of Gifts, Grants, and Donations 2017

Reviewed.

New Business

No new business was presented.

Oral Committee Reports

No oral committee reports were presented.

Review Committee Minutes

Reviewed.

Discuss Vouchers, Claims and Bills

Administrator Pabich explained, on behalf of Finance Director Janiak, the Finance Department has moved into a new software financial system. The new software generates reports in a very different fashion. The reports can continue to be provided for the county board packet, however, it was noted the reports will be much longer. Reports will continue to be provided to the oversight committees. By consensus the board agreed they would like to continue to have the full report available for review and posted on the website.

Announcements

Wisconsin is Celebrating Women in Public Office

Next Regular County Board Meeting – March 27, 2018 – 9:00 a.m.

Meeting Per Diem Code

227.

Adjourn

Motion by Fisher, seconded by Virlee to adjourn. Time 11:07 a.m. Motion carried by voice vote.

Respectfully submitted by Jill M. Lau, County Clerk

**REGULAR MEETING
DOOR COUNTY BOARD OF SUPERVISORS
TUESDAY, MARCH 27, 2018
DOOR COUNTY BOARD ROOM**

Call Meeting to Order

The March 27, 2018 meeting of the Door County Board of Supervisors was called to order at 9:00 a.m. by Chairman David Lienau.

Chairman Lienau led the Pledge of Allegiance to the Flag.

Roll Call by County Clerk

Roll call was taken – 19 County Board Members were present – Dan Austad, Helen Bacon, David Englebert, David Enigl, Roy Englebert, Ken Fisher, Randy Halstead, Jon Koch, Susan Kohout, David Lienau, Megan Lundahl, Mark Moeller, John Neinas, Nancy Robillard, Kathy Schultz, Steve Sohns, Richard Virlee, Laura Vlies-Wotachek, and Linda Wait. Joel Gunnlaugsson and Don Sitte were excused.

Presentation of Agenda

Motion by Moeller, seconded by Koch to approve the agenda. Motion carried by unanimous voice vote.

Correspondence

Unassigned Fund Balance

Public Comment

Dick Baudhuin, Town of Sevastopol, asked for Board support for a safe harbor/launch ramp in Whitefish Dunes State Park

Supervisors Response

Supervisor Virlee responded that the County has previously researched a safe harbor at Schauer Park and he was supportive of the request.

Approval of Minutes of February 27, 2018 Regular Meeting

Motion by Sohns, seconded by Schultz to approve the minutes of the February 27, 2018 regular meeting. Motion carried by unanimous voice vote.

Pending Business/Updates

No new business or updates were presented.

Resolutions

2018-14 Proclamation – Celebrate Water Day, May 5, 2018

Motion by Fisher, seconded by Kohout to approve Resolution 2018-14 – Supporting of and promoting of May 5, 2018 as Celebrate Water Day in Door County, and urging the citizens of Door County to join in this special observance with appropriate events and commemorations throughout the year.

Administrator Pabich explained a non-profit group was formed through the Community Foundation. They intend to start a campaign in May with educational sessions and water promotion. A short video was shown from the group's website.

Motion carried by unanimous voice vote.

2018-15 Proclamation – Travel & Tourist Week, May 6-12, 2018

Motion by Bacon, seconded by Sohns to approve Resolution 2018-15 – Supporting of and promoting of May 6-12, 2018 as Travel and Tourism Week in Door County, and urging the citizens of Door County to join in this special observance with appropriate events and commemorations.

Administrator Pabich explained this is a yearly proclamation. The Visitors Bureau uses this in promoting Door County. The week ties into the entire state kick-off of the program.

Motion carried by unanimous voice vote.

2018-16 Approval of Land Lease and Tower Sale Agreement With Wisconsin Public Service Corporation Motion by Virlee, seconded by Bacon to approve Resolution 2018-16 – Approval of the Land Lease and Tower Sale with Wisconsin Public Service Corporation for the 'old' communications tower and related facilities situated on the County's Brussels Hill.

Supervisor Virlee explained the tower was determined to be surplus property and the County has been working on this for some time. CC Thomas noted the lease will be in place for the greater of 50 years or the useful life of the tower. The purchase price for the tower facilities is \$20,000. The removal of the improvements on the property at the end of the lease or useful life are the responsibility of WPS along with restoration of the parcel. CC Thomas noted interference of the equipment is of concern and covered in the lease.

Motion carried by roll-call vote with 19 Members voting Yes; 2 Members excused.

2018-17 County Snowmobile Trail Aid, 2018-19 Snow Season

Motion by Austad, seconded by Virlee to approve Resolution 2018-17 – Approval of the application for funds under Section 23.09(26), Wisconsin Statutes, for aid to counties for snowmobile purposes.

Supervisor Austad noted this is a yearly grant. Facilities and Parks Director Wayne Spritka reported the grant ranges from approximately \$65,000 to \$72,000 annually. Supervisor Enigl noted a clerical error on line 9 – remove “the”. Enigl questioned the wording for the oversight committee with changes of committees pending; it was noted the wording is for current committee names.

Motion carried by roll-call vote with 19 Members voting Yes; 2 Members excused.

2018-18 Cana Island Preservation-Rehabilitation-Restoration Project - Authorization to Proceed With Phase III Motion by Schultz, seconded by Enigl to approve Resolution 2018-18 – Authorization to proceed with Phase III of the project and approval of a transfer of up to \$75,000 from the Cana Island Preservation Reserve Fund to the Cana Island Restoration Fund and a transfer of up to \$365,000 from the Unassigned Fund Balance to the Cana Island Restoration Fund.

Administrator Pabich explained this has been reviewed by both the Airport & Parks Committee and the Finance Committee. To complete both Phase III and IV were too much at one time and therefore the phases have been broken into separate projects. Pabich reviewed the project and inclusions in Phase III as well as the funding of the anticipated costs. Pabich explained Cana Island is the County’s asset; the County partnered with the Maritime Museum to run the facility. The revenue from Cana Island pays for the operating expenses of the Maritime Museum and there is a formula and agreement of what needs to be placed in the fund accounts. Funds generated from Cana Island have limited uses.

Motion carried by roll-call vote with 18 Members voting Yes; 1 Member voting No – Vlies Wotachek; 2 Members excused.

2018-19 Appropriations for Breakwater Repairs - George K. Pinney County Park

Motion by Schultz, seconded by Virlee to approve Resolution 2018-19 – Approval of the transfer of \$24,363 from the Boat Launch Fee account to the George K. Pinney Break Water Repair expense line within the Parks budget, account for breakwater repairs.

Administrator Pabich noted a clerical error on line 6 – amount should be \$2,637. The breakwater repairs has been put out for RFP. A grant was received to off-set costs. The transfer allows for the repairs to be completed this spring.

Motion carried by roll-call vote with 19 Members voting Yes; 2 Members excused.

2018-20 Transfer Of Non-Budgeted Funds - Purchase and Installation of Northpoint Suite COMPAS Core Software for Door County Operation Fresh Start Program

Motion by Vlies Wotachek, seconded by Lundahl to approve Resolution 2018-20 – Approval of an amount not to exceed \$18,535 be transferred from the Inmate Trust Account Fund-Reserve for Subsequent Year’s Expenditures account to the Operation Fresh Start account to cover the estimated cost to purchase and install the Northpoint Suite Pre-Trial Assessment software.

Administrator Pabich explained Lt. Sternard is looking at a series of programs to implement in the jail. This program allows release of a person pre-trial. Approximately \$5,350 will be an annual maintenance fee which may be recovered through the program itself. Incidentals of the program will be paid for by the individual using the program.

Motion carried by roll-call vote with 19 Members voting Yes; 2 Members excused.

2018-21 Resolution Dissolving the Community Justice Coalition and Establishing a Door County Criminal Justice Collaborating Council

Motion by Koch, seconded by Schultz to approve Resolution 2018-21 – A resolution dissolving the Community Justice Coalition and establishing the Door County Criminal Justice Collaborating Council with the mission and initial membership as described, to operate pursuant to the by-laws.

Judge David Weber explained this is to formally recognize what the county has been informally doing. Formalizing this will allow for the application of grants. With the formalization the intent is to further research and establish a treatment court. The CJCC doesn't have any independent authority. No members of the council will be compensated.

Motion carried by unanimous voice vote.

2018-22 Approve Fiber Lateral Agreement with Lawrence University

Motion by Fisher, seconded by Schultz to approve Resolution 2018-22 – Approval of the Agreement for Lateral Extension of Fiber Optic Backbone with Lawrence University.

Administrator Pabich explained this has been reviewed by the Technology Services Committee. Lawrence University approached the County and needed to move faster than expected which didn't allow for the resolution to come before the Administrative Committee. This will be a 15 year agreement with 5 year extensions.

Motion carried by unanimous voice vote.

Ordinances

Report Amendment to the Zoning Map of Baileys Harbor

Motion by Fisher, seconded by Kohout to accept the report.

Supervisor Fisher reviewed the request explaining the rezoning request is being sought to establish agriculture, greenhouse (commercial floriculture and/or horticulture), and roadside stand uses on the parcel of land.

Motion carried by unanimous voice vote.

2018-05 Amendment to the Zoning Map of Baileys Harbor

Motion by Fisher, seconded by Koch to approve Ordinance 2018-05.

Motion carried by roll call vote with 18 Members voting Yes; 1 Member voting No – Enigl; 2 Members excused.

Report Comprehensive Zoning Ordinance Text Amendment

Motion by Fisher, seconded by Enigl to accept the report.

Supervisor Fisher reviewed the amendments noting the majority of the proposed amendments change the county's conditional use permit process requirements to match those of the state due to 2017 Wisconsin Act 67. The remaining amendments clean up various sections of the ordinance but do not change the interpretation or administration of the sections in question.

Motion carried by unanimous voice vote.

2018-06 Comprehensive Zoning Ordinance Text Amendment

Motion by Fisher, seconded by Kohout to approve Ordinance 2018-06.

Land Use Services Director Goode reviewed the rules for issuing Conditional Use Permits. Substantial evidence will be required; CC Thomas reviewed the definition of substantial evidence. Substantial evidence starts with the applicant and will

continue all the way through the process. Goode noted the municipalities will also need to provide substantial evidence not just in favor, or like the project any longer.

Motion carried by roll call vote with 19 Members voting Yes; 2 Members excused.

Report Shoreland Text Amendment

Motion by Fisher, seconded by Enigl to accept the report.

Supervisor Fisher reviewed the amendments explaining the Resource Planning Committee petitioned to amend the ordinance to add a section pertaining to allowing the reconstruction of illegally-established structures in the shoreland zoning areas. The amendment is required by state law. The remaining amendments replace “Planning” with “Land Use Services” Department.

Motion carried by unanimous voice vote.

2018-07 Shoreland Text Amendment

Motion by Fisher, seconded by Enigl to approve Ordinance 2018-

Motion carried by roll call vote with 19 Members voting Yes; 2 Members excused.

Special Reports

Recognition of Retiring Board Members, Mark Moeller and Don Sitte

Chairman Lienau, along with the Board, thanked Supervisor Moeller for his 13 years of service on the County Board. A formal resolution will be recognized at next month’s meeting for both supervisors.

New Business

No new business was presented.

Oral Committee Reports

No oral committee reports were presented.

Review Committee Minutes

Reviewed.

Discuss Vouchers, Claims and Bills

Reviewed.

Announcements

Next Regular County Board Meeting – April 17, 2018 – 9:00 a.m.

Committee Interest/Preference Form distributed – Returning Supervisors should complete and submit by next week. New members will be contacted following the election.

2018 County Officials Workshop – May 10, 2018 in Green Bay

Meeting Per Diem Code

723.

Adjourn

Motion by Fisher, seconded by Halstead to adjourn. Time 10:22 a.m. Motion carried by voice vote.

Respectfully submitted by Jill M. Lau, County Clerk

**REGULAR MEETING
DOOR COUNTY BOARD OF SUPERVISORS
TUESDAY, APRIL 17, 2018**

DOOR COUNTY BOARD ROOM

Call Meeting to Order

The meeting was called to order at 9:00 a.m. by County Clerk Jill Lau.

Lau led the Pledge of Allegiance to the Flag.

Roll Call by County Clerk to Establish a Quorum

Roll call was taken – 21 County Board Members were present – Daniel Austad, Helen Bacon, Bob Bultman, Vinni Chomeau, David Englebert, Roy Englebert, David Enigl, Ken Fisher, Joel Gunnaugsson, Randy Halstead, Jon Koch, Susan Kohout, David Lienau, Megan Lundahl, John Neinas, Nissa Norton, Nancy Robillard, Kathy Schultz, Richard Virlee, Laura Vlies Wotachek, and Linda Wait.

Judge D. Todd Ehlers presided over swearing in all Members of the Door County Board of Supervisors for the 2018-2020 term.

Orientation Session

Welcome and Introductions – Administrator Ken Pabich

County Board Structure and Governance – Corporation Counsel Grant Thomas – roles, duties and authority.

Legal Considerations – Corporation Counsel Grant Thomas - legal status/powers, how exercised, conflict of interest, ethics and incompatibility, open meetings, walking quorums, negative quorums, public records, and parliamentary procedure. Eligibility for Meeting Per Diem / Paperwork / Voting Procedure – County Clerk Jill Lau – meeting per diems, expense/per diem sheet, conflict of interest form and county board supervisor information sheet.

2018 proposed committee and board meeting schedule – Administrator Ken Pabich.

Finance – Finance Director Mark Janiak - County budget, adopted budget, budget schedule, unassigned fund balance, contingency fund, county sales tax, health insurance/workers compensation reports, 2019 Budget Schedule.

Human Resources – HR Director Kelly Hendee – overview of the departments duties including the hiring process, employee orientation, on-boarding process, employment laws, health insurance, compensation, and policy administration.

Continue with County Board Organizational Meeting

Election of the Chairperson of the Board

Nominations by ballot: David Lienau.

David Lienau was the only nominee for County Board Chairperson. Mr. Lienau was elected as County Board Chairperson by unanimous consent.

Election of Vice-Chairperson of the Board

Nominations by ballot: Roy Englebert, Ken Fisher, Jon Koch, and Susan Kohout.

Formal Vote Ballots cast for Vice-Chairperson of the Board: Ken Fisher elected Door County Board Vice-Chairperson by receiving a majority of the votes cast.

Review, Revise and Adopt the Rules of Order and Duties of the Standing Committees

The Rules of Order and Duties of the Standing Committees were reviewed.

Motion by Fisher, seconded by Schultz to adopt the Rules of Order and Duties of the Standing Committees as presented. CC Thomas reviewed a recommendation of the Administrative Committee to add a rule to authorize the payment of the cost of attendance at the Door County Economic Development Corporation for County Board Supervisors.

Motion by Gunnlaugsson, seconded by Enigl to approve the amendment of adding the DCEDC Annual Luncheon cost to the Rules of Order. Motion to amend carried by unanimous voice vote.

Motion to adopt the Rules of Order and Duties of Standing Committees, as amended, carried by unanimous voice vote.

Election of the Highway Committee and Chairperson

North – Nominations by ballot: Joel Gunnlaugsson and Randy Halstead.

Formal Vote Ballots cast for Highway Committee Member North: Joel Gunnlaugsson elected Highway Committee Member North by receiving a majority of the votes cast.

South – Nomination by ballot: Roy Englebert, Jon Koch, and John Neinas. Supervisor R. Englebert, and Supervisor Koch withdrew their names from nomination.

Motion by Fisher, seconded by Gunnlaugsson to unanimously elect John Neinas Highway Committee Member South. Motion carried by unanimous voice vote.

City – Nominations by ballot: Ken Fisher and Laura Vlies Wotachek.

Formal Vote Ballots cast for Highway Committee Member City: Ken Fisher elected Highway Committee Member City by receiving a majority of votes cast.

Member At-Large #1 – Nominations by ballot: Roy Englebert, Randy Halstead, and Laura Vlies Wotachek.

Formal Vote Ballots cast for Highway Committee Member At-Large #1: Roy Englebert elected Highway Committee Member At-Large #1 by receiving a majority of votes cast.

Member At-Large #2 – Nominations by ballot: Randy Halstead and Laura Vlies Wotachek

Formal Vote Ballots cast for Highway Committee Member At-Large #2: Randy Halstead elected Highway Committee Member At-Large #2 by receiving a majority of votes cast.

Highway Chairperson: Joel Gunnlaugsson, Ken Fisher, Roy Englebert and Randy Halstead withdrew their names from nomination. John Neinas was the only remaining nominee for Highway Chairperson. Mr. Neinas was elected as Highway Chairperson by unanimous consent.

Recess to allow Chairperson of County Board and County Administrator and selected others to confer regarding appointment of all committee, commissions and boards. Reconvene.

The board recessed at 10:40 a.m. and reconvened at 11:27 a.m. Committee appointments were distributed.

Presentation of Agenda

Motion by Robillard, seconded by Schultz to approve the agenda. Motion carried by unanimous voice vote.

Correspondence

WCA District Meeting Dates and Locations

WCA informational material (distributed on desks)

Invite/Information – Protecting Our Groundwater Event – Saturday, April 28, 9:00 a.m.

Email from Beth Coleman asking the Board to support the United to Amend resolution on today's agenda

Public Comment

Marcus Ritter, 1336 Utah St, spoke in favor of resolution 2018-33

Tom Thurman, 9135 Gibraltar Bluff Rd, spoke in favor of resolution 2018-33
Jim Black, 10811 Birchwood Dr, spoke in favor of resolution 2018-33
Dan Powers, 345 W Redwood Pl, updated the number of municipalities who have passed resolutions similar or the same as resolution 2018-33
Shirley Senarighi, 604 W Spruce Dr, spoke in favor or resolution 2018-33

Supervisor's Response

N/A.

Minutes of March 27, 2018 Regular Meeting

Motion by Fisher, seconded by Lundahl to approve the March 27, 2018 meeting minutes. Motion carried by voice vote.

Pending Business/Updates

No pending business or updates were presented.

Resolutions

2018-23 Recognizing Supervisor Mark Moeller in Service to the County Board

Supervisor Norton read the resolution aloud.

Motion by Norton, seconded by Enigl to approve Resolution 2018-23 - Expression of thanks and appreciation for Mark's service to the people of Door County and best wishes for the future.

Motion carried by unanimous voice vote.

2018-24 Recognizing Supervisor Don Sitte in Service to the County Board

Supervisor Bultman read the resolution aloud.

Motion by Bultman, seconded by Lundahl to approve Resolution 2018-24 - Expression of thanks and appreciation for Don's service to the people of Door County and best wishes for the future.

Motion carried by unanimous voice vote.

2018-25 Recognizing Supervisor Steve Sohns in Service to the County Board

Supervisor Chomeau read the resolution aloud.

Motion by Chomeau, seconded by Enigl to approve Resolution 2018-25 - Expression of thanks and appreciation for Steve's service to the people of Door County and best wishes for the future.

Motion carried by unanimous voice vote.

2018-26 Approval of Donation from the Friends of the Door County Park System, Inc. to the Parks Department

Motion by Austad, seconded by Lundahl to approve Resolution 2018-26 – Acceptance of the donation of \$16,800 from the Friends of the Door County Parks System, Inc. for the Ahnapee Trail Extension Project.

Adminstrator Pabich explained there was a shortage in funding for the project. Facilities & Parks Director Spritka worked with the Friends Group for additional funding. Paul Graf presented a check in the amount of \$16,800 for the project. Paul expressed his appreciation for the late George Pinney and the late Doug Rossberg who were influential in the Door County Parks System.

Motion carried by roll call vote with all 21 Members voting Yes.

2018-27 Lease Agreement – Wisconsin Public Service Corporation - Heritage Lake Road Site

Motion by Fisher, seconded by Bacon to approve Resolution 2018-27 – Approval of the Lease Agreement with WPSC for collocation at 7906 Heritage Lake Road.

CC Thomas explained the County entered into an agreement with WPS whereby the county allowed WPS to occupy some of the real estate and tower space on the county tower for exchange for the county to occupy real estate and space on WPS' Heritage Lake Road site tower. The lease agreement mimics the previous agreement and memorializes the agreement with WPS. This is a good example of public/private cooperation.

Motion carried by roll call vote with all 21 Members voting Yes.

2018-28 Disposition Of Real Estate Acquired by a Judgment Issued Under §75.521, Wis. Stats.

Motion by R. Englebert, seconded by Fisher to approve Resolution 2018-28 – Conveyance and disposition of P.I.N. 018-02-1432282H2 by quit claim deed to the Town of Liberty Grove in exchange for payment of \$956.31 and conveyance and disposition of P.I.N. 281-62-10000106 by quit claim deed to the City of Sturgeon Bay in exchange for payment of \$19,000.

CC Thomas explained two parcels of property were taken in a judgement that the County took last year under In Rem proceedings. One parcel is in the Town of Liberty Grove and the other parcel is in the City of Sturgeon Bay. The Town of Liberty Grove contacted the County as an interested party in acquiring the town parcel for purposes of preserving it and allowing it to be in public ownership. In exchange the town is willing to make payment in the amount of \$956.31 which represents the County's breakeven point with past due taxes, interest and penalties. The City of Sturgeon Bay contacted the County interested in the City parcel to facilitate some development. The payment for the City parcel is \$19,000. The City Council is expected to consider and act on acquiring the parcel at their next council meeting. The Finance Committee has considered this and believes it is a good idea.

Motion carried by roll call vote with all 21 Members voting Yes.

2018-29 Transfer of Non-Budgeted Funds, Purchase and Installation of Encartele-Cellcast Content Broadcasting Proposal for Door County Jail

Motion by Koch, seconded by Vlies Wotachek to approve Resolution 2018-29 – Approval of an amount not to exceed \$19,000 be transferred from the Inmate Trust Account Fund-Reserve for Subsequent Years' Expenditures account to cover the estimated cost to purchase and install the Encartele (Cellcast) Hardware, Software and Campaign Management.

Administrator Pabich explained this is related to hardware and software for the jail which allows the jail to issue notices to inmates as required by law.

Motion carried by roll call vote with all 21 Members voting Yes.

2018-30 2017 Carry Forwards from General Fund Accounts

Motion by Virlee, seconded by Wait to approve Resolution 2018-30 – Approval of the request made to transfer \$455,520.41 from the 2017 non-lapsing account to the respective 2018 non-lapsing accounts to be expended in 2018 budget year.

Administrator Pabich noted the carry forwards are for projects either already started but not completed or projects that were moved to 2018.

Motion carried by roll call vote with all 21 Members voting Yes.

2018-31 Approve Fiber Lateral Agreement - NWTC Learning and Innovation Center-Sister Bay

Motion by Fisher, seconded by Gunnlaugsson to approve Resolution 2018-31 – Approval of the Agreement for Lateral Extension of Fiber Optic Backbone with NWTC.

CC Thomas explained in 2014 the County entered into a partnership with Cellcom to participate in a project to place a fiber optic backbone throughout the county. It was decided to allow other defined public and private entities to attach to the fiber.

Motion carried by roll call vote with all 21 Members voting Yes.

2018-32 Establishing a Door County Committee for 980 Placements

Motion by Lienau, seconded by Bacon to approve Resolution 2018-32 – A resolution establishing a temporary committee as provided and for the purposes set for in §980.08(4)(dm), Wis. Stats.

CC Thomas explained the legislature deemed it appropriate to make a change to the statutes regarding release of sexually violent persons. Beginning on March 30th the change requires a released sexually violent person be placed in the county of their residence. As required by law the county must form a temporary committee. The committee will convene and begin looking for areas for placements. The committee will not be active unless it receives an order from the court regarding placement.

Motion carried by unanimous voice vote.

2018-33 Supporting a Constitutional Amendment to Allow Limits on Campaign Contributions & Conducting a Non-Binding Statewide Referendum

Motion by Kohout, seconded by Enigl to approve Resolution 2018-33 – A resolution calling upon our elected State Assembly Representative and State Senator and on the Wisconsin State Legislature to hold a non-binding state-wide referendum asking the voters if they wish the State of Wisconsin to support an Amendment to the United States Constitution stating: Only human beings are endowed with individual constitutional rights –not corporations, unions, non-profits or artificial entities (such as SuperPACs); and, Money is not speech, and therefore limiting political contributions and spending is not equivalent to limiting political speech.

Supervisor Kohout referred to and reviewed a number of related items included in the meeting packet. Discussion followed. Motion carried by a roll call vote of 19 Members voting Yes; 2 Members voting No – Fisher, and Lienau.

2018-34 Appointments to Committees, Commissions and Boards (to be handed out at the meeting)

The recommended appointments were reviewed. The Committees on Committees recommended changes to the make-up of two committees which affects the Rules of Standing Committees which will require an amendment to the Rules.

Motion by Austad, seconded by Fisher to approve Resolution 2018-34 – Confirmation of appointments to boards, commissions, and committees.

Motion to approve carried by unanimous voice vote.

Ordinances

Report Amendment to the Zoning Map of Jacksonport

Motion by Fisher, seconded by Kohout to accept the report.

Supervisor Fisher explained the actions of the RPC. The rezoning request for two parcels to be changed to the Mixed Use Commercial (MC) zoning district are being sought so that a non-motorized recreational equipment sales/service/rental facility may be established. The RPC recommends denial of the rezoning request of the two parcels. The RPC recommends approval of a modified zoning map amendment petition whereby only the southern 200' of the vacant 12.03-acre tax

parcel 016-00-22292744F1 will be rezoned from the Small Estate (SE) zoning district to the Light Industrial (LI) zoning district.

Motion carried by unanimous voice vote.

2018-08 Amendment to the Zoning Map of Jacksonport

Motion by Fisher, seconded by Enigl to approve Ordinance 2018-08 – An ordinance amending the detailed zoning map of the Town of Jacksonport to rezone the southern 200' of a vacant 12.03-acre parcel (Tax parcel 016-00-22292744F1) from the Small Estate (SE) zoning district to the Light Industrial (LI).

Motion carried by roll call vote with 21 Members voting Yes.

2018-09 Amendment of Chapter 11.05 Door County Code – All Terrain Vehicles & Utility Terrain Vehicles Routes

Motion by Neinas, seconded by Gunnlaugsson to approve Ordinance 2018-09 – Approval of the request from the Town of Nasewaupée to designate CTH C from CTH SB to Stone Road as an all-terrain vehicle route and utility terrain vehicle route.

Supervisor Neinas noted this is related to the ATV trails in Door County. As new routes are added the ordinance is amended. Motion carried by roll call vote with 21 Members voting Yes.

Special Reports:

2017 Department Annual Reports (in Annual Reports Folder on Q: Drive and Reports folder on County website)

The reports are posted on the county website.

New Business

No new business was presented.

Oral Committee Reports

No oral committee reports were presented.

Review Committee Minutes

Reviewed.

Review vouchers, claims and bills

Reviewed.

Announcements

Next County Board Meeting: Tuesday, May 22, 2018. 9:00 a.m.

Reminder: CB group and individual photos will be taken at the May meeting – please arrive no later than 8:30 a.m.!

WCA District Meeting – May 10, 8:00 a.m., Green Bay – See County Clerk Jill Lau for more details

WCA Fall Conference – September in LaCrosse

Highway Committee will be taking their annual road inspection. Please contact a member of the Highway Committee or Highway Commissioner John Kolodziej if you have any roads in your districts that need to be looked at.

Meeting Code

416.

Adjourn

Motion by Austad, seconded by Fisher to adjourn. Motion carried. Time 12:24 p.m. Recorded by County Clerk Jill M. Lau.

**REGULAR MEETING
DOOR COUNTY BOARD OF SUPERVISORS**

TUESDAY, MAY 22, 2018
DOOR COUNTY BOARD ROOM

Call Meeting to Order

The meeting was called to order at 9:00 a.m. by Chairman David Lienau. Lienau led the Pledge of Allegiance to the Flag.

Roll Call by County Clerk to Establish a Quorum

Roll call was taken – 18 County Board Members were present – Daniel Austad, Helen Bacon, Bob Bultman, Vinni Chomeau, David Englebert, Roy Englebert, Ken Fisher, Joel Gunnlaugsson, Randy Halstead, Jon Koch, David Lienau, John Neinas, Nissa Norton, Nancy Robillard, Kathy Schultz, Richard Virlee, Laura Vlies Wotachek, and Linda Wait. David Enigl, Susan Kohout, and Megan Lundahl were excused.

Presentation of Agenda

Motion by Halstead, seconded by Schultz to approve the agenda. Motion carried by unanimous voice vote.

Correspondence

Unassigned Fund Balance

Public Comment

Administrator Pabich introduced Dan Kane, the County's new Emergency Management/Communications Director. Dan gave a brief background of his experience.

Supervisors Response

None given.

Approval of Minutes of April 17, 2018 Regular Meeting

Motion by Virlee, seconded by Robillard to approve the minutes of the April 17, 2018 regular meeting. Motion carried by unanimous voice vote.

Pending Business/Updates

No pending business or updates were presented.

Resolutions

2018-35 Approval of Gift, Grant and/or Donation to the Facilities and Parks Department

Motion by Austad, seconded by Halstead to approve Resolution 2018-35 – Acceptance of the donation in the amount of \$3,617.69 for improvements to Robert M. Carmody Park to provide better accessibility and fishing opportunities for persons with disabilities.

Supervisor Austad explained the Sturgeon Bay Open Bass Tournament donated half of the monies to improve the dock at Carmody Park for handicap accessibility.

Motion carried by roll call vote with 18 Members voting yes; 3 Members excused.

2018-36 Non-Commercial Hangar Site Lease Agreements – Rose #14 & 15; Hakari #16

Motion by Neinas, seconded by Fisher to approve Resolution 2018-36 – Approval to the Highway & Airport Committee to enter into a 10 year non-commercial hangar site lease agreement, with a 10 year renewal clause, for the parcel(s) of land on which Building No. 14, 15, & 16 have been constructed.

Supervisor Neinas explained this is standard procedure to renew hangar leases. The lease agreement is for the land the hangar is built on.

Motion carried by roll call vote with 18 Members voting Yes; 3 Members excused.

2018-37 Highway Department: Purchase of Portable 400 KW Generator for Crushing Operations Motion by Neinas, seconded by Gunnlaugsson to approve Resolution 2018-37 – Authorization of the appropriation of \$98,000 for purchase of a 2006 Caterpillar XQ400 from the Fabick Equipment Company by the Door County Highway & Airport Department.

Supervisor Neinas explained it was anticipated the generator would be replaced next year however the unit failed. The Highway Department has been renting a generator to keep operations running. The rental company provided a refund of a portion of the rental fee towards the purchase of the used unit.

Motion carried by roll call vote with 18 Members voting Yes; 3 Members excused.

2018-38 Appointments to Committees, Commissions & Boards (Zoning Board of Adjustment)

Motion by Fisher, seconded by Koch to approve Resolution 2018-38 – Appointments to the Zoning Board of Adjustment – John Young (renewed appointment, Regular Member) term expires June 2021, Monica Nelson (appointment as regular member) term expires June 2021, and Lars Johnson (appointment as First Alternate) term expires June 2020.

Administrator Pabich reviewed the appointments. Motion carried by unanimous voice vote.

Ordinances

Report Comprehensive Zoning Ordinance Text Amendment

Motion by Fisher, seconded by Koch to accept the report.

Land Use Services Director Mariah Goode explained the amendments refer to site condominium sites, secondary dwelling units, conservation sub-divisions, and non-conforming uses.

Motion carried by voice vote.

2018-10 Comprehensive Zoning Ordinance Text Amendment

Motion by Fisher, seconded by Koch to approve Ordinance 2018-10.

Motion carried by roll call vote with 18 Members voting Yes; 3 Members excused.

Report Comprehensive Zoning Ordinance Text Amendment

Motion by Fisher, seconded by Koch to accept the report.

Land Use Services Director Goode explained the amendments relate to farm markets, roadside stands, and retail/tasting areas in non-commercial zoning districts.

Motion carried by voice vote.

2018-11 Comprehensive Zoning Ordinance Text Amendment

Motion by Fisher, seconded by Koch to approve Ordinance 2018-11.

Motion carried by roll call vote with 17 Members voting Yes; 1 Member voting No – Wait; 3 Members excused.

2018-12 Amendment of Chap. 11.05 Door County Code – All Terrain Vehicles & Utility Terrain Vehicles Routes

Motion by Neinas, seconded by Gunnlaugsson to approve Ordinance 2018-12. The amendment is to designate routes/roads in the Town of Baileys Harbor. Motion carried by roll call vote with 18 Members voting Yes; 3 Members excused.

2018-13 Amendment of §340.002, Door County Code

Motion by Neinas, seconded by Halstead to approve Ordinance 2018-13.

The amendment is to reduce the speed limit in front of the new BUG Fire Station. Motion carried by roll call vote with 18 Members voting Yes; 3 Members excused.

Special Reports

Wisconsin Humane Society - Alison Kleibor- Director of Animal Sheltering & Dan Miller - Door County Shelter Operations Manager

Alison Kleibor, Director of Animal Sheltering and Dan Miller Operations Shelter Manager presented a brief background of the changes implemented in January with Wisconsin Humane Society acquiring the Door County Humane Society.

CC Thomas reviewed the relationship between the Door County Campus and the County. The Humane Society has been designated as the “county pound” and have been acting in that capacity for over a decade. The Humane Society is entwined with the county’s rabies control program. When the County has animal seizure cases the Humane Society is the County’s resource. Administrator Pabich noted the County does make contributions to the Humane Society. The County’s agreements with the Humane Society will be reviewed and updated over the coming months

New Business

No new business was presented.

Oral Committee Reports

No oral committee reports were presented.

Review Committee Minutes

Reviewed.

Vouchers, Claims and Bills

Reviewed

Announcements

Next Regular County Board Meeting – June 26, 2018 – 9:00 a.m.

Tentative Grand Opening of the BUG Fire Station/South ES Station is scheduled for June 24th.

Meeting Per Diem Code

522

Adjourn

Motion by Fisher, seconded by Vlies Wotachek to adjourn. Time 9:38 a.m. Motion carried by voice vote.

Respectfully submitted by Jill M. Lau, County Clerk

**REGULAR MEETING
DOOR COUNTY BOARD OF SUPERVISORS
TUESDAY, JUNE 26, 2018
DOOR COUNTY BOARD ROOM**

Call Meeting to Order

The meeting was called to order at 9:00 a.m. by Chairman David Lienau. Lienau led the Pledge of Allegiance to the Flag.

Roll Call by County Clerk to Establish a Quorum

Roll call was taken – 19 County Board Members were present – Daniel Austad, Helen Bacon, Vinni Chomeau, David Englebort, Roy Englebort, David Enigl,

Ken Fisher, Joel Gunnaugsson, Randy Halstead, Susan Kohout, David Lienau, Megan Lundahl, John Neinas, Nissa Norton, Nancy Robillard, Kathy Schultz, Richard Virlee, Laura Vlies Wotachek, and Linda Wait. Jon Koch was excused. Absent: Bob Bultman (arrived at 9:05).

Presentation of Agenda

Motion by Austad, seconded by Lundahl to approve the agenda. Motion carried by unanimous voice vote.

Correspondence

Unassigned Fund Balance

Letter from Senator Tammy Baldwin re: Resolution 2018-33

Award Notification – “Best of the Midwest Media Fest 2018”

Supervisor Wait presented the award to Laddie Chapman, for his media presentation of “Door County Board Tours the New Community Center” on the Sevastopol Cable TV

Public Comment

None

Supervisors Response

None

Supervisor Bultman arrived at 9:05 a.m.

Approval of Minutes of May 22, 2018 Regular Meeting

Motion by Schultz, seconded by Virlee to approve the minutes of the May 22, 2018 regular meeting. Motion carried by unanimous voice vote.

Pending Business/Updates

No pending business or updates were presented.

Resolutions

2018-39 Non-Commercial Hangar Site Lease Agreements – Julie Vandermeersch #18 and Paul Carmody #61

Motion by Neinas, seconded by R. Englebert to approve Resolution 2018-39 – Approval to the Highway & Airport Committee to enter into a 10-year non-commercial hangar site lease agreement, with a 10-year renewal clause, for the parcel(s) of land on which Building No.18 & 61 have been constructed.

Supervisor Neinas explained this is standard procedure to renew hangar leases. Motion carried by roll call vote with 20 Members voting yes; 1 Member excused

2018-40 Washington Island Emergency Services Program

Motion by Gunnaugsson, seconded by Kohout to approve Resolution 2018-40 – A resolution outlining Door County collaboratively working with the Town of Washington to identify, obtain and develop alternative facilities from which Washington Island’s emergency services program will operate prospectively.

Supervisor Gunnaugsson explained that there is not enough room for the growth on the Island and what is needed. Town Chair Gordon Jaeger also spoke and stated that the town board adopted a resolution on moving forward on new Emergency Services. Administrator Pabich also showed the Supervisors on the Door County web page map where the county’s location is and the facilities that are currently there that they were considering to expand in to, but stated that the site is too small. The County does want to continue to work with the Town of Washington and will look for a new location for re-locating their services.

Motion carried by roll call vote with 20 Members voting yes; 1 Member excused

2018-41 Approval of Gift, Grant and/or Donation to the Door County Sheriff's office

Motion by Gunnlaugsson, seconded by Kohout to approve Resolution 2018-41 – Acceptance of the grant of cash valued at \$160,000 to the Door County Sheriff's Office for the purposes of funding the Pre-Booking Diversion Pilot Program.

Administrator Pabich explained that Jail Lieutenant Sternard has a program called Operation Fresh Start. This is to help with support and education once someone is released from jail, and also a Pre-Booking program to work with individuals to allow them to still contribute to the community. 2 Parts - one is a contracted service to work with the individual for some kind of counseling and the other part is the software for the pre-booking program.

Motion carried by roll call vote with 20 Members voting yes; 1 Member excused.

2018-42 Transfer of Non-Budgeted Funds – Emergency Management & Communications

Motion by Schultz, seconded by Wait to approve Resolution 2018-42 – to transfer up to \$20,000 from the Contingency Expense account, #100.06.1161.59103, to the Emergency Services Capital Outlay Expense account, 100.29.2112.69901 for the purpose of acquiring a vehicle for use by Door County's Emergency Management and Communications Director.

Supervisor Schultz explained this is needed to provide a vehicle for the Emergency Management Director. Administrator Pabich also gave further explanation on the need for this Command Vehicle for travel throughout the county and also for any response needed to an incident by the Emergency Management Director.

Motion carried by roll call vote with 20 Members voting Yes; 1 Member excused.

2018-43 Transfer of Non-Budgeted Funds – Door County Sheriff's Department

Motion by Schultz, seconded by Virlee to approve Resolution 2018-43 – Transfer up to \$24,000 from the Sheriff's Department Vehicle Replacement Reserve account #100.32113.0028, to the Sheriff's Department Vehicle Replacement Purchase Expense account, #100.28.69910, for the purpose of acquiring a replacement vehicle for use by Door County's Sheriff's Department.

Supervisor Schultz stated that a Sheriff's Department vehicle was totaled and that the fleet is now short one vehicle. Administrator Pabich stated that the car was slated to be replaced in 2019 so rather than wait on replacing the vehicle that is needed now, we are using the insurance money and advancing the money slated for replacement in 2019 and making the purchase.

Motion carried by roll call vote with 20 Members voting Yes; 1 Member excused.

Ordinances

New Business

2018 J1 Visa Students (Jingdezhen and Others)

Chairman Lienau introduced 3 students that work for him. He stated there will be 20 or 21 J-1 Visa students in the county this year.

Oral Committee Reports

No oral committee reports were presented.

Review Committee Minutes

Reviewed.

Vouchers, Claims and Bills

Reviewed

Announcements

Next Regular County Board Meeting – July 24, 2018 – 9:00 a.m.
WCA Annual Conference – September 23-25, 2018 – LaCrosse WI

Meeting Per Diem Code

626.

Adjourn

Motion by Fisher, seconded by Vlies Wotachek to adjourn. Time 9:30 a.m. Motion carried by voice vote.

Respectfully submitted by Barbara Pavlik, Chief Deputy, County Clerk

**REGULAR MEETING
DOOR COUNTY BOARD OF SUPERVISORS
TUESDAY, JULY 24, 2018
DOOR COUNTY BOARD ROOM**

Call Meeting to Order

The meeting was called to order at 9:05 a.m. by Chairman David Lienau. Lienau led the Pledge of Allegiance to the Flag.

Roll Call by County Clerk to Establish a Quorum

Roll call was taken – 20 County Board Members were present – Daniel Austad, Helen Bacon, Bob Bultman, Vinni Chomeau, David Englebert, Roy Englebert, David Enigl, Ken Fisher, Joel Gunnlaugsson, Randy Halstead, Susan Kohout, David Lienau, Megan Lundahl, John Neinas, Nissa Norton, Nancy Robillard, Kathy Schultz, Richard Virlee, Laura Vlies Wotachek, and Linda Wait. Jon Koch was excused.

Presentation of Agenda

Motion by Halstead, seconded by Lundahl to approve the agenda. Motion carried by unanimous voice vote.

Introduction:

Introduction of Jim Schuessler, Executive Director, Door County Economic Development Corporation Administrator Pabich introduced Jim. Jim presented a background of his many career accomplishments and reviewed the a few key issues DCEDC faces including workforce and housing.

Correspondence

Unassigned Fund Balance

Public Comment

Chairman Lienau wished Land Use Services Director Mariah Goode a Happy 'Milestone' Birthday.

Supervisors Response

N/A.

Approval of Minutes of June 26, 2018 Regular Meeting

Motion by Schultz, seconded by Virlee to approve the minutes of the June 26, 2018 regular meeting. Motion carried by unanimous voice vote.

Pending Business/Updates

No pending business or updates were presented.

Resolutions

2018-44 Statement of Project Intentions for Door County Cherryland Airport

Motion by Neinas, seconded by Gunnlaugsson to approve Resolution 2018-44 – A resolution contemplating requesting federal and/or state aid for the projects outlined.

Supervisor Neinas explained this is state mandated and a list must be provided. This does not mean the projects will move forward.

Motion carried by unanimous voice vote.

2018-45 Mutual Termination of Lease Agreement [Door County Medical Center – Former Central Ambulance Station]

Motion by Austad, seconded by Fisher to approve Resolution 2018-45 – Approval of the termination of the existing Lease Agreement expressly conditioned upon the County Administrator and Corporation Counsel negotiating and memorializing a mutual termination of lease agreement and release with the Door County Medical Center. Supervisor Austad explained the county leased the property the former ambulance station was on. Once the Central Station was moved to the new building on 14th Avenue the former station sat empty. The original lease was for 40 years. Supervisor Austad supports terminating the lease and giving the building to the Medical Center.

Motion carried by a roll call vote with 20 Members voting Yes; 1 Member excused.

2018-46 Support for Nsight's Application for a Public Service Commission of Wisconsin FY 2019 Broadband Expansion Grant

Motion by Lienau, seconded by Gunnlaugsson to approve Resolution 2018-46 – A resolution expressing strong support for expansion of broadband services on Washington Island. The support extends to Nsight's application for a Public Service Commission of Wisconsin FY 2019 Broadband Expansion Grant. In addition, a pledge, contingent upon the PSC of Wisconsin's award of a FY 2019 broadband expansion grant to Nsight, in the sum of \$1,000 toward broadband expansion on Washington Island.

Administrator Pabich noted there was a grant application last year however the project was not pursued after further review. Nsight has an opportunity to now run a fiber line when the Coop installs the new power line. The resolution supports the grant application and pledges \$1,000 toward the expansion. Supervisor Gunnlaugsson expressed his support noting this is a great opportunity to expand the services to the island.

Motion carried by roll call vote with 20 Members voting Yes; 1 Member excused.

2018-47 Increase of User Fees for Emergency Medical (Ambulance) Services

Motion by Gunnlaugsson, seconded by Schultz to approve Resolution 2018-47 – Approval of the emergency medical (ambulance) service user fees.

Administrator Pabich explained the fee schedule was previously established. Possible charges, for unknown reasons, dropped off the radar. There have been long discussions regarding lift assists which are currently not charged out. Various nursing facilities are using the service more often and the ES Department will be working with those facilities in hopes of lessening the calls. ES Director Aaron LeClair explained ALS – Advanced Life Support (once administering medications) and BLS – Basic Life Support (bandaging, supplies, etc.). Last year there were 1,787 calls not transported to the hospital; currently those calls are not charged out. About 480 of those calls would have fallen into the new proposed charges. Supervisor Austad questioned the Service Charge BLS which would be a new charge of \$250. Austad is concerned persons would be reluctant to call for an

ambulance knowing they may receive a \$250 charge. LeClair explained if the resolution passes as presented the department will have to develop internal policies to determine what qualifies charging the Service Charge BLS. Administrator Pabich explained once supplies and/or equipment is used that is what triggers the charge. Each call the department receives has a cost of \$1,234. LeClair explained the intent of bundling supplies into base rates; bundling is used for billing purposes which allows the department a greater opportunity to recover the supply charges. Supervisor Gunnlaugsson explained he did not vote for the resolution in committee because of the Service Charge BLS. Part of doing business and taxing is paying for the services. Gunnlaugsson believes people will be deterred from calling for ambulance services.

Motion by Austad, seconded by Gunnlaugsson to remove the Service Charge BLS - \$250. LeClair noted going forward, if the charge remains, the Paramedics will need to inform the patient up-front that charges may be incurred for any services provided. Discussion and concerns expressed regarding the charge. LeClair noted the rates have not been reviewed since 2013; going forward the rates will be reviewed yearly. Supervisor Kohout suggested allowing the department and committee further time to develop the policy related to the Service Charge BLS and possibly bring the charge back at a future meeting. Discussion of User Fees; Supervisors discussed the potential to review a lesser fee.

Motion to amend carried by a roll call vote with 16 Members voting Yes; 4 Members voting No - D. Englebert, Lundahl, Neinas, and Wait; 1 Member excused.

Motion as amended carried by a roll call vote with 19 Members voting Yes; 1 Member voting No – Wait; 1 Member excused.

New Business

2018 J1 Visa Students (Jingdezhen and Others)

CC Thomas introduced the students. Each student introduced themselves and spoke of their education and where they are working in Door County.

CC Thomas noted this is the second summer the County has had students from Jingdezhen.

Special Reports

Door Tran Presentation – Pam Busch – 9:15 a.m.

Nikki Voight, Door Tran, presented information on the history of Door Tran. Nikki noted elderly, disabled, and low income are the primary users of the service.

Human Services Director Joe Krebsbach noted Door Tran is the hub related to transportation. The public, Door to Door ride system, runs through the county. Joe reviewed the service area map. 44,000 rides were provided last year throughout the county. The ADRC bus provided 7,000 rides last year. State money along with County matching funds are used to obtain Federal money/grants. Two to seven taxis run 7 days per week. 2018 rides have increased 2-3% to date. Door Tran and Door to Door are not the same but a lot of things are worked on together.

Parks Tour Update – Parks Superintendent Ben Nelson

Parks Superintendent Nelson presented a PowerPoint with a brief overview of the recent parks tour. The Board recessed at 10:45 a.m. and reconvened at 11:06 a.m.

Ordinances

Report - Amendment to the Zoning Map of Sevastopol – Cisewski

Motion by Fisher, seconded by Enigl to accept the report.

Supervisor Fisher reviewed the report included in the meeting packet. In summary, one neighbor wants to sell a portion of land to another neighbor and they had to rezone in order to accomplish the sale. The Town of Sevastopol unanimously supports the zoning change.

Motion carried by unanimous voice vote.

2018-14 Amendment to the Zoning Map of Sevastopol – Cisewski

Motion by Fisher, seconded by Enigl to approve Ordinance 2018-14 – An ordinance ordaining an amendment to the detailed zoning map of the Town of Sevastopol to rezone a 0.98-acre parcel Tax parcel 022-02-23282641G1 from the Estate (ES) zoning district to the Single Family Residential 20,000 (SF20) zoning district.

Motion carried by roll call vote with 20 Members voting Yes; 1 Member excused.

2018-15 Amendment of Chapter 12 Door County Code

Motion by Austad, seconded by Fisher to approve Ordinance 2018-15 – An ordinance amending sub-chapter 12.02 of the Door County Code.

Supervisor Austad explained currently no camping is allowed in county parks. Each spring, on Cana Island, a group of Boy Scouts has been, and would like to continue, to camp and perform maintenance work on the island. This ordinance allows the Parks Director to authorize camping on a case by case basis. Austad expressed concerns regarding fishermen entering the parks outside of the open hours. CC Thomas explained he shortened the original version of the ordinance and allowed exceptions to opening and closing hours at the discretion of the Parks Director or Parks Superintendent. Allowing staff to grant exceptions should alleviate any concerns. Supervisor Lundahl expressed concerns with the opening/closing hours. CC Thomas explained the hours have been on the books since 1988. Supervisor Austad expressed concerns with the wording “written permission”. How does a person obtain this? CC Thomas noted Facilities & Parks Director Spritka could offer a written permission that fishermen are allowed to access docks anytime during the fishing season. Supervisor Kohout suggested adopting the ordinance revision along with asking the Facilities & Parks Committee to further review the opening/closing hours of the parks to determine if further revisions to the ordinance are needed.

Motion carried by roll call vote with 19 Members voting Yes; 1 Member voting No – Neinas; 1 Member excused.

2018-48 Capital Improvements Plan 2019-2023

Motion by Schultz, seconded by Vlies Wotachek to approve Resolution 2018-48 – Approval of the Capital Improvements Plan 2019-2023.

Administrator Pabich reviewed the information included in the meeting packet. Pabich reminded the Board this is a planning process which can be amended. Today’s adoption does express intention to include the 2019 projects in the budget. End result is approximately a 2% increase. Target range is approximately \$4.5M of capital projects per year.

Motion carried by roll call vote with 20 Members voting Yes; 1 Member excused.

Oral Committee Reports

No oral committee reports were presented.

Review Committee Minutes

Reviewed.

Vouchers, Claims and Bills

Reviewed.

Announcements

Next Regular County Board Meeting – August 28, 2018 – 9:00 a.m.
WCA Annual Conference - September 23-25, 2018 - La Crosse, WI

Meeting Per Diem Code

427.

Adjourn

Motion by Fisher, seconded by Enigl to adjourn. Time 11:39 a.m. Motion carried by voice vote.

Respectfully submitted by Jill M. Lau, County Clerk

**REGULAR MEETING
DOOR COUNTY BOARD OF SUPERVISORS
TUESDAY, AUGUST 28, 2018
DOOR COUNTY BOARD ROOM**

Call Meeting to Order

The meeting was called to order at 9:00 a.m. by Chairman David Lienau.

Lienau led the Pledge of Allegiance to the Flag.

Roll Call by County Clerk to Establish a Quorum

Roll call was taken – 18 County Board Members were present – Daniel Austad, Helen Bacon, Bob Bultman, Vinni Chomeau, David Englebert, Roy Englebert, David Enigl, Ken Fisher, Randy Halstead, Susan Kohout, David Lienau, Megan Lundahl, John Neinas, Nissa Norton, Nancy Robillard, Kathy Schultz, Richard Virlee, and Laura Vlies Wotachek. Joel Gunnlaugsson, Jon Koch and Linda Wait were excused.

Presentation of Agenda

Motion by Halstead, seconded by Enigl to approve the agenda. Motion carried by unanimous voice vote.

Correspondence

Unassigned Fund Balance

Supervisor Kohout received a lovely note from a person in her district who attended the fair with her family

Approval of Minutes of July 24, 2018 Regular Meeting

Motion by Virlee, seconded by Schultz to approve the minutes of the July 24, 2018 regular meeting. Motion carried by unanimous voice vote.

Public Comment

No comments were given on any agenda item. Chairman Lienau stated he would take further public comments regarding the reclassification agenda item prior to the board taking up that issue.

Supervisors Response

N/A.

Special Reports

Partnership for Children & Families – Candis Dart and Rebecca Nicholson

Supervisor Helen Bacon presented a brief introduction. This is a wonderful example of public/private participation coming together to solve problems identified through collaboration of multiple organizations.

Candis Dart, Coordinator, provided an overview of the mission, future plans, partners, and funding sources for the Partnership for Children & Families.

Rebecca Nicholson, Community Connector, provided a background on how she became involved with the Partnership for Children & Families. Rebecca connects Door County parents who are either reluctant to receive services or do not know where to get services with services and help.

New Business

Presentation of County Fairest of the Fair Claire Olson by Supervisor Laura Vlies Wotachek – 9:10 a.m.

Supervisor Laura Vlies Wotachek presented a background on the establishment of the Fairest of the Fair program. Supervisor Vlies Wotachek introduced Helen Parks, Junior Fairest of the Fair and Claire Olson, Fairest of the Fair. Helen and Claire each presented their backgrounds including their interests, involvement, and educational experiences and interests.

Pending Business/Updates

No pending business or updates were presented.

Resolutions

2018-49 Non-Commercial Hangar Site Lease Agreement - Ben Stephen #31

Motion by Neinas, seconded by Halstead to approve Resolution 2018-49 – Approval to the Highway & Airport Committee to enter into a 10-year non-commercial hangar site lease agreement, with a 10-year renewal clause for the parcel(s) of land on which Building No. 31 has been constructed.

Supervisor Neinas explained this is a standard lease agreement approved by the committee. It's before the board due to a 10-year lease term.

Motion carried by roll call vote with 18 Members voting Yes; 3 Members excused.

2018-50 Proclamation: Library Card Sign-up Month – September

Supervisor Lundahl read the proclamation aloud.

Motion by Lundahl, seconded by Vlies Wotachek to approve Resolution 2018-50 – A resolution proclaiming September Library Card Sign-up Month in Door County, Wisconsin and encouraging everyone to sign up for their own library card.

Motion carried by unanimous voice vote.

2018-51 Committee Appointment – CCS/CST Coordinating Committee

Motion by Lienau, seconded by Fisher to approve Resolution 2018-51 – Confirmation of the appointment of Jamie Cole to the CCS/CST Coordinating Committee.

Motion carried by unanimous voice vote.

2018-52 Grant of Easement To Sturgeon Bay Utilities John Miles County Park

Motion by Austad, seconded by Kohout to approve Resolution 2018-52 – A resolution authorizing the grant of a non-exclusive utility easement to Sturgeon Bay Utilities as to a portion of Parcel #281-62-11000113, located in the City of Sturgeon Bay, County of Door, State of Wisconsin.

Supervisor Austad explained this is an underground easement. Administrator Pabich explained the easement is for the tower housed there. Conduit, for future use, will be installed.

Motion carried by roll call vote with 18 Members voting Yes; 3 Members excused.

2018-53 Transfer of Non-Budgeted Funds – Facilities & Parks Department, Replace Boiler At Justice Center

Motion by Schultz, seconded by Virlee to approve Resolution 2018-53 – Approval of the transfer of an amount up to \$40,000 from the Building Equipment Replacement Reserve Account to Facilities & Parks – Repairs & Maintenance, Justice Center, to replace Boiler #2.

Supervisor Schultz explained boiler # 2 suffered a catastrophic failure and has been deemed unrepairable. The Finance Committee recommends the transfer.

Motion carried by roll call vote with 18 Members voting Yes; 3 Members excused.

2018-54 Transfer of Non-Budgeted Funds – Human Services, LTE for ADRC Transportation Program

Motion by Schultz, seconded by Kohout to approve Resolution 2018-54 – Approval of the transfer of an amount not to exceed \$16,200 from the Contingency Expense Account to the ADRC Part-Time Salary & Wages, Social Security and Workers Compensation Accounts for the LTE.

Administrator Pabich explained the program will be running a deficit this year, estimated at \$32,000, with anticipated deficits in 2019. Requesting to bring a position on that can dive in to the program and develop a plan to move forward. There is an immediate need to hire a person now as RFP's need to be out by March. \$32,400 is needed for 2018 for the position with 50% of the costs covered by the program's funds. The position is budgeted next year offset by federal grants.

Motion carried by roll call vote with 18 Members voting Yes; 3 Members excused.

2018-55 Approval of Agreement to Amend County Administrator Contract

Motion by Lienau, seconded by Fisher to approve Resolution 2018-55 – Approval of the Agreement to amend County Administrator Contract.

Chairman Lienau reviewed information included in the meeting packet. The Administrative Committee did complete the evaluation of Administrator Pabich. The contract changes were approved by the Administrative Committee.

Motion carried by roll call vote with 18 Members voting Yes; 3 Members excused.

Ordinances

Report Comprehensive Zoning Ordinance Text Amendment

Motion by Fisher, seconded by Enigl to accept the report.

Supervisor Fisher explained the petition is to amend the Door County Comprehensive Zoning Ordinance with regard to the rental of Secondary Dwelling Units and to prohibit sleeping places within other accessory structures.

Zoning Administrator Sue VandenLangenberg gave further explanation; language was added and further controls were put in place. The changes are to bring the County's ordinance in to compliance with the state rules and to limit the accessory structures from turning in to commercial uses.

Motion carried by unanimous voice vote.

2018-16 Comprehensive Zoning Ordinance Text Amendment

Motion by Fisher, seconded by Enigl to approve Ordinance 2018-16.

Motion carried by roll call vote with 17 Members voting Yes; 1 Member voting No – Halstead 3 Members excused. The Board recessed at 10:15 a.m. and reconvened at 10:25 a.m.

New Business

Public Comment related to Reclassification of Jailer and Other Positions

Sheriff Steve Delarwelle stated jailers have been protected status since 1975. Before implementation of Act 10 counties were split 50/50 classifying their jailers as protective or general municipal employee. After Act 10 approximately 20 more counties changed the jailer's status to general municipal employee. Delarwelle reviewed the criteria of the Employee Trust Fund (ETF) to determine the status of a position. Sheriff Delarwelle supports the Jailer position remaining as protective status. It is Sheriff Delarwelle's position that Door County Jailers participate in active law enforcement just as much as Patrol Deputies.

Chief Deputy Pat McCarty echoed the comments of Sheriff Delarwelle. Currently the structure of the department allows a jailer to transition out to patrol. The skills learned in the jail allows the jailer to do this.

Jail Lt. Tammy Sternard whole heartedly agreed with Sheriff Delarwelle and Chief Deputy McCarty. Lt. Sternard noted the jails using civilian jailers often times have to call in deputies off of the road for situations. The jail is getting more and more complicated due to mental health and drug issues. Often time physical force is used. Turnover rates are expected to rise if the jailers are reclassified to general municipal employee status. As a County we have an obligation to protect the people that protect us.

John Delebreaux, Part-Time Jail Deputy, commented once you move the jailer position to general municipal status moral goes down and turnover starts. Duty disability is important. Taking protection away takes away duty disability which offers 3x as much coverage as regular disability. Retirement age increases if the jailer position is moved to general municipal employee status.

TJ Parins, representing the Door County Deputy Sheriff's Association, Door County Jailers are hired as Deputy Sheriff's; they require the same training and conditioning as Patrol Deputies. When looking at the job duties of Door County's jailers they are much different than other counties. Most other counties call in a patrol deputy to investigate situations in the jail, whereas, Door County's jailers handle those situations in the jail. Parins noted Door County Jailers deal, on a day-to-day basis, with the worst mental health and drug addicted persons.

Carey Jeanquart, 23 years with the Sheriff's Department and current Midnight Supervisor in the Jail, commented on the job duties of his position.

Tom Brown, Sister Bay, WI, suggested the Board consider the risk management aspect. What's going to happen when there is a significant incident and it falls in the lap of the County?

Scott Lohman, Second Shift Supervisor in the Jail, 8 years employed, thanked the County for hiring him.

What the County has is unique; great staff and administration. Often times the jail is working at minimum staff. The job is not getting any easier.

Joseph Dalhoff, Full Time Security Deputy, thanked the Board for the opportunity. Moved here for the protective status; may not be able to stay if the protective status is changed.

Discussion only: Reclassification of Jailer and Other Positions from Protective Occupation Participants to General §§ 40.06(1)(d), 40.02(48)(a), & 111.70, Wis. Stats.

CC Thomas defined the issue before the board today is for informational purposes only. Materials included in the meeting packet were referred to. The primary issue is whether the jailers should be classified protective or general. One of the issues is why now. It dovetails back into Act 10; Act 10 does not require the change. Act 10 removed the ability to be represented by collective bargaining except for Public Safety Employees. If the Jailers are moved to General Municipal Employees those employees would no longer be represented. Changing the status doesn't mean the bar or qualifications will be lowered. CC Thomas suggested Board Members review the case law. Jailers can still serve as a feed for the patrol positions as they do now; this can change but the Board does not have to change. 62 of the 72 counties have made the change from protective to general. General liability – no indication that the change in status has equated to a change in liability or claims in the counties that have made the change. Wisconsin ETF Board determined, 100% of time, that jailers are not protective class participants they are general municipal employees. When you look at the statutes it lists protective occupation participants, Jailers are not there. The Board has to apply the three part test as determined by State Statute. The Board has the ability to make the decision; the decision must be in accordance with the law. Thomas encouraged Board Members to thoroughly review the case decisions, case law, and Wisconsin State Statutes. It is entirely within the prevue of the Board to treat the current jailers the same as the County treated the employees who transitioned from being represented to non-represented following Act 10. Discussion followed.

HR Director Hendee noted over 200 employees transitioned from represented to non-represented in 2014. A number of sessions were held to hear concerns. Communication is key. Hendee reviewed information included in the meeting packet – a brief overview of the potential change. Hendee explained the County's consultant performed a review on the jailer position to establish the rate of pay for jailers. Training and experience aren't expected to change. The County can have as robust of a training program as they choose. The recruiting process won't change. The County is a good employer and provides their employees with good pay and benefits. The average years of experience within Door County Government is over 10 years.

Administrator Pabich explained the reason the Board is considering this now is the Sheriff Deputy's Contract expires at the end of the year. The County could have made the change before now however they chose to honor the contract that was in place. Administrator Pabich noted the most important thing about this decision is how we treat the employees. Pabich reviewed the fiscal impacts. Pabich explained there is a bill pending that would allow jailers to choose, one-time, to be protected status. Pabich noted the County could actively work with WCA to get that bill passed. It is expected to be brought back in the next legislative session. Pabich needs to consider all things. The County needs to transition into a stronger financial position going forward. It is the intent to bring this issue back to the Administrative Committee with a full County Board decision at the September meeting. Operations, training, and fair treatment of employees doesn't have to change. The Board needs to address the wages, benefits, and overtime; all issues that no one wants to address.

Discussion followed. Chairman Lienau explained Board Members have a month to research and think about the issue. The issue will go back to the Administrative

Committee for further review and come before the full Board in September for a decision.

Oral Committee Reports

No oral committee reports were presented.

Review Committee Minutes

Reviewed.

Vouchers, Claims and Bills

Reviewed.

Announcements

Next Regular County Board Meeting – September 27, 2018 – 9:00 a.m.

WCA Annual Conference - September 23-25, 2018 - La Crosse, WI

Order your polo shirts for WCA and let County Clerk Lau know if you want to order today

Employee Appreciation Picnic – September 14th at the GC, September 21st at the JC

Meeting Per Diem Code

828.

Adjourn

Motion by Fisher, seconded by Enigl to adjourn. Time 11:55 a.m. Motion carried by voice vote. Respectfully submitted by Jill M. Lau, County Clerk

**REGULAR MEETING
DOOR COUNTY BOARD OF SUPERVISORS
TUESDAY, SEPTEMBER 27, 2018
DOOR COUNTY BOARD ROOM**

Call Meeting to Order

The September 27, 2018 Door County Board of Supervisors meeting was called to order at 9:00 a.m. by Chairman David Lienau at the Door County Government Center.

Lienau led the Pledge of Allegiance to the Flag.

Roll Call by County Clerk to Establish a Quorum

Roll call was taken – 21 County Board Members were present – Daniel Austad, Helen Bacon, Bob Bultman, Vinni Chomeau, David Englebert, Roy Englebert, David Enigl, Ken Fisher, Joel Gunnlaugsson, Randy Halstead, Jon Koch, Susan Kohout, David Lienau, Megan Lundahl, John Neinas, Nissa Norton, Nancy Robillard, Kathy Schultz, Richard Virlee, Laura Vlies Wotachek, and Linda Wait.

Presentation of Agenda

Motion by Halstead, seconded by Lundahl to approve the agenda. Motion carried by unanimous voice vote.

Correspondence

No correspondence was presented.

Public Comment

Barb Graul, 354 S 15th Court, on behalf of League of Women Voters, commented regarding groundwater protection and collaboration. Urged the Board to support the revisions of NR151.

Casey Janke, Door County Jailer, commented regarding the reclassification of the jailer positions.

Bobbi Gilson, Door County Jailer, commented on the operations and staff of the Door County Jail.

Blake Luebker, Deputy Jailer, commented regarding the protective status currently in place in the Jail.

Mark Schwartz, Court Security Deputy, commented regarding the responsibilities and incidents within the Jail. Deputy Schwartz read a letter from Judge D. Todd Ehlers, and Judge David Weber regarding the reclassification of the Court Security Deputies.

Ron Lang, 2010 High View Rd, Sister Bay, commented regarding the reclassification of the jailer positions.

Kyle Veeseer, President Door County Deputy Sheriff's Association, commented regarding the reclassification of the jailer position.

Mark Bartels, representing the Door County Deputy Sheriff's Association, commented on and reiterated points from a letter previously sent by TJ Parins regarding the reclassification of the jailer positions.

Terry Vogel, former Door County Sheriff, commented regarding the history, pay and benefits of Door County Deputies.

Jail Lieutenant Tammy Sternard, commented regarding the reclassification of the jailer positions, the Jail Lieutenant position and the Court Security positions.

Chief Deputy Pat McCarty, commented regarding the reclassification of the jailer positions.

Door County Sheriff Steve Delarwelle, commented regarding the reclassification of the jailer positions, Jail Lieutenant position and the Court Security positions.

Sturgeon Bay Police Chief Arleigh Porter, commented regarding the reclassification of the jailer positions.

Supervisors Response

None given.

The Board recessed at 10:19 a.m. and reconvened at 10:33 a.m.

Approval of Minutes of August 28, 2018 Regular Meeting

Motion by Fisher, seconded by Virlee to approve the minutes of the August 28, 2018 regular meeting. Motion carried by unanimous voice vote.

Pending Business/Updates

No pending business or updates were presented.

Resolutions

2018-56 Non-Commercial Hangar Site Lease Agreements: Pierre Vandermeersch #19, William Hale #53

Motion by Neinas, seconded by Fisher to approve Resolution 2018-56 – Approval to the Highway and Airport Committee to enter into a 10-year non-commercial hangar site lease agreement, with a 10 year renewal clause, for the parcel(s) of land on which Building No. 19 & 53 have been constructed.

Supervisor Neinas noted this is before the Board due to the length of the lease. Motion carried by roll call vote with all 21 Members voting Yes.

2018-57 Petition the Secretary of Transportation for Airport Improvement Aid by Door County Cherryland Airport, Door County, Wisconsin

Motion by Neinas, seconded by R. Englebert to approve Resolution 2018-57 – A resolution to approve a petition for Federal and/or State Aid.

Administrator Pabich explained the Board is giving approval to submit projects to determine if the County can qualify/apply for Federal and/or State aid.

Motion carried by roll call vote with all 21 Members voting Yes.

2018-58 Approval of EPCRA County-Wide Strategic Plan

Motion by Gunnlaugsson, seconded by Koch to approve Resolution 2018-58 – A resolution approving the proffered Emergency Planning and Community Right-to-Know Act (EPCRA) County-Wide Strategic Plan.

Supervisor Gunnlaugsson explained this allows the county to receive grants/funding. Supervisor D. Englebert requested the map within the plan be updated to reflect correct roadways such as the 42-57 corridor.

Motion carried by roll call vote with all 21 Members voting Yes.

2018-59 Committee Appointment

Motion by Fisher, seconded by Gunnlaugsson to approve Resolution 2018-59 – Confirmation of the appointments of Sue Powers and Bob Mayer to the Local Emergency Planning Committee (LEPC).

Administrator Pabich explained a review of the members of the committee was completed. Term ending date reviewed. It was noted most members will naturally carry-over to another term.

Motion carried by unanimous voice vote.

2018-60 Authorize Application for and Acceptance of Financial Assistance for Robert La Salle County Park Prairie Planting

Motion by Austad, seconded by Virlee to approve Resolution 2018-60 – Authorization for the Parks Superintendent, subject to the oversight of the Facilities & Parks Committee, to: act on behalf of Door County, prepare and submit a County Conservation Aids grant application, accept any grant award and related donation, sign necessary documents, administer any County Conservations Aids grant, and take any and all action necessary to complete the proposed project.

Supervisor Austad explained this is to apply for a grant for the prairie grass planting at LaSalle County Park. The grant requires a 50% match which the Friends of the Parks agreed to donate.

Motion carried by roll call vote with all 21 Members voting yes.

2018-61 Grant of Easement to WPSC – Cana Island

Motion by Austad, seconded by Halstead to approve Resolution 2018-61 – Authorization of the granting of a non- exclusive utility easement to Wisconsin Public Service Corporation as to a portion of property to construct, install, operate, inspect, maintain, repair, replace, abandon and remove facilities used in connections with the underground transmission and distribution of electricity. The location, length and width of the easement is subject to final review, negotiation, and approval of the Facilities & Parks Director and the terms and conditions of easement document are subject to final review, negotiation, and approval of the Corporation Counsel.

Supervisor Austad explained WPS would like to install underground wiring to the lighthouse and eventually across the causeway. This resolution deals with the easement on the island itself.

Motion carried by unanimous voice vote.

2018-62 Appointment of Door County Finance Director

The County has gone through an extensive process to find a new Finance Director. Administrator Pabich announced and introduced Steve Wipperfurth as Door County's Finance Director. Steve thanked the County Administrator, the Interview Committee, and current Finance Director Mark Janiak and noted he looks forward to new challenges and opportunities.

Motion by Fisher, seconded by Vlies Wotachek to approve Resolution 2018-62 – Confirmation of the appointment of Steve Wipperfurth as Door County's Finance Director.

Motion carried by unanimous voice vote.

2018-63 Resolution in Support of Increased County Child Support Funding

Motion by Norton, seconded by Bultman to approve Resolution 2018-63 – A resolution requesting that state funding for county child support agencies be increased by \$1.5M GPR in each fiscal year of the 2019-21 Wisconsin state budget.

CC Thomas explained the funding has remained static for approximately 11 years. The resolution encourages increased funding from both the Federal and State governments.

Motion carried by unanimous voice vote.

2018-64 In Support of Increasing the Compensation for Defense Counsel Appointed by the Wisconsin Public Defender's Office

Motion by Robillard, seconded by Vlies Wotachek to approve Resolution 2018-64 – A resolution urging the State of Wisconsin to provide sufficient resources to the Wisconsin State Public Defender's Office to ensure the criminal justice system operates effectively and efficiently, including increasing the rate of pay for state-funded SPD

appointments to \$100 per hour and tie future increases to the rate of inflation.

CC Thomas explained the funding for the State Public Defenders Office directly impacts the county. If someone is found ineligible for Public Defender representation or there are not attorneys willing to take cases at the rate the State Public Defender pays the burden falls to the County to appoint and pay for counsel. The State Public Defender provides counsel in both criminal and civil cases. The resolution asks for increased funding to level off the playing field.

Motion carried by unanimous voice vote.

2018-65 Part Time Pay Rates (Replacing Resolution #2017-67)

Motion by Fisher, seconded by Kohout to approve Resolution 2018-65 – Approval of the part time pay rates.

Administrator Pabich reviewed the recommended changes which include Stand-by Bridgetender, Class V Security in Parks, Museum Director and Assistant Curator.

Motion carried by roll call vote with all 21 Members voting Yes.

2018-66 New Position Requests for 2019 (Increase of Hours, Reclassifications, New Positions)

Motion by Schultz, seconded by Austad to approve Resolution 2018-66 – Approval of the requests for increase of hours, reclassifications, and new positions.

Administrator Pabich reviewed the recommendations. Supervisor Wait expressed concerns with lumping all positions into one resolution and expressed concerns

with the psychiatrist position. Human Services Director Joe Krebsbach reviewed the salary of the psychiatrist and the 24/7 coverage within the Department when the psychiatrist is out. Supervisor Chomeau questioned the Human Services positions that were not recommended to fill; HS Director Krebsbach responded.

Motion carried by roll call vote with all 21 Members voting Yes.

2018-67 Transfer of Non-Budgeted Funds – Recruitment of Psychiatrist

Motion by Schultz, seconded by D. Englebert to approve Resolution 2018-67 – Approval of supplementing the 2018 appropriations for the Human Resources budget by transfer of up to \$30,000 from the Door County Contingency Expense Account to the Human Services Department Psychiatrist Recruitment Account to cover the fees and expenses of a recruiter or headhunter to assist in filling the full-time DHS psychiatrist position, and any other expenses related to the recruitment and filling of this position.

Administrator Pabich explained the County has had the position posted for at least one and one-half years with no applications. Contact was made with several recruiters. The resolution requests funding for the recruitment.

Motion carried by roll call vote with all 21 Members voting Yes.

2018-69 Right of First Refusal [SE1/4 of the SW1/4 Township 27 North Range 25 East

Motion by Fisher, seconded by R. Englebert to approve Resolution 2018-69 – Exercising Door County’s first refusal to purchase real property commonly known as 6502 Emerald Drive, Town of Nasewaupée, Door County, Wisconsin.

CC Thomas explained as part of the acquisition of land for the Justice Center and the Highway Department the County obtained a right of first refusal on surrounding properties. A property has come up for sale and has an offer. The County will need to exercise their right on this parcel. The cost of acquisition is \$25,000 with a 90-day window for closing. Due to timing this was unable to go before a committee. If the County exercises the right to purchase the property it would give the county time to review the parcel; if deemed unusable the County can sell the property at a future date.

Motion failed (2/3 vote required) by roll call vote with 13 Members voting Yes – Austad, Bultman, D. Englebert, Enigl, Fisher, Koch, Lienau, Lundahl, Neinas, Robillard, Schultz, Virlee, and Vlies Wotachek; 8 Members voting No – Bacon, Chomeau, R. Englebert, Gunnlaugsson, Halstead, Kohout, Norton, and Wait.

Ordinances

2018-17 Amendment of Chapter 23 Door County Code

Motion by Fisher, seconded by Chomeau to approve Ordinance 2018-17 – Amendment to Chapter 23 of the Door County Code

Supervisor Fisher noted this brings the County code into alignment with State codes. County Conservationist Erin Hanson further explained this is a positive for Door County for groundwater protection.

Motion carried by roll call vote with all 21 Members voting Yes.

2018-68 Classification of Employees for Purposes of the Wisconsin Retirement System Under § 40.06(1)(D), Wis. Stats.

Kewaunee County Administrator Scott Feldt updated the Board on Kewaunee County’s actions regarding protective status/general municipal employees within the Kewaunee County Jail and Kewaunee County Sheriff’s Department.

The Board recessed at 11:51 a.m. and returned at 12:01 p.m.

Motion by Robillard, seconded by Enigl to approve Resolution 2018-68 – A resolution determining the proper classification of each Door County Security Deputy, Security Sergeant, Court Security/Transport Deputy, and Jail Lieutenant is that of ‘general’ and not ‘protective occupation’ participant for WRS purposes and that the Wisconsin DETF will be notified of the same consistent with §40.06(1)(d), Wis. Stats.

Administrator Pabich explained this has been a difficult situation discussed over the past two months. Pabich expressed his appreciation to all of the jailers and noted as the County Administrator he is tasked with bringing all the information forward. Pabich guarantees the County will carry out the direction of the Board 100%.

CC Thomas presented a review of the legal analysis. Administrator Pabich presented an overview of the issues and reviewed the 5-year Budget Model.

Motion by Robillard, seconded by Fisher to remove the Court Security positions and the Jail Lieutenant position from the resolution.

Motion to amend carried by roll call vote with 19 Members voting Yes; 2 Members voting No – Enigl, and Wait. Discussion, questions/answers, and concerns followed. Items discussed included Jail bed revenue; Sheriff’s statutory authority; the benefits of a law enforcement degree in the jail; does the jailer position meet the criteria defined for WRS; the dangers and peril of the jailer position; wages – current and future; legal ramifications; and comparison of Door and Kewaunee Counties.

Administrator Pabich explained the board had an out. The County Administrator has the authority to move this forward and make the decision. It was the decision of the County Board Chairman to bring this issue forward to the full County Board. Chairman Lienau asked that the Board make the decision at the meeting.

Motion as amended failed by roll call vote with 17 Members voting No – Austad, Bacon, Bultman, Chomeau, D. Englebert, R. Englebert, Gunnlaugsson, Halstead, Koch, Kohout, Lienau, Lundahl, Norton, Robillard, Virlee, Vlies Wotachek, and Wait; 4 Members voting Yes – Enigl, Fisher, Neinas, and Schultz.

Special Reports

No special reports were presented.

New Business

No new business was presented.

Oral Committee Reports

No oral committee reports were presented.

Review Committee Minutes

Reviewed.

Vouchers, Claims and Bills

Reviewed.

Announcements

Next Regular County Board Meeting – October 23, 2018 – 9:00 a.m.

Meeting Per Diem Code

927.

Adjourn

Motion by Fisher, seconded by Norton to adjourn. Time 1:50 p.m. Motion carried by voice vote.

Respectfully submitted by Jill M. Lau, County Clerk

**REGULAR MEETING
DOOR COUNTY BOARD OF SUPERVISORS
TUESDAY, OCTOBER 23, 2018
DOOR COUNTY BOARD ROOM**

Call Meeting to Order

The October 23, 2018 Door County Board of Supervisors meeting was called to order at 9:00 a.m. by Vice Chairman Ken Fisher at the Door County Government Center.

Fisher led the Pledge of Allegiance to the Flag.

Roll Call by County Clerk to Establish a Quorum

Roll call was taken – 19 County Board Members were present – Daniel Austad, Helen Bacon, Bob Bultman, Vinni Chomeau, David Englebert, Roy Englebert, David Enigl, Ken Fisher, Joel Gunnlaugsson, Randy Halstead, Jon Koch, Susan Kohout, Megan Lundahl, John Neinas, Nissa Norton, Nancy Robillard, Kathy Schultz, Richard Virlee, and Linda Wait. David Lienau, and Laura Vlies Wotachek were excused.

Presentation of Agenda

Motion by Halstead, seconded by Enigl to approve the agenda. Motion carried by unanimous voice vote.

Correspondence

Unassigned Fund Balance

Public Comment

Administrator Pabich noted he and Facilities & Parks Director Spritka attended the 2018 Build Wisconsin Awards. The Door County Community Center project received two awards. A packet outlining the awards was distributed.

Ed DeMaio, County TT, commented in support of a vote on legalizing medical and recreational marijuana.

Supervisors Response

Supervisor Virlee noted a correction is needed in the packet outlining the Community Center award.

Supervisor Lundahl noted there are several pieces of information being gathered and some community conversations currently taking place regarding the legalization of marijuana.

Approval of Minutes of September 27, 2018 Regular Meeting

Motion by Virlee, seconded by Bacon to approve the minutes of the September 27, 2018 regular meeting. It was noted the vote for the purchase of property included two votes by Supervisor Bacon; a correction will be made to reflect the actual vote. Motion carried by unanimous voice vote.

Special Reports

NWTC Update – Dr. H. Jeffrey Rafn, President – 9:10 a.m.

Dr. Rafn distributed and presented information on NWTC's strategic directions, Friends of NWTC, the Annual Report, new programming, the Northern Door Campus,

Vice President for Learning – Dr. Kathryn Rogalski, presented information on exciting things that NWTC will be doing over the next five years including dual credit for students in high school, career plans for students, changing all curriculum to an eight-week schedule, employability skills for students coming into the work force, increasing transfer partnerships, and reducing public operational costs, 1% per year over the next 5 years, per graduate.

Pending Business/Updates

No pending business or updates were presented.

Resolutions

2018-70 §48.09, Wis. Stats. Designation (Applicable to §48.977, Wis. Stats. Guardianships)

Assistant Corporation Counsel Karyn Behling explained the resolution is in regards to guardianship cases. The designation would allow the office to handle the chapter 48 guardianships currently being handled by the DA's office. Chapter 48 guardianships are rare. Chapter 48 guardianships are children guardianships.

Motion by Kohout, seconded by Bacon to approve Resolution 2018-70 – Designation of Corporation Counsel as the person responsible to represent the interests of the public in proceedings arising under §48.977, Wis. Stat
Motion carried by unanimous voice vote.

2018-71 Transfer of Non-Budgeted Funds - (Cana Island Restoration Phase III) Per § 65.90, Wis. Stats.

Motion by Schultz, seconded by Virlee to approve Resolution 2018-71 – Approval of the transfer of an additional \$150,000 from the Unassigned Fund Balance to the Cana Island Restoration Fund for Phase III.

Administrator Pabich explained authorization of up to \$365,000 has already been given. Working through the process the costs have come in higher than anticipated. The resolution asks for an additional \$150,000 to move the project forward. The funds collected from Cana Island will be used to pay back the total amount spent. Facilities & Parks Director Spritka reviewed the construction budget, engineering costs, and architect fees.

Motion carried by roll call vote with 18 Members Voting Yes; 1 Member voting No – D. Englebert; 2 Members excused.

2018-72 Transfer of Non-Budgeted Funds - Decision & Order Door County Case # 2016-GF-3

Motion by Schultz, seconded by Enigl to approve Resolution 2018-72 – Approval of the transfer of up to \$25,000 from the Contingency Expense Account to the Corporation Counsel Litigation Expense Account for the purpose of satisfying the Order for Judgement and any deductible.

Assistant CC Behling explained this involves a motion to reopen the 2016 In Rem process. A hearing was held and the Judge decided to award Ms. Rove the outstanding amount on a land contract on property sold by Door County through the In Rem process.

Motion carried by roll call vote with 19 Members voting Yes; 2 Members excused.

2018-73 Authorization to Apply for and Accept WIS DOA WCMP Grant [Invasive Species Outreach and Education]

Motion by Neinas, seconded by Bultman to approve Resolution 2018-73 – Authorization for the Soil & Water Conservation Department to apply for and accept the 2019-2020 Wisconsin Coastal Management Program Grant to be used to place two cleaning stations for boats, trailers, and other equipment and gear at George K. Pinney Park and Robert M. Carmody Park.

County Conservationist Erin Hanson explained the project. Outreach and education events will be held related to this project.

Ordinances

No ordinances were presented.

New Business

No new business was presented.

Oral Committee Reports

No oral committee reports were presented.

Review Committee Minutes

Reviewed.

Vouchers, Claims and Bills

Reviewed.

Announcements

Next Regular County Board Meeting – November 13 (and 14, if necessary), 2018 – 9:00 a.m.

Tentative Farm Tour November 15, 2018 – 8:00 a.m. to 12:00 p.m. – Supervisors need to confirm attendance with Administrator Pabich or County Clerk Lau by end of week

Meeting Per Diem Code

967.

Adjourn

Motion by Koch, seconded by Enigl to adjourn. Time 10:06 a.m. Motion carried by voice vote.

Respectfully submitted by Jill M. Lau, County Clerk

**PUBLIC HEARING
DOOR COUNTY BOARD OF SUPERVISORS
TUESDAY, NOVEMBER 13, 2018
DOOR COUNTY BOARD ROOM**

The meeting was called to order by Chairman Lienau at 9:03 a.m. at the Door County Government Center.

Roll call was taken – 20 County Board Members were present – Daniel Austad, Helen Bacon, Bob Bultman, Vinni Chomeau, David Englebert, Roy Englebert, Ken Fisher, Joel Gunnlaugsson, Randy Halstead, Jon Koch, Susan Kohout, David Lienau, Megan Lundahl, John Neinas, Nissa Norton, Nancy Robillard, Kathy Schultz, Richard Virlee, Laura Vlies Wotachek, and Linda Wait. David Enigl was excused.

The meeting had been properly noticed. Motion by Halstead, seconded by Koch to approve the agenda. Motion carried by unanimous voice vote.

Lienau read the purpose of the meeting aloud. Chairman Lienau opened the hearing at 9:04 a.m.

Public Comments:

No one from the public commented.

Upon hearing no comments or persons to speak, Chairman Lienau declared the hearing closed at 9:04 a.m. Motion by Koch, seconded by Fisher to adjourn the Public Hearing. Motion carried by unanimous voice vote. Time: 9:05 a.m.

Recorded by County Clerk Jill M. Lau

**REGULAR MEETING
DOOR COUNTY BOARD OF SUPERVISORS
TUESDAY, NOVEMBER 13, 2018
DOOR COUNTY BOARD ROOM**

The meeting was called to order at 9:05 a.m. by Chairman David Lienau at the Door County Government Center.

Chairman Lienau led the Pledge of Allegiance.

Roll Call by County Clerk to Establish a Quorum:

Roll call was taken – 20 County Board Members were present – Daniel Austad, Helen Bacon, Bob Bultman, Vinni Chomeau, David Englebert, Roy Englebert, Ken Fisher, Joel Gunnlaugsson, Randy Halstead, Jon Koch, Susan Kohout, David Lienau, Megan Lundahl, John Neinas, Nissa Norton, Nancy Robillard, Kathy Schultz, Richard Virlee, Laura Vlies Wotachek, and Linda Wait. David Enigl was excused.

Presentation of Agenda

Motion by Schultz, seconded by Virlee to approve the agenda. Motion carried by unanimous voice vote.

Correspondence/Public Comment

Seth Wiederanders, 609 N 12TH Avenue, Sturgeon Bay, spoke in favor of placing a non-binding cannabis referendum question on the April ballot Ed DeMaio, 5338 County Road TT, spoke in favor of placing a non-binding cannabis referendum question on the April ballot

Adjourn as County Board and Convene in Annual Budget Session:

Motion by Fisher, seconded by Bacon to adjourn as a County Board and convene in the Annual Budget Session. Time 9:10 a.m. Motion carried by unanimous voice vote.

Administrator Pabich provided a general overview of the proposed 2019 budget. Pabich reviewed the available tax levy plus net new construction and total tax levy. The county is not taxing to the full capacity; there is approximately \$98,000 available to tax. Increase is 1.4%; tax rate is \$4.18. Additional items reviewed included equalized value trends, spending trends, tax rate trends, budgeted tax levy by functionality, cost summary by funding source, 2019 capital outlay by department, 2019 Highway roadwork schedule, and wage and benefit totals. Pabich explained a proposed amendment to the budget related to the psychiatrist position. The amendment was reviewed and recommended by both the Finance

and Administrative Committees. Pabich explained based off of changes in the market and working with consultants it was found the estimate (budgeted amount) to hire a psychiatrist was low. The recommendation is to increase the salary for the psychiatrist position which results in a fiscal impact of approximately \$56,106. The Human Services Department is also expecting a one-time increase in revenues in 2019 which will off-set the fiscal impact of the additional expense. The amendment increases both the expenses and revenues in the Human Services budget but does not change the tax levy for the department.

The board thanked the County Administrator, Finance Department and Department heads for their work on the 2019 budget.

Reconvene as County Board and Act on 2019 Door County Budget:

Motion by Koch, seconded by Schultz to reconvene as a County Board. Time 9:38 a.m. Motion carried by unanimous voice vote.

Resolutions

2018-74 Updated Plan for Land Records Modernization & 2019 WLIP Grants-in-Aid to Local Govt. Application

Motion by Fisher, seconded by Koch to approve Resolution 2018-74 – Approval of the updated Door County Land Information Plan 2019-2021; authorization for submission of the Wisconsin Land Information Program grant applications; and acceptance of any such grants awarded to Door County.

Land Use Services Director Mariah Goode explained the state requires the County perform a land use modernization plan every three years. There are also three grants applied for on an annual basis.

Motion carried by roll call vote with 20 Members voting Yes; 1 Member excused.

2018-75 Non-Commercial Hangar Site Lease Agreements: #17 Jim Keenen, #33 Gerald Schram, #43 Fred Meyer

Motion by Neinas, seconded by Fisher to approve Resolution 2018-75 – Approval to the Highway & Airport Committee to enter into a 10-year non-commercial hangar site lease agreement, with a 10-year renewal clause, for the parcel(s) of land on which Building No. 17, 33 and 43 have been constructed.

Supervisor Neinas explained this is the standard lease agreement for a 10-year term. Motion carried by roll call vote with 20 Members voting Yes; 1 Member excused.

2018-76 Health Insurance Premium Holiday

Motion by Virlee, seconded by Koch to approve Resolution 2018-76 – Approval of a one-time health insurance premium holiday (no health insurance premium will be paid the last full pay period of 2018) in December 2018.

Administrator Pabich explained this is a one-time premium holiday. This is a savings of \$254,000. Of that \$35,000 is the employees share. The Health Insurance Fund has an excess balance. In working with the Insurance Consultant, they have recommended reducing the balance. Once funds are deposited to the Health Insurance Fund they cannot be used for any other projects. Discussion and review of past issues with the Health Insurance Fund balance.

Motion carried by roll call vote with 20 Members voting Yes; 1 Member excused.

2018-77 2019 Budget and Tax Levy

Motion by Schultz, seconded by Kohout to make the following changes to the proposed 2019 budget for Door County: to increase budgeted expenditures for the Door County Department of Human Services by \$56,106, from \$9,054,493 to \$9,110,599. To increase budgeted revenues for the Door County Department of Human Services by \$56,106, from \$6,000,938 to \$6,057,044. To leave the budgeted tax levy for the Door County Department of Human Services unchanged at \$3,053,555. To increase the total budgeted expenditures for Door County by \$56,106, from \$76,788,512 to \$76,844,618. To increase total budgeted revenues for Door County by \$56,106, from \$47,017,728 to \$47,073,834. And to leave the total budgeted tax levy for Door County unchanged at \$29,770,784.

Motion carried by roll call vote with 20 Members voting Yes; 1 Member excused.

Motion by Vlies Wotachek, seconded by Schultz to approve Resolution 2018-77 as changed - Approval of the 2019 Door County Budget and Tax Levy. Total Expense - \$76,844,618; Revenue - \$47,073,834; 2019 County Tax Levy - \$29,770,784; Tax Rate - \$4.183530486.

Motion carried by roll call vote with 20 Members voting Yes; 1 Member excused.

2018-78 Purchase of Hot Mix Asphalt Paver - Highway Department

Motion by Neinas, seconded by Fisher to approve Resolution 2018-78 – Authorization to the Door County Highway Committee to purchase one new Hot Mix Asphalt Paver from Fabick Cat, for a price of \$310,685.

Highway Commissioner John Kolodziej explained the request comes on the recommendation of the Highway Committee. The goal is to have the paver in service when the paving season starts in 2019. This unit will replace the current unit which is experiencing problems. The repairs on the current unit outweigh the purchase of a new paver.

Motion carried by roll call vote with 20 Members voting Yes; 1 Member excused.

2018-79 Purchase of Tri-Axle Truck and Snow Control Equipment - Highway Department

Motion by Neinas, seconded by Gunnlaugsson to approve Resolution 2018-79 – Authorization to the Door County Highway Committee to purchase one new Truck Chassis from Truck Country, for a price of \$98,685 and the purchase of the truck dump body and snow equipment from Monroe Truck for a price of \$139,996.

Supervisor Neinas noted the money has been budgeted for this purchase. The purchase of the tri-axle chassis is from Truck Country. An error on line 19 was pointed out and will be corrected accordingly.

Motion carried by roll call vote with 20 Members voting Yes; 1 Member excused.

§ 59.11(1), Wis. Stats. Annual Meeting

CC Thomas explained by virtue of statutes the Board has the opportunity to look at the Rules of Order and make amendments. At any time, by majority vote of the Board, amendments can be made.

2019 Rules or Order of all Standing & Special Committees

**2019 Rules of Order Governing the Door County Board of Supervisors
Duties of Committees**

No action taken.

Ordinances

No ordinances were presented.

New Business

Cannabis (marijuana) Non-Binding Referendum

Legislative Chair Robillard explained the Legislative Committee has been discussing and researching a possible non-binding referendum question on the April ballot regarding legalizing cannabis. The committee referred the matter to the full County Board for further guidance. The committee offered three recommendations – no referendum, a referendum question on legalizing medical marijuana only, and/or a referendum question on legalizing recreational marijuana. Discussion on the matter followed.

Motion by Fisher, seconded by Wait to not hold a referendum. Discussion followed regarding the need to allow constituents to have a voice by holding a referendum, the need to understand the impact on County departments if marijuana was legalized, the need to educate the public on the effects of using marijuana, the taxation factor of legalizing, and the need for persons to contact their state legislators directly as this is a state issue.

Motion carried by a roll call vote of 14 Members voting Yes; 6 Members voting No – Bacon, Bultman, Chomeau, Kohout, Lundahl, and Norton; 1 Member excused.

The board recessed at 10:38 a.m.

Annual Door County Fair Meeting

The Annual Door County Fair Meeting was held by the Fair Board. The meeting was called to order at 10:51 a.m. and adjourned at 11:02 a.m.

The Board reconvened at 11:03 a.m. following the Annual Door County Fair Meeting.

Vouchers, Claims and Bills

Reviewed.

Announcements

Next County Board Meeting(s) December 18, 2018 – 10:00 a.m.

County Board Holiday Party Planning is beginning

Farm Tour bus will be departing the Government Center at 8:00 a.m. sharp on Thursday

China trip delegation will update Board at a future meeting

WCA Leadership – those interested should speak to Administrator Pabich and Chairman Lienau following this meeting

Meeting code – 1113.

Adjourn

Motion by Austad, seconded by Fisher to adjourn. Motion carried by voice vote. Time 11:07 a.m. Recorded by County Clerk Jill M. Lau

**REGULAR MEETING
DOOR COUNTY BOARD OF SUPERVISORS
TUESDAY, DECEMBER 18, 2018**

Call Meeting to Order

The December 18, 2018 Door County Board of Supervisors meeting was called to order at 10:16 a.m. by Chairman David Lienau at the Door County Government Center.

Lienau led the Pledge of Allegiance to the Flag.

Roll Call by County Clerk to Establish a Quorum

Roll call was taken – 21 County Board Members were present – Daniel Austad, Helen Bacon, Bob Bultman, Vinni Chomeau, David Englebert, Roy Englebert, David Enigl, Ken Fisher, Joel Gunnlaugsson, Randy Halstead, Jon Koch, Susan Kohout, David Lienau, Megan Lundahl, John Neinas, Nissa Norton, Nancy Robillard, Kathy Schultz, Richard Virlee, Laura Vlies Wotachek, and Linda Wait.

Presentation of Agenda

Motion by Halstead, seconded by Koch to approve the agenda. Motion carried by unanimous voice vote.

Correspondence

Letter from Southern Door Fire Department distributed on desks regarding Forestville Mill Pond

HR Director Kelly Hendee reported on the numerous positive comments and thank you notes received from employees regarding the Health Insurance Premium Holiday

Public Comment

Seth Weideranders spoke in support of resolution 2018-88

Sheriff Steve Delarwelle said his goodbyes and thanked the Board for their support of both him and the entire Sheriff's Department

Don Freix, Fish Creek, commented regarding messaging; expressed his disappointment in the decision of the Board not to hold a referendum on cannabis and asked for regular Legislative Committee meetings

Supervisors Response

None given.

Approval of Minutes of October 23, 2018 Regular Meeting and the November 13, 2018 Budget/Annual Meeting

Motion by Schultz, seconded by Virlee to approve the minutes of the November 13, 2018 regular meeting. Motion carried by unanimous voice vote.

Pending Business/Updates

No pending business or updates were presented.

Resolutions

2018-80 In Recognition of Gerald M. Worrick

Motion by Austad, seconded by Norton to approve Resolution 2018-80 – A resolution recognizing Gerald M. Worrick for his service to Door County Medical Center, and the residents and visitors to Door County.

Supervisor Austad read the resolution aloud.

Motion carried by unanimous voice vote. Mr. Worrick thanked the Board for the recognition, thanked his staff over the years, noted the good working relationship with the County and the good services Emergency Services provides, and thanked his wife Candice for her support.

2018-81 Committee Appointments

Motion by D. Englebert, seconded by Kohout to approve Resolution 2018-81 – Confirmation of the appointments of Christa Krause and Mark Moeller to the Board of Health (terms end December 2021; Sandi Soik to the Housing Authority (term

ends December 2023); Megan Lundahl, Nissa Norton, and Robert Rau to the Human Services

Board (terms end December 2021); Robert Dickson and Mary Jackson to the Library Board (terms end December 2021); Derek Kumrow to the Local Emergency Planning Committee (term expires April 2019); Miriam Erickson to the Nicolet Federated Library Board (term ends December 2021); and Kenneth Wendt (term ends December 2021) and William H. Karas to the Veterans Service Commission (to fill unexpired term of John G. Schlise, term expires December 2019).

Administrator Pabich explained certain terms are expiring. Most are reappointments; 2 are new appointments. Motion carried by unanimous voice vote.

2018-82 Non-Commercial Hangar Site Lease Agreements – #66 Ken Raupach and #47 Jeff Ellis Motion by Neinas, seconded by Koch to approve Resolution 2018-82 – Approval to the Highway & Airport Committee to enter into a 10-year non-commercial hangar site lease agreement, with a 10-year renewal clause, for the parcel(s) of land on which Building No. 66 & 47 have been constructed.

Supervisor Neinas noted this is the standard lease agreement approved by the committee. Motion carried by a roll call vote with all Members voting Yes.

2018-83 Land Use Services Department Fees

Motion by Fisher, seconded by Koch to approve Resolution 2018-83 – Approval of Door County Land Use Services: Zoning and Related Application Fees and Door County Sanitary Permit Fees.

Supervisor Fisher noted this is an update of fees that the Land Use Department charges for services. Motion carried by roll call vote with all Members voting Yes.

2018-84 Acquisition of Real Property for Addition to Door Bluff Headlands County Park

Motion by Austad, seconded by Fisher to approve Resolution 2018-84 – A resolution expressing intent to acquire Door County Tax Parcel No's. 018-02-02322812B and 018-04-35332814A, as an addition to Door Bluff Headlands County Park for the sum of \$450,000.

Supervisor Austad explained this land is next to the Door Bluff Headlands Park and approximately 72 acres. The purchase will be made through donations and grants; no tax levy dollars. CC Thomas noted the map included with the resolution did not outline a 30' wide strip of land which is access to the shoreline. This shoreland strip allows the County to apply for grants not otherwise available. Administrator Pabich explained the only reason any tax levy money would be used is if the deadline for closing would be nearing, however, there would have to be guaranteed funding available to reimburse. Discussion regarding the possibility of purchasing one parcel if not enough funding is obtained. Discussion regarding the loss of property taxes on the parcel. It was noted the land is currently in the Managed Forest Land Program. Discussion of the closing date being March 14, 2019.

Motion carried by roll call vote with all Members voting Yes.

2018-85 Transfer Of Powers and Duties to the Door County Department of Human Services Per Section 46.23(3)(B), Wisconsin Statutes

Motion by Bacon, seconded by Kohout to approve Resolution 2018-85 – A resolution, effective January 1, 2019, transferring the powers and duties of the Door County Health Department and Door County Health Officer to the Door County Department of Human Services pursuant to Section 46.23(3)(b), Wis. Stats.

Administrator Pabich presented background on the merger/reorganization. Pabich has worked with both Human Services Director Krebsbach and Interim Public Health Manager Sue Powers. The Board of Health, Human Services Board, and Administrative Committee have all recommended the merge. The existing BOH and HS Board will continue with an analysis prior to April 2020 committee appointments.

Motion carried by roll call vote with all Members voting Yes.

2018-86 Door County Performance-Based Compensation System

Motion by Lundahl, seconded by Vlies Wotachek to approve Resolution 2018-86 – Approval and adoption of the recommended changes to the performance-based compensation system for 2019.

Administrator Pabich reviewed the information included in the meeting packet. The Pay for Performance portion of the resolution relates to employee evaluations. The aging of the plan relates to the compensation structure overall. The compensation structure has not been aged since 2016. The recommendation is to age the plan 3%. This increase was built in to the 2019 budget model. Administrator Pabich noted the County needs to retain, maintain and attract employees. It's important to remain competitive and treat our employees fairly.

Motion carried by roll call vote with all Members voting Yes.

2018-87 Requesting State Law Change Allowing Counties The Use of the Design-Build Construction Method and Update the Statutory Bidding Requirements

Motion by Austad, seconded by Bacon to approve Resolution 2018-87 – A resolution requesting our State Legislators introduce and support legislation authorizing counties to utilize the Design-Build option and to take action to update the antiquated project limit in Section 59.52(29), Wis. Stats. From \$25,000 to \$250,000 and the requirement of a Class I notice be raised for any public work to a cost in excess of \$50,000.

CC Thomas explained this has been a topic under consideration for a number of years. To date counties have not been able to use design-build for projects that require competitive bidding. The resolution asks legislators to update statutes to allow counties to use design-build as another tool/another option. Other units of government have been allowed to use design-build for a number of years. The second element of the resolution is to raise the competitive bidding threshold from \$25,000 to \$250,000. Discussion regarding splitting the resolution into two. It was noted this resolution was based on a template provided through an association. WCA is monitoring this issue.

Motion carried by a roll call vote of 19 Members voting Yes; 2 Members voting No – Enigl, and Wait.

2018-88 Support for Legalization of Medical Cannabis

Motion by Fisher, seconded by Lundahl to approve Resolution 2018-88 – A resolution expressing support for Wisconsin taking steps toward cannabis legalization for medical purposes.

Chairman Lienau explained the reason for the personal sponsorship of this resolution. Motion carried by voice vote.

Ordinances

2018-18 Amendment of Chapter 11 Door County Code – Highway Setbacks

Motion by Neinas, seconded by Fisher to approve Ordinance 2018-18 – Amendment to highway setbacks.

CC Thomas explained the provisions in the Door County Code relating to the highway setbacks did not mesh well with the zoning ordinance. The amendment brings the ordinance in line with the Door County Comprehensive Zoning Ordinance. The highway setbacks have not been updated since 1972.

Motion carried by roll call vote with all Members voting Yes.

Special Reports

Update on Forestville Mill Pond Management

County Conservationist Erin Hanson updated the Board on the Forestville Mill Pond project that the Soil & Water Department has been working on in coordination with the Facilities & Parks Department. After much study and consideration, a decision to draw down the pond was recommended. Proposing to start in fall 2019 and run two full years before refilling the Mill Pond. Benefits to a draw down is to allow for the accumulated sediments to compact and degrade. Once refilled the expectation is increased water depth, aquatic invasive species to diminish and the native species to return. Public meeting is being held tomorrow at the Town of Forestville Town Hall.

New Business

Election of Civil Service Commissioner (*Sharon Haines, new term expires December 2023*)

Sharon has offered to serve another term.

Motion by Vlies Wotachek, seconded by Robillard to elect Sharon Haines as the Civil Service Commissioner. Motion carried by unanimous voice vote.

Oral Committee Reports

No oral committee reports were presented.

Review Committee Minutes

Reviewed.

Vouchers, Claims and Bills

Reviewed.

Announcements

Next Regular County Board Meeting – January 22, 2019 – 10:00 a.m.

Holiday Party Announced – RSVP

Legislative Exchange - February 5-6, 2019 – Attendance requirements due to County Clerk by January 11, 2019

Chairman Lienau wished everyone a Merry Christmas and Happy New Year

Meeting Per Diem Code

1218.

Adjourn

Motion by Fisher, seconded by Koch to adjourn. Time 11:30 a.m. Motion carried by voice vote.

Respectfully submitted by Jill M. Lau, County Clerk



DOOR COUNTY

**AMENDATORY ZONING ORDINANCE 2018 – 01
AMENDMENT TO THE ZONING MAP OF FORESTVILLE**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	Y		
BACON	Y		
D. ENGLEBERT	Y		
R. ENGLEBERT	Y		
ENGL	Y		
FISHER	X		
GUNNLAUGSSON			Y
HALSTEAD	Y		
KOCH	Y		
KOHOUT	Y		
LJENAU	Y		
LUNDAHL			Y
MOELLER			X
NEINAS	Y		
ROBILLARD			Y
SCHULTZ	X		
SITTE			Y
SOHNS	Y		
VIPLIEE	Y		
VILIES WOTACHEK	X		
WAIT	X		
	14	0	5

1 The Door County Board of Supervisors, pursuant to Section 59.69(5)(e),
 2 Wisconsin Statutes, does hereby ordain an amendment to the detailed zoning
 3 map of the Town of Forestville for Tax Parcel # 010-00-05262511C2 to change
 4 the zoning from General Agricultural (GA) to Mixed Use Commercial (MC):

5
 6 Tax Parcel # 010-00-05262511C2, situated in the Town of Forestville, County
 7 of Door, State of Wisconsin, and more particularly described in *Exhibit A*, Lot
 8 2 of Certified Survey Map Doc. # 868883, attached hereto and incorporated
 9 herein by reference as if set forth in full.

10
 11 See the map attached hereto and incorporated herein by reference.

12
 13 Pursuant to Section 59.69(5)e.6., Wisconsin Statutes, this ordinance shall
 14 take effect on the 41st day after the date of enactment.

**SUBMITTED BY:
 Resource Planning Committee**

Kenneth Fisher excused
 Kenneth Fisher, Chair
Mark Moeller
 Mark Moeller
Susan Kohout
 Susan Kohout
David Enigl
 David Enigl
Jon Koch
 Jon Koch

BOARD ACTION

Vote Required: Majority Roll Call Vote of a Quorum

Motion to Approve Adopted Defeated
 1st Fisher
 2nd Enigl
 Yes: 14 No: 0 Exc: 5

Reviewed by:
[Signature] Corp. Counsel
[Signature] Administrator

Certification:

I, Jill M. Leu, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 23rd day of January, 2018 by the Door County Board of Supervisors.

Jill M. Leu
 Jill M. Leu
 County Clerk, Door County

COUNTERSIGNED
[Signature]
 David Lienau, Chairman
 Door County Board of Supervisors

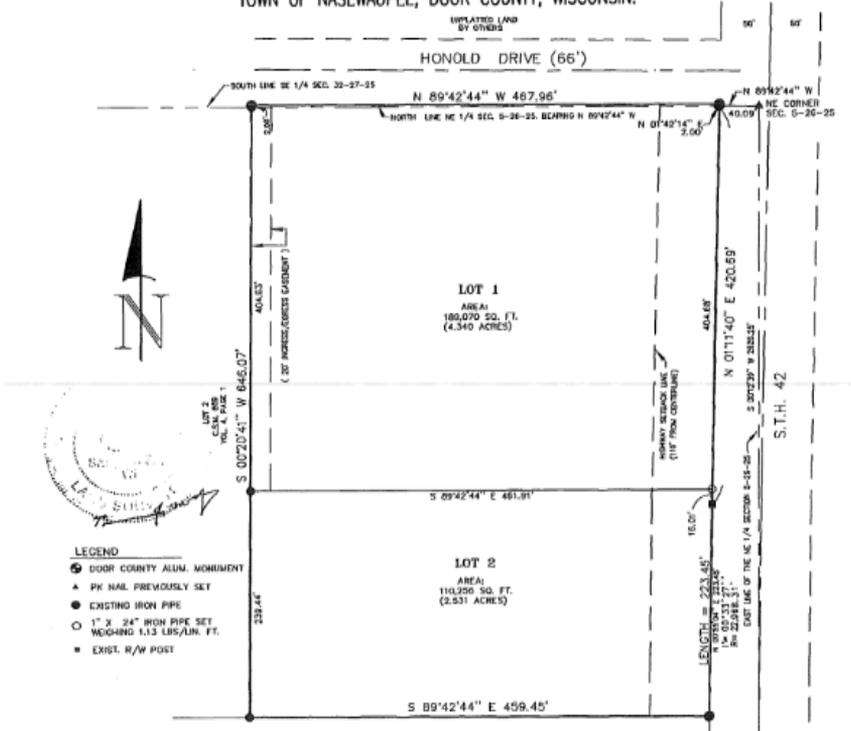
Effective Date : _____

EXHIBIT
A
1840

FORM NO. 955A
HCM
 Draft Certification
Stock No. 26273
666883

CERTIFIED SURVEY MAP NO. _____

A REDMISION OF LOT 1, CERTIFIED SURVEY MAP 1406, RECORDED IN VOL. 8, PAGE 213, IN PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 5, T26N, R25E, TOWN OF FORESTVILLE, AND PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 32, T27N, R25E, TOWN OF NASEWAUPEE, DOOR COUNTY, WISCONSIN.



BEARINGS REFERENCED TO THE NORTH LINE OF THE NE 1/4 OF SEC. 5, T26N, R25E; BEARINGS REFERRED TO FROM PREVIOUS SURVEYS

RESTRICTIONS

- NO NEW IMPROVEMENTS BY STRUCTURES ARE ALLOWED BETWEEN THE RIGHT-OF-WAY LINE AND THE HIGHWAY CENTERLINE. APPROXIMATIONS AND ESTIMATED INCLUDE, BUT ARE NOT LIMITED TO, SIGNS, PARKING AREAS, DRIVEWAYS, WELLS, SEPTIC SYSTEMS, DRAINAGE FACILITIES, BARRIERS, AND RETAINED WALLS. IT IS EXPRESSLY INTENDED THAT THIS RESTRICTION IS FOR THE BENEFIT OF THE PUBLIC AS PROVIDED IN SECTIONS 236.393, WISCONSIN STATUTES, AND SHALL BE ENFORCEABLE BY THE DEPARTMENT OF TRANSPORTATION OR ITS AGENTS. CONTACT THE SUCCESSION DEPARTMENT ON REAPPLICATION FOR MORE INFORMATION. THE PHONE NUMBER MAY BE OBTAINED BY CONTACTING THE COUNTY HIGHWAY DEPARTMENT.
- AN OWNER, LET IT BE NOTED THAT LOT 1 & 2 OF THE ABOVE CERTIFIED HIGHWAY MAP IS HEREBY RESTRICTED SO THAT NO OWNER, POSSESSOR, USER, LICENSEE OR OTHER PERSON MAY HAVE ANY SELECT VEHICULAR MONITOR FROM OR ACCESS TO ANY HIGHWAY RIGHT WITHIN THE RIGHT-OF-WAY OF S.T.H. 43. IT IS EXPRESSLY INTENDED THAT THIS RESTRICTION CONSTITUTE A RESTRICTION FOR THE BENEFIT OF THE PUBLIC AS PROVIDED IN STATUTE SECTIONS 236.393, AND SHALL BE ENFORCEABLE BY THE DEPARTMENT OF TRANSPORTATION OR ITS AGENTS. ANY ACCESS SHALL BE ALLOWED ONLY BY SPECIAL EXCEPTION. ANY ACCESS ALLOWED BY SPECIAL EXCEPTION SHALL BE OBTAINED AND GRANTED ONLY THROUGH THE USUAL PERMITTING PROCESS AND ALL PERMITS ARE REVOCABLE.

VOL. **11** PAGE **140**

E 1/4 CORNER
 SEC. 5-26-25



CERTIFIED SURVEY MAP NO _____

A REDIVISION OF LOT 1, CERTIFIED SURVEY MAP 1406, RECORDED IN VOL. 8, PAGE 213, IN PART OF THE NE 1/4 OF THE NE 1/4 OF SECTION 5, T26N, R25E, TOWN OF FORESTVILLE, AND PART OF THE SE 1/4 OF THE SE 1/4 OF SECTION 32, T27N, R25E, TOWN OF NASEWAUPEE, DOOR COUNTY, WISCONSIN.

Surveyor's Certificate

I, Terrence J. McNulty registered land surveyor, hereby certify: That I have surveyed, divided and mapped a redivision of Lot 1, Certified Survey Map 1406, recorded in vol. 8, page 213, in part of the NE 1/4 of the NE 1/4 of section 5, T26N, R25E, Town of Forestville, and part of the SE 1/4 of the SE 1/4 of section 32, T27N, R25E, Town of Nasewaupsee, Door County, Wisconsin.

That I have made such survey, land-division and map by the direction of Roger Katzke, bounded and described as follows: Commencing at a pk nail which is marking the Northeast corner of said section 5, thence N 89°42'44" W a distance of 40.09 feet to the point of beginning, thence N 01°42'14" E a distance of 2.00 feet, thence N 89°42'44" W along the South line of Honold Drive a distance of 467.96 feet, thence S 00°20'41" W a distance of 646.07 feet, thence S 89°42'44" E a distance of 459.45 feet to a point on a curve on the West line of State Highway "42", thence Northerly for a distance of 223.45 feet along a 22,968.31' radius arc having a chord bearing of N 00°55'04" E, thence N 01°11'40" E along the West line of State Highway "42" a distance of 420.69 feet to the point of beginning said parcel containing 6.871 acres of land more or less.

That this map is a correct representation of all of the exterior boundaries of the land surveyed and the division thereof made. That I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and the Land Division Ordinance of the Door County, in surveying, dividing, and mapping the same.

Dated this 26th day of April 2004

Signature of Terrence J. McNulty, R.L.S. No. 2339



Owner's Certificate

As owner, I hereby certify that I caused the land described on this plat to be surveyed, divided, and mapped as represented on the map.

Dated this 1 day of May 2004

Signature of Roger S. Katzke, Roger S. Katzke

RECORDED Time 3:51 P.M.

MAY 7 2004

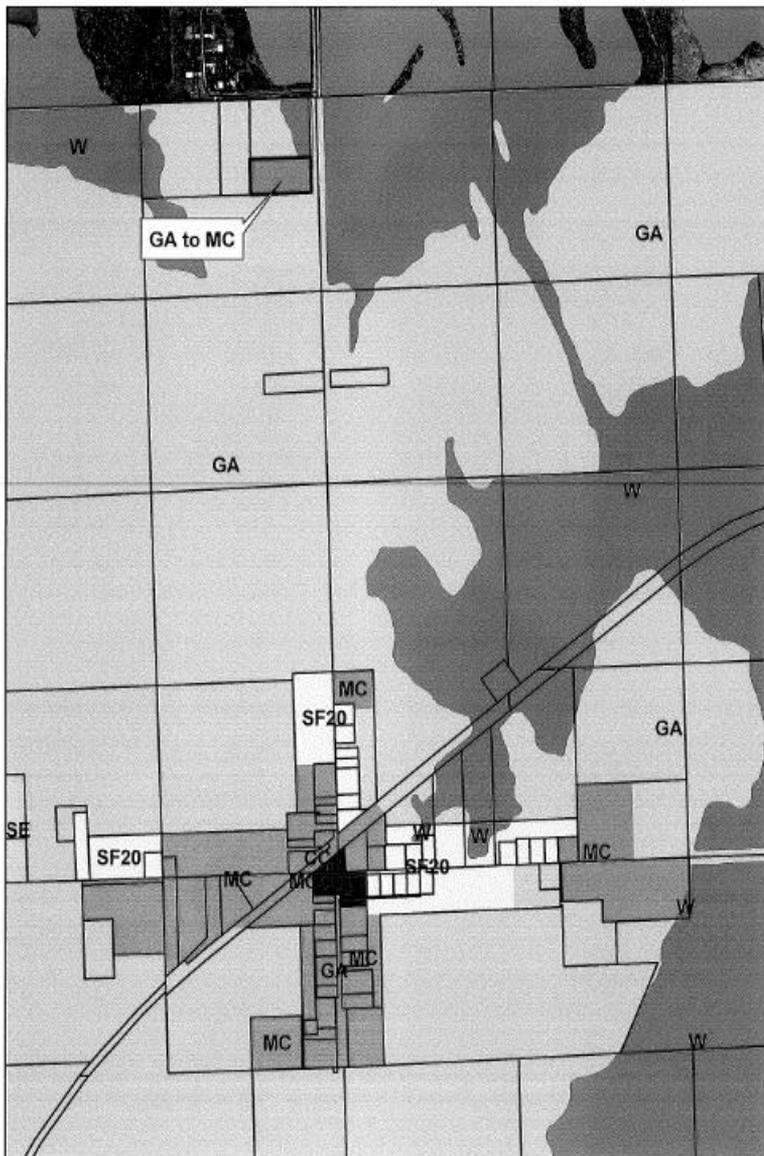
Marilyn Jamin Register of Deeds Door County, WI Tract Indexed

Door County Planning Department Approval

This certified survey map in the Town of Forestville, Roger S. Katzke, owner, has been submitted and approved by the Door County Planning Department.

Date April 29th, 2004 Approved Signature of Ray Durke (County Zoning Administrator/Planning Agent)

Jorns #010-00-05262511C2
Proposed Re-Zone: GA to MC
Attachment to Ordinance #2018-01





DOOR COUNTY

Ordinance No. 2018-02

**REPEAL AND REPLACE THE
DOOR COUNTY FLOODPLAIN ZONING ORDINANCE**

**THE DOOR COUNTY BOARD OF SUPERVISORS DOES HEREBY
ORDAIN AS FOLLOWS:**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL	✓		
FISHER	✓		
GUNNLAUGSSON			✓
HALSTEAD	✓		
KOCH	✓		
KOHOUT	✓		
LIENAU	✓		
LUNDAHL	✓		
MOELLER	✓		
NEINAS	✓		
ROBILLARD	✓		
SCHULTZ	✓		
SITTE			✓
SCHWIS	✓		
VIRLEE	✓		
VLIJES WOTACHEK	✓		
WAIT	✓		
	19	0	1

1 The Door County Board of Supervisors, pursuant to Sections 59.69,
2 59.692, 59.694, and 87.30, Wisconsin Statutes and Chapter NR 115,
3 116, and 117, Wisconsin Administrative Code, does hereby ordain
4 ordinance amendments as follows:
5

- 6 1. Rescind the Door County Floodplain Zoning
7 Ordinance, Chapter 15.02, Door County Code,
8 Ordinance #86-86, Adopted 12-23-86, Revised as
9 Ordinance #5-95, 4-18-95 and Ordinance #2009-01,
10 1-26-09.
11
- 12 2. Adopt Comprehensive Revision, Door County Code
13 Chapter 15.02, Door County Floodplain Zoning
14 Ordinance, February 27th, 2018 (incorporated herein
15 by reference).
16

17 Pursuant to Section 59.69(5)(e)6., Wisconsin Statutes, this
18 ordinance shall become effective upon passage.
19
20

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st Fisher Deleted

2nd Kohout

Yes: 19 No: 0 Exc: 2

Reviewed by:

Corp. Counsel

Administrator

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 27th day of February, 2018 by the Door County Board of Supervisors.

Jill M. Lau

Jill M. Lau
County Clerk, Door County

COUNTERSIGNED

David Clisby

David Clisby, Chairman
Door County Board of Supervisors

Effective Date 2-27-18

**SUBMITTED BY:
Resource Planning Committee**

Ken Fisher, Chairman

David Enigl

Susan Kohout

Mark Moeller

Jon Koch



AMENDMENTS TO THE DOOR COUNTY LAND DIVISION ORDINANCE

DOOR COUNTY

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL	✓		
FISHER	✓		
GUNNLAUGSSON			✓
HALSTEAD	✓		
KOCH	✓		
KOHOUT	✓		
LIENAU	✓		
LUNDAHL	✓		
MOELLER	✓		
NEENAS	✓		
ROBILLARD	✓		
SCHULTZ	✓		
SITTE			X
SOHNS	✓		
VIRLEE	✓		
VILIES WOTACHEK	✓		
WALT	✓		
	19	0	0

THE DOOR COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

- 1 The Door County Board of Supervisors, pursuant to the authority
- 2 granted by ss 236.45 and 703.27, Wisconsin Statutes, does hereby
- 3 ordain amendments to the Door County Land Division Ordinance, as
- 4 shown in Attachment A.
- 5
- 6 Pursuant to Rule 18F of the Rules of Order Governing the Door
- 7 County Board of Supervisors, this ordinance shall become effective
- 8 the day following publication.

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted

1st Fisher Defeated:

2nd Moeller

Yea: 19 Nay: 0 Exc: 0

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 27th day of February, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

COUNTERSIGNED

[Signature]
David Lienau, Chairman
Door County Board of Supervisors

Effective Date: _____

SUBMITTED BY: Resource Planning Committee

[Signature]
Ken Fisher, Chairman

[Signature]
David Enigl

[Signature]
Susan Kohout
Susan Kohout

[Signature]
Mark Moeller

[Signature]
Jon Koch

**Resource Planning Committee
Door County Land Division Ordinance Proposed Amendments
November 2, 2017**

Explanation: All of the amendments are required in order to ensure consistency with state and federal regulations. Language in red font is to be added to the section in question. Language in red font shown with the "strikethrough" feature is existing language to be deleted from the ordinance.

1.03 Purpose and Intent. The purpose and intent of this Ordinance are to act in accordance with ss. **59.692**, 236.45, and 703.27(1), Wis. Stats., NR 115.05(2), Wis. Admin. Code, and to accomplish the goals listed below.

2.02(1)(b) Certified Survey Map submittal requirements.

(b) Lakes, ponds, navigable streams, wetlands, **and** escarpment areas, **and regional flood elevation and floodway data.**

3.02(1)(a)5.a. Major Land Division Conceptual Sketch Plan submittal requirements.

a. Lakes, ponds, navigable streams, wetlands, **and** escarpment areas, **and regional flood elevation and floodway data.** (Amended: 24 March 2015, Ord. No. 2015-03; Effective: 30 March 2015)

4.02(1)(b) Minor Site Condominium Plat submittal requirements.

(b) Lakes, ponds, navigable streams, wetlands, **and** escarpment areas, **and regional flood elevation and floodway data.**

5.02(1)(a)5.a. Major Site Condominium Conceptual Sketch Plan submittal requirements.

a. Lakes, ponds, navigable streams, wetlands, escarpment areas, **and soils-regional flood elevation and floodway data.**

6.02(7) Lots and Units, ordinary high water mark.

(7) Ordinary High Water Mark

- (a) Property lines for all lots and units that front navigable water shall go to the water's edge and shall be shown on the CSM or final plat with the following statement included: "Any land below the ordinary high water mark of a lake or a navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1 of the state constitution." (Added: 24 March 2015, Ord. No. 2015-03; Effective: 30 March 2015)
- (b) ~~(b)~~ Any CSM or final plat that show an approximate ordinary high water mark shall state on its face that the mark is shown for reference only. (Added: 24 March 2015, Ord. No. 2015-03; Effective: 30 March 2015)

(c) If the building zone described in par. (a) includes an ordinary high water mark setback, this setback shall be in effect if all of the following apply:

1. The map, plat, or survey was prepared by a professional land surveyor, licensed under Ch. 443, Wis. Stats., after April 28, 2016.
2. The Wisconsin Department of Natural Resources has not identified the ordinary high water mark on its Internet site as is required under s. 30.102, Wis. Stats.

6.02(8) Lots and Units, floodplain.

(8) Floodplain. All CSMs or plats located in the floodplain districts described in ss. 1.5(1) and (2), Door County Floodplain Ordinance, shall show the following:

- (a) Regional flood elevation and floodway data.
- (b) Public utilities and facilities, such as sewer, gas, electrical, and water systems, are located to reduce exposure to flood hazards and minimize or eliminate flood damages.



DOOR COUNTY

**AMENDATORY ZONING ORDINANCE 2018 – 04
AMENDMENT TO THE ZONING MAP OF BAILEYS HARBOR**

ROLL CALL Board Members	Aye	May	Exc.
AUSTAD	X		
BACON	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNLAUGSSON			X
HALSTEAD	X		
KOCH	X		
KOHOUT	X		
LIENAU	X		
LUNDAHL	X		
MOELLER	X		
NEINAS	X		
ROBILLARD	X		
SCHULTZ	X		
SITTE			X
SOHNS	X		
VIRLEE	X		
VILIES WOTACHEK	X		
WAIT	X		
	19	6	2

BOARD ACTION

Vote Required: Majority Roll Call Vote of a Quorum

Motion to Approve: Adopted Deleted

1st Fisher Deleted

2nd Koch

Yes 19 No 0 Exc. 2

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

Certification:

I, JIM M. LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 27th day of February, 2018, by the Door County Board of Supervisors.

[Signature]
JIM M. LAU
County Clerk, Door County

COUNTERSIGNED

[Signature]
David Lienau, Chairman
Door County Board of Supervisors

Effective Date : 2/27/18

1 The Door County Board of Supervisors, pursuant to Section 59.69(5)(e),
2 Wisconsin Statutes, does hereby ordain an amendment to the detailed
3 zoning map of the Town of Baileys Harbor to rezone a 2.145-acre portion of
4 the property surrounding the existing residence from Countryside (CS) to
5 Rural Residential (RR):

6
7 Tax Parcel # 002-03-18302842F, situated in the Town of Baileys Harbor,
8 County of Door, State of Wisconsin, and more particularly described as a
9 tract of land located in the Northwest one-quarter of Section 18, Township
10 30 North, Range 28 East, Town of Baileys Harbor, Door County, Wisconsin
11 and described as follows:

12
13 Commencing at the Southeast corner of said Section 18, thence N 62°04'30"
14 W 1520.98 feet, thence N 42°34'56" W 896.64 feet to the point of beginning,
15 thence N 67°38'52" E 304.31 feet, thence N 23°15'50" W 308.95 feet, thence
16 S 67°38'52" W 302.19 feet, thence S 23°15'50" E 181.79 feet, thence 127.19
17 feet along the arc of a 3808 foot radius curve to the right whose cord bears
18 S 22°18'25" E 127.18 feet to the point of beginning.

19 See the map attached hereto and incorporated herein by reference.

20 Pursuant to Section 59.69(5)(e)6, Wisconsin Statutes, this ordinance shall
21 become effective upon passage.
22
23
24

**SUBMITTED BY:
Resource Planning Committee**

[Signature]
Kenneth Fisher, Chair

[Signature]
Mark Moeller

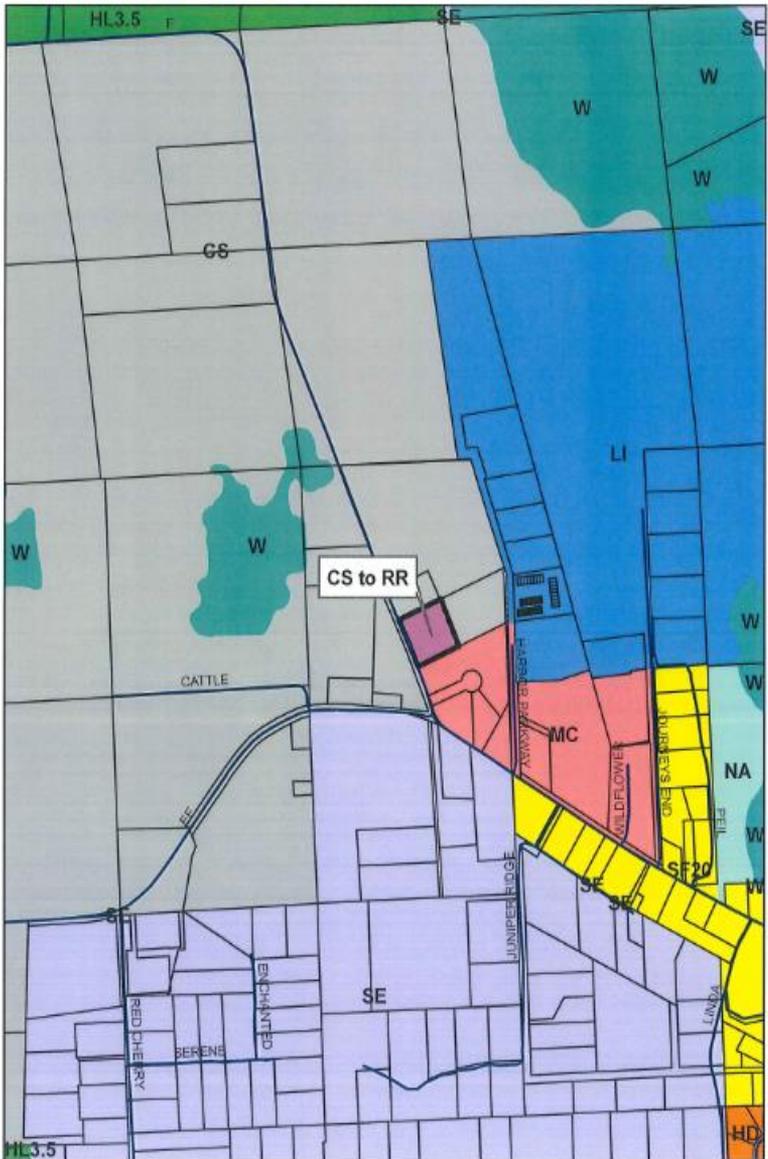
[Signature]
Susan Kohout

[Signature]
David Enig

[Signature]
Jon Koch

Baumann Re-Zone
#002-03-18302842F
Proposed: CS to RR

Attachment to Ordinance #2018-04





DOOR COUNTY

**AMENDATORY ZONING ORDINANCE 2018 – 05
AMENDMENT TO THE ZONING MAP OF BAILEYS HARBOR**

ROLL CALL	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL		X	
FISHER	X		
GUNNLAUGSSON			X
HALSTAD	X		
KOCH	X		
KOHOUT	X		
LIENAU	X		
LUNDAHL	X		
MOELLER	X		
NEDRAS	X		
ROBILLARD	X		
SCHULTZ	X		
SITTE			X
SOHRIS	X		
VIRLEE	X		
VLIES WOTACHEK	X		
WAIT	X		
	18	1	2

BOARD ACTION

Vote Required: Majority Roll Call Vote of a Quorum

Motion to Approve: Fisher Adopted Defeated

1st Fisher 2nd Koch

Yes: 18 No: 1 Exc: 2

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 27th day of March, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

COUNTERSIGNED

[Signature]
David Lienau, Chairman
Door County Board of Supervisors

Effective Date: 3/27/18

1 The Door County Board of Supervisors, pursuant to Section 59.69(5)(e),
2 Wisconsin Statutes, does hereby ordain an amendment to the detailed zoning
3 map of the Town of Baileys Harbor to rezone a 6.99-acre parcel from Single
4 Family Residential 20,000 (SF20) to Countryside (CS):

5
6 Tax Parcel # 002-01-25302714Q, situated in the Town of Baileys Harbor,
7 County of Door, State of Wisconsin, and more particularly described in
8 *Exhibit A* (Tract Two (2) of Certified Survey Map No. 202, recorded in
9 Volume 1 of Certified Survey Maps, Page 351, as Doc. # 400068), attached
10 hereto and incorporated herein by reference.

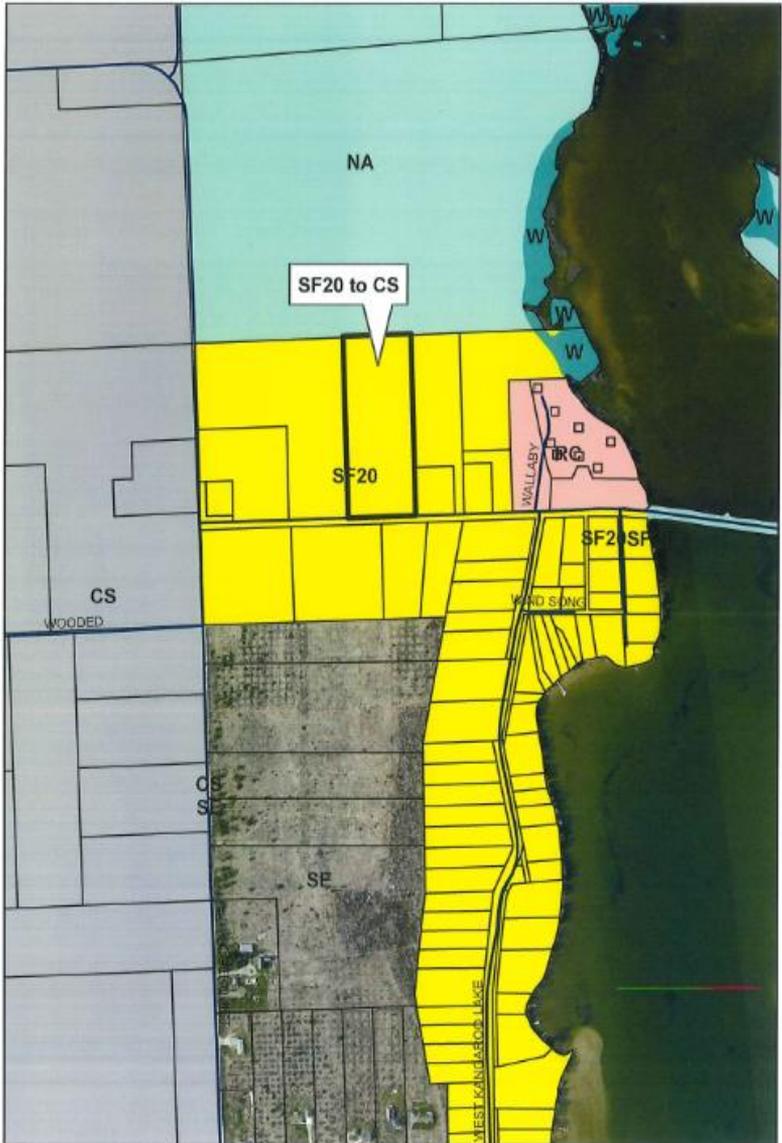
11 *See also the map attached hereto and incorporated herein by reference.*
12
13 Pursuant to Section 59.69(5)(e)6, Wisconsin Statutes, this ordinance shall
14 become effective upon passage.
15
16

SUBMITTED BY:
Resource Planning Committee

[Signature] [Signature]
Kenneth Fisher, Chair Mark Moeller

[Signature] [Signature]
Susan Kohout David Enigl

[Signature]
Jon Koch





DOOR COUNTY

**AMENDATORY ZONING ORDINANCE 2018 – 06
AMENDMENTS TO THE TEXT OF THE DOOR COUNTY
COMPREHENSIVE ZONING ORDINANCE**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNLAUGSSON			X
HALSTEAD	X		
KOCH	X		
KOHOUT	X		
LIENAU	X		
LUNDAHL	X		
MOELLER	X		
NEINAS	X		
ROBILLARD	X		
SCHULTZ	X		
SITTE			X
SOHNS	X		
VIRLEE	X		
WILES WOTACHEK	X		
WATT	X		
	19	0	1

1 The Door County Board of Supervisors, pursuant to Section 59.69(5)(e),
 2 Wisconsin Statutes, does hereby amend the Door County Comprehensive
 3 Zoning Ordinance to read as follows:
 4
 5 See Attachment A, incorporated by reference herein as if fully set forth.
 6
 7 Pursuant to Section 59.69(5)(e)6, Wisconsin Statutes, this ordinance shall
 8 become effective upon passage.
 9

**SUBMITTED BY:
Resource Planning Committee**

Kenneth Fisher _____ Kenneth Fisher, Chair
Mark Moeller _____ Mark Moeller
Susan Kohout _____ Susan Kohout
David Enigl _____ David Enigl
Jon Koch _____ Jon Koch

BOARD ACTION
Vote Required: Majority Roll Call Vote of a Quorum

Notice to Approve: Adopted Debated

1st Fisher
 2nd Kohout

Yes: 19 No: 0 Exc: 1

Reviewed by: _____, Corp. Counsel
 Reviewed by: _____, Administrator

Certification:
 I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 27th day of March, 2018, by the Door County Board of Supervisors.

Jill M. Lau
 Jill M. Lau
 County Clerk, Door County

COUNTERSIGNED:
David Lienau
 David Lienau, Chairman
 Door County Board of Supervisors

Effective Date: 3/27/18

**Door County Resource Planning Committee
Proposed zoning ordinance text amendments
March 1, 2018 hearing**

Note: Red font indicates proposed changes. The "overstrike" function indicates text to be deleted.

Amendments required to Door County Comprehensive Zoning Ordinance due to 2017 Act 67

Amend section 2.04(1)(c) to read as follows:

(c) Uses permitted as conditional uses. These uses ~~will be allowed, and a conditional use permit will be granted are not permitted by right. Rather, their allowance is subject to the discretionary judgment of the Resource Planning Committee,~~ if the applicant demonstrates, by substantial evidence, that the application and all requirements and conditions established by the county as specified in the ordinance or imposed by the Resource Planning Committee are or will be satisfied. See also ~~as described in~~ s. 11.04, conditional use permits.

Amend section 11.04, conditional use permits, to read as follows:

11.04 Conditional use permits.

(1) Applicability. A conditional use permit shall be required for the establishment of each use permitted as a conditional use and for an addition to, or the expansion or intensification of, a nonconforming use. Expansion of a use permitted as a conditional use shall also require a conditional use permit, except that the minor expansion of a building housing a use permitted as a conditional use which would not increase the scale or intensity of that use shall only require a regular zoning permit.

(2) Application.

(a) An application for a conditional use permit shall be submitted to the Zoning Administrator upon forms furnished by the Door County Planning Department. The application shall contain ~~the following facts and~~ information, ~~other than merely personal preferences or speculation, directly pertaining to the conditions and requirements relating to the conditional use, including the following:~~

1. All the ~~facts and~~ information required for a regular zoning permit listed in s. 11.01(2)(a), and a completed conditional use permit form addendum. (Amended: 30 September 1997, Ord. 29-97)

2. Upon written request by the Zoning Administrator, such additional ~~facts and~~ information as may be ~~reasonably deemed necessary required~~ by the Zoning Administrator ~~so in order~~ that the Resource Planning Committee can determine whether or not the ~~application and all requirements and conditions the applicant must meet to obtain a conditional use permit are or will be satisfied proposed use at the proposed location will not be contrary to the public interest and will not be detrimental or injurious to public health, public safety, or the character of the surrounding area.~~ The written request shall contain an explanation of why the additional information is ~~deemed necessary needed~~.

3. Water supply and sewage disposal. Where the proposed use involves human occupancy, satisfactory evidence that a safe and adequate supply of water and approved sewage disposal facilities will be provided, in accordance with the requirements of the Door County Sanitary Ordinance, shall be submitted.

(b) Fee. All conditional use permit applications shall be accompanied by a fee established by the County Board of Supervisors.

(c) No application shall be accepted by the Zoning Administrator until complete as judged by the Zoning Administrator and until all fees established by Door County have been paid in full. **The applicant bears the burden of ensuring and demonstrating that an application is complete.**

(3) Public hearing. A public hearing shall be held by the Resource Planning Committee after a public notice has been given as provided in s. 11.09(1), notice for public hearings. At the public hearing, any party may appear in person or by agent or attorney. **The applicant has the burden of proof and must demonstrate that the application and all requirements and conditions established by the county relating to the conditional use are or shall be satisfied, both of which must be supported by substantial evidence.**

(4) Determination. Following review, ~~investigation~~, and public hearing, the Resource Planning ~~Commissiontee~~ shall render a decision in writing.

(a) If the application is approved, such decision shall include an accurate and complete description of the use as permitted, including all the conditions **and requirements** attached thereto.

(b) If the application is denied, the reasons for denial shall be stated **in the decision.**

(5) Basis of approval **or denial.**

(a) The Resource Planning Committee shall review each conditional use permit application for compliance with all requirements applicable to that specific use and to all other relevant provisions of this Ordinance. **The Committee's decision to approve or deny the conditional use permit must be supported by substantial evidence. In approving conditional uses, the Resource Planning Committee also shall determine that the proposed use at the proposed location will not be contrary to the public interest and will not be detrimental or injurious to the public health, public safety, or character of the surrounding area.**

(b) To aid in the review of **and decision-making regarding** the proposed **conditional use** project ~~against the above criteria~~, the Resource Planning Committee shall evaluate the following specific criteria as applicable, but shall not be limited thereto: (Amended: 30 September 1997, Ord. 29-97)

1. Whether the proposed project will adversely affect property values in the area.

2. Whether the proposed use is similar to other uses in the area.

3. Whether the proposed project is consistent with the Door County Comprehensive and Farmland Preservation Plan or any officially adopted town plan. (Amended: 17 April 2012, Ord. No. 2012-14) (Amended: 20 Sept. 2016; Ord. 2016-14)

4. Provision of an approved sanitary waste disposal system.
5. Provision for a potable water supply.
6. Provisions for solid waste disposal.
7. Whether the proposed use creates noise, odor, or dust.
8. Provision of safe vehicular and pedestrian access.
9. Whether the proposed project adversely impacts neighborhood traffic flow and congestion.
10. Adequacy of emergency services and their ability to service the site.
11. Provision for proper surface water drainage.
12. Whether proposed buildings contribute to visual harmony with existing buildings in the neighborhood, particularly as related to scale and design.
13. Whether the proposed project creates excessive exterior lighting glare or spillover onto neighboring properties.
14. Whether the proposed project leads to a major change in the natural character of the area through the removal of natural vegetation or altering of the topography.
15. Whether, and in what amount and form, financial assurance is necessary to meet the objectives of this ordinance.
16. Whether, and to what extent, site-specific conditions should be imposed to mitigate potentially problematic impacts of the use.
17. The impact of the proposed project on public health, public safety, or the general welfare of the County.

The foregoing criteria are deemed reasonable and, to the extent practicable, measurable.

(c) ~~The An applicant's failure to demonstrate, by substantial evidence, that the application and satisfy the criteria listed in par. (b) or any other~~ all applicable requirements in this Ordinance and conditions established by the county relating to the conditional use are or will be satisfied shall ~~may~~ be grounds to deny the conditional use permit. At all times the burden of proof to demonstrate satisfaction of these criteria remains with the applicant.

(d) In the Exclusive Agricultural district, no conditional use permit shall be granted unless the proposed use is consistent with agricultural use and is found to be necessary in light of the alternative locations available for such use. (Added: 28 March 2000, Ord. No. 05-00)

(6) Conditions and ~~restrictions~~ requirements. The Resource Planning Committee may, in approving an application for a conditional use permit, impose such ~~restrictions and~~ conditions and requirements that it determines are required to prevent or minimize adverse effects from the proposed use or development on other properties in the neighborhood and on the general health, safety, and welfare of the county.

(a) ~~Such Any~~ conditions or requirements imposed must be:

- ~~1. may include financial sureties- reasonable;~~
- ~~2. measurable, to the extent practical;~~
- ~~3. consistent with this ordinance's general purpose and intent; and~~
- ~~4. based on substantial evidence.~~

(b) The applicant must demonstrate, by substantial evidence, that all conditions or requirements imposed will be met.

(7) Expiration, Duration, Transfer.

(a) ~~Expiration.~~ All conditional use permits shall expire 12 months from the date of authorization by the Resource Planning Committee where the Resource Planning Committee determines that no action has commenced to establish the authorized use. (Amended: 01 November 1999; Ord. 22-99)

(b) ~~Duration.~~ A conditional use permit will generally remain in effect as long as the conditions and requirements upon which the permit was issued are followed. The Resource Planning Committee may, at its discretion, grant a limited term conditional use permit if a reasonable basis exists for such limitation. Any limited term conditional use permit may be subject to renewal after a re-evaluation of the use via a hearing before the Resource Planning Committee.

(c) ~~Transfer.~~ Subsequent owners of the property are generally allowed to continue the use, subject to conditions and requirements imposed on the original conditional use permit. An affidavit is to be recorded with the deed to provide successors in interest notice of the conditional use permit and conditions and requirements.

(8) Project Completion. All conditional uses authorized by the Resource Planning Committee shall be given a specific amount of time within which the project must be completed. The time limit may be negotiated between the project applicant and the Resource Planning Committee. If the applicant fails to complete the approved project within the designated time period, ~~the Resource Planning Committee may either extend the time limit or require-~~ permit expires and the applicant to must seek a new conditional use permit authorizing the remainder of the project. (Added: 01 November 1999, Ord. 22-99)

(9) Notification.

(a) Deleted: 25 June 2013, Ord. 2013-11

(b) Pursuant to NR 115.05(4)(h), Wis. Admin. Code, a copy of any conditional use decision which affects shorelands shall be provided to the district office of the Department of Natural Resources within 10 days of the date such decision is rendered. (Amended: 27 May 2014; Ord. 2014-10)

(10) **Revocation and Termination.**

~~(a) Revocation. -If an established conditional use does not continue in conformity with the permit or this Ordinance, the~~ A conditional use permit ~~shall~~ may be terminated revoked by ~~action of~~ the Resource Planning Committee ~~after a hearing, if it is determined that the requirements and conditions upon which the permit was issued have not been followed.~~ Revocation of a conditional use permit is not considered a taking without just compensation because a conditional use permit is a type of zoning designation and not a property right.

~~(b) Termination.~~ If an established use listed as a conditional use in 2.05(3) ceases for a period of more than 18 months, any future activity shall require a new permit. If requested by the Zoning Administrator, the Resource Planning Committee shall make a determination as to whether or not the use is to be considered ceased. (Amended: 01 November 1999, Ord. 22-99)

(11) Resubmission. A conditional use permit application that has been heard and decided shall not be eligible to be resubmitted during the 6 months following the decision. The 6 month period may be waived by the Resource Planning Committee, provided that the applicant submits a written report identifying how the new application differs materially from the previous application or identifying substantial new evidence that will be offered, and provided that the Resource Planning Committee votes, by simple majority, that the changes or new evidence would be of such significance that the Committee might consider changing the previous decision.

Amend s. 13.02, definitions, to read as follows:

Burden of Proof: The burden of moving forward with the production of evidence and the burden of persuasion (or risk of non-persuasion).

Conditional Use: A use ~~allowed under a conditional use permit.~~ Specifically, a use whose nature, character, or circumstance is so unique or so dependent upon specific conditions that predetermination of permissibility by right is not practical, but which may be permitted on a case-by-case basis subject to the conditional use permit procedure. (Added: 24 Nov 1998, Ord. 33-98)

Conditional Use Permit: A permit, issued by the Resource Planning Committee, stating that a use permitted as a conditional use may be established, expanded, or enlarged subject to any conditions placed on the authorization and the provisions of this Ordinance. (Added: 24 Nov 1998, Ord. 33-98)

Substantial evidence: Facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.

Clean-up amendments: no change in regulation administration

1. Replace all references throughout the Door County Comprehensive Zoning Ordinance (DCCZO) to the "Door County Planning Department" with "Door County Land Use Services Department".

2. Replace all references throughout the Door County Comprehensive Zoning Ordinance (DCCZO) to the "Planning Director" with "Land Use Services Director".

Amendments 1, 2, and 3 are due to the 2017 department name change from Door County Planning Department to Door County Land Use Services Department.

3. Amend DCCZO Section 2.07(3) as follows:

(3) Temporary uses shall meet all setback and yard requirements of sections 3.02(3)(a) and (b), tables of general requirements, 3.05, roads, **3A.04, navigable water**, and 5.10, wetlands, of this Ordinance. (Amended: 24 March 2015; Ord. 2015-02)

Section 3A.04 no longer exists.

4. Amend DCCZO Section 3.10(2)(b)1., Medium Use Impact list:

Utility Facilities \$ > 1000 square feet

Corrects a typographical error, replacing a dollar symbol with a "greater than" symbol.

5. Amend DCCZO section 4.08(8)(f)2.b (2) MOD reference correction (already sponsored by RPC):

Existing language: "Where the requirements outlined in 1., 2., or 3. conflict with s.08(e)(2), non-core area MOD building height, the larger setback shall be used."

Proposed: "Where the requirements outlined in (1) or (2) conflict with s. 4.08(8)(e)(2), non-core area MOD building height, the larger setback shall be used."

There is no section "3." in the ordinance to consult to determine if there is a conflict, nor has there ever been. A third section was part of the draft regulations when they were being developed in the 1990s, but was never adopted.

The format of the numbers referenced is incorrect – e.g., 1. was used instead of (1).

The reference to the non-core area building height section, 4.08(8)(e)(2), is incomplete.

6. Amend DCCZO section 13.02, "solid waste facility" definition to read as follows (already sponsored by RPC):

Solid Waste Facility: A facility or land for solid waste treatment, solid waste storage, or solid waste disposal, and includes commercial, industrial, municipal, state and federal establishments or operations such as, without limitation because of enumeration, sanitary landfills, dumps, incinerators, land disposal sites, transfer stations, storage facilities, collection and transportation services and processing, treatment and recovery facilities. Solid waste facility does not include a salvage yard, **nor does it include "clean" dredge spoils, as determined by the Wisconsin Department of Natural Resources (WI DNR), or dredge spoils that have received "Low Hazard Exemption" from the WI DNR.**

This amendment will allow the county to continue processing permits involving fill in the same manner it has for 20+ years. The amendment is necessary due to information received recently as to state-level definitions.

**Door County Resource Planning Committee
Proposed zoning ordinance text amendments
March 1, 2018 hearing**

Note: Red font indicates proposed changes. The "overstrike" function indicates text to be deleted.

Amendment required due to 2017 Act 68

Create section IV.B.7.d.3) in the Door County Shoreland Zoning Ordinance to read as follows:

3) A building or structure in violation of a county shoreland zoning ordinance that has been in place for more than ten years, for which, under § 59.592(1t), Wis. Stats., the violation may not be enforced, may be maintained, repaired, replaced, restored, rebuilt, or remodeled, if the activity does not expand the original footprint of the building or structure, in accord and consistent with § 59.692(1k)(a)2.c., Wis. Stats.

Clean-up amendment: no change in regulation administration

Replace all references throughout the Door County Shoreland Zoning Ordinance to the "Door County Planning Department" with "Door County Land Use Services Department".



DOOR COUNTY

**AMENDATORY ZONING ORDINANCE 2018 – 08
AMENDMENT TO THE ZONING MAP OF JACKSONPORT**

ROLL CALL Board Members	Aye	May	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH	X		
KOHOUT	X		
LIENAU	X		
LUNDAHL	X		
NEIMAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VUJES WOTACHEK	X		
WAIT	X		
	21	0	0

BOARD ACTION

Vote Required: Majority Roll Call Vote of a Quorum

Motion to Approve: Adopted Defeated

1st Fisher

2nd Enigl

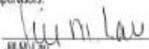
Yes: 21 No: 0 Exc: 0

Reviewed by:  Corp. Counsel

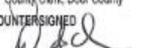
Reviewed by:  Administrator

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 17th day of April, 2018, by the Door County Board of Supervisors.


Jill M. Lau
County Clerk, Door County

COUNTERSIGNED


David Lienau, Chairman
Door County Board of Supervisors

Effective Date: 5-31-18

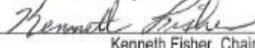
1 The Door County Board of Supervisors, pursuant to Section 59.69(5)(e),
2 Wisconsin Statutes, does hereby ordain an amendment to the detailed zoning
3 map of the Town of Jacksonport to rezone the southern 200' of a vacant 12.03-
4 acre parcel (Tax parcel 016-00-22292744F1) from the Small Estate (SE)
5 zoning district to the Light Industrial (LI):
6

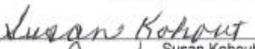
7 Tax Parcel # 016-00-22292744F1, situated in the Town of Jacksonport,
8 County of Door, State of Wisconsin, more particularly described in *Exhibit A*,
9 Lot One (1) Certified Survey Map No. 2673, recorded in Volume 16 of
10 Certified Survey Maps, Page 111, as Doc. # 755835. The south 200'
11 (approximate 3.47 acres) of Tax Parcel # 016-00-22292744F1 is shown on
12 the site plan in *Exhibit B*. Both exhibits are attached hereto and incorporated
13 herein by reference as if set forth in full.
14

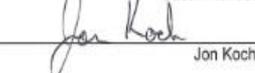
15 *See also the map attached hereto and incorporated herein by reference.*

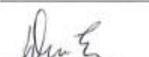
16
17 Pursuant to Section 59.69(5)(e).6., Wisconsin Statutes, this ordinance shall
18 take effect on the 41st day after the date of enactment.
19

SUBMITTED BY:
Resource Planning Committee


Kenneth Fisher, Chair


Susan Kohout


Jon Koch


Mark Moeller


David Enigl

2673

CERTIFIED SURVEY MAP

A RESURVEY OF LOTS 3 & 4, CERTIFIED SURVEY MAP NO. 2337
 AND LOT 2, CERTIFIED SURVEY MAP NO. 2456,
 RECORDED IN VOLUME 14, PAGE 50 AND
 VOLUME 14, PAGE 328, CERTIFIED SURVEY MAPS, LOCATED
 IN THE SE 1/4 OF THE SE 1/4, SECTION 22, T. 29 N., R. 27 E.,
 TOWN OF JACKSONPORT, DOOR COUNTY, WISCONSIN



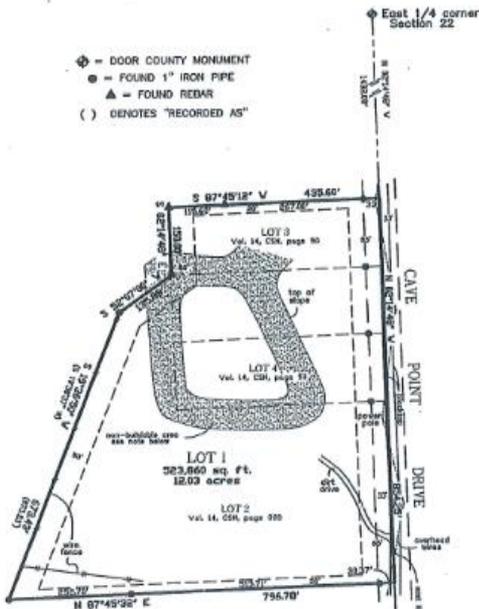
PLC

SCALE
1" = 200'



ALL BEARINGS ARE BASED
ON PREVIOUS
CERTIFIED SURVEY MAPS

- ⊕ - DOOR COUNTY MONUMENT
- - FOUND 1" IRON PIPE
- ▲ - FOUND REBAR
- () DENOTES "RECORDED AS"



--- = BUILDING ZONE

Notes:
 Building zones depicted are based on zoning
 sections in effect at time of recording and
 should not be relied upon without first obtaining
 written verification thereof from the Door County
 Planning Department.

SLOPES IN EXCESS OF 20% OVER A 50 FOOT AREA
 MAY BE CONSIDERED ENVIRONMENTALLY SENSITIVE
 ACCORDING TO DOOR COUNTY LAND DIVISION
 ORDINANCE, SECTION 1.02(2), AND SHALL NOT BE USED
 FOR BUILDING PLACEMENT



JOB NO. 11-084
 SHEET 1 OF 2

VOL 16 PAGE 111



755835

VOL 16 PAGE 112

2673

SURVEYOR'S CERTIFICATE:

I, Joseph Schroedl, registered land surveyor for Peninsula Land Consultants, LLC, do hereby certify that I have surveyed the following described parcel under the direction of William S. Andersen, owner of Port Storage Company, LLC, also owner of said property;

A resurvey of previous Certified Survey Maps No. 2337 and part of No. 2456, recorded in Volume 14, page 50 and Volume 14, page 328, Certified Survey Maps, said parcel of land located in the SE 1/4 of the SE 1/4, Section 22, Township 29 North, Range 27 East, Town of Jacksonport, Door County, Wisconsin bounded and described as follows;

Commencing at the SE of said Section 22, thence N 02°14'48" W - 363.39 feet along the east line of the SE 1/4 of Section 22, said line also being the platted centerline of Cave Point Drive, to the point of beginning of lands to be described; thence continuing along said east line (centerline) N 02°14'48" W - 854.25 feet, thence S 87°45'12" W - 435.60 feet, thence S 02°14'48" E - 150.00 feet, thence S 52°07'00" W - 135.88 feet, thence S 19°36'50" W - 673.43 feet, thence N 87°45'32" E - 796.78 feet to the point of beginning.

Said parcel contains 523,860 square feet (12.03 acres), subject to the easterly 33 feet being reserved for the rights of the public along Cave Point Drive.

I further certify that the adjacent map is a true representation of said property and correctly shows the exterior boundaries and correct measurements thereof. Also, that I have fully complied with the requirements of Chapter 236.34 of the Wisconsin Statutes.

Dated 12-27-11

Joseph Schroedl
R. L. S. 1781



OWNER'S CERTIFICATE:

As owner, I hereby certify that we caused the land described on this map to be surveyed, mapped, divided and dedicated as represented on this map.

Dated: 12/28/11

William S. Andersen
William S. Andersen, owner of
Port Storage Company, LLC

CERTIFICATE OF THE DOOR COUNTY PLANNING DEPARTMENT

Door County Planning Department approval not required to combine lots.

Dated 12-27-11

Richard D. Hansen
Zoning Administrator

CERTIFICATE OF THE REGISTER OF DEEDS

Received for record this 30 day of DECEMBER, 2011 at 10:58 o'clock AM.
Recorded in Volume 16, Page 111 as Document No. 755835

Carey Petersilka
Carey Petersilka, Register of Deeds

830th pd

(Job No. 11-084)
SHEET 2 OF 2

VOL 16 PAGE 112

EXHIBIT

B

SITE PLAN

RECORDED
JAN 3 0 2018

BY:

BEING:
LOT 1 OF CERTIFIED SURVEY MAP No. 2573
REC'D IN VOL. 16, PAGE 111 AS DOCUMENT
No. 795835

LOCATED IN:
THE N.E. 1/4 OF THE S.E. 1/4 AND SE 1/4 OF
THE SE 1/4 OF SECTION 22, TOWNSHIP 29
NORTH, RANGE 27 EAST, TOWN OF
JACKSONPORT, DOOR COUNTY, WISCONSIN.



2020
= SURVEY MONUMENT
FOR CORNER POINT FOR
THE SOUTH OF JACKSONPORT

2020
● - DOOR COUNTY COURSE
● - 1" IRON PIPE
⊙ - 1/2" IRON PIPE
() - RECORDED AS

East 1/4 Corner
22-29-27
(Door County
Monument)



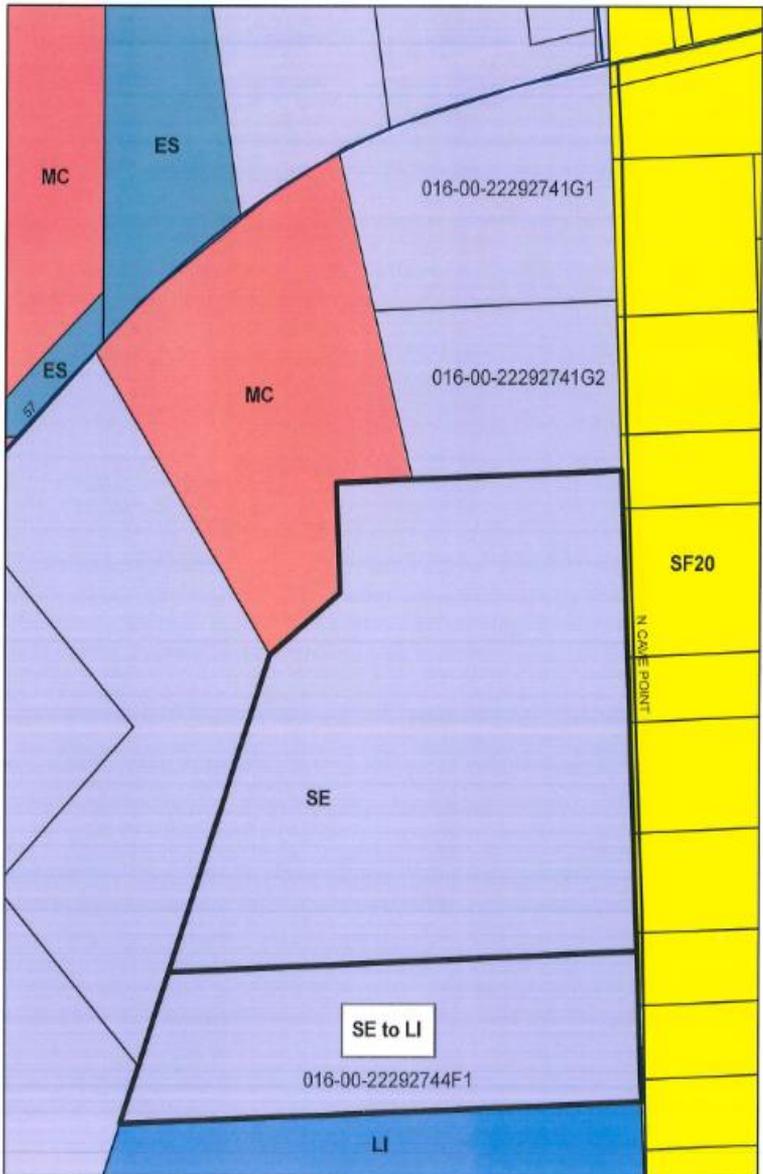
Cave Point Drive

S.E. Corner
22-29-27
(Door County
Monument)

SHEET 1 OF 1

JOB NO. 18553
1-30-18

Attachment to Ord. 2018-08
Anderson/Rack: 016-00-22292744F1
Proposed Re-Zoning: Small Estate (SE) to Light Industrial (LI)





DOOR COUNTY

AMENDATORY ORDINANCE 2018-09

**AMENDMENT OF CHAPTER 11.05 DOOR COUNTY CODE
ALL TERRAIN VEHICLES & UTILITY TERRAIN VEHICLES ROUTES**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
BULTMAN	✓		
CHOMEAU	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL	✓		
FISHER	✓		
GUNNLAUGSSON	✓		
HALSTEAD	✓		
KOCH	✓		
KOHOUT	✓		
LIENAU	✓		
LUNDAHL	✓		
NEIMAS	✓		
NORTON	✓		
ROBILLARD	✓		
SCHULTZ	✓		
VIRLEE	✓		
VLIES WOTACHEK	✓		
WAIT	✓		
	21	0	0

BOARD ACTION

Vote Required: Majority Roll Call Vote of a Quorum

Motion to Approve: Adapted Deleted

1st Neimas Deleted

2nd Gunnlaugsson Deleted

Yea: 21 No: 0 Exc: 0

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 17th day of April, 2018 by the Door County Board of Supervisors.

Jill M. Lau
Jill M. Lau
County Clerk, Door County

Countersigned
[Signature]
David Lienau, Chairman
Door County Board of Supervisors

Effective Date: Upon enactment and publication.

1 **THE DOOR COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS**
2 **FOLLOWS:**

3
4 The Town of Nasewaupée has requested that CTH C from CTH SB to Stone
5 Road located within their territorial boundaries, be designated as an all-terrain
6 vehicle route and utility terrain vehicle route.

7
8 The Door County Highway Committee has considered the Town of Nasewaupée's
9 request and recommends approval of, and amendment of Chapter 11.05 Door
10 County Code to effectuate, the same.

11
12 The Door County Board of Supervisors does hereby ordain an amendment to
13 Chapter 11.05 Door County Code as follows:

COUNTY HIGHWAYS, OR PORTIONS THEREOF, DESIGNATED AS ATV AND/OR UTV ROUTES.

- A. The following routes are designated as ATV / UTV routes:
1. The portion of County Highway(s) DK, N, D, Y situated within the Town of Union.
 2. The portion of County Trunk Highway W situated within the Town of Washington.
 3. The portion of County Trunk Highways M, SB, and PD situated within the Town of Nasewaupée
 4. The following segments of County Trunk Highways in the Town of Gardner: All of CTH CC, CTH C from CTH CC to Stevenson Pier Road, CTH C from Meadowlark Lane to Lime Kiln Road, and CTH N from Fox Lane southerly to the Gardner Town Line.
 5. The portion of County Trunk DK in the Town of Brussels.
 6. The portion of CTH H from STH 42 west to Stone Road in the Town of Forestville.
 7. The portion of CTH J from Mill Road to the easterly Forestville Village Limits.
 8. CTH C from CTH SB to Stone Road, Town of Nasewaupée.

35 Chapter 11.05 Door County Code shall remain unchanged and shall continue in
36 full force and effect except as amended by this ordinance.
37 This ordinance shall become effective upon enactment and publication.

38
39 The Door County Clerk shall transmit a certified copy of this ordinance to the
40 Wisconsin Department of Natural Resources and the Door County Sheriff's
41 Department.

SUBMITTED BY: HIGHWAY COMMITTEE

[Signature] John Neimas, Chairperson
[Signature] Kenneth Fisher
[Signature] Joel Gunnlaugsson

[Signature] Roy Englebert
[Signature] Dan Austad



DOOR COUNTY

**AMENDATORY ZONING ORDINANCE 2018 – 10
AMENDMENT TO THE TEXT OF THE DOOR COUNTY
COMPREHENSIVE ZONING ORDINANCE**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENGL			X
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH	X		
KOHOUT			X
LIENAU	X		
LUNDAHL			X
NEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VILIES WOTACHEK	X		
WAIT	X		
	18	0	3

1 The Door County Board of Supervisors, pursuant to Section 59.69(5)(e),
2 Wisconsin Statutes, does hereby amend the Door County Comprehensive
3 Zoning Ordinance to read as follows:

4
5 *See Attachment, incorporated herein as if fully set forth.*

6
7 Pursuant to Section 59.69(5)(e)6, Wisconsin Statutes, this ordinance shall
8 become effective upon passage.
9

**SUBMITTED BY:
Resource Planning Committee**

Kenneth Fisher
Kenneth Fisher, Chair

Vinnie Chomeau
Vinnie Chomeau

Jon Koch
Jon Koch

Richard Virlee
Richard Virlee

BOARD ACTION

Vote Required: Majority Roll Call Vote of a Quorum

Motion to Approve: Adopted Deleted

1st Fisher Deleted

2nd Koch

Yes: 18 No: 0 Exc: 3

Reviewed by: *[Signature]*, Corp. Counsel

Reviewed by: *[Signature]*, Administrator

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 22nd day of May, 2018 by the Door County Board of Supervisors.

Jill M. Lau
Jill M. Lau
County Clerk, Door County

COUNTERSIGNED

[Signature]
Debra Grant, Chairman
Door County Board of Supervisors

Effective Date: 5/22/18

**Door County Resource Planning Committee
Proposed Door County Comprehensive Zoning Ordinance text amendments**

Note: All proposed changes are in red font. The "overstrike" function indicates text to be deleted.

Amend Section 3.04(4) to read as follows:

(4) Except for multiple occupancy developments, only one single family residence, one duplex, or one manufactured home shall be permitted on a lot or a site condominium unit, as defined by the county land division ordinance.

Amend Section 4.08(9)(e) to read as follows:

(e) For all secondary dwelling units, the setbacks and minimum yards shall be as required for principal structures, except that detached secondary dwelling units subject to an ordinary high water mark setback shall, for the purposes of that setback, be viewed and regulated as accessory structures. (Amended: 17 April 2012; Ord. No.2012-14)

Delete and recreate section 6.02(4)(b), and add sections (c) and (d), as shown below.

6.02 General requirements.

(4) Individual residential lots, uses, and structures.

~~(b) The only residential uses allowed shall be single family residences, secondary dwelling units, or duplexes. Duplexes are only allowed provided they are allowed in the applicable zoning district. Individual residential lots, uses, and structures within a conservation subdivision shall not be converted to or used for any nonresidential use, except for home offices/studios, home occupations, home businesses, family day care homes, or utility facilities – type A provided those uses comply with regulations elsewhere in this ordinance. A restrictive agreement shall be recorded to this effect.~~

(b) Residential uses allowed shall be single family residences, secondary dwelling units, duplexes, or existing manufactured homes. New duplexes are only allowed provided they are allowed in the applicable zoning district. New manufactured homes shall not be allowed.

(c) Utility facilities – type A may be permitted on the individual residential lots. Other non-residential uses that may be permitted, in conjunction with one of the residential uses listed in par. (b), are home offices/studios, home occupations, home businesses, family day care homes, agriculture, and private riding stables. These nonresidential uses are only allowed provided they comply with all regulations elsewhere in this ordinance and are allowed in the applicable zoning district.

(d) A restrictive agreement shall be recorded to the effect that the individual residential lots, uses, and structures listed in par. (b) shall not be converted to or used for any nonresidential use not listed in par. (c).

Amend sections of Chapter 9, Nonconforming Uses, Structures, and Lots, as follows:

9.01 Previously lawful condition. Within the districts established and mapped by this Ordinance, or amendments thereto, there may exist uses of lands or buildings, structures, or lots, which were lawful before this Ordinance, or amendments thereto, became effective, but which do not conform to the regulations herein. As set forth in s. 59.69(10), (10e), and (10m), Wis. Stats., such nonconforming conditions may be continued, subject to the requirements of this chapter.

9.02 Nonconforming uses.**(1) Nonconforming use of land.**

(a) For all nonstructural uses of land, except nonmetallic mining operations, permissible expansions or intensifications shall be authorized only by a conditional use permit. Permissible expansion or intensification means a total increase, during the life of the use, of up to ten percent (10%), based on the level of activity (e.g., frequency, duration, volume) and/or the area encompassed by the nonconforming use, as applicable, at the time the use became nonconforming.

(2) Nonconforming use of buildings or other structures. The following shall apply to all buildings or structures which house a nonconforming use:

(b) Permissible expansion or intensification of a nonconforming use via new buildings or structures, or via additions to an existing building or structure which houses a nonconforming use, or via structural alterations or structural repairs to an existing building which houses a nonconforming use for the purpose of expansion or intensification of the use may be authorized only by a conditional use permit. Such new structures or additions shall only be placed within the boundaries of the lot as it existed at the time the use became nonconforming and shall comply with all applicable setbacks and other dimensional requirements of this Ordinance, unless variances are granted as provided in s. 11.06, variance from the requirements of this Ordinance. Permissible expansion or intensification means a total increase, during the life of the use, of up to ten percent (10%), based on the level of activity (e.g., frequency, duration, volume) and/or the square footage of the structure(s) housing the nonconforming use, as applicable, at the time the use became nonconforming. (Amended: 25 June 1996, Ord. 16-96)

(c) If a structure which houses a nonconforming use is destroyed by vandalism or by fire, explosion, flooding, ice, snow, storm damage, violent wind, mold, infestation, or similar calamity other-disaster, such structure may be restored and the nonconforming use may be restored therein upon issuance of a regular zoning permit. Such restoration shall not exceed the original building floor area and volume, unless a conditional use permit is authorized, as provided in par. (b). If the original structure which housed the nonconforming use is also a nonconforming structure, the provisions of 9.03(1) and (2) shall also apply. (Amended: 20 Sept. 2016; Ord. 2016-14)

(3) Change of use.

- (a) A nonconforming use may continue in strict accord with the historical use; i.e., the precise active and actual use that predated the ordinance which rendered the use nonconforming.
- (b) Any identifiable unauthorized change (e.g., alteration, expansion, or intensification) in the nonconforming use may be illegal and may result in loss of legal nonconforming use status.
- (c) A nonconforming use shall not be changed to any use other than a use permitted in the zoning district in which it is located.

9.03 Nonconforming structures.**(2) Repairs and restoration.**

(a) A nonconforming structure that is damaged or destroyed by vandalism or by fire, explosion, flooding, ice, snow, storm damage, violent wind, mold, infestation, or similar calamity may be repaired or restored provided the repair or restoration of the nonconforming portion of the structure occurs fully within the building envelope of the structure before damage, except that structures may be larger than the size immediately before the damage or destruction if necessary for compliance with state or federal requirements-located-in-the-floodplain-may-be-elevated-as-necessary-to-comply-with-floodplain-zoning requirements. Said repair or restoration shall only be authorized when the relevant zoning permit for the repair or restoration is issued within twelve months from the date of the damage to the nonconforming structure. (Amended: 25 June 1996, Ord. 16-96) (Amended: 18 December 1997, Ord. 39-97) (Amended: 20 Sept. 2016; Ord. 2016-14)



DOOR COUNTY

**AMENDATORY ZONING ORDINANCE 2018 – 11
AMENDMENT TO THE TEXT OF THE DOOR COUNTY
COMPREHENSIVE ZONING ORDINANCE**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL			X
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH	X		
KOCHOUT			X
LIENAU	X		
LUNDAHL			X
NEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
Virlee	X		
VLIES WOTACHEK	X		
WAIT		X	
	17	1	3

1 The Door County Board of Supervisors, pursuant to Section 59.69(5)(e),
 2 Wisconsin Statutes, does hereby amend the Door County Comprehensive
 3 Zoning Ordinance to read as follows:
 4
 5 See Attachment, incorporated herein as if fully set forth.
 6
 7 Pursuant to Section 59.69(5)(e).6., Wisconsin Statutes, this ordinance shall
 8 take effect on the 41st day after the date of enactment.
 9
 10

SUBMITTED BY:
Resource Planning Committee
Kenneth Fisher
 Kenneth Fisher, Chair

David Enigl
 David Enigl

Jon Koch
 Jon Koch

Vinnie Chomeau
 Vinnie Chomeau

Richard Virlee
 Richard Virlee

BOARD ACTION
 Vote Required: Majority Roll Call Vote of a Quorum

Motion to Approve: Adopted
 1st: Fisher Defeated:
 2nd: Koch
 Yea: 17 No: 1 Exc: 3

Reviewed by: [Signature] Corp. Counsel
 Reviewed by: [Signature] Administrator

Certification:
 I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 22nd day of May, 2018 by the Door County Board of Supervisors.
[Signature]
 Jill M. Lau
 County Clerk, Door County
 COUNTERSIGNED:
[Signature]
 David Lienau, Chairman
 Door County Board of Supervisors
 Effective Date: 7-2-18

**Door County Resource Planning Committee
Proposed Door County Comprehensive Zoning Ordinance text amendments**

Note: All proposed changes are in red font. The "overstrike" function indicates text to be deleted. The modification from what was sponsored from public hearing is in green font.

4.03 Agricultural uses requirements.

(2) Roadside stands.

(a) Such use shall only involve the sale of unprocessed produce and plants, farm products produced on the premises.

(b) A roadside stand shall not exceed 492 400 square feet of floor area and shall meet all setbacks and provisions of this Ordinance. All parking associated with roadside stands shall meet the provisions of s.7.02(5)(c) - setback. Structures exceeding 492 square feet in floor area shall be deemed to be farm markets. (Recreated: 4 August 2003; Ord. 07-03)

(c) Only one roadside stand shall be permitted on a lot.

~~(3) Farm markets.~~

~~(a) Such use shall principally involve the sale of farm and garden products, but other types of merchandise may be sold, provided such merchandise occupies not more than 30 percent of the indoor and outdoor display area of the farm market.~~

~~(b) At least one off-street parking space shall be provided for each 200 square feet of indoor and outdoor display area.~~

CHAPTER 13, DEFINITIONS

Farm Market: A use or structure(s) which principally involves the retail sale of farm and garden products, regardless of whether such products were produced on the premises.

Roadside Stand: A use or structure involving only the display and sale of unprocessed produce and plants farm products produced on the premises.

Modified language proposed for adoption: Roadside Stand: A use or structure involving only the display and sale of unprocessed farm products and plants produced, at least in part, on the premises.

(3)(a) Table of principal uses – General. This table shall apply as appropriate wherever this Ordinance is applicable.

Type of Use	Zoning Districts																		
	W	NA	EA	GA	PA	CS	HL ⁹	ES	SF10	SF20	SF30	SE	RR	HD	CC	MC	RC	LI	
AGRICULTURAL USES																			
Agricultural Visitation Facility (4.03(4)) (Adopt: 26 Aug 1997; Ord. 21-97)				C	C														
Farm Markets (s. 4.03(3)) (Amended: 30 Sept. 2010; Ord. 2010-13)			C ¹²	-C	-C										-P	-P	-E		
Agriculture (s. 4.03(1)) (Amended: 26 Aug. 1997; Ord. 21-97)		P	P	P	P	P	P	P											P
Greenhouses (Amended: 30 Sept. 2010; Ord. 2010-13)		P ¹⁷	P	P	P ¹	P	P	P ¹							C	C			
Roadside Stands (s. 4.03(2)) (Amended: 30 Sept. 2010; Ord. 2010-13)		P	P ¹⁷	P	P	P	P	P											
Tree/Shrub Nurseries		P ¹	P	P	P ¹	P	P	P ¹											
COMMERCIAL USES																			
Art Galleries (Amended: 9 May 2008; Ord. 2008-01)				C	C	C	C ¹⁰								P	P	P		
Assembly Hall (s. 4.04(17)) (Adopt: 5 Aug. 2013; Ord. 2013-13)				C ¹⁴	C	C	C ¹⁴	C							C	C	C ¹⁴		
Auto Repair (s. 4.04(5))				C	C	C									C	C	C		P
Auto/Rear Vehicle Sales, Rental, and Service Lot (Amended: 20 Sept. 2016; Ord. 2016-14)															C	C			
Banks															P ²	P ²			
Carwash (Adopt: 27 August 2002; Ord. 12-02)															C	C	C	C	C
Commercial Fishing Facilities				P	P	P									C	C	C	C	P
Commercial Trucking Establishments (Amended: 30 Sept. 2010; Ord. 2010-13)			C ¹⁷	C ⁹															P
Commercial Storage Facilities (s. 4.04(8))															C	C	C	C	P
Community Commercial Kitchen (s. 4.04(16)) (Adopt: 28 May 2012; Ord. 2012-13)															P	P	P		P
Conference Facilities															C	C	C	C	C
Day Care Centers (s. 4.04(14))															C	C	C	C	C

ZONING DISTRICTS; USE REGULATIONS 2.05(3)(a)

(3)(a) Table of principal uses – General. This table shall apply as appropriate wherever this Ordinance is applicable (continued).

Type of Use	Zoning Districts																		
	W	N/A	EA	GA	PA	CS	HL ⁶	ES	SF10	SF20	SF30	SE	RR	HD	CC	MC	RC	LI	
COMMERCIAL USES (Continued)																			
Passenger Bus Terminals															C	C			
Personal Service Establishments															P	P			
Professional Offices/Studios															P	P	C		
Radio/TV Stations (Amended: 29 Sept. 2013; Ord. 2013-09 Effective 9 Nov. 2015)															P	P			
Non-Motorized Recreational Equipment Sales/Service/Rentals (Amended: 26 Feb. 2013; Ord. 2013-07) (Amended: 20 Sept. 2016; Ord. 2016-14)															P	P	P		
Motorized Recreational Equipment Sales/Service/Rentals (Amended: 26 Feb. 2013; 2013-07) (Amended: 20 Sept. 2016; Ord. 2016-14)															C	C	C		
Restaurants or Taverns (s. 4.04(3))															P ²	P ²	C		
Retail Stores															P ⁵	P ⁵	P ^{4,6}		
Trade or Contractor Establishments (s. 4.04(7)) (Amended: 18 Dec. 2011; Ord. 12-01)				C		C									C	P	P		P
Veterinarian Clinics				P		P									P	P			
Wineries/Breweries (Amended: 5 Aug. 2013; Ord. 2013-10)				C ^{2,4}		C ^{2,4}	C ^{2,4}								C	C			P ^{2,4}
INDUSTRIAL USES																			
Asphalt/Concrete Plants																			C
Bulk Storage of Fuel Products																			C
Freight Terminals (s. 4.05(2))																C			P
Fruit/Vegetable/Cheese Processing Plants (Amended: 30 Sept. 2010; Ord. 2010-13)			C ^{2,4}	C ^{2,4}		C ^{2,4}	C ^{2,4}												P ^{2,4}
Manufacturing, Assembly, Processing															C				P
Nonmetallic Mining (s. 4.05(3)) (Amended: 30 Sept. 2010; Ord. 2010-13)				C		C	C												C
Resource Recovery Facilities (s. 4.05(6))				C		C	C												C
Salvage Yards (s. 4.05(4))				C		C	C												C

(3)(a) Table of principal uses – General. This table shall apply as appropriate wherever this Ordinance is applicable.

FOOTNOTES:

1. Such use shall not entail on-site retail sales.
 2. Establishments with drive-through facilities shall be permitted only as provided in s. 11.04, conditional use permits. (Amended: 27 May 2006; Ord. 2006-04)
 3. Restricted to commercial trucking of farm products or to provide a farm service.
 4. Such use shall be incorporated into a larger development and the floor area dedicated to the retail use shall not exceed 30% of the total floor area of the buildings which serve the development's clientele.
 5. (Deleted: 28 May 2012; Ord. 2012-13)
 6. Establishments where the total floor area of all buildings which serve a retail use on the lot exceeds 20,000 sq. ft. shall only be permitted as conditional uses.
 7. See s. 4.08(8)(a). (Amended: 26 Feb. 2103; Ord. 2013-06)
 8. The HL column shall refer to the principal uses allowed in the Heartland-3.5 (HL3.5), Heartland-5 (HL5), and Heartland-10 (HL10) districts. (Added: 28 May 1996; Ord. 13-96)
 9. Privately owned parks which include active recreation shall only be permitted as conditional uses. (Added: 27 May 1997; Ord. 15-97)
 10. Subject to Section 4.04(15) in the Town of Liberty Grove. (Recreated: 15 April 2005; Ord. 2005-01; Effective 9 May 2008)
 11. Allowed in Natural Area (NA) zoning district only in the Town of Union. (Added: 22 March 2005; Ord. 2005-11, Effective 2 May 2005)
 12. Allowed in the Town of Jacksonport only. (Added: 28 June, 2006; Ord. 2006-11)
 13. Allowed in the Town of Gibraltar only by Conditional Use Permit. (Added: 22 Aug. 2006; Ord. 2006-16; Effective 12 Sept. 2006)
 14. Not allowed in Town of Gibraltar. (Added: 22 Aug. 2006; Ord. 2006-16; Effective 12 Sept. 2006) (Added: 6 Aug 2013; Ord. 2013-13)
 15. Permitted in Town of Gibraltar only. (Added: 22 Aug 2006, Ord. 2006-16; Effective 12 Sept. 2006)
 16. Allowed in the Town of Liberty Grove only by Conditional Use Permit. (Added: 22 May 2007; Ord. 2007-11)
- Note: Please see Appendix A for further information regarding footnotes 17-22.** (Relocated from below footnote 22: 20 Sept. 2016; Ord. 2016-14)
17. Shall meet the requirements of s.91.01(1)(d), Wis. Stats. (Added: 30 Sept 2010, Ord. 2010-13)
 18. (Deleted: 12 December 2012; Ord. 2012-25)
 19. Shall only be authorized if located on a conforming lot. (Added: 30 Sept 2010; Ord. 2010-13)(Amended: 11 Dec. 2012; Ord. No. 2012-25)
A residence in the EA zoning district which meets the requirements of s.91.01(19), Wis. Stats. shall be authorized with a regular zoning permit.
A residence in the EA zoning district which fails to meet s.91.01(19), Wis. Stats., must obtain a Conditional Use Permit in accordance with s.91.46(2), Wis. Stats.
 20. Shall meet the requirements of s.91.46(6) Wis. Stats., and shall not include active recreation. (Added: 30 Sept. 2010; Ord. 2010-13)
 21. Shall meet the requirements of s.91.46(4) or s.91.44(1)(f), Wis. Stats., as appropriate. (Added: 30 Sept 2010; Ord. 2010-13)
 22. Shall meet the requirements of 91.01(3), Wis. Stats., as appropriate. (Added: 30 Sept 2010; Ord. 2010-13)
 23. Allowed only in the Town of Liberty Grove. Such use is restricted to wineries only and may be established only on lots five acres or larger. (Added: 5 August 2013; Ord. 2013-10)
 24. Retail sales and tasting areas are not allowed.

ZONING DISTRICTS; USE REGULATIONS 2.05(3)(b)

(3)(b) Table of principal uses – Town of Gibraltar. This table shall apply in the Town of Gibraltar.

Commentary: In order to determine all principal uses allowed in the Town of Gibraltar, reference to s. 2.05(3)(a), table of principal uses – General, is also required.

Type of Use	Zoning Districts							
	CA	CSS	CI	NR	VC	GC		
AGRICULTURAL USES								
Agricultural Visitation Facility (s. 4.03(4)) (Added: 26 Aug. 1997, Ord. 21-97)								
–Farm Markets (s. 4.03(3))								
Agriculture (s. 4.03(1)) (Amended: 26 Aug. 1997, Ord. 21-97)	P ^e	P			P	P		
Greenhouses		P			C	C		
Roadside Stands (s. 4.03(2))		P						
Tree/Shrub Nurseries		P						
COMMERCIAL USES								
Art Galleries (Amended: 26 Oct. 2000, Ord. 18-00)		C			P	P		
Assembly Hall (Added: 5 August 2013, Ord. 2013-13)					C	C		
Auto Repair (s. 4.04(5))		C			C	C		
Auto/Recreational Vehicle Sales, Rental, and Service Lot (Amended: 20 Sept. 2016; Ord. 2016-14)					C	C		
Banks						P ⁱ	P ⁱ	
Carwash (Added: 27 August 2002; Ord. 12-02)						C	C	
Commercial Fishing Facilities		P			C	C		
Commercial Trucking Establishments								
Commercial Storage Facilities (s. 4.04(8))						C	C	
Community Commercial Kitchen (s. 4.04(16)) (Added: 28 May 2012, Ord. 2012-13)						P	P	

(3)(b) Table of principal uses – Town of Gibraltar (continued). This table shall apply in the Town of Gibraltar.

Commentary: In order to determine all principal uses allowed in the Town of Gibraltar, reference to s. 2.05(3)(a), table of principal uses – General, is also required.

Type of Use	Zoning Districts						
	CA	CS5	CI	NR	VC	GC	
COMMERCIAL USES (Continued)							
Medical/Dental Clinics					P	P	P
Model Homes (s. 4.04(4))			C	P	P	P	P
Passenger Bus Terminals					C	C	C
Personal Service Establishments					P	P	P
Professional Offices/Studios					P	P	P
Radio TV Stations (Amended: 29 Sept. 2015; Ord. 2015-09 Effective 9 Nov. 2015)					P	P	P
Non-Motorized Recreational Equipment Sales/Service/Repairs (Amended: 20 Sept. 2016; Ord. 2016-14)					P	P	P
Motorized Recreational Equipment Sales/Service/Repairs (Amended: 20 Sept. 2016; Ord. 2016-14)					C	C	C
Restaurants or Taverns (s. 4.04(3))					P ¹	P ¹	P ¹
Retail Stores					P ²	P ²	P ²
Trade or Contractor Establishments (s. 4.04(7)) (Amended: 18 Dec. 2001; Ord. 12-01)		C					
Veterinarian Clinics		P			P	P	P
Wineries/Breweries		C ⁷			C	C	C
INDUSTRIAL USES							
Asphalt/Concrete Plants							
Bulk Storage of Fuel Products							
Freight Terminals (s. 4.05(2))							C
Fruit/Vegetable/Cheese Processing Plants		C ⁷					
Manufacturing, Assembly, Processing						C	C

ZONING DISTRICTS; USE REGULATIONS 2.08(3)

FOOTNOTES:

1. Establishments with drive-through facilities shall be permitted only as provided in s. 11.04, conditional use permits. (Amended: 27 May 2008; Ord. 2008-04)
2. (Deleted: 28 May 2012; Ord. 2012-13)
3. Establishments where the total floor area of all buildings which serve a retail use on the lot exceeds 20,000 sq. ft. shall only be permitted as conditional uses.
 4. See s. 4.08(8)(a). (Amended: 26 Feb. 2013; Ord. 2013-06)
5. Privately owned parks which include active recreation shall only be permitted as conditional uses. (Added: 27 May 1997; Ord. 15-97)
6. Forestry Practices only.
7. Retail sales and tasting areas are not allowed.

(Table and footnotes added 22 Aug. 2006; Ord. 2006-16, effective 12 Sept. 2006)



DOOR COUNTY

AMENDATORY ORDINANCE 2018-12

**AMENDMENT OF CHAPTER 11.05 DOOR COUNTY CODE
ALL TERRAIN VEHICLES & UTILITY TERRAIN VEHICLES ROUTES**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
BULTMAN	✓		
CHOMEAU	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL			✓
FISHER	✓		
GUNNLAUGSSON	✓		
HALSTED	✓		
KOCH	✓		
KOHOUT			✓
LIENAU	✓		
LUNDAHL			✓
NEINAS	✓		
NORTON	✓		
ROBILLARD	✓		
SCHULTZ	✓		
VIRLIEE	✓		
VILJES WOTACHEK	✓		
WAIT	✓		
	18	0	3

BOARD ACTION

Vote Required: Majority Roll Call / Vote of a Quorum

Motion to Approve: Adapted Deleted

1st Naini 2nd Chomineau

Yea: 18 Nay: 0 Exc: 3

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the ___ day of ___, 2018 by the Door County Board of Supervisors.

Jill M. Lau
Jill M. Lau
County Clerk, Door County

[Signature]
David Lienau, Chairman
Door County Board of Supervisors

Effective Date: Upon enactment and publication.

1 **THE DOOR COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS**
2 **FOLLOWS:**

3
4 The Town of Baileys Harbor has requested that portions of CTH EE, E and F
5 located within their territorial boundaries, be designated as an all-terrain vehicle
6 route and utility terrain vehicle route.

7
8 The Door County Highway & Airport Committee has considered the Town of
9 Baileys Harbor's request and recommends approval of, and amendment of
10 Chapter 11.05 Door County Code to effectuate, the same.

11
12 The Door County Board of Supervisors does hereby ordain an amendment to
13 Chapter 11.05 Door County Code as follows:

COUNTY HIGHWAYS, OR PORTIONS THEREOF, DESIGNATED AS ATV AND/OR UTV ROUTES.

- A. The following routes are designated as ATV / UTV routes:
1. The portion of County Highway(s) DK, N, D, Y situated within the Town of Union.
 2. The portion of County Trunk Highway W situated within the Town of Washington.
 3. The portion of County Trunk Highways M, SB, and PD situated within the Town of Nasewaupae.
 4. The following segments of County Trunk Highways in the Town of Gardner: All of CTH CC, CTH C from CTH CC to Stevenson Pier Road, CTH C from Meadowlark Lane to Lime Kiln Road, and CTH N from Fox Lane southerly to the Gardner Town Line.
 5. The portion of County Trunk DK in the Town of Brussels.
 6. The portion of CTH H from STH 42 west to Stone Road in the Town of Forestville.
 7. The portion of CTH J from Mill Road to the easterly Forestville Village Limits.
 8. CTH EE from Red Cherry Road to CTH F, and CTH F from STH 57 to Meadow Road, and CTH E from CTH A to Red Cherry Road, Town of Baileys Harbor.

34 Chapter 11.05 Door County Code shall remain unchanged and shall continue in
35 full force and effect except as amended by this ordinance.
36 This ordinance shall become effective upon enactment and publication.

37
38 The Door County Clerk shall transmit a certified copy of this ordinance to the
39 Wisconsin Department of Natural Resources and the Door County Sheriff's
40 Department.

SUBMITTED BY: HIGHWAY & AIRPORT COMMITTEE

[Signature] John Neinas, Chairperson
[Signature] Roy Englebert
[Signature] Kenneth Fisher
[Signature] Randy Halsted
[Signature] Joel Gunnlaugsson



DOOR COUNTY

ORDINANCE 2018-13

AMENDMENT OF §340.002 DOOR COUNTY CODE

ROLL CALL	Board Members	Aye	Nay	Exc.
AUSTAD		✓		
BACON		✓		
BULTMAN		✓		
CHOMEAU		✓		
D. ENGLEBERT		✓		
R. ENGLEBERT		✓		
ENIGL				✓
FISHER		✓		
GUNNLAUGSSON		✓		
HALSTEAD		✓		
KOCH		✓		
KOHOUT				✓
LIENAU		✓		
LUNDAHL				✓
NEINAS		✓		
NORTON		✓		
ROBILLARD		✓		
SCHULTZ		✓		
VIRLEE		✓		
VLJES WOTACHEK		✓		
WAIT		✓		
		18	0	3

BOARD ACTION

Vote Required: Majority Roll Call Vote of a Quorum

Motion to Approve: Adopted Defeated

1st: Neinas

2nd: Halstead

Yes: 18 No: 0 Exc: 3

Reviewed by: _____, Corp. Counsel

Reviewed by: _____, Administrator

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 22nd day of May, 2018 by the Door County Board of Supervisors.

Jill M. Lau
Jill M. Lau
County Clerk, Door County

David Lienau
David Lienau, Chairman
Door County Board of Supervisors

Effective Date: Upon enactment and publication.

1 **THE DOOR COUNTY BOARD OF SUPERVISORS DOES HEREBY**
2 **ORDAIN AN AMENDMENT TO §340.002, "SPEED LIMITS", DOOR**
3 **COUNTY CODE AS FOLLOWS:**

4 The following section is amended to read:

5 **County Trunk Highway "C", Town of Brussels:**
6 Thirty-five miles per hour from a point 0.41 of a mile north of County
7 Trunk Highway "DK" State Trunk Highway-67, southerly to a point
8 0.39 of a mile south of said intersection. (2-73 & Ord. # 2018-__ ; 05-
9 22-2018).

10 The following section is created to read:

11 **County Trunk Highway "C", Town of Brussels:**
12 Forty-five miles per hour starting at the intersection of State Highway
13 57 thence northerly to a point 0.39 of a mile south of the intersection
14 with County Trunk Highway "DK" (Ord. # 2018-__ ; 05-22-2018)

15 The Door County Highway & Airport Committee is authorized to erect speed
16 zone and other signs, consistent with the Wisconsin State Manual of Traffic
17 Control.

18 This ordinance shall be effective upon its adoption and publication by the
19 Door County Board of Supervisors as provided by law.

20
21
22
23
24

SUBMITTED BY: HIGHWAY & AIRPORT COMMITTEE

John Neinas Chairperson
Roy Englebert
Kenneth Fisher
Randy Halstead
Joel Gunnlaugsson



DOOR COUNTY

**AMENDATORY ZONING ORDINANCE 2018-14
AMENDMENT TO THE ZONING MAP OF SEVASTOPOLE**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
BULTMAN	✓		
CHOMEAU	✓		
D. ENGLEBERT	✓		
IL ENGLEBERT	✓		
ENIGL	✓		
FISHER	✓		
GUNILAUGSSON	✓		
HALSTEAD	✓		
KOCH			✓
KOHOUT	✓		
LJENAU	✓		
LUNDIHL	✓		
NEINAS	✓		
NORTON	✓		
ROBBLARD	✓		
SCHULTZ	✓		
VIRLEE	✓		
VLIJES WOTACHEK	✓		
WAIT	✓		

BOARD ACTION

Vote Required: Majority Roll Call Vote of a Quorum

Motion to Approve: Adopted Deleted

1st Fisher
2nd Enigl

Yes: No: Exc: 1

Reviewed by:

[Signature] Corp. Counsel

Reviewed by:

[Signature] Administrator

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 24th day of July, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

COUNTERSIGNED

[Signature]
David Linnis, Chairman
Door County Board of Supervisors

Effective Date : 7/24/18

1 The Door County Board of Supervisors, pursuant to Section
2 59.69(5)(e), Wisconsin Statutes, does hereby ordain an amendment
3 to the detailed zoning map of the Town of Sevastopol to rezone a
4 0.98-acre parcel (Tax parcel 022-02-23282641G1) from the Estate
5 (ES) zoning district to the Single Family Residential 20,000 (SF20)
6 zoning district:

7
8 Tax Parcel # 022-02-23282641G1, situated in the Town of
9 Sevastopol, County of Door, State of Wisconsin, more particularly
10 described in *Exhibit A*, Trustee's Deed, Doc. # 808007. *Exhibit A* is
11 attached hereto and incorporated herein by reference as if set
12 forth in full.

13
14 *See also the map attached hereto and incorporated herein by
15 reference.*

16 Pursuant to Section 59.69(5)(e).6., Wisconsin Statutes, this
17 ordinance shall become effective upon passage.
18
19

**SUBMITTED BY:
Resource Planning Committee**

[Signature]
Kenneth Fisher, Chair

[Signature]
David Enigl

[Signature]
Jon Koch

[Signature]
Vinni Chomeau

[Signature]
Richard Virlee



State Bar of Wisconsin Form 7-2003
TRUSTEE'S DEED

Document Number

Document Name

DOC #: 808007
RECORDED ON:
09/27/2017 11:05:50 AM
CAREY PETERSILKA
REGISTER OF DEEDS
DOOR COUNTY, WI
FEE AMOUNT PAID: 30.00
FEE EXEMPT: 77.25(10)
WHZ: 3

THIS DEED, made between Jane A. Cisewski as Successor or Trustee of the William L. and Jane A. Cisewski Revocable Living Trust dated October 12, 2000
~~as Trustee of~~

("Grantor," whether one or more), and Jane A. Cisewski trustee or her successors in trust under the Jane A. Cisewski Revocable Living Trust dated September 20, 2017 and any amendments thereto.

("Grantee," whether one or more).

Grantor conveys to Grantee, without warranty, the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Door _____ County, State of Wisconsin ("Property") (if more space is needed, please attach addendum):

Recording Area

Name and Return Address
Robert A. Ross
Ross Estate Planning
218 N. 14th Avenue
Sturgeon Bay, WI 54235

022-02-23282641G1

Parcel Identification Number (PIN)

See attached legal description.

Dated September 20, 2017

Jane A. Cisewski (SEAL) _____ (SEAL)
* Jane A. Cisewski, successor trustee * _____
_____ (SEAL) _____ (SEAL)
* _____ *

AUTHENTICATION

Signature(s) Jane A. Cisewski

authenticated on September 20, 2017

Robert A. Ross
* _____

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, _____
authorized by Wis. Stat. § 706.06)

THIS INSTRUMENT DRAFTED BY:

Robert A. Ross, Ross Estate Planning
Sturgeon Bay, Wisconsin

ACKNOWLEDGMENT

STATE OF _____)
_____) ss.
_____ COUNTY)

Personally came before me on _____,
the above-named _____

to me known to be the person(s) who executed the foregoing
instrument and acknowledged the same.

Notary Public, State of _____
My commission (is permanent) (expires: _____)

(Signatures may be authenticated or acknowledged. Both are not necessary.)

NOTE: THIS IS A STANDARD FORM. ANY MODIFICATION TO THIS FORM SHOULD BE CLEARLY IDENTIFIED.

TRUSTEE'S DEED

©2003 STATE BAR OF WISCONSIN

FORM NO. 7-2003

* Type name below signatures.

INFO PROD. www.wisbar.org

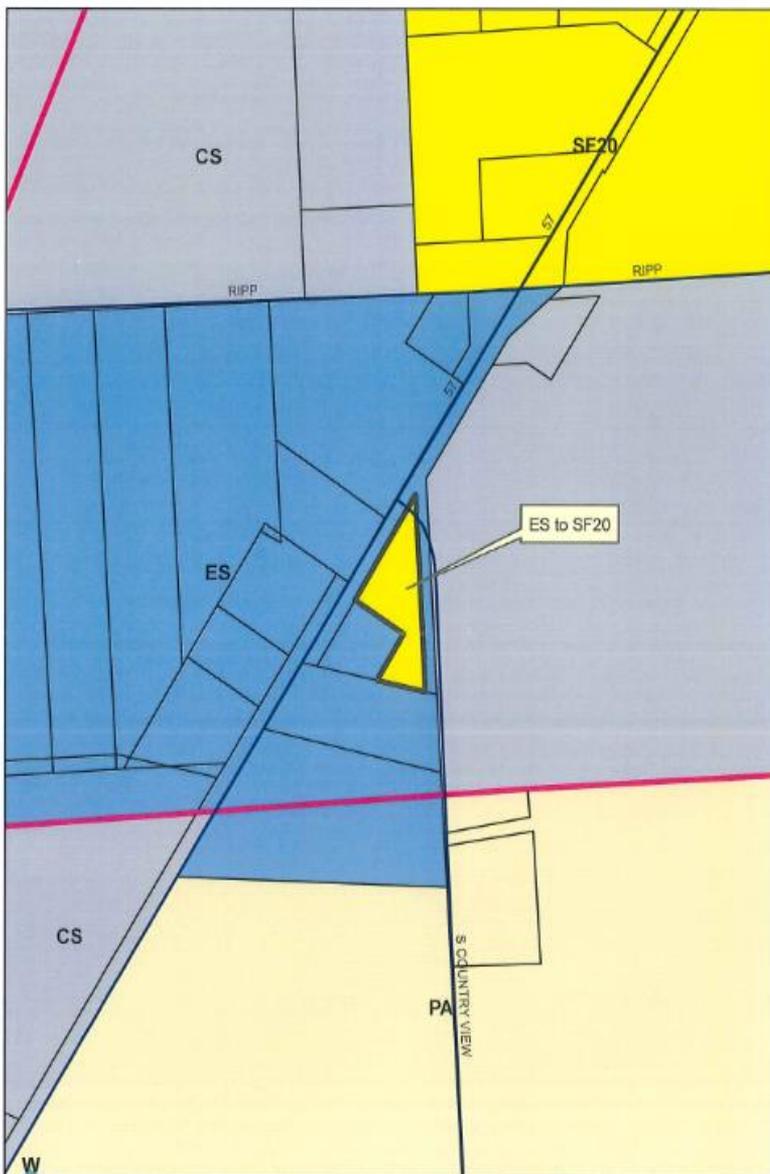


A tract of land located in the Northeast one-quarter (NE ¼) of the Southeast one-quarter (SE ¼) of Section Twenty-three (23), Township Twenty-eight (28) North, Range Twenty-six (26) East, Town of Sevastopol and described as follows:

Commencing at the east one-quarter corner of said Section 23; thence South 00 degrees 16' 06" West along the section line 1047.04 feet; thence North 74 degrees 30' 44" West, 34.20 feet to the west line of Country View Road and the point of real beginning; thence continue North 74 degrees 30' 44" West 143.80 feet; thence North 35 degrees 56' 39" East 144.69 feet; thence North 54 degrees 28' 34" West 167.14 feet to the intersection with the easterly line of S.T.H. "57"; thence North 36 degrees 11' 39" East along said easterly line of S.T.H. "57" 325.29 feet to the intersection with said west line of Country View Road; thence South 00 degrees 16' 06" West along said west line of Country View Road 515.17 feet to the point of real beginning.

Subject to Order Establishing Sanitary District recorded November 26, 1976 in Vol. 293 of Records, Page 909, as Document No. 390741, Well Agreement recorded November 25, 1991 in Vol. 485 of Records, Page 890 as Document No. 506996, Joint Driveway Agreement recorded November 25, 1991 in Vol. 485 of Records, Page 893, as Document No. 506997, and Right of Way Grant recorded May 29, 1992 in Vol. 497 of Records, Page 759, as Document No. 512069.

Attachment to Ordinance #2018-14
Cisewski: 022-02-23282641G1
Proposed Re-Zoning: Estate to Single Family Residential-20,000





DOOR COUNTY

Ordinance No. 2018-15

AMENDMENT OF CHAPTER 12 DOOR COUNTY CODE

THE DOOR COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
EMIGL	X		
FISHER	X		
GUNN/ALGISSON	X		
HALSTEAD	X		
KOCH			X
KOHOUT	X		
LIENAU	X		
LUNDAHL	X		
NEINAS		X	
MORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VLIES WOTACHEK	X		
WAIT	X		

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WHEREAS, The Facilities and Parks Committee has reviewed and recommends amendment of Sub-Chapter 12.02, Door County Code; *and*

WHEREAS, Amended Sub-Chapter 12.02, Door County Code is attached hereto as Exhibit A and incorporated herein by reference as if fully set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD THAT, Sub-Chapter 12.02, Door County Code is hereby amended as reflected in Exhibit A.

BE IT FURTHER ORDAINED THAT, This amendatory ordinance shall be in full force and effect from and after its enactment and publication.

**SUBMITTED BY:
FACILITIES & PARKS COMMITTEE**

Dan Austad Dan Austad, Chair
Ken Fisher Ken Fisher
Richard Virlee Richard Virlee
Randy Halstead Randy Halstead
Helen Bacon Helen Bacon
Susan Kohout Susan Kohout
Roy Englebert Roy Englebert

BOARD ACTION

Vote Required: Majority Roll Call Vote of a Quorum

Motion to Approve: Adopted
 Defeated

1st: Austad
2nd: Fisher

Yes: 14 No: 1 Exc: 1

Reviewed by: *[Signature]* Corp. Counsel
Revised by: *[Signature]* Administrator

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 24th day of July, 2018 by the Door County Board of Supervisors.

Jill M. Lau
Jill M. Lau
County Clerk, Door County

COUNTERSIGNED
[Signature]
Dave Collins, Chairman,
Door County Board of Supervisors

Existing § 12.02 Door County Code

12.02 CAMPING IN COUNTY PARKS AND CLOSING HOURS.

It shall be unlawful for any person to camp to maintain a campsite or to use camping equipment or to camp or stay in any car, truck, or boat in or out of the water or docked overnight in any county park in the County of Door.

It shall be unlawful for any person to enter, be, or remain in any county park in the County of Door between 11:00 p.m. in the evening and one half hour before sunrise of the following morning. It is the intent of the County Board of Supervisors that all county parks shall be closed to the public after 11:00 p.m. (27-70, 5/19/70, Ord. 5-94, 4/19/94)

Special events at Door County Fair Park may have extended closing hours by permit from the Door County Parks Department. After hours use of Sugar Creek County Park for smelt fishing in season is permitted. (Ord. 9-97; 3/25/97) Use of a county boat launch site after hours for the sole purpose of water access may be allowed at the Parks Director's discretion.

A. Penalty Provisions for Chapter 12.02.

1. Any person found guilty of violating the aforementioned chapter, or any part thereof, shall be subject to a forfeiture of not less than \$50 nor more than \$500 together with the costs of prosecution and in rueful default of payment of such forfeiture and cost of prosecution shall be imprisoned in the county jail until said forfeiture is paid but not exceeding 60 days.
2. Any person, firm, or corporation, violating this subsection of this chapter may stipulate to the guilt or no contest and may pay to the Door County Parks Department, a bond according to a schedule prescribed by the Circuit Court of Door County which is presently set forth in Section 3 of this chapter. Such stipulation will make it unnecessary for the subject charged to appear in court, and will act as a basis for the court to enter judgement and order forfeiture of the bond. Forfeitures, penalty assessments, costs and fees shall be disbursed as provided in Wisconsin Statutes, Section 66.12.
3. Procedure for enforcement of this ordinance.
 - a. Schedule of Deposits. Deposits shall be made in cash, money orders, or certified check to the Door County Parks Department, who shall provide a receipt therefore; and the amount of the bond schedule is hereto fixed at \$100.00 plus surcharges of such amount that the Circuit Court of Door County hereafter affixes.
 - b. Adoption of this ordinance does not preclude the County Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter. And issuance of a citation hereunder shall not preclude the county or any authorized officer from proceeding under any other ordinance or law or by any other enforcement method to enforce any ordinance, regulation or order.
 - c. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed. (Ord. #7-88; 4/19/88) (Ord. 18-96; 6/25/96) (Ord. 9-97; 3/25/97) (Ord. 2005-12; 3/22/05).

Proposed Revised § 12.02 Door County Code

12.02 OPENING AND CLOSING HOURS / CAMPING

- A. Door County Parks are open from sunrise to 11:00 p.m.
- B. No person shall enter a Door County Park more than one half hour before sunrise or remain in a Door County Park after 11:00 p.m.
- C. Exceptions to Opening and Closing Hours, and Prohibited or Restricted Uses:
 1. Uses expressly authorized, in advance and in writing, by the Door County Facilities & Parks Director or Parks Superintendent.
 2. A person who has the prior express written permission of the Door County Facilities & Parks Director or Parks Superintendent to be in the Door County Park before opening or after closing.
 3. A Door County employee engaged in work for the County.
- D. Camping is prohibited in Door County Parks
- E. Penalties and enforcement of §12.02 include those set forth in Chapter 35 Door County Code.



DOOR COUNTY

**AMENDATORY ZONING ORDINANCE 2018 – 16
AMENDMENT TO THE TEXT OF THE DOOR COUNTY
COMPREHENSIVE ZONING ORDINANCE**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
BULTMAN	✓		
CHOMEAU	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL	✓		
FISHER	✓		
GUNLAUGSSON			✓
HALSTEAD		✓	
KOCH			✓
KOHOUT	✓		
LIENAU	✓		
LUNDAHL	✓		
NEIMAS	✓		
NORTON	✓		
ROBILLARD	✓		
SCHULTZ	✓		
VIRLEE	✓		
VILLES WOTACHEK	✓		
WAIT			✓

1 The Door County Board of Supervisors, pursuant to Section 59.69(5)(e),
2 Wisconsin Statutes, does hereby amend the Door County Comprehensive
3 Zoning Ordinance to read as follows:

4
5 See Attachment, incorporated herein as if fully set forth.

6
7 Pursuant to Section 59.69(5)(e)6, Wisconsin Statutes, this ordinance shall
8 become effective upon passage.
9

**SUBMITTED BY:
Resource Planning Committee**


Kenneth Fisher, Chair


Vinni Chomeau


David Enigl


Richard Virlee

Jon Koch

BOARD ACTION

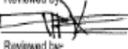
Vote Required: Majority Roll Call Vote of a Quorum

Motion to Approve Adopted

1st: Fisher Debated

2nd: Enigl

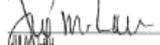
Yes: 17 No: 1 Exc: 0

Reviewed by:  Corp. Counsel

Reviewed by:  Administrator

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 28th day of August, 2018 by the Door County Board of Supervisors.


Jill M. Lau
County Clerk, Door County

COUNTERSIGNED

David Lienau, Chairman
Door County Board of Supervisors

Effective Date: 8/29/18

**Door County Resource Planning Committee
Proposed Door County Comprehensive Zoning Ordinance text amendments**

Note: Red font indicates proposed changes. The "overstrike" function indicates text to be deleted.

Amend section 4.08(9), Residential Uses Requirements, in the Door County Comprehensive Zoning Ordinance to read as follows:

- (9) Secondary Dwelling Unit requirements. (Added: 4 April 2011; Ord. No. 2011-04)
 - (a) Secondary dwelling units shall be subject to the regulations herein and shall not be regulated as multiple occupancy developments.
 - (b) Not more than one secondary dwelling unit per single family residence shall be permitted.
 - (c) Secondary dwelling units may be attached to or detached from the single family residence.
 - (d) Lot requirements. A secondary dwelling unit may be allowed on any parcel meeting the minimum lot size requirements of s.3.02(3), table of district requirements, or s.3.04(5), lots created prior to the effective date of this ordinance.
 - (e) For all secondary dwelling units, the setbacks and minimum yards shall be as required for principal structures, except that detached secondary dwelling units subject to an ordinary high water mark setback shall, for the purposes of that setback, be viewed and regulated as accessory structures. (Amended: 17 April 2012; Ord. No.2012-14) *(Note: In process of being amended per presumed county board adoption: 22 May 2018; Ord. No. 2018-xx)*
 - (f) Secondary dwelling units shall not exceed 749 square feet in floor area.
 - (g) A minimum of one off-street parking space per secondary dwelling unit shall be provided.
 - (h) Structures housing ~~detached~~ secondary dwelling units shall be considered accessory structures and shall be subject to the following sections of 3.12, Accessory structures, as applicable: ~~(6), (6)(a), (6)(b)1., (6)(b)2.a., (6)(b)2.b., (6)(b)2.h., (7)(a), and (7)(c).~~ (Amended: 24 March 2015; Ord.2015-02) (Numerical formatting error corrected: 20 Sept. 2016; Ord. 2016-14)
 - (i) No secondary dwelling unit shall be rented for a period of less than 30 seven (7) consecutive days. A restrictive agreement shall be recorded to this effect.
 - (j) Secondary dwelling units may not be conveyed or separated in ownership from the single family residence, unless the Door County Land Use Services Department approves, per ordinances in effect at that time. A restrictive agreement shall be recorded to this effect. (Amended: 27 March 2018: Ord. 2018-07)
 - (k) (Deleted: 17 April 2012; Ord. No. 2012-14)

Amend section 3.12(2), Accessory Structures, in the Door County Comprehensive Zoning Ordinance to read as follows:

3.12 Accessory Structures.

(2) Accessory structures may contain living quarters, subject to the following: (Amended: 20 Sept. 2016; Ord. 2016-14)

- (a) The accessory structure(s) is/are accessory to a single-family residence; and (Added: 20 Sept. 2016; Ord. 2016-14)
- (b) The square footage of all living quarters in all accessory structures totals 749 square feet or less, unless the property also contains a secondary dwelling unit, in which case the square footage allowance shall be a total of 500 square feet or less in addition to the secondary dwelling unit; and (Added: 20 Sept. 2016; Ord. 2016-14)
- (c) Except for detached secondary dwelling units, which shall be regulated per s. 4.08(9), accessory structures containing living quarters shall not contain sleeping places; and
- (e)(d) A restrictive covenant is recorded indicating the accessory structure(s) containing living quarters shall not contain sleeping places nor be conveyed or separated in ownership or rented separately from the associated single-family residence, unless the Door County Land Use Services Department approves, per ordinances in effect at that time. This restrictive covenant shall apply only to the accessory structures containing living quarters which have not been authorized as a secondary dwelling unit. (Added: 20 Sept. 2016; Ord. 2016-14)

~~Such accessory structures with living quarters shall not be regulated as multiple occupancy developments. (Added: 20 Sept. 2016; Ord. 2016-14)~~



DOOR COUNTY

Ordinance No. 2018-17

AMENDMENT OF CHAPTER 23 DOOR COUNTY CODE

THE DOOR COUNTY BOARD OF SUPERVISORS DOES HEREBY ORDAIN AS FOLLOWS:

ROLL CALL Board Members	Aye	May	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GLUNDAUJSSON	X		
HALSTEAD	X		
KOCH	X		
KOHOUT	X		
LIENAU	X		
LUNDAHL	X		
NEINAS	X		
NORTON	X		
ROBELLARD	X		
SCHULTZ	X		
VIRLEE	X		
VILIES WOTACHEK	X		
WAIT	X		

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WHEREAS, The Land Conservation Committee has reviewed and recommends amendment of Chapter 23, Door County Code; *and*

WHEREAS, Amended Chapter 23, Door County Code is attached hereto as Exhibit A and incorporated herein by reference as if fully set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD THAT, Chapter 23, Door County Code is hereby amended as reflected in Exhibit A.

BE IT FURTHER ORDAINED THAT, This amendatory ordinance shall be in full force and effect from and after its enactment and publication.

**SUBMITTED BY:
LAND CONSERVATION COMMITTEE**

Ken Fisher Ken Fisher, Chairman John Neinas John Neinas

Dan Austad Dan Austad Richard Virlee Richard Virlee

Vinni Chomeau Vinni Chomeau Mike Vandenhouten Mike Vandenhouten

Randy Halstead Randy Halstead

BOARD ACTION

Vote Required: Majority Roll Call Vote of a Quorum.

Motion to Approve Adopted Defeated

1st Fisher

2nd Chomeau

Yes 11 No 0 Exc 0

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

Certification:
I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 27th day of September, 2018 by the Door County Board of Supervisors.

Jill M. Lau
Jill M. Lau
County Clerk, Door County

COUNTERSIGNED
[Signature]
Dan Neinas, Chairman,
Door County Board of Supervisors

**CHAPTER 23
AGRICULTURAL PERFORMANCE STANDARDS
AND ANIMAL WASTE STORAGE ORDINANCE**

This Ordinance supersedes Chapter 23 Door County Code – “Animal Waste Storage Facility Ordinance” (Ordinance No. 4-87, enacted 02/19/87)

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Subchapter I – Introduction

1.01 Authority. This section is adopted under authority granted by Sections 59.01, 59.02, 59.03, 59.04, 59.54, 59.69, 59.70, 66.0113, 92.07, 92.09, 92.11, 92.15, and 92.16 Wisconsin Statutes.

1.02 Title. This Ordinance shall be known as, referred to, and may be cited as the “Door County Agricultural Performance Standards and Animal Waste Storage Ordinance” and is hereinafter referred to as the Ordinance.

1.03 Findings and Declaration of Policy. (1) The Door County Board of Supervisors recognizes the importance of protecting our ground and surface water resources and finds that proper management of agricultural practices contributes to the protection of: ground and surface waters; public health; plant, animal, and aquatic life; and the property tax base of Door County.

(2) The Door County Board of Supervisors recognizes the importance of agricultural activities to the social, economic, historic, and cultural significance

and subsistence of Door County residents and transients.

(3) The residents of Door County have the right to implement agricultural activities on the land surface, where as these activities are implemented in a responsible manner so as not to adversely affect ground and surface waters; public health; and plant, animal, and aquatic life of Door County.

(4) The citizens of Door County have the right to implement agricultural practices and shall not have nuisance actions brought against them, in accordance with Section 823.08 Wisconsin Statutes, unless the agricultural use or practice is a substantial threat to public health or safety.

(5) The dominant aim of this ordinance is to promote the public health, safety, convenience and general welfare.

1.04 Purpose. This Ordinance establishes the right to farm responsibly, implements Agricultural Performance Standards and Prohibitions and supersedes Ordinance No. 4-87 Animal Waste Storage Facility Ordinance to reflect new standards.

AGRICULTURAL PERFORMANCE STANDARDS AND ANIMAL WASTE STORAGE ORDINANCE

1.05 Applicability. This ordinance applies to the entire geographical area of Door County, except as otherwise provided by law.

1.06 Interpretation. In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of Door County, and shall not be deemed a limitation or repeal of any other power granted by the Wisconsin Statutes.

1.07 Severability Clause. If any section, provision, or portion of this Ordinance is ruled invalid by a court, the remainder of the Ordinance shall not for that reason be rendered ineffective.

1.08 Relationship to Other Laws.

(1) The enactment of this ordinance shall not preclude the County of Door from enacting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or any other matters.

(2) The procedures and remedies set forth herein may be used in the alternative or in consonance with or in lieu of any other remedy or procedure authorized by law.

(3) Neither commencement of an action, nor legal remedy granted, under this ordinance may be deemed former jeopardy for purposes of concurrent or subsequent criminal proceedings relating to the same or any other matter.

1.09 Authority Cited. References herein to the Wisconsin Statutes or Wisconsin Administrative Code are to those in effect as of the date this ordinance is enacted or the Statutes or Code as subsequently amended or revised.

1.10 Effective Date. This Ordinance shall become effective upon its enactment and publication by the Door County Board of Supervisors.

1.11 Definitions.

(1) "Adequate sod, or self-sustaining vegetative cover" means maintenance of sufficient vegetation types and densities such that the physical integrity of the streambank or lakeshore is preserved. Self-sustaining vegetative cover includes grasses, forbs, sedges and duff layers of fallen leaves and woody debris.

(2) "Agricultural facility" means a structure associated with an agricultural practice.

(3) "Agricultural land use" means the use of land for agricultural practices.

(4) "Agricultural practice" means any activity

associated with an agricultural use.

(5) "Agricultural use" includes the meaning given in s. 91.01(2), Wis. Stats.

(6) "Animal feeding operation" means a lot or facility, other than a pasture or grazing area, where animals have been, are or will be stabled or confined, and will be fed or maintained for a total of 45 days or more in any 12-month period. Two or more animal feeding operations under common ownership or common management are a single operation if at least one of the following is true:

(a) The operations are adjacent.

(b) The operations utilize common systems for the landspreading of manure or other wastes, including a manure management plan or landspreading acreage.

(c) Manure, barnyard runoff or other wastes are commingled in a common storage facility prior to landspreading.

(7) "Animal unit" (a) means a unit of measure used to determine the total number of single animal types or combination of animal types, as specified in § NR 243.05, Wis. Adm. Code, that are at an animal feeding operation.

(8) "Applicant" means any person who applies for a permit under this Ordinance.

(9) "Best management practices" or "BMPs" means structural or non-structural measures, practices, techniques or devices employed to avoid or minimize soil, sediment or pollutants carried in runoff to waters of the state.

(10) "Board of Adjustment" means the Door County Board of Adjustment, created and appointed under s. 59.694 Wis. Stats.

(11) "Closed Depression" means a topographical basin where water ponds to a seasonal high water mark, has no external drainage, and drainage may occur either through direct conduits to groundwater or low areas where water ponds and infiltrates into the groundwater. Closed depressions may be identified using topographic maps and visual interpretation, ArcGIS tools, or other methods. A seasonal high water mark may include, but is not limited to, areas that collect and retain water for extended time periods (days or weeks) that result in areas of reduced or no crop growth. (§ NR 151.015(2), Wis. Adm. Code)

(12) "Concentrated flow channel" means a natural channel or constructed channel that has been shaped or graded to required dimensions and established in perennial vegetation for the stable conveyance of runoff. Concentrated flow channel may also include non-vegetated channels caused by ephemeral erosion, intermittent streams, drainage ditches, and drainage ends identified on the NRCS soil survey and may be identified as contiguous up-gradient deflections of contour lines on the USGS 1:24,000 scale topographic

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map. (§ NR 151.015(2m), Wis. Adm. Code)

(13) "Conservation practice" means a best management practice designed to reduce or prevent soil or sediment loss to the waters of the state. (§ NR 151.015(3), Wis. Adm. Code)

(14) "Crop producer" means an owner or operator of an operation engaged in crop related agricultural practices specified in s. 281.16 (1) (b), Stats. (§ NR 151.015(4), Wis. Adm. Code)

(15) "Cropland practice" means the method, activity or management measure used to produce or harvest crops. (§ NR 151.015(5), Wis. Adm. Code)

(16) "Direct conduits to groundwater" includes the meaning given in § NR 151.002(11m), Wis. Adm. Code.

(17) "Direct runoff" includes any of the following:

(a) Runoff from a feedlot that can be predicted to discharge a significant amount of pollutants to surface waters of the state or to a direct conduit to ground water.

(b) Runoff of stored manure, including manure leachate, that discharges a significant amount of pollutants to surface waters of the state or to a direct conduit to ground water.

(c) Construction of a manure storage facility in permeable soils or over fractured bedrock without a liner designed in accordance with s. NR 154.04 (3).

(d) Discharge of a significant amount of leachate from stored manure to waters of the state. (§ NR 151.015(7), Wis. Adm. Code)

(18) "Established crop" means a growing annual crop, perennial crop, or cover crop that provides vegetative cover of the soil. (§ NR 151.015(7m), Wis. Adm. Code)

(19) "Exceptional resource waters" means waters listed in § NR 102.11, Wis. Adm. Code.

(20) "Idle manure storage facility" means a manure storage facility where the operations cease or manure has not been added or removed for 24 months.

(21) "Incorporation" has the meaning given in § NR 243.03(28).

(22) "Infield bedrock verification" means determining bedrock depth using available data which may include well construction reports, location of drill cores or other subsurface investigations, location of quarries and natural bedrock outcrops, geophysical investigations, and uneven crop growth patterns that are linked to fracture traces in the field. (§ NR 151.015(8h), Wis. Adm. Code)

(23) "Injection" has the meaning given in s. NR 243.03(29).

(24) "Karst feature" means an area or surficial geologic feature subject to bedrock dissolution so that it is likely to provide a conduit to groundwater, and

may include caves, enlarged fractures, mine features, exposed bedrock surfaces, sinkholes, springs, seeps or swallets. (§ Trans 401.06(8)(b)1, Wis. Adm. Code)

(25) "Land Conservation Committee" means

(a) the committee created by a county board under § 92.06, Wis. Stats. "Land conservation committee" includes employees or agents of a county land conservation committee whom, with committee authorization, act on behalf of the committee.

(b) that committee of the Door County Board of Supervisors which oversees the Soil and Water Conservation Department.

(26) "Landowner" means any person holding fee title, an easement or other interest in property, which allows the person to undertake cropping, livestock management, land disturbing construction activity or maintenance of storm water BMPs on the property. See also § ATCP 50.01(15), Wis. Adm. Code.

(27) "Liquid manure" has the meaning given in s. NR 243.03(32) when applied to facilities subject to Ch. NR 243, and the meaning given in UW A2809 for all other agricultural facilities where manure is generated.

Notes: Copies of the University of Wisconsin – Extension publication A2809 Nutrient Application Guidelines for Field, Vegetable, and Fruit Crops in Wisconsin dated 2012 (A2809) may be inspected at the office of the Wisconsin Department of Natural Resources, the Wisconsin Department of Agriculture, Trade and Consumer Protection and the legislative reference bureau, Madison, Wisconsin. A2809 is also available electronically at:

<http://learningstore.uwex.edu/assets/pdfs/A2809.pdf>
§ NR 243.03(32), Wis. Adm. Code)

(28) "Livestock" means all domestic animals including bovine animals, sheep, goats, poultry, swine, farm-raised deer, equine animals, farm-raised game birds, camelids, ratites and fish, or any fenced-in animals.

(29) "Livestock facility" means a structure or system constructed or established on a livestock operation. (§ NR 151.015 (9), Wis. Adm. Code)

(30) "Livestock operation" has the meaning given in § 281.16 (1) (c), Wis. Stats. (§ NR 151.015 (11), Wis. Adm. Code)

(31) "Livestock producer" means an owner or operator of a livestock operation. (§ NR 151.015 (10), Wis. Adm. Code)

(32) "Livestock Structure" means a building or other structure used to house or feed livestock, to confine livestock for feeding, to store livestock feed, or to collect or store waste generated at a livestock facility...and includes a barn, milking parlor, feed storage facility, feeding facility, animal lot or waste storage facility (§ ATCP 51.01(20), Wis. Adm. Code).

(33) "Long term no-till" means no-till farming

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that has been implemented a minimum of 3 consecutive years. (§ NR 151.015(11m), Wis. Adm. Code)

(34) "Manure" means a material that consists primarily of excreta from livestock or other animals. Manure includes materials mixed with runoff, bedding contaminated with litter or excreta, or process wastewater. Manure means livestock excreta...and includes the following when intermingled with excreta in normal farming operations: debris including bedding, water, soil, hair, and feathers; processing derivatives including separated sand, separated manure solids, precipitated manure sludges, supernatants, digested liquids, composted bio solids, and process water; and runoff collected from barnyards, animal lots, and feed storage areas. (§ ATCP 50.01(20), Wis. Adm. Code)

(35) "Manure management system" has the meaning given in § ATCP 50.62(1)(b), Wis. Adm. Code. (§ ATCP 50.01(21), Wis. Adm. Code)

(36) "Manure storage facility" means an impoundment made by constructing an embankment or excavating a pit or dugout or by fabricating a structure to contain manure and other animal or agricultural wastes. (§ ATCP 50.01(22) & § 50.62(1)(c), Wis. Adm. Code)

(37) "Manure storage structure" has the meaning given in § ATCP 50.62(1)(d), Wis. Adm. Code.

(38) "Margin of safety level" has the meaning given in § NR 243.03(37), Wis. Adm. Code..

(39) "Mechanical application" means surface application, injection, or incorporation of manure on cropland or pastures using manure hauling vehicles or equipment. (§ NR 151.015 (13j), Wis. Adm. Code)

(40) "Navigable waters" or "navigable waterway" means any body of water which is navigable under the laws of this state.

(41) "Nonpoint source" means a facility or practice that causes, or has the potential to cause, nonpoint-source water pollution; land management activity which contributes to runoff, seepage or percolation which adversely affects or threatens the quality of waters of this state and which is not a point source under § 283.01(12), Wis. Stats. (§ NR 120.02 (24), Wis. Adm. Code)

(42) "Nonpoint source water pollution" means pollution of the waters of the state that does not result from a point source.

(43) "NRCS" means the Natural Resources Conservation Service of the U.S. Department of Agriculture.

(44) "Nutrient Management Plan" (NMP) means a written plan outlining the amounts, timing, locations, methods and other aspects regarding the land application of manure, commercial and other

fertilizers, and process wastewater. A NMP includes a plan required under § ATCP 50.04(3) or § 50.62(5)(f), Wis. Adm. Code; and a farm NMP prepared or approved by a qualified nutrient management planner. A NMP must comply with § ATCP 50.04(3), Wis. Adm. Code. (§ ATCP 50.01(28), Wis. Adm. Code)

(45) "Operator" means a person responsible for the oversight or management of equipment, facilities or livestock at a livestock operation, or is responsible for land management in the production of crops.

(46) "Ordinary high water mark" means the point on the bank or shore up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognized characteristic. Where the bank or shore at any particular place is of such character that it is difficult or impossible to ascertain where the point of ordinary high-water mark is, recourse may be had to the opposite bank of a stream or to other places on the shore of a lake or flowage to determine whether a given stage of water is above or below the ordinary high-water mark. (§ NR 115.03(6) & § 151.002(30), Wis. Adm. Code)

(47) "Outstanding resource waters" means waters listed in § NR 102.10, Wis. Adm. Code.

(48) "Overflow" means discharge of manure to the environment resulting from flow over the brim of a facility or from flow directed onto the ground through a man-made device including a pump or pipe. (§ NR 151.015 (15c), Wis. Adm. Code)

(49) "Pasture" means land on which livestock graze or otherwise seek feed in a manner that maintains the vegetative cover over the grazing area. Pasture may include limited areas of bare soil such as cattle lanes and supplemental feeding areas provided the bare soil areas are not significant sources of pollution to waters of the state. (§ NR 151.015 (15m), Wis. Adm. Code)

(50) "Pathogens" has the meaning given in § NR 204.03(38), Wis. Adm. Code. (§ NR 151.015 (15n), Wis. Adm. Code)

(51) "Percent fines" means the percentage of a given sample of soil, which passes through a # 200 sieve. (§ NR 151.002 (32), Wis. Adm. Code)

(52) "Performance standard" means a narrative or measurable number specifying the minimum acceptable outcome for a facility or practice. (§ NR 151.002 (33), Wis. Adm. Code)

(53) "Permit" means the signed, written statement issued by the Door County Soil and Water Conservation Department under this ordinance authorizing the applicant to construct, install, reconstruct, substantially alter, or close a manure storage facility.

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(54) "Permitee" means any person to whom a permit is issued under this Ordinance.

(55) "Phosphorus index" or "P-index" means Wisconsin's agricultural land management planning tool for assessing the potential of a cropped or grazed field to contribute phosphorus to the surface water. (§ NR 151.015 (15s), Wis. Adm. Code)

(56) "Pre-tillage" means using mechanical equipment to reduce soil preferential flow paths, worm holes, root holes, and cracks by turning and mixing the soil prior to and at least 2 inches below the depth of manure application. (§ NR 151.015 (15w), Wis. Adm. Code)

(57) "Process wastewater" has the meaning given in § NR 243.03(53), Wis. Adm. Code. (§ NR 151.015 (16), Wis. Adm. Code)

(58) "Runoff" means storm water or precipitation including rain, snow, ice melt or similar water that moves on the land surface via sheet or channelized flow. (§ NR 151.002 (40), Wis. Adm. Code)

(59) "Silurian bedrock" means the area in Wisconsin where the bedrock consists of Silurian dolomite with a depth to bedrock of 20 feet or less. This area comprises portions of the following counties: Brown, Calumet, Dodge, Door, Fond du Lac, Kenosha, Kewaunee, Manitowoc, Milwaukee, Outagamie, Ozaukee, Racine, Sheboygan, Walworth, Washington, and Waukesha. Areas where Silurian bedrock occurs in Wisconsin can be identified by the most current NRCS, Wisconsin Geological Natural History Survey, Department of Agriculture, Trade and Consumer Protection, Department of Natural Resources, county maps, or infield bedrock verification methods. (§ NR 151.015 (17), Wis. Adm. Code)

(60) "Site that is susceptible to groundwater contamination" under s. 281.16 (1) (e), Stats., means any one of the following:

- An area within 250 feet of a private well.
- An area within 1000 feet of a municipal well.
- An area within 300 feet upslope or 100 feet downslope of a direct conduit to groundwater.
- A channel that flows to a direct conduit to groundwater.

(e) An area where the soil depth to groundwater or bedrock is less than 2 feet.

(f) An area where the soil does not exhibit one of the following soil characteristics:

- At least a 2-foot soil layer with 40% fines or greater above groundwater and bedrock.
- At least a 3-foot soil layer with 20% fines or greater above groundwater and bedrock.
- At least a 5-foot soil layer with 10% fines, or greater above groundwater and bedrock. (§ NR 151.015 (18), Wis. Adm. Code)

(61) "Soil and Water Conservation Department"

means the Door County Soil and Water Conservation Department (SWCD). SWCD is responsible for the administration and enforcement of this ordinance.

(62) "Soil texture" means the surface texture of the Silurian bedrock soil map unit. (§ NR 151.015 (18g), Wis. Adm. Code)

(63) "Solid manure" has the meaning given in s. NR 243.03(58) when applied to facilities subject to Ch. NR 243, Wis. Adm. Code and the meaning given in UW A2809 for all other agricultural facilities where manure is generated.

Notes: Copies of the University of Wisconsin – Extension publication A2809 Nutrient Application Guidelines for Field, Vegetable, and Fruit Crops in Wisconsin dated 2012 (A2809) may be inspected at the office of the Wisconsin Department of Natural Resources, the Wisconsin Department of Agriculture, Trade and Consumer Protection and the legislative reference bureau, Madison, Wisconsin. A2809 is also available electronically at:

<http://learningstore.uwex.edu/assets/pdfs/A2809.pdf>
(§ NR 151.015 (17), Wis. Adm. Code)

(64) "Stored manure" means manure that is kept in a manure storage facility or an unconfined manure pile. (§ NR 151.015 (19), Wis. Adm. Code)

(65) "Substantially altered" means a change initiated by an owner or operator that results in a relocation of a structure or facility or significant changes to the size, depth or configuration of a structure or facility including:

(a) Replacement of a liner in a manure storage structure.

(b) An increase in the volumetric capacity or area of a structure or facility by greater than 20%.

(c) A change in a structure or facility related to a change in livestock management from one species of livestock to another such as cattle to poultry.

(§ NR 151.015 (20), Wis. Adm. Code)

(66) "Technical standard" means a document that specifies design, predicted performance and operation and maintenance specifications for a material, device or method.

(67) "Tolerable soil loss" or "T" means the maximum rate of erosion, in tons per acre per year, allowable for particular soils and site conditions that will maintain soil productivity. (§ NR 151.015 (21), Wis. Adm. Code)

(68) "Unconfined manure pile" means a quantity of manure that is at least 175 ft³ in volume and which covers the ground surface to a depth of at least 2 inches and is not confined within a manure storage facility, livestock housing facility or barnyard runoff control facility or covered or contained in a manner that prevents storm water access and direct runoff to surface water or leaching of pollutants to groundwater.

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(§ NR 151.015 (22), Wis. Adm. Code)

(69) "UW A2809" means the 2012 version of the University of Wisconsin – Extension Nutrient Application Guidelines for Field, Vegetable, and Fruit Crops in Wisconsin (A2809).

Notes: Copies of the University of Wisconsin – Extension publication A2809 Nutrient Application Guidelines for Field, Vegetable, and Fruit Crops in Wisconsin dated 2012 (A2809) may be inspected at the Wisconsin Department of Natural Resources, the Wisconsin Department of Agriculture, Trade and Consumer Protection and the legislative reference bureau, Madison, Wisconsin. A2809 is also available electronically at:

<http://learningstore.uwex.edu/assets/pdfs/A2809.pdf>

(70) "Water quality management area" or "WQMA" means any of the following:

(a) The area within 1,000 feet from the ordinary high-water mark of navigable waters that consist of a lake, pond or flowage, except that, for a navigable water that is a glacial pothole lake, "water quality management area" means the area within 1,000 feet from the high-water mark of the lake.

(b) The area within 300 feet from the ordinary high-water mark of navigable waters that consist of a river or stream.

(c) A site that is susceptible to groundwater contamination or that has the potential to be a direct conduit for contamination to reach groundwater.

(§ NR 151.015 (24), Wis. Adm. Code and § 281.16(1)(g), Wis. Stats.)

(71) "Waters of the state" means those portions of Lake Michigan and Lake Superior within the boundaries of Wisconsin, all lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, water courses, drainage systems and other surface water or groundwater, natural or artificial, public or private within the state or under its jurisdiction, except those waters which are entirely confined and retained completely upon the property of a person. (§ 281.16(1)(h) & § 283.01(20), Wis. Stats.)

(72) "Winter grazing area" means a cropland or pasture where livestock feed or dormant vegetation or crop residue, with or without supplementary feed, during the period of October 1 to April 30.

(§ NR 151.015 (25), Wis. Adm. Code)

(73) "WPDES permit" means a Wisconsin pollutant discharge elimination system permit issued under Ch. 283, Stats. (§ NR 243.03(49), Wis. Stats.)

Subchapter II – Administration.

1.20 Delegation of Authority. Door County hereby designates the Door County Soil and Water

Conservation Department to administer and enforce this Ordinance.

1.21 Administration. The provisions of this Ordinance shall be administered by the Door County Soil and Water Conservation Department under the oversight of the Land Conservation Committee.

1.22 Entry and Inspection Authority. The Door County Soil and Water Conservation Department is authorized to enter upon any lands affected by this Ordinance to inspect the land to determine compliance with this Ordinance pursuant to the authority granted by § 92.07 (14), Wis. Stats. If permission cannot be received from the applicant or permittee, entry by the Door County Soil and Water Conservation Department shall be according to § 66.0119 and 66.0119 (3), Wis. Stats. Refusal to grant permission to enter lands affected by this Ordinance for purposes of inspection shall be grounds for order of non-compliance, permit denial or revocation.

1.23 Enforcement Authority.

(1) County may issue a citation, pursuant to and in accordance with § 66.0113 Wis. Stats. and Ch. 35 Door County Code.

(2) A cease and desist order may be issued by the Door County Soil and Water Conservation Department. The cease and desist order: may order that all operations on the property that do not conform to this Ordinance immediately cease; and must be reasonably specific and concrete, so as to fairly apprise wrongdoer of specific violation of this Ordinance and necessary remedial measures.

(3) County may institute other proceedings in any court of competent jurisdiction and pursue any remedy or relief afforded by law, including a civil forfeiture or injunction.

Subchapter III – Agricultural Performance Standards and Prohibitions

1.30 Activities Subject to Agricultural Performance Standards and Prohibitions.

(1) CROPPED LANDS. All land where crops or feed are grown shall be subject to Agricultural Performance Standards and Prohibitions.

(2) LIVESTOCK OPERATION. All livestock producers shall be subject to Agricultural Performance Standards and Prohibitions. Livestock producers and operations within water quality management areas (WQMA's) have more comprehensive requirements. (§ 281.16(1)(c), Wis. Stats.)

(3) MANURE HANDLING, STORAGE AND

AGRICULTURAL PERFORMANCE STANDARDS AND ANIMAL WASTE STORAGE ORDINANCE

APPLICATION. All manure shall be handled, stored and applied to lands in accordance with Agricultural Performance Standards and Prohibitions.

(4) APPLICATIONS OF MANURE, COMMERCIAL FERTILIZERS AND OTHER NUTRIENTS TO AGRICULTURAL LANDS. All crop producers and livestock producers that apply manure or other nutrients directly or through contract to agricultural fields shall be applied in conformance with a nutrient management plan criteria established in § NR 151.07, Wis. Adm. Code.

1.31 Performance Standards and Prohibitions.

(1) SHEET, RILL AND WIND EROSION. All land where crops or feed are grown, including pastures, shall be managed to achieve a soil erosion rate equal to, or less than, the "tolerable" (T) rate established for that soil. This standard first applies to pastures beginning July 1, 2012. Wind erosion rates shall be calculated via the Wind Erosion Equation (WEQ) established by NRCS, and shall be equal to, or less than, the "tolerable" (T) rate established for that soil. (§ NR 151.02, Wis. Adm. Code)

(2) MANURE STORAGE FACILITIES.

(a) *Applicability.* All livestock producers building new manure storage facilities, substantially altering manure storage facilities, or choosing to abandon their manure storage facilities shall comply with this section.

(b) *New construction and alterations.*

1. New or substantially altered manure storage facilities shall be designed, constructed and maintained to minimize the risk of structural failure of the facility, minimize leakage of the facility in order to comply with groundwater standards. The levels of materials in the storage facility may not exceed the margin of safety level.

2. Storage facilities that are constructed or significantly altered on or after January 1, 2011, shall be designed and operated to contain the additional volume of runoff and direct precipitation entering the facility as a result of a 25-year, 24-hour storm.

3. A new manure storage facility means a facility constructed after October 1, 2002.

4. A substantially altered manure storage facility is a manure storage facility that is substantially altered after October 1, 2002.

(c) *Closure.*

1. Closure of a manure storage facility shall occur when an operation where the facility is located ceases operations, or manure has not been added or removed from the facility for a period of 24 months. Manure facilities shall be closed in a

manner that will prevent future contamination of groundwater and surface waters.

2. The owner or operator may retain the facility for a longer period of time by demonstrating to the Soil and Water Conservation Department that all of the following conditions are met:

a. The facility is designed, constructed and maintained in accordance with 1.31(2)(b) of this ordinance.

b. The facility is designed to store manure for a period of time longer than 24 months.

c. Retention of the facility is warranted based on anticipated future use.

(d) *Existing facilities.*

1. Manure storage facilities in existence as of October 1, 2002, that pose an imminent threat to public health or fish and aquatic life or groundwater shall be upgraded, replaced or abandoned in accordance with this section.

2. Levels of materials in storage facilities may not exceed the margin of safety level.

(3) CLEAN WATER DIVERSIONS (§ NR 151.06, Wis. Adm. Code)

(a) All livestock producers within a water quality management area shall comply with this section.

(b) Runoff shall be diverted away from contacting feedlot, manure storage areas and barnyard areas within water quality management areas except that a diversion to protect a private well under § NR 151.015 (18)(a), Wis. Adm. Code is required only when the feedlot, manure storage area or barnyard area is located upslope from the private well.

(4) NUTRIENT MANAGEMENT (§ NR 151.07, Wis. Adm. Code)

(a) All crop producers and livestock producers that apply manure or other nutrients directly or through contract to agricultural fields shall comply with this section.

(b) This performance standard does not apply to the application of industrial waste and byproducts regulated under Ch. NR 214, Wis. Adm. Code municipal sludge regulated under Ch. NR 204, Wis. Adm. Code and septage regulated under Ch. NR 113, Wis. Adm. Code provided the material is not commingled with manure prior to application.

(c) Manure, commercial fertilizer and other nutrients shall be applied in conformance with a nutrient management plan as established in § ATCP 50.04 (3), Wis. Adm. Code.

1. The nutrient management plan shall be designed to limit or reduce the discharge of nutrients to waters of the state for the purpose of complying with state water quality standards and groundwater standards.

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2. Nutrient management plans for croplands in watersheds that contain impaired surface waters or in watersheds that contain outstanding or exceptional resource waters shall meet the following criteria:

a. Unless otherwise provided in this paragraph, the plan shall be designed to manage soil nutrient concentrations so as to maintain or reduce delivery of nutrients contributing to the impairment of impaired surface waters and to outstanding or exceptional resource waters.

b. The plan may allow for an increase in soil nutrient concentrations at a site if necessary to meet crop demands.

c. For lands in watersheds containing exceptional or outstanding resource waters, the plan may allow an increase in soil nutrient concentrations if the plan documents that any potential nutrient delivery to the exceptional or outstanding resource waters will not alter the background water quality of the exceptional or outstanding resource waters. For lands in watersheds containing impaired waters, the plan may allow an increase in soil nutrient concentrations if a low risk of delivery of nutrients from the land to the impaired water can be demonstrated.

3. In this standard, impaired surface waters are waters identified as impaired pursuant to 33 USC 1313 (d) (1) (A) and 40 CFR 130.7. Outstanding or exceptional resource waters are identified in Ch. NR 102.

(d) This section is in effect on January 1, 2005 for existing croplands under s. NR 151.09 (4) that are located within any of the following:

1. Watersheds containing outstanding or exceptional resource waters.

2. Watersheds containing impaired waters.

3. Source water protection areas defined in § NR 243.03 (61), Wis. Adm. Code.

(e) This section is in effect on January 1, 2008 for all other existing croplands under § NR 151.09 (4), Wis. Adm. Code.

(f) This section is in effect for all new croplands under § NR 151.09 (4), Wis. Adm. Code on October 1, 2003.

(5) MANURE MANAGEMENT PROHIBITIONS.

(a) All livestock producers shall comply with this section.

(b) A livestock operation shall have no overflow of manure storage facilities.

(c) A livestock operation shall have no unconfined manure pile in a water quality management area.

(d) A livestock operation shall have no direct runoff from a feedlot or stored manure into the waters of the state.

(e) 1. A livestock operation may not allow unlimited access by livestock to waters of the state in a location where high concentrations of animals prevent the maintenance of adequate sod or self-sustaining vegetative cover.

2. This prohibition does not apply to properly designed, installed and maintained livestock or farm equipment crossings.

(6) TILLAGE SETBACK PERFORMANCE STANDARD (§ NR 151.03, Wis. Adm. Code)

(a) The purpose of this standards is to prevent tillage operations from destroying stream banks and depositing soil directly in surface waters. In this section, "surface water" has the meaning given in § NR 102.03(7), Wis. Adm. Code.

(b) No crop producer may conduct a tillage operation that negatively impacts stream bank integrity or deposits soil directly in surface waters.

(c) No tillage operations may be conducted within 5 feet of the top of the channel of surface waters. Tillage setbacks greater than 5 feet but no more than 20 feet may be required to meet this standard.

(d) Crop producers shall maintain the area within the tillage setback required under sub. (c) in adequate sod or self-sustaining vegetative cover that provides a minimum of 70% coverage.

(e) This section does not apply to grassed waterways installed as conservation practices.

(7) PHOSPHORUS INDEX PERFORMANCE STANDARD (§ NR 151.04, Wis. Adm. Code)

(a) All crop and livestock producers shall comply with this section.

(b) Croplands, pastures, and winter grazing areas shall average a phosphorus index of 6 or less over the accounting period and may not exceed a phosphorus index of 12 in any individual year within the accounting period.

(c) Except as provided under par. (e), for purposes of compliance with this section the phosphorus index shall be calculated using the version of the Wisconsin Phosphorus Index available as of January 1, 2011.

Notes: •The Wisconsin Phosphorus Index is maintained by the University of Wisconsin department of soil science and can be found at <http://wvipindex.soils.wisc.edu/>

•Soil test phosphorus concentration may be used to help identify fields that are high priority for evaluation with the Wisconsin Phosphorus Index. For example, croplands with soil test phosphorus concentrations of 35 parts per million or greater should be given higher priority for evaluation.

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**Best management practices developed by the Department of Agriculture, Trade and Consumer Protection may be used alone or in combination to meet the requirements of this section.*

(d) The accounting period required under par. (a) shall meet the following conditions:

1. The accounting period shall begin once a nutrient management plan meeting the requirements of § NR 151.07 and § ATCP 50.04(3), Wis. Adm. Code is completed.

2. During the first 8 years of implementation of this standard by a producer, computation of the phosphorus index may be based on a combination of planned crop management and historic data. Planned crop management data is based on projected management and crop rotations. Historic data is based on management and crop rotations that have actually occurred.

3. Once the nutrient management plan under § NR 151.07 and § ATCP 50.04(3), Wis. Adm. Code is developed, historic data shall be used for each year as it becomes available.

(e) If the phosphorus index is not applicable to a particular crop or situation, an equivalent calculation approved by the department shall be used to meet the requirements of this section.

*Note: *The requirement provides for alternative methods to calculate a phosphorus index. Some strategies for assessing and reducing phosphorus index values, algorithms, and software can be found at <http://wpindex.soils.wisc.edu/>*

(f) Producers may not apply nutrients or manure directly, through mechanical means, to surface waters as defined in § NR 102.03(7), Wis. Adm. Code.

(g) The phosphorus index requirement under sub. (b) first takes effect for pastures beginning July 1, 2012.

(8) PROCESS WASTEWATER HANDLING PERFORMANCE STANDARD (§ NR 151.055, Wis. Adm. Code)

(a) All livestock producers shall comply with this section.

(b) There may be no significant discharge of process wastewater to waters of the state.

(c) The department shall consider all of the following factors when determining whether a discharge of process wastewater is a significant discharge to waters of the state:

1. Volume and frequency of the discharge.
2. Location of the source relative to receiving waters.
3. Means of process wastewater conveyance to waters of the state.

4. Slope, vegetation, rainfall, and other factors affecting the likelihood or frequency of process wastewater discharge to waters of the state.

5. Available evidence of discharge to a surface water of the state or to a direct conduit to groundwater as defined under § NR 151.002(11m), Wis. Adm. Code.

6. Whether the process wastewater discharge is to a site that is defined as a site susceptible to groundwater contamination under § NR 151.015(18), Wis. Adm. Code.

7. Other factors relevant to the impact of the discharge on water quality standards of the receiving water or to groundwater standards.

Notes: Existing technical standards contained in the U.S. Department of Agriculture Natural Resources Conservation Service field office technical guide may be used for managing process wastewater. When such standards are not applicable, the landowner or operator is expected to take reasonable steps to reduce the significance of the discharge in accordance with the agricultural performance standard and prohibition compliance requirements of this chapter. The Wisconsin Department of Agriculture, Trade and Consumer Protection is responsible under s. 281.16(3)(c), Stats., for developing additional management practices if needed.

(9) SILURIAN BEDROCK PERFORMANCE STANDARD (§ NR 151.075, Wis. Adm. Code)

(a) All crop producers and livestock producers that mechanically apply manure directly or through contract or other agreement to cropland or pasture areas that meet the definition of Silurian bedrock in 1.11(60) supra and under § NR 151.015(17), Wis. Adm. Code must comply with this section.

(b) Mechanical manure application may not cause the fecal contamination of water in a well.

(c) Manure may not be mechanically applied on areas of cropland or pastures that have 24 inches or less of separation between the ground surface and apparent water table.

(d) Manure must be applied in conformance with a nutrient management plan that meets the requirements under all the following:

1. The plan must be consistent with s. NR 151.07, Wis. Adm. Code.

2. The plan must be consistent with NRCS Technical Standard 590, dated December 2015 or the most current version of NRCS Technical Standard 590.

Note: Copies of the NRCS Nutrient Management Standard 590, dated December 2015, including the Technical Note (TN-1) referenced in the standard, may be inspected at the offices of the Wisconsin Department of Natural Resources, the Wisconsin

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Department of Agriculture, Trade and Consumer Protection, Door County Soil & Water Conservation Department and the Legislative Reference Bureau, Madison Wisconsin, NRCS 390 (and TN-1) is also available electronically at:

[https://efotg.sc.egov.usda.gov/references/public/WI/590_Standard-\(2015-12\).pdf](https://efotg.sc.egov.usda.gov/references/public/WI/590_Standard-(2015-12).pdf) and

https://efotg.sc.egov.usda.gov/references/public/WIUC/conservation_Planning-TN-1.pdf

3. The plan must be designed and implemented consistent with this section and § NR 151.075, Wis. Adm. Code to manage manure so as to reduce the risk of pathogen delivery to groundwater and prevent exceedances of groundwater water quality standards.

4. The plan must use NRCS soil survey maps/information or other methods as a planning tool to identify Silurian bedrock within or adjacent to cropland and pastures.

(e) Manure may not be mechanically applied on croplands or pastures until infield bedrock verification or Silurian bedrock map information is used to identify areas where the Silurian bedrock soil depth is less than 5 feet. If infield bedrock verification uses drill cores or other subsurface investigations, they must be backfilled with soil within 72 hours of being created.

Note: Silurian bedrock map information developed by the Wisconsin Department of Agriculture, Trade and Consumer Protection and/or Department of Natural Resources, may be used alone or in combination to meet the requirements of s. NR 151.075, Wis. Adm. Code, and this section.

Note: Silurian bedrock map information, available from the University of Wisconsin department of soil science, can be found at <https://snappplus.wis.edu/maps/>.

(f) Manure may not be mechanically applied on croplands or pastures where the Silurian bedrock soil depth is less than 5 feet until such fields are evaluated and ranked for risk of pathogen delivery to groundwater. Areas determined to have a high risk for pathogen delivery to groundwater must be avoided or must be lowest priority for manure application.

(g) Mechanical application of manure and headland stacking of manure is prohibited on soils with 5 feet or less to Silurian bedrock when soils are frozen or snow covered.

(h) Mechanical application of manure is prohibited within Silurian bedrock having soil depths less than 5 feet when rainfall greater than one inch is forecast within 24 hours of planned application.

(i) Mechanical application of manure is prohibited for soils with less than 2 feet to Silurian bedrock.

(j) For soils with 2 to 3 feet to Silurian bedrock, all the following, apply:

1. No mechanical application of solid manure unless all the following are met:

a. Solid manure is incorporated within 72 hours to no more than 4 inches below ground.

b. At least one of the following is implemented:

1) Solid manure is applied at a rate no greater than 15 tons/ acre/year, or the rate that supplies the crop nitrogen recommendation from UW A2809, whichever is less.

2) Solid manure is applied in compliance with UW A2809 and within 10 days of the planting date or applied on a perennial or established crop.

3) Solid manure is composted or treated to reduce pathogen levels via practices to a fecal coliform bacteria density of less than 500,000 colony-forming units or most probable number per gram total solids on a dry weight basis.

Note: Copies of the University of Wisconsin - Extension publication A2809 Nutrient Application Guidelines for Field, Vegetable, and Fruit Crops in Wisconsin, dated 2012 (A2809) may be inspected at the office of the Wisconsin Department of Natural Resources, the Wisconsin Department of Agriculture, Trade and Consumer Protection and the Legislative Reference Bureau, Madison, Wisconsin. A2809 is also available electronically at:

<http://learningstore.uwex.edu/assets/pdfs/A2809.pdf>

2. No mechanical application of liquid manure unless all the following are met:

a. Pre-tillage is completed, unless exempt under par. 3. or 4.

b. Liquid manure is injected or incorporated within 24 hours to no more than 4 inches below ground, unless exempt under par. 3.

c. At least one of the following is implemented:

1) Total liquid manure applications is applied in compliance with UW A2809, or limited to Table 1 (attached hereto as *Addendum 1* and incorporated herein by reference as if fully set forth), whichever is less, to prevent hydraulic overloading of the soil.

2) Liquid manure is applied in compliance with UW A2809 and within 10 days of the planting date or applied on a perennial or established crop.

3) Liquid manure is treated to substantially reduce pathogen levels via practices to a fecal coliform bacteria density of less than 500,000 most probable number or colony-forming units per 100 milliliter sample.

Note: Copies of the University of Wisconsin - Extension publication A2809 Nutrient Application Guidelines for Field, Vegetable, and Fruit Crops in Wisconsin, dated 2012 (A2809) may be inspected at the

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office of the Wisconsin Department of Natural Resources, the Wisconsin Department of Agriculture, Trade and Consumer Protection and the Legislative Reference Bureau, Madison, Wisconsin. A2809 is also available electronically at:

<http://learningstore.uwex.edu/assets/pdfs/A2809.pdf>.

3. Pre-tillage, incorporation or injection is not required if cropland or pastures meet long term no-till or have a perennial or established crop. Each surface application of liquid manure must not exceed 6,750 gallons per acre.

4. Pre-tillage is not required if demonstrated to the department that a field cannot meet § NR 151.02, Wis. Adm. Code over an eight-year crop rotation using a combination of the following practices: tillage, crops, contouring, filter strips, or cover crops.

(k) For soils with 3-5 feet to Silurian bedrock, all the following apply:

1. No mechanical application of solid manure unless all the following are met:

a. Incorporated with 72 hours to no more than 6 inches below ground.

b. At least one of the following is implemented:

1) Manure is applied in accordance with UW A2809 annual application rate, or at a rate of 15 tons/acre/year, whichever is less.

2) Manure is applied in compliance with UW A2809 and within 10 days of the planting date or applied on a perennial or established crop.

3) Manure is composted or treated to reduce pathogen levels via practices to a fecal coliform bacteria density of 500,000 colony-forming units, or most probable number per gram total solids on a dry weight basis.

Note: Copies of the University of Wisconsin - Extension publication A2809 Nutrient Application Guidelines for Field, Vegetable, and Fruit Crops in Wisconsin, dated 2012 (A2809) may be inspected at the office of the Wisconsin Department of Natural Resources, the Wisconsin Department of Agriculture, Trade and Consumer Protection and the Legislative Reference Bureau, Madison, Wisconsin. A2809 is also available electronically at:

<http://learningstore.uwex.edu/assets/pdfs/A2809.pdf>.

2. No mechanical application of liquid manure unless all the following are met:

a. Pre-tillage is completed unless exempt under par. 3. or 4.

b. Liquid manure is injected or incorporated within 24 hours to no more than 6 inches below ground, unless exempt under par. 3.

c. At least one of the following is implemented:

1) Total liquid manure application is applied in compliance with UW A2809, or limited to

sub. (j) 2. c. Table 1 rates, whichever is less, to prevent hydraulic overloading of the soil.

2) Liquid manure is applied in compliance with UW A2809 and within 10 days of the planting date or applied on a perennial or established crop.

3) Liquid manure is treated to substantially reduce pathogen levels via practices to a fecal coliform bacteria density of less than 500,000 most probable number or colony-forming units per 100 milliliter sample.

Note: Copies of the University of Wisconsin - Extension publication A2809 Nutrient Application Guidelines for Field, Vegetable, and Fruit Crops in Wisconsin, dated 2012 (A2809) may be inspected at the office of the Wisconsin Department of Natural Resources, the Wisconsin Department of Agriculture, Trade and Consumer Protection and the Legislative Reference Bureau, Madison, Wisconsin. A2809 is also available electronically at:

<http://learningstore.uwex.edu/assets/pdfs/A2809.pdf>.

3. Pre-tillage, incorporation or injection is not required if cropland or pastures meet long term no-till or have a perennial or established crop. Each surface application of liquid manure must not exceed 6,750 gallons per acre.

4. Pre-tillage is not required if demonstrated to the department that a field cannot meet § NR 151.02, Wis. Adm. Code over an eight-year crop rotation using a combination of the following practices: tillage, crops, contouring, filter strips, or cover crops.

(l) For soils with 5 to 20 feet Silurian bedrock, all the following apply:

1. No mechanical application of liquid manure unless all the following are met:

a. Pre-tillage is completed unless exempt under par. 2. or 3.

b. Liquid manure is injected or incorporated within 24 hours to no more than 6 inches below ground, unless exempt under par. 2.

c. At least one of the following is implemented:

1) Total liquid manure application is applied in compliance with UW A2809, or limited to sub. (j) 2. c. Table 1 rates, whichever is less, to prevent hydraulic overloading of the soil.

2) Liquid manure is applied in compliance with UW A2809 and within 10 days of the planting date or applied on a perennial or established crop.

3) Liquid manure is treated to substantially reduce pathogen levels via practices to a fecal coliform bacteria density of less than 500,000

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most probable number of colony-forming units per 100 milliliter sample.

Note: Copies of the University of Wisconsin - Extension publication A2809 *Nutrient Application Guidelines for Field, Vegetable, and Fruit Crops in Wisconsin, dated 2012 (A2809)* may be inspected at the office of the Wisconsin Department of Natural Resources, the Wisconsin Department of Agriculture, Trade and Consumer Protection and the Legislative Reference Bureau, Madison, Wisconsin. A2809 is also available electronically at:

<http://learningstore.uwex.edu/assets/pdfs/A2809.pdf>

2. Pre-tillage, incorporation or injection is not required if cropland or pastures meet long term no-till or have a perennial or established crop. Each surface application of liquid manure must not exceed 10,000 gallons per acre.

3. Pre-tillage is not required if demonstrated to the department that a field cannot meet s. NR 151.02, Wis. Adm. Code over an eight-year crop rotation using a combination of the following practices: tillage, crops, contouring, filter strips, or cover crops.

Note: *Silurian bedrock map information for soils with 5 to 20 feet to Silurian bedrock, developed by the Wisconsin Department of Agriculture, Trade and Consumer Protection and/or Department of Natural Resources, may be used alone or in combination to meet the requirements of this section.*

(m) Mechanical manure applications are prohibited within any of the following:

1. 1000 feet of a community water system as defined in § NR 811.02, Wis. Adm. Code.

2. 250 feet of a private water system or a non-community water system as defined in § NR 812.07, Wis. Adm. Code.

3. An area within 300 feet upslope or 100 feet downslope of a direct conduit to groundwater as defined in § NR 151.002(11m), Wis. Adm. Code.

4. 100 feet of a concentrated flow channel that leads to a water system included in par. 1. or 2. or direct conduit to groundwater in par. 3.

(n) Mechanical manure applications are prohibited on or within 100 feet of Silurian bedrock in a closed depression unless the manure is injected or incorporated with 24 hours or prior to precipitation capable of producing runoff, whichever comes first. The prohibition of mechanical application of manure does not apply to areas following long term no-till practices or with a perennial or established crop.

(o) No surface application of manure on slopes of 6 percent or greater in cropland and pasture areas that have concentrated flow channels that drain to a closed depression in Silurian bedrock, unless the material is incorporated with 24 hours or prior to precipitation

capable of producing runoff, whichever comes first. The prohibition of surface application of manure does not apply to areas following long term no-till practices or with a perennial or established crop.

(p) Practices must retain land applied manure on the soil where they are applied with minimal movement to maintain setback distances specified in subs (m) and (n).

1.32 Cost-sharing required. An owner or operator of an agricultural facility or practice that is in existence before the effective date of the performance standard or prohibition, may not be required to comply with the performance standards, prohibitions, conservation practices or technical standards under this ordinance unless cost-sharing is available from any source, to the owner or operator. A determination that cost-sharing is available to meet the performance standards, prohibitions, conservation practices or technical standards under this subsection will be determined in accordance with § NR 151.09 (4) (d) or § NR 151.095 (5) (d), Wis. Adm. Code when funding is provided under § 281.65, Wis. Stats., and will be determined in accordance with Ch. ATPC 50, Wis. Adm. Code when funds are from any other source. Cost-sharing under this section is only required for the minimum practice(s) necessary to meet the performance standards and prohibitions.

1.33 Implementation and Enforcement Procedures for Cropland Performance Standards.

(1) LANDOWNER AND OPERATOR REQUIREMENTS.

(a) **Introduction.** This section identifies compliance requirements for landowners and operators based on whether the cropland is existing or new and whether cost sharing is required and made available to the landowner or operator. This section will also identify circumstances under which an owner or operator of cropland is required to comply with the cropland performance standards. In this section, "cropland performance standards" means performance standards in § NR 151.005, 151.02, 151.03, 151.04, 151.07, and 151.075.

(b) **General requirements.** If any cropland is meeting a cropland performance standard on or after the effective date of the standard, the cropland performance standard shall continue to be met by the existing landowner or operator, heirs or subsequent owners or operators of the cropland. If a landowner or operator alters or changes the management of the cropland in a manner that results in noncompliance with the performance standard, the landowner or operator shall bring the cropland back into compliance, regardless of whether cost-sharing is made available.

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This paragraph does not apply to croplands completing enrollment determined to be existing under the conservation reserve or conservation reserve enhancement program administered by the United States Department of Agriculture.

(c) *Existing cropland requirements.*

1. A landowner or operator of an existing cropland, defined under sub. (2) (b), shall comply with a cropland performance standard if all of the following have been done by the Soil and Water Conservation Department:

a. Except as provided in subd. 2. and 3., a determination is made that cost sharing has been made available in accordance with section 1.32 on or after the effective date of the performance standard or prohibition.

b. The landowner or operator has been notified in accordance with sub. (3) or (4).

2. A landowner or operator of existing cropland, defined under sub. (2) (b), shall comply with a cropland performance standard, regardless of whether cost sharing is available, in situations where the best management practices and other corrective measures needed to meet the performance standards do not involve eligible costs.

3. A landowner or operator of an existing cropland that voluntarily proposes to construct or reconstruct a manure storage system shall comply with section 1.30 (4), regardless of whether cost sharing is made available, if the nutrient management plan is required pursuant to a local permit for the manure storage system.

(d) *New cropland requirements.* A landowner or operator of a new cropland, defined under sub. (2) (b), shall comply with the cropland performance standards, regardless of whether cost sharing is available.

(2) SOIL AND WATER CONSERVATION DEPARTMENT DETERMINATIONS.

(a) *Scope of determinations.* If croplands are not in compliance with a cropland performance standard, the Soil and Water Conservation Department shall make determinations in accordance with the procedures and criteria in this subsection.

(b) *Cropland status.* The Soil and Water Conservation Department shall classify non-complying croplands to be either new or existing for purposes of administering this ordinance. In making the determination, the Soil and Water Conservation Department shall base the decision on the following:

1. An existing cropland is one that meets all of the following criteria:

a. The cropland was being cropped as of the effective date of the performance standard or prohibition.

b. The cropland is not in compliance with a cropland performance standard in this subchapter as of the effective date of the standard. The reason for non-compliance of the cropland may not be failure of the landowner or operator to maintain an installed best management practice in accordance with a cost-share agreement or contract.

2. An existing cropland also includes land enrolled on October 1, 2002, in the conservation reserve or conservation reserve enhancement program administered by the United States Department of Agriculture. This subdivision does not apply to croplands re-enrolled after October 1, 2002.

3. A new cropland is one that does not meet the definition under subd. 1. or 2., including:

a. Land without a previous history of cropping that is converted to cropland after the effective date of the performance standard or prohibition. "Without a previous history of cropping" means land where crops have not been grown and harvested for agricultural purposes in the last 10 years prior to the conversion to cropland.

b. Cropland that is in existence and in compliance with a performance standard on or after the effective date of the performance standard or prohibition and that undergoes a change in a cropland practice that results in noncompliance with the performance standards.

4. Change in ownership may not be used as the sole basis for determining whether a cropland is existing or new for purposes of administering this subsection.

(c) *Eligible costs.* If cost sharing is required to be made available under sub. (1) (c), the Soil and Water Conservation Department shall determine the total cost of best management practices and corrective measures needed to bring a cropland into compliance with performance standards and shall determine which of those costs are eligible for cost-sharing.

(3) NOTIFICATION REQUIREMENTS AND COMPLIANCE PERIODS FOR EXISTING CROPLANDS WHEN COST-SHARING IS REQUIRED.

(a) *Landowner notification.*

1. The Soil and Water Conservation Department shall notify a landowner or operator in writing of the determinations made under sub. (2) and implementation requirements for existing croplands where cost sharing is required for compliance.

2. The notice shall be sent certified mail, return receipt requested or personal delivery.

3. The following information shall be included in the notice:

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a. A description of the cropland performance standard being violated.

b. The cropland status determination made in accordance with sub. (2) (b).

c. The determination made in accordance with sub. (2) (c) as to which best management practices or other corrective measures that are needed to comply with cropland performance standards are eligible for cost sharing.

d. The determination made in accordance with section 1.32 that cost sharing is available for eligible costs to achieve compliance with cropland performance standards, including a written offer of cost sharing.

e. An offer to provide or coordinate the provision of technical assistance.

f. A compliance period for meeting the cropland performance standard.

g. An explanation of the possible consequences if the landowner or operator fails to comply with provisions of the notice, including enforcement or loss of cost sharing, or both.

h. An explanation of local appeals procedures.

(b) *Compliance period.*

1. A landowner or operator that receives the notice under par. (a) shall install or implement best management practices and corrective measures to meet the performance standards in the time period specified in the notice, if cost sharing is available in accordance section 1.32.

2. The compliance period identified in the notice in par. (a) shall be determined by the Soil and Water Conservation Department as follows:

a. The compliance period shall begin on the postmark date of the notice or the date of personal delivery.

b. The length of the compliance period shall be from 60 days to 3 years unless otherwise provided for in this subdivision.

c. The length of the compliance period may be less than 60 days if the site is an imminent threat to public health, fish and aquatic life.

d. The Soil and Water Conservation Department may authorize an extension up to 4 years on a case-by-case basis provided that the reasons for the extension are beyond the control of the landowner or operator. A compliance period may not be extended to exceed 4 years in total.

3. Once a landowner or operator achieves compliance with a cropland performance standard, compliance with the standard shall be maintained by the existing landowner or operator and heirs or subsequent owners, regardless of cost sharing.

(4) NOTIFICATION REQUIREMENTS AND COMPLIANCE PERIODS FOR EXISTING

CROPLANDS IN SITUATIONS WHEN NO ELIGIBLE COSTS ARE INVOLVED.

(a) *Landowner notification.*

1. The Soil and Water Conservation Department shall notify a non-complying landowner or operator of existing croplands of the determinations made under sub. (2).

2. The notice shall be sent certified mail, return receipt requested, or via personal delivery.

3. The following information shall be included in the notice:

a. A description of the cropland performance standard that is being violated and the determination that corrective measures do not involve eligible costs under sub. (2) (c).

b. The cropland status determination made in accordance with sub. (2) (b).

c. A compliance period for achieving the cropland performance standard. The compliance period may not exceed the time limits in par. (b).

d. An explanation of the consequences if the landowner or operator fails to comply with provisions of the notice.

e. An explanation of local appeals procedures.

(b) *Compliance period.*

1. The compliance period for existing croplands where best management practices and other corrective measures do not involve eligible costs shall be in accordance with the following:

a. The compliance period shall begin on the postmark date of the notice or the date of personal delivery.

b. The length of the compliance period shall be from 60 days nor more than 3 years unless otherwise provided for in this subsection.

c. The length of the compliance period may be less than 60 days if the site is an imminent threat to public health, fish and aquatic life.

2. Once compliance with a cropland performance standard is attained, compliance with the standard shall be maintained by the existing landowner or operator and heirs or subsequent owners.

(c) *Combined notices.* The Soil and Water Conservation Department may meet multiple notification requirements under par. (a), sub. (3) and section 1.34 within any single notice issued to a landowner or operator.

1.34 Implementation and Enforcement Procedures for Livestock Performance Standards and Prohibitions.

(1) LIVESTOCK OWNER AND OPERATOR REQUIREMENTS.

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(a) *Introduction.* This section identifies compliance requirements for a livestock owner or operator based on whether a livestock facility is existing or new and whether cost sharing is required to be made available to a livestock owner or operator. This section will also identify circumstances under which an owner or operator of a livestock facility is required to comply with livestock performance standards and prohibitions. In this section, "livestock performance standards and prohibitions" means the performance standards and prohibitions in ss. NR 151.005, 151.05, 151.055, 151.06 and 151.08.

(b) *General requirements.* If any livestock facility is meeting a livestock performance standard or prohibition on or after the effective date of the livestock performance standard or prohibition, the livestock performance standard or prohibition shall continue to be met by the existing owner or operator, heirs or subsequent owners or operators of the facility. If an owner or operator alters or changes the management of the livestock facility in a manner that results in noncompliance with a livestock performance standard or prohibition, the owner or operator shall bring the livestock facility back into compliance regardless of cost-share availability.

(c) *Existing livestock facility requirements.*

1. An owner or operator of an existing livestock facility, defined under sub. (2) (b), shall comply with a livestock performance standard or prohibition if all of the following have been done by the Soil and Water Conservation Department:

a. Except as provided in subd. 2., a determination is made that cost sharing has been made available in accordance with section 1.32 on or after the effective date of the livestock performance standard or prohibition.

b. The owner or operator of the livestock facility has been notified in accordance with sub. (3) or (4).

2. An owner or operator of an existing livestock facility, defined under sub. (2) (b), shall comply with the livestock performance standards and prohibitions, regardless of whether cost sharing is available, in situations where best management practices and other corrective measures needed to meet the performance standards do not involve eligible costs.

(d) *New livestock facility requirements.* An owner or operator of a new livestock facility, defined under sub. (2) (b), shall comply with the livestock performance standards and prohibitions, regardless of whether cost sharing is available.

(2) SOIL AND WATER CONSERVATION DEPARTMENT DETERMINATIONS.

(a) *Scope of determinations.* If a livestock facility is not in compliance with a livestock performance

standard or prohibition, the Soil and Water Conservation Department shall make determinations in accordance with the procedures and criteria in this subsection.

(b) *Livestock facility status.* The Soil and Water Conservation Department shall classify a non-complying livestock facility on an operation to be either new or existing for purposes of administering this ordinance. In making the determination, the Soil and Water Conservation Department shall base the decision on the following:

1. An existing livestock facility is one that meets all of the following criteria:

a. The facility is in existence as of the effective date of the livestock performance standard or prohibition.

b. The facility is not in compliance with a livestock performance standard or prohibition in this subchapter as of the effective date of the livestock performance standard or prohibition. The reason for noncompliance of the livestock facility may not be failure of the owner or operator to maintain an installed best management practice in accordance with a cost-share agreement or contract.

2. A new livestock operation or facility is one that does not meet the definition under subd. 1., including:

a. A livestock operation or facility that is established or installed after the effective date of the livestock performance standard or prohibition, including the placement of livestock structures on a site that did not previously have structures, or placement of animals on lands that did not have animals as of the effective date of the livestock performance standard or prohibition, unless the land is part of an existing rotational grazing or pasturing operation.

b. For a livestock operation that is in existence as of the effective date of the livestock performance standard or prohibition that establishes or constructs or substantially alters a facility after the effective date of the livestock performance standard or prohibition, the facilities constructed, established or substantially altered after the effective date of the livestock performance standard or prohibition are considered new, except as specified in subd. 3.

c. A livestock facility that is in existence and in compliance with a livestock performance standard or prohibition on or after the effective date of the livestock performance standard or prohibition and that undergoes a change in the livestock facility that results in noncompliance with the livestock performance standard or prohibition. This includes manure storage facilities that fail to meet the

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requirements of § NR 151.05 (3), Wis. Adm. Code and were either: constructed on or after October 1, 2002; or were constructed prior to October 1, 2002, and subject through October 1, 2002, to the operation and maintenance provisions of a cost share agreement.

3. Pursuant to the implementation procedures in this section, if the Soil and Water Conservation Department or a municipality directs an owner or operator of an existing livestock facility to construct a facility as a corrective measure to comply with a performance standard or prohibition on or after the effective date of the livestock performance standard or prohibition, or directs the owner or operator to reconstruct the existing facility as a corrective measure on or after the effective date of the livestock performance standard or prohibition, the constructed facilities are not considered new for purposes of installing or implementing the corrective measure.

4. A livestock facility that meets the criteria in subd. 1. and has subsequently been abandoned shall retain its status as an existing livestock facility if livestock of similar species and number of animal units are reintroduced within 5 years of abandonment.

5. Change in ownership may not be used as the basis for determining whether a livestock facility is existing or new for purposes of administering this subsection.

(c) *Eligible costs.* If cost sharing is required to be made available under sub. (1) (c), the Soil and Water Conservation Department shall determine the total cost of best management practices and corrective measures needed to bring a livestock facility into compliance with a livestock performance standard or prohibition and shall determine which of those costs are eligible for cost sharing.

(3) NOTIFICATION REQUIREMENTS AND COMPLIANCE PERIODS FOR EXISTING LIVESTOCK FACILITIES WHEN COST-SHARING IS REQUIRED.

(a) *Owner or operator notification.*

1. The Soil and Water Conservation Department shall notify an owner or operator in writing of the determinations made under sub. (2) and implementation requirements for existing livestock facilities where cost sharing is required for compliance.

2. The notice shall be sent certified mail, return requested or personal delivery.

3. The following information shall be included in the notice:

a. A description of the livestock performance standard or prohibition being violated.

b. The livestock facility status determination made in accordance with sub. (2) (b).

c. The determination made in accordance with sub. (2) (c) as to which best management practices or other corrective measures needed to comply with a livestock performance standard or prohibition are eligible for cost sharing.

d. The determination made in accordance with section 1.32 that cost sharing is available for eligible costs to achieve compliance with a livestock performance standard or prohibition, including a written offer of cost sharing.

e. An offer to provide or coordinate the provision of technical assistance.

f. A compliance period for meeting the livestock performance standard or prohibition.

g. An explanation of the possible consequences if the owner or operator fails to comply with provisions of the notice, including enforcement or loss of cost sharing, or both.

h. An explanation of local appeals procedures.

(b) *Compliance period.*

1. An owner or operator that receives the notice under par. (a) shall install or implement best management practices and corrective measures to meet a performance standard or prohibition in the time period specified in the notice, if cost sharing is available in accordance with section 1.32.

2. The compliance period identified in the notice in par. (a) shall be determined by the Soil and Water Conservation Department as follows:

a. The compliance period shall begin on the post-mark date of the notice or the date of personal delivery.

b. The length of the compliance period shall be not less than 60 days nor more than 3 years unless otherwise provided for in this subdivision.

c. The length of the compliance period may be less than 60 days if the site is an imminent threat to public health or fish and aquatic life.

d. The Soil and Water Conservation Department may authorize an extension up to 4 years on a case-by-case basis provided that the reasons for the extension are beyond the control of the owner or operator of the livestock facility. A compliance period may not be extended to exceed 4 years in total.

3. Once an owner or operator achieves compliance with a livestock performance standard or prohibition, compliance with the standard or prohibition shall be maintained by the existing owner or operator and heirs or subsequent owners or operators, regardless of cost sharing.

(4) NOTIFICATION REQUIREMENTS AND COMPLIANCE PERIODS FOR EXISTING

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LIVESTOCK FACILITIES IN SITUATIONS WHEN NO ELIGIBLE COSTS ARE INVOLVED.

(a) *Owner or operator notification.*

1. The Soil and Water Conservation Department shall notify a non-complying owner or operator of an existing livestock facility of the determinations made under sub. (2).

2. The notice shall be sent certified mail, return receipt requested or personal delivery.

3. The following information shall be included in the notice:

a. A description of the livestock performance standard or prohibition that is being violated and the determination that corrective measures do not involve eligible costs under sub. (2) (c).

b. The livestock operation status determination made in accordance with sub. (2) (b).

c. A compliance period for meeting the livestock performance standard or prohibition. The compliance period may not exceed the time limits in par. (b).

d. An explanation of the consequences if the owner or operator fails to comply with provisions of the notice.

e. An explanation of local appeals procedures.

(b) *Compliance period.*

1. The compliance period for existing livestock facilities where best management practices and other corrective measures do not involve eligible costs shall be in accordance with the following:

a. The compliance period shall begin on the postmark date of the notice or the date of personal delivery.

b. The length of the compliance period shall not be less than 60 days nor more than 3 years unless otherwise provided for in this subdivision.

c. The length of the compliance period may be less than 60 days if the site is an imminent threat to public health, or fish and aquatic life.

2. Once compliance with a livestock performance standard or prohibition is attained, compliance with the performance standard or prohibition shall be maintained by the existing owner or operator and heirs or subsequent owners or operators.

(c) *Combined notices.* The Soil and Water Conservation Department may meet multiple notification requirements under par. (a), sub. (3) and section 1.33 within any single notice issued to the owner or operator.

1.35 Variances. (§ NR 151.097, Wis. Adm. Code)

(1) **REQUESTS.** Requests for a variance to the performance standards shall be made in writing to the Soil and Water Conservation Department, and

accompanied by payment of the applicable fee. Requests shall be reviewed by the Soil and Water Conservation Department prior to submittal to Department of Natural Resources and shall include:

(a) clearly-stated rationale and justification for requesting the variance.

(b) any permit applications required by this ordinance.

(c) any facility or operational plans as required by this ordinance.

(2) **ECONOMIC HARDSHIP.** A variance shall not be granted solely on the basis of economic hardship.

(3) **CONDITIONS.** The Soil and Water Conservation Department may recommend a variance to Department of Natural Resources only if all of the following conditions are met:

(a) Compliance with the performance standard or technical standard is not feasible due to site conditions. This condition does not apply to research activities conducted as part of a planned agricultural research and farming curriculum.

(b) The landowner or operator will implement best management practices or other corrective measures that ensure a level of pollution control that will achieve a level of water quality protection comparable to that afforded by the performance standards in this subchapter.

(c) The conditions for which the variance is requested are not created by the landowner or operator or their agents or assigns. This condition does not apply to research activities conducted as part of a planned agricultural research and farming curriculum.

(4) **PROCESS.** The Soil and Water Conservation Department shall use the following process when administering a variance request:

(a) The landowner or operator shall submit the variance request and applicable fee to the Soil and Water Conservation Department within 60 days of receiving the notice.

(b) The Soil and Water Conservation Department shall immediately forward any variance requests that it receives to the Department of Natural Resources. The Soil and Water Conservation Department shall send any recommendations concerning acceptance of the variance request to the Department of Natural Resources within 10 working days of receiving the variance request.

(c) The Department of Natural Resources shall make its determination based on the factors in § NR 151.097(3), Wis. Adm. Code.

(d) The Department of Natural Resources shall notify the landowner or operator and the Soil and Water Conservation Department of its determination. If the variance is granted, the Department of Natural Resources or Soil and Water Conservation Department

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shall send to the landowner or operator an amended notice.

(c) The period of time required to make a ruling on a variance request does not extend the compliance periods allowed under § NR 151.09 and 151.095, Wis. Adm. Code.

Subchapter IV – Manure Storage Construction Permit

1.40 Permit Required. (1) No existing or proposed manure storage facility or parts thereof, may be located, installed, moved, substantially altered, or its use changed, including closure, without a Manure Storage Construction Permit as provided in this Ordinance, without compliance with the provisions of this Ordinance, and without compliance with USDA-NRCS Technical Guide as adopted as part of this Ordinance. The specific conditions under which a permit is required are shown in Table 2.

TABLE 2	
Permits required for manure storage facilities	
New	All construction of manure storage facilities as of the effective date of this Ordinance.
Existing	All substantial alteration, repair, or replacement of existing manure storage facilities.
	All closure of idle, failing, or leaking manure storage facilities; including voluntary closures of existing systems.

(2) With the exception of the closure of manure storage facilities, those receiving Manure Storage Construction Permit issued under authority of this Ordinance shall be required to implement an approved nutrient management plan and verify the ability of the applicant to comply with USDA-NRCS Technical Standard for Nutrient Management (590). Manure storage facility closures are required to remove and properly dispose of all accumulated manures and contaminated soil in the manure storage facility in compliance with USDA-NRCS Technical Standard for Nutrient Management (590).

(3) The requirements of this Ordinance shall be in addition to any other Ordinance regulating animal manure and nutrient management. In the case of conflict, the most stringent provisions shall apply.

1.41 Exception to Permit Requirements.

(1) Emergency minor repairs to facilities such as fixing a broken pipe or equipment, leaking dykes or the removal of stoppages may be performed without a

permit. Such work shall be reported to the Door County Soil and Water Conservation Department as soon as possible for a determination as to whether a permit will be required or additional alterations or repairs to the facility are required. The Door County Soil and Water Conservation Department shall render a decision within thirty (30) days of receiving the request.

(2) Permit applicants may request that the Door County Soil and Water Conservation Department waive specific manure storage construction plan components in Section 1.43 (1) if manure storage facility alterations, repairs or replacements render the construction plan components unnecessary. Although specific manure storage construction plan components may be waived, the constructed manure storage facility shall remain in compliance with section 1.31.

1.42 Fee. A non-refundable fee for a Manure Storage Construction Permit under this Ordinance shall be calculated as required in a fee schedule set by the Land Conservation Committee.

Permit application packets can be obtained from the Door County Soil and Water Conservation Department, 421 Nebraska Street, P.O. Box 670, Sturgeon Bay or by calling (920) 746-2214.

1.43 Construction Requirements.

(1) **MANURE STORAGE CONSTRUCTION PLAN REQUIREMENTS.** Each application for a Manure Storage Construction Permit under this section shall include a manure storage construction plan. The exception is any manure storage facility closure, which shall only follow the requirements of sub. (2). The plan shall meet or exceed the minimum established limits and specific criteria within USDA-NRCS Technical Standard for Waste Storage Facility (313) and Pond Sealing or Lining Compacted Soil Treatment (520), Geomembrane or Geosynthetic Clay Liner (521), and Concrete (522); and additional Technical Standards, including, but not limited to, Critical Area Planting (342), Fence (382), Roof Runoff Structure (558), Nutrient Management (590), and Manure Transfer (634) where they apply. The plan shall include:

(a) A general location map drawing of the manure storage facility which shall include:

1. The location of the manure storage facility in relation to buildings, homes, property lines, roads, wells, karst features, public or private drainage ditches and creeks, flowages, rivers, streams, lakes, or wetlands within one thousand (1000) feet of the proposed facility.
2. The scale of the drawing and the north arrow.

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3. The date the general location map was prepared.

(b) An engineering design drawing of the manure storage facility which shall include:

1. Specific design components that shall comply with USDA-NRCS Technical Standard for Waste Storage Facility (313), and additional applicable Technical Standards.

2. A recoverable benchmark(s) including elevation(s) expressed in feet and tenths.

3. The scale of the drawing and the north arrow. The engineering design drawing shall be drawn to a scale no smaller than one (1) inch equals one forty (40) feet.

4. The date the engineering design drawing was prepared.

(c) A narrative of the general criteria required within USDA-NRCS Technical Standard for Waste Storage Facility (313), and additional applicable Technical Standards such as management assessment, site assessment and operation and maintenance procedures for installed practices.

(d) Any other additional information required by the Door County Soil and Water Conservation Department to protect water quality and determine compliance with this Ordinance.

(2) **MANURE STORAGE FACILITY CLOSURE PLAN REQUIREMENTS.** Closure of a manure storage facility shall occur when an operation where the facility is located ceases operations, or manure has not been added or removed from the facility for a period of 24 months. Manure storage facilities shall be closed in a manner that will prevent future contamination of groundwater and surface waters. Applications for a Manure Storage Construction Permit under this section shall include a manure storage closure plan to be submitted with the permit application. The plan shall include:

(a) A general location map drawing of the manure storage facility which shall include:

1. The location of the manure storage facility in relation to buildings, homes, property lines, roads, wells, karst features, public or private drainage ditches and creeks, flowages, rivers, streams, lakes, or wetlands within one thousand (1000) feet of the existing facility.

2. The scale of the drawing and the north arrow.

3. The date the general location map was prepared.

(b) A description of the method and specifications in transferring manure into and from the manure storage facility to ensure proper closure of transfer systems.

(c) Provisions to remove or permanently plug the manure transfer system serving the manure storage facility.

(d) Provisions to remove and properly dispose of all accumulated manure in the manure facility in compliance with USDA-NRCS Standard for Nutrient Management (590).

(e) For all earthen waste impoundments, plan requirements and provisions shall be in compliance and consistent with USDA-NRCS Technical Standard for Closure of Waste Impoundments (360).

(f) *Safety provisions.* Manure storage facility closures and conversions shall implement safety measures to ensure the protection of the public from hazardous conditions.

(g) *Use conversion option.* The manure storage facility may be converted to other uses, where as it is demonstrated the conversion will not result in a degradation of ground and/or surface waters or be a threat to public health, safety or general welfare. A detailed description of intended alternative use must be described for all manure storage facility conversions for determination if conversions will be allowed.

(h) Any other additional information required by the Door County Soil and Water Conservation Department to protect water quality and determine compliance with this Ordinance.

1.44 Review of Application. (1) The Door County Soil and Water Department shall receive and review all permit applications. Prior to approval or disapproval of the permit application, the applicant shall submit a copy of the proposed plan(s) to the Door County Soil and Water Department for review if appropriate. The Door County Soil and Water Department shall determine if the proposed facility meets the required standards set forth in Section 4 of this Ordinance. Within thirty (30) days after receiving the completed application and fee, the Door County Soil and Water Department shall inform the applicant in writing whether the permit application is approved or disapproved.

(2) If additional information is required, the Door County Soil and Water Department has thirty (30) days from the receipt of the additional information in which to approve or disapprove the permit application. If, in addition to the applicant's information, the Door County Soil and Water Department requires comment from an outside agency, the Door County Soil and Water Department has thirty (30) days from receipt of the comments from the referral agency.

(3) The Door County Soil and Water Department personnel may conduct a site inspection prior to approving or disapproving the application. If the Door County Soil and Water Department fails to approve or

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disapprove the permit application in writing within thirty (30) days of the receipt of the permit application, receipt of additional applicant information or the receipt of referral agency comments, as appropriate, the application shall be deemed approved and the applicant may proceed as if a permit had been issued.

1.45 Permit Conditions. All permits issued under this Ordinance shall be issued subject to the following conditions and requirements:

(1) Design, construction, and management shall be carried out in accordance with the manure storage facility or manure storage closure plan and applicable standards specified in Subchapter III of this Ordinance.

(2) The permittee shall give two (2) working days notice to the Door County Soil and Water Conservation Department before starting any construction activity authorized by the permit.

(3) Approval in writing must be obtained from the Door County Soil and Water Conservation Department prior to any modifications to the approved manure storage facility or closure plan.

(4) The permittee and, if applicable, the contractor, shall certify in writing by signing the certification sheet that the facility was installed as planned and designed. A copy of the signed certification sheet shall be given to the Door County Soil and Water Conservation Department within thirty (30) days of completion of installation. The Door County Soil and Water Conservation Department personnel may conduct site inspection during and following construction to determine that the facility was installed as planned and designed.

(5) Activities authorized by permit must be completed within one (1) year from the date of issuance after which such permit shall be void.

1.46 Permit Revocation. The Door County Soil and Water Conservation Department may revoke any permit issued under this Ordinance if the holder of the permit has misrepresented any material fact in the permit application, manure storage facility or closure plans, or if the holder of the permit violates any of the conditions of the permit.

Subchapter V – Violations and Appeals

1.50 Violations.

(1) PENALTIES.

(a) Any person violating this ordinance shall:

1. Forfeit not less than \$10.00 nor more than \$500.00 for each offense; and;

2. Institute those remedial measures, summarily and/or within a defined time period, necessary to correct any violation.

3. Be enjoined or restrained from further violation.

4. Pay the fees, costs and disbursements incurred by County associated with prosecution of the action.

(b) Each day a violation exists or continues constitutes a separate offense.

1.51 Appeals.

(1) GENERAL PROVISIONS.

(a) *What can be appealed.*

1. Final compliance determination made in writing by Soil and Water Conservation Department (SWCD).

2. Final permit application decisions made in writing by SWCD.

3. Final permit modification or denial decision made in writing by SWCD.

4. Final permit suspension or revocation decisions made in writing by SWCD.

(b) *Who may appeal.*

1. Person aggrieved by the decision.

2. A person is aggrieved by the decision if such adversely impacts the substantial interests of that person.

(c) *How an appeal is taken.*

1. Payment of fee for filing a Notice of Appeal.

2. Filing a Notice of Appeal with the Board of Adjustment (BOA), with a copy to SWCD.

3. Notice must identify appellant, specify the decision sought to be reviewed, and designate the factual and legal bases for the appeal.

4. Fee must be paid and Notice of Appeal filed within thirty (30) days from issuance of the decision, or an appeal is barred.

(d) *Stay.*

1. The appeal, ordinarily, stays all proceedings in furtherance of the decision appealed from.

2. The appeal does not stay all proceedings if, after the appeal is filed, SWCD certifies to the BOA that a stay would pose an imminent threat to the environment, public health or public safety.

(e) *Standard of review.*

1. Certiorari (i.e. an inquiry, based on the record, into whether the SWCD could have reasonably made the decision that it did).

2. SWCD's decisions shall be accorded due deference.

3. The standards set forth in this ordinance are controlling.

(f) *Burden of proof.*

1. The burden of proof rests with the appellant.

2. The appellant must submit evidence sufficient to support granting the appeal.

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(g) *Hearings.*

1. BOA shall fix the time for and location of hearing an appeal. The hearing shall commence within forty-five (45) days of the fee being paid and Notice of Appeal being filed.

2. Process.

a. Opening Remarks by Appellant and then by SWCD. These opening remarks are intended to acquaint the BOA with the case and set out, in a general way, each side's case.

b. Appellant presents real and testimonial evidence first.

c. SWCD presents real and testimonial evidence second.

d. Appellant may offer rebuttal real and testimonial evidence.

e. Closing remarks by appellant and then by SWCD. These closing remarks are intended to be a brief summation of each side's position on the contested issues and the reasons each is entitled to prevail.

f. Appellant and SWCD may cross-examine witnesses of the other side.

g. BOA may swear witnesses.

h. BOA will mark and preserve exhibits.

i. BOA may cause the proceedings to be taken by a stenographer or by a recording device. The expense thereof to be paid by the parties to the proceeding. Any record of hearing will be retained by BOA.

j. The rules of evidence should be adhered to, but do not strictly apply.

k. The hearing shall be informal in nature.

(h) *Final Determination/Judicial Review.*

1. BOA may affirm or reverse in whole or part or it may modify the decision on review.

2. Within forty-five (45) days of completion of the hearing BOA shall mail or deliver to each side its written determination stating the reasons therefore. This determination shall be a final determination.

3. Any party to the proceeding may seek judicial review thereof pursuant to and in accordance with Section 68.13 Wisconsin Statutes.

(i) *Assessment/Refund of Costs and Fees.*

1. If the Appellant prevails and at the BOA's sole discretion, the filing fee may be refunded in whole or part.

2. Otherwise, each party must pay its own costs and fees.

(j) *Screening mechanism.*

1. This mechanism is intended to protect the BOA's impartiality, to maintain BOA's appearance of fairness, and to allow BOA to hear and adjudicate appeals hereunder.

2. Because of the appearance of impartiality and actual bias are of equal importance, BOA members shall refrain from:

a. Having any direct or personal connection with a pending appeal.

b. Outside of the hearing, have discussions with or receive evidence from SWCD staff, the landowner or land user, or any other person with respect to the substance of a pending appeal. If a BOA member's impartiality can reasonably be questioned, the BOA member will have to recuse oneself from consideration of the appeal.

(Ordinance #2004-15; 08/24/04)

(Ordinance #2013-02; 01/28/13)

(Ordinance #2016-10; 05/24/16)

(Ordinance #2018-17; 09/27/18)

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ADDENDUM I

Table 1. Silurian Bedrock Maximum Liquid Manure Application Rates

Soil Texture	2 to 3 Feet Depth (gal/ac/yr)	3 to 5 Feet Depth (gal/ac/wk)	5 to 20 Feet Depth (gal/ac/wk)
Sand	6,750	6,750	13,500
Sandy Loam	13,500	13,500	27,000*
Loam	13,500	13,500	27,000*
Silt Loam	13,500	13,500	27,000*
Clay Loam	13,500	13,500	20,000*
Clay	6,750	6,750	13,500

*It is anticipated that this rate would exceed the UW A2809 annual (crop year) application rate.



DOOR COUNTY

Ordinance No. 2018-18

AMENDMENT OF §11.01 DOOR COUNTY CODE

1 The Door County Board of Supervisors does hereby ordain an amendment to §11.01, "Highway Setbacks",
2 Door County Code as follows:

3
4 §11.01, "Highway Setbacks", Door County Code is hereby amended to read as follows:

5
6 11.01 HIGHWAY SETBACKS

7
8 a. County Trunk Highways.

- 9
10 1. Setbacks are areas abutting a County Trunk Highway in which structures and improvements
11 cannot be erected, installed or maintained.
12
13 2. The setback area is as set forth in the Door County Comprehensive Zoning Ordinance
14 ("DCCZO") or Door County Land Division Ordinance ("DCLDO").
15
16 3. If not addressed in either the DCCZO or DCLDO, then the setback area is the area within
17 seventy five (75) feet of the centerline of a county trunk highway or within forty two (42) feet of
18 the nearer right-of-way of a county trunk highway, whichever is furthest from the centerline.
19

20
21 b. Averaging

- 22 1. Setback averaging may allow reduced setbacks from the setback requirements hereunder.
23
24 2. Setback averaging, to determine setback reduction (if any), shall be as set forth in the
25 DCCZO or DCLDO.
26

27
28 c. Variance / Special Exception

- 29 1. Persons may seek a variance to the setback requirements under a. 2. above as provided in
30 the DCCZO or DCLDO.
31
32 2. Persons may seek a special exception to the setback requirements under a. 3. above as
33 provided below.
34 i. The Door County Highway Committee ("Committee") may authorize special exceptions,
35 but only in appropriate cases when warranted by specific analysis of setback needs and
36 as provided in this sub-section.
37 ii. A special exception may not be contrary to the public interest and shall be in harmony
38 with the general purposes and intent of this section.
39 iii. The Committee may require such conditions and safeguards as will, in its judgment,
40 secure substantially the purposes of this section.
41 iv. Specific analysis for special exception for setback includes:
42 • The structure or improvement proposed and its location.
43 • The current and forecasted congestion of the abutting highway.
44 • The impact of potential highway or other transportation improvements on the
45 continued existence of the proposed structure or improvement.
46 • Transportation safety.
47 • Preservation of the public interest and investment in the highway.
48 • Other criteria to promote public purposes consistent with this section.
49 v. A special exception granted under this section is effective only when the special
50 exception is recorded in the office of the register of deeds.
51



AMENDMENT OF §11.01 DOOR COUNTY CODE

DOOR COUNTY

- 1 d. Vision Corners
2
3 1. Vision corners are triangular areas at intersections in which structures, improvements and
4 landscaping are restricted because they can block the ability of motorists to see oncoming
5 vehicles.
6
7 2. At all County Trunk Highway intersections, the setback building line is hereby established to be
8 a straight line connecting the two vision points on the two intersecting setback lines at each
9 corner of the said intersecting highways. The triangle formed thereby shall be defined as a
10 vision corner. At every intersection of setback lines there shall be two vision points. A vision
11 point is hereby established as being located on the setback line and 60 feet back from the
12 intersection of the setback lines. No buildings, signs, billboards or anything that will obstruct the
13 view shall be erected on the lands lying within the vision corner as defined in this paragraph.
14 Any shrubs or trees lying within the said vision corner shall be trimmed to a sufficient height to
15 give a clear view for vehicles.
16
17 e. Directional and Entrance Signs.
18
19 1. All signs and billboards shall conform to the setback lines and vision corners described in this
20 section except directional signs to cities, villages, and entrance signs for places of business and
21 places of residence, not exceeding 8 square feet. Directional and entrance signs as defined in
22 this paragraph may be erected between the highway right-of-way and the highway setback
23 lines. Upon written approval of the Door County Highway Committee, community groups may
24 develop programs for improving all directional signs and may combine a group of individual
25 signs in an attractive and safe display larger than 8 square feet, provided no individual sign
26 exceeds 8 square feet.
27
28 f. Condemnation Proceedings.
29
30 1. Nothing contained in this section shall in any way interfere with or affect the future widening of
31 any County Trunk Highway right-of-way by condemnation or as otherwise provided by law.
32
33 g. Prohibition(s)
34
35 1. No person may erect, install or maintain any structure or improvement within a setback area
36 or vision corner determined hereunder.
37
38 h. Penalties & Enforcement
39
40 1. Penalties.
41 i. Any person violating this ordinance shall:
42
 - 43 • forfeit not less than \$10.00 nor more than \$500.00 for each offense;
 - 44 • institute those remedial measures necessary to correct any violation;
 - 45 • be enjoined or restrained from further violation; and
 - 46 • pay the fees, costs and disbursements incurred by County associated with
 - 47 prosecution of the action.
48 ii. Each day a violation exists or continues constitutes a separate offense.
49



DOOR COUNTY

AMENDMENT OF §11.01 DOOR COUNTY CODE

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
BULTMAN	✓		
CHOMEAU	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL	✓		
FISHER	✓		
GUNNLAUGSSON	✓		
HALSTEAD	✓		
KOCH	✓		
KOHOUT	✓		
LIENAU	✓		
LUNDAHL	✓		
NEINAS	✓		
NORTON	✓		
ROBILLARD	✓		
SCHULTZ	✓		
VIRLEE	✓		
VLIES WOTACHEK	✓		
WAFF	✓		

BOARD ACTION

Vote Required: Majority Roll Call Vote of a Quorum.

Motion to Approve Adopted

1st Neinas Deleted

2nd Fisher

Yes 1 No 0 Exc. 0

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of an ordinance that was enacted on the 18th day of December, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

COUNTERSIGNED

[Signature]
Debra Lienau, Chairman,
Door County Board of Supervisors

2. Enforcement

- i. The Door County Highway Commissioner may issue a citation, pursuant to and in accordance with § 66.0113 Wis. Stats. or Ch. 35 Door County Code.
 - ii. A cease and desist order may be issued by the Door County Highway Commissioner. The cease and desist order must be reasonably specific and concrete, so as to fairly apprise wrongdoer of specific violation of this and necessary remedial measures.
 - iii. County may institute other proceedings in any court of competent jurisdiction and pursue any remedy or relief afforded by law, including a civil forfeiture or injunction.
- i. This section does not apply to state trunk highways or town roads. State or town officials should be contacted regarding setback requirements and other standards and prohibitions applicable to state trunk highways or town roads.

This ordinance shall be effective upon its adoption and publication by the Door County Board of Supervisors as provided by law.

SUBMITTED BY:
HIGHWAY COMMITTEE

[Signature]
John Neinas, Chairperson

[Signature]
Kenneth Fisher

[Signature]
Joe Gunnlaugsson

[Signature]
Roy Englebert

[Signature]
Randy Halstead

11.01 HIGHWAY SETBACKS

- a. **Highway Setback.** It shall be unlawful for a person or corporation to construct or move on land abutting the highways of Door County, any structure of any kind for any use or purpose, outside of the boundaries of incorporated cities or villages, any closer to the center line of the said highways and parallel there, than 100 feet in the case of state and federal highways and 75 feet in the case of county trunk highways and 65 feet in the case of town roads. (12/14/71)

Exceptions to this section may be obtained by application to and written approval from the Door County Highway Committee of the Door County Board of Supervisors if the applicant shows that the exception is for good cause and does not interfere with the safe use of the adjacent highway or road, but in any case the setback authorized by the Door County Highway Committee shall be no less than 50 feet from the center line of the said highway or road. (5/16/72)

A setback less than the setback required for the appropriate class of highway as stated above shall be permitted where there are at least five existing main buildings on the same side of the road within 500 feet of the proposed site that are built to less than the required setback. In such case, the setback shall be the average of the nearest main building on each side of the proposed site or if there is no building on one side, the average of the setback for the main building on one side and the required setback for the appropriate class of highway. (4/15/72)

- b. **Intersection Vision Corners.** At all highway intersections, the setback building line is hereby established to be a straight line connecting the two vision points on the two intersecting setback lines at each corner of the said intersecting highways. The triangle formed thereby shall be defined as a vision corner. At every intersection of setback lines there shall be two vision points. A vision point is hereby established as being located on the setback line and 60 feet back from the intersection of the setback lines. No buildings, signs, billboards or anything that will obstruct the view shall be erected on the lands lying within the vision corner as defined in this paragraph. Any shrubs or trees lying within the said vision corner shall be trimmed to a sufficient height to give a clear view for vehicles.
- c. **Directional and Entrance Signs.** All signs and billboards shall conform to the setback lines described in this section except directional signs to cities, villages, and entrance signs for places of business and places of residence, not exceeding 8 square feet. Directional and entrance signs as defined in this paragraph may be erected between the highway right-of-way and the highway setback lines. Upon written approval of the Door County Highway Committee, community groups may develop programs for improving all directional signs and may combine a group of individual signs in an attractive and safe display larger than 8 square feet, provided no individual sign exceeds 8 square feet.
- d. **Condemnation Proceedings.** Nothing contained in this section shall in any way interfere with or affect the future widening of any highway right-of-way by any town, or by the County of Door, or the State of Wisconsin, or the federal government, either by condemnation or other proceedings as is now provided by law.
- e. **Enforcement.** The provisions of this section shall be enforced by the District Attorney for Door County. Any person or corporation who violates, neglects or refuses to comply with the provisions of this section shall be subject to a fine of not less than \$10 nor more than \$200, together with the costs of action. Each day of any violation shall constitute a separate offense. Compliance with the provision of this section may be obtained by injunction. (45-71, 12/14/71; am. 4/18/72, 5/16/72)



RESOLUTION NO. 2018-01

IN MEMORIAM - JAMES ROBERTS

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

WHEREAS, James (Jim) Roberts passed away on January 8, 2018, in Vernon Hills, Illinois; and

WHEREAS, Supervisor Roberts was first appointed to the Door County Board of Supervisors in May, 1997. He was then elected in April 1998 and April 2000, and served until February, 2002; and

WHEREAS, Supervisor Roberts represented District 18, consisting of the Towns of Gibraltar Ward 1, Liberty Grove Ward 3, and Village of Ephraim; and

WHEREAS, Supervisor Roberts served on several committees, including Board of Health, Community Programs Board, Economic Development, Finance, and Law Enforcement Committees; and

WHEREAS, Supervisor Roberts served as Chairperson of the Ad Hoc Building Committee and Property Committee.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors, assembled in regular session this 23rd day of January, 2018, extend our sincere sympathy to the family of Jim Roberts with this acknowledgement of his dedication to the citizens of the County of Door.

Daniel Austad

Daniel Austad

Helen Bacon

Helen Bacon

David Englebert

David Englebert

Roy Koblentz

Roy Koblentz

David Brieg

David Brieg

Kenneth Fisher

Kenneth Fisher

Joel Gunnlaugsson

Joel Gunnlaugsson

Randy Halstead

Randy Halstead

John Koch

John Koch

Susan Koptout

Susan Koptout

David Lienau

David Lienau

Megan Lundahl

Megan Lundahl

Mark Moeller

Mark Moeller

John Netrias

John Netrias

Nancy Robillard

Nancy Robillard

Kathy Shultz

Kathy Shultz

Don Sitte

Don Sitte

Steve Solms

Steve Solms

Richard Vinke

Richard Vinke

Laura Vines-Wotachek

Laura Vines-Wotachek

Linda Wait

Linda Wait

CERTIFICATION:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 23rd day of January, 2018, by the Door County Board of Supervisors.

Jill M. Lau
County Clerk, Door County



DOOR COUNTY

Resolution No. 2018-02
AUTHORIZE APPLICATION FOR AND ACCEPTANCE OF
FINANCIAL ASSISTANCE FOR GEORGE K. PINNEY COUNTY
PARK BREAKWALL REPAIRS

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENGL	X		
FISHER	X		
GRINLAUSSON			X
HALSTEAD	X		
KOCH	X		
KOHOUT	X		
LIENAU	X		
LINDAHL			X
MUELLER			X
NEINAS	X		
ROBILLARD			X
SCHULTZ	X		
SITTE			X
SCHNIB	X		
VIRLEE	X		
VLES WOTACHEK	X		
WANT	X		
	14	0	5

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st Austad Deleted

2nd Virlee

No: 0 Yes: 14 Exc: 5

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

FISCAL IMPACT: The estimated county match of \$2,637.00 for the project will be funded from the Boat Launch Reserve, which presently has a balance of \$293,511.86. MEJ

Certification:

I, Jill Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 23rd day of January, 2018 by the Door County Board of Supervisors.

[Signature]
Jill Lau,
County Clerk, Door County

1 **WHEREAS**, Section 59.52(19) Wis. Stats. Empowers the County Board to
2 accept donations, gifts, or grants of money for any public governmental purpose
3 within the powers of the County; and

4
5 **WHEREAS**, Rule No. 38 of the Rules of Order provides, in pertinent part, as
6 follows: "An oversight committee may accept donations, gifts or grants. County
7 Board shall be provided notice of any donation, gift or grant in excess of \$1,000.00
8 prior to acceptance. An itemized report of all donations, gifts or grants shall be
9 submitted to the County Board on an annual basis."; and

10
11 **WHEREAS**, Resolution 75-84 entitled "Gifts, Grants & Donations to the
12 County of Door" requires approval of the Door County Board of Supervisors, for
13 acceptance of all donations, gifts, and grants whether in the form of money, or
14 personal or real property; and

15
16 **WHEREAS**, Door County hereby formally requests financial assistance (i.e.,
17 a grant) through the Wisconsin Department of Natural Resources' (DNR's) County
18 Conservation Aids Program for George K. Pinney County Park Breakwall Repairs
19 in an estimated amount of \$2,637.00 There is a 50% county match required for
20 this grant; and

21
22 **WHEREAS**, The Door County Parks Department has sufficient funds
23 available to meet the financial obligation of the grant (i.e.,50% match); for the
24 breakwall repairs; and

25
26 **WHEREAS**, The Airport & Parks Committee has approved the application for
27 and acceptance of financial assistance (i.e., a grant) through the DNR's
28 Conservation Aids Program for the breakwater repairs project at George K. Pinney
29 County Park;

30
31 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board of
32 Supervisors does hereby authorize the Parks Director, subject to the oversight by
33 the Airport & Parks Committee, to: act on behalf of Door County, prepare and
34 submit a County Conservation Aids grant application, accept any grant award, sign
35 necessary documents, administer any County Conservation Aids grant, and take
36 any and all action necessary to complete the proposed project.

37
38 **BE IT FURTHER RESOLVED**, That Door County will comply with the project
39 grant award contract mandates.

SUBMITTED BY:
AIRPORT & PARKS COMMITTEE

[Signature] Dan Austad, Chairperson

[Signature] John Neinas

[Signature] Kathy Schultz

[Signature] Steve Sohns

[Signature] Richard Virlee

[Signature] Laura Vlies Wotachek

Don Sitte



DOOR COUNTY

**Resolution No. 2018-03
APPROVAL OF GIFT, GRANT AND/OR DONATION TO THE
PARKS DEPARTMENT**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL	✓		
FISHER	✓		
GUNNLAUGSSON			✓
HALSTEAD	✓		
KOCH	✓		
KOHOUT	✓		
LIENAU	✓		
LUNDAHL			✓
MOELLER			✓
NEINAS	✓		
ROBILLARD			✓
SCHULTZ	✓		
SITTE			✓
SOHNS	✓		
WIRLEE	✓		
VLIES WOTACHEK	✓		
WAIT	✓		
	16	0	5

BOARD ACTION
Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Deleted

1st: Austad
2nd: Vlies Wotachek

Yes: 16 No: 0 Exc: 5

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: The donated funds will be used for the specified purpose; no additional County funds are required because of the acceptance of this donation. MEJ

Certification:
I, J.B.M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 23rd day of January, 2018 by the Door County Board of Supervisors.

[Signature]
J.B.M. Lau
County Clerk, Door County

1 **WHEREAS**, Section 59.52(19) Wis. Stats. empowers the County Board
2 to accept donations, gifts, or grants of money for any public governmental
3 purpose within the powers of the County; and

4 **WHEREAS**, Resolution 75-84 entitled "Gifts, Grants & Donations to the
5 County of Door" requires approval of the Door County Board of
6 Supervisors, for acceptance of all donations, gifts, and grants whether in
7 the form of money, or personal or real property; and

8 **WHEREAS**, Rule of Order # 38, entitled 'Donations, Gifts or Grants',
9 authorized an oversight committee to accept donations, gifts or grants;
10 requires County Board be provided notice of any donation, gift or grant in
11 excess of \$1,000 prior to acceptance; and requires that an itemized report
12 of all donations, gifts or grants shall be submitted to the county board on
13 an annual basis; and

14 **WHEREAS**, Horseshoe Bay Golf Club has made a \$1,649.13 donation
15 to Door County Parks Department to be used toward Frank E. Murphy
16 County Park or Horseshoe Bay Cave; and

17 **WHEREAS**, The Airport & Parks Committee has voted to accept the
18 aforesaid donation.

19 **NOW THEREFORE, BE IT RESOLVED**, That the Door County Board
20 of Supervisors does hereby approve the acceptance of the donation valued
21 at \$1,649.13 for purposes of benefit to Frank E. Murphy Park or Horseshoe
22 Bay Cave.

23 **BE IT FURTHER RESOLVED**, That the aforesaid grant and donation
24 shall be administered by the Door County Parks Department, subject to
25 oversight by the Airport & Parks Committee.

SUBMITTED BY:
Airport & Parks Committee

[Signature]
Dan Austad, Chairperson

[Signature]
John Neinas

[Signature]
Kathy Schultz

[Signature]
Steve Sohns

[Signature]
Richard Wirlee

[Signature]
Laura Vlies Wotachek

Don Sitte



DOOR COUNTY

**Resolution No. 2018-04
NON-COMMERCIAL HANGAR SITE LEASE AGREEMENT
CARMODY-61 SMITH/BAUER-21 CRANDALL-40
FALB-49 CUMMINGS 47 COLLINS 48 & 74**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
ENGLBERT D.	✓		
ENGLBERT R.	✓		
ENGL	✓		
FISHER	✓		
GUNNLAUGSSON			✓
HALSTEAD	✓		
KOCH	✓		
KOCHOUT	✓		
LIENAU	✓		
LINDAHL			✓
MOELLER			✓
NEINAS	✓		
ROBILLARD			✓
SCHULTZ	✓		
SITTE			✓
SOHNS	✓		
VRILEE	✓		
VLES WOTACHEK	✓		
WANT	✓		
	16	0	5

1 **WHEREAS**, Rule No. 34 of the Rules of Order provides, in
2 pertinent part, that "... (a)ny contract with a term in excess of three (3)
3 years is subject to review and approval by the County Board..."; and

4
5 **WHEREAS**, Private and Public concerns have been reluctant to
6 construct or operate private non-commercial hangars at the Door
7 County Cherryland Airport; and

8
9 **WHEREAS**, The Airport and Parks Committee deems the presence
10 of non-commercial hangars at the Door County Cherryland
11 Airport to be advantageous to the Airport; and

12
13 **WHEREAS**, The Airport & Parks Committee believes it is
14 reasonable and necessary to offer multi-year non-commercial
15 hangar site lease agreements as an incentive to stimulate the growth
16 and development of the Door County Cherryland Airport.

17
18 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County
19 Board of Supervisors does hereby give approval to the Airport &
20 Parks Committee to enter into a 10 year non-commercial hangar site
21 lease agreement, with a 10 year renewal clause, for the parcel(s) of
22 land on which Building No. 61, 21, 40, 49, 47, 48 & 74 have been
23 constructed.

BOARD ACTION
Vote Required: Majority Vote of Total Membership

Motion to Approve: Adopted Defeated

1st Austad
2nd Sohns

Yes 16 No 0 Exc: 5

SUBMITTED BY:
Airport and Parks Committee

Reviewed by: [Signature] Corp. Counsel
Reviewed by: [Signature] Administrator

FISCAL IMPACT: The fiscal impact would be the certainty of revenues for a given period of time. Lease revenues to be recorded in the year of service. MEJ

[Signature] Dan Austad, Chairperson
[Signature] Steve Sohns
[Signature] John Neinas
[Signature] Don Sitte
[Signature] Kathy Schultz
[Signature] Richard Virlee
[Signature] Laura Vlies Wotachek

Certification:
I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 23rd day of January, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County



Resolution No. 2018-05
IN SUPPORT OF CELLCOM'S APPLICATION FOR PUBLIC SERVICE COMMISSION OF WISCONSIN BROADBAND EXPANSION GRANT FY2018 ROUND II TO EXPAND WIRELESS BROADBAND INFRASTRUCTURE ON WASHINGTON ISLAND, DOOR COUNTY

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENGL	✓		
FISHER	✓		
GUNNLAUGSSON			X
HALSTEAD	X		
KOCH	✓		
KOHOUT	✓		
LIENAU	X		
LUNDHIL			✓
MOELLER			X
NEINAS	X		
ROBILLARD			✓
SCHULTZ	X		
SITTE			X
SOHNS	✓		
VIRLEE	✓		
VLJES WOTACHEK	X		
WAIT	X		
	11	0	5

BOARD ACTION
 Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Deleted

1st: Lienau 2nd: Koch

Yes: 11 No: 0 Exc: 5

Reviewed by: [Signature] Corp. Counsel
 Reviewed by: [Signature] Administrator

FISCAL IMPACT: The amount of \$1,000.00 in financial support is not included in the 2018 budget. If taken from the Contingency Expense account, the available balance would be reduced to \$312,563.66. MEJ

Certification:
 I, JIM LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 22nd day of January, 2018 by the Door County Board of Supervisors.

[Signature]
 JIM LAU
 County Clerk, Door County

ATTEST
[Signature]
 David Lienau, Chairman
 Door County Board of Supervisors

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, Door County has been involved in discussions with
 2 Cellcom concerning using wireless broadband technologies to reach
 3 unserved and underserved residents, tourists, and businesses on the
 4 south western side of Washington Island, Door County; and

5
 6 **WHEREAS**, The County Board understands that existing landline
 7 provider on Washington island does not effectively serve the needs of
 8 residents on the south western side of the island and that County
 9 Board understands the need for expanded broadband internet to serve
 10 local needs including education for school age children, online access
 11 to services such as ecommerce and home health for year round
 12 residents and businesses, and access to information on island based
 13 attractions, restaurants, and hotels for seasonal visitors; and

14
 15 **WHEREAS**, The County Board understands that partnering with
 16 and supporting Cellcom's fixed wireless broadband expansion project
 17 will enhance the likelihood of success for the project; and

18
 19 **WHEREAS**, A pledge of financial support from the County Board
 20 increases the overall competitiveness of the application.

21
 22 **NOW, THEREFORE, BE IT RESOLVED**, That the County Board
 23 of Door County financially supports Cellcom's application to the Public
 24 Service Commission of Wisconsin Broadband Expansion Grant
 25 Program FY2018 Round II to build a new tower on Washington Island,
 26 add a Microwave link from Gills Rock to the new tower, and add high
 27 capacity 4G coverage on the new tower that and hereby pledges
 28 \$1,000 in financial support contingent upon the grant award with funds
 29 to be disbursed to Applicant within twelve (12) months of date of
 30 award acceptance.

SUBMITTED BY: ADMINISTRATIVE COMMITTEE

[Signature] David Lienau, Chairman
[Signature] John Neinas
[Signature] Ken Fisher
[Signature] Kathy Schultz
[Signature] Dan Austad
[Signature] Richard Virlee
[Signature] Joel Gunnlaugsson



DOOR COUNTY

Resolution No. 2018-06

APPROVAL OF GIFT, GRANT AND/OR DONATION – WATER QUALITY NOTICE OF DISCHARGE - SWCD

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL	Board Members	Aye	Nay	Exc.
AUSTAD		X		
BACON		X		
D. ENGLEBERT		X		
R. ENGLEBERT		Y		
ENGL		Y		
FISHER		Y		
GUNNAUGSSON				Y
HALSTEAD		Y		
KOCH		Y		
KOHOUT		Y		
LIENAI		Y		
LUNDAHL				Y
MOELLER				X
NEINAS		X		
ROBILLARD			X	
SCHULTZ		X		
SITTE				X
SORINS		Y		
VIRLEE		X		
VLES WOTACHEK		X		
WALT		X		
		16	0	5

BOARD ACTION
Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Defeated

1st: Fisher
2nd: Virlee

Yea: 16 Noy: 0 Exc: 5

Reviewed by: , Corp. Counsel
Reviewed by: , Administrator

FISCAL IMPACT: The funds from this grant are "pass-thru" funds, and they require no financial match from Door County; as such, there is no fiscal impact on the 2018 budget. MEJ

Certification:
I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 23rd day of January, 2018 by the Door County Board of Supervisors.

Jill M. Lau
County Clerk, Door County

1 **WHEREAS**, Section 59.52(19) Wis. Stats. empowers the County Board to accept
2 donations, gifts, or grants of money for any public governmental purpose within the powers of
3 the County; and

4
5 **WHEREAS**, Resolution 75-84 entitled "Gifts, Grants & Donations to the County of Door"
6 requires approval of the Door County Board of Supervisors, for acceptance of all donations,
7 gifts, and grants whether in the form of money, or personal or real property; and

8
9 **WHEREAS**, Rule of Order # 38, entitled "Donations, Gifts or Grants", authorized an
10 oversight committee to accept donations, gifts or grants; requires County Board be provided
11 notice of any donation, gift or grant in excess of \$1,000 prior to acceptance; and requires that
12 an itemized report of all donations, gifts or grants shall be submitted to the county board on an
13 annual basis; and

14
15 **WHEREAS**, The Soil & Water Conservation Department (SWCD) has been awarded a
16 Notice of Discharge Grant (NOD Grant) through the Wisconsin Department of Natural
17 Resources for Brickner and Mielke NOD Project in the amount of \$78,161; and

18
19 **WHEREAS**, A NOD Grant is a competitive financial award to protect water quality. Grant
20 funds will be used to cost-share structural best management practices to control polluted runoff.
21 The SWCD will enter into a contractual agreement with the landowner to disburse the funds.
22 The landowner must comply with program conditions (i.e. pay the project costs they have agreed
23 to cover, install all best management practices (BMP's) to which they have agreed, and maintain
24 the BMP's in sound operating condition for a minimum of 10 years) and maintain compliance
25 with Statewide water quality standards and prohibitions; and

26
27 **WHEREAS**, The Land Conservation Committee (LCC) has voted to accept the aforesaid
28 grants.

29
30 **NOW THEREFORE, BE IT RESOLVED**, That the Door County Board of Supervisors does
31 hereby approve the acceptance of the water quality Notice of Discharge Grant totaling \$78,161.

32
33 **BE IT FURTHER RESOLVED**, That the aforesaid grant and donation shall be administered
34 by the SWCD, subject to LCC oversight.
35

SUBMITTED BY:
LAND CONSERVATION COMMITTEE

Ken Fisher, Chairperson
 John Neinas
 Mike Vandenhouten

Randy Halstead
 Richard Virlee



DOOR COUNTY

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
D. ENGLEBERT	Y		
R. ENGLEBERT	X		
ENIGL	Y		
FISHER	X		
GUNNARSSON			Y
HALSTEAD	Y		
KOCH	X		
KOHOUT	Y		
LIENAU	Y		
LUNDHL			Y
MOELLER			Y
NEINAS	Y		
ROBILLARD			Y
SCHULTZ	X		
SITTE			X
SONING	Y		
VRILIEE	X		
VLIES WOTACHEK	Y		
WAIT	Y		
	16	0	5

BOARD ACTION

Vote Required: Majority Vote of a Quorum

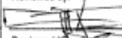
Motion to Approve Adopted

1st: Fisher Deleted

2nd: Vlies Wotachek

Yes: 16 No: 0 Exc: 5

Reviewed by:

 , Corp. Counsel

 , Administrator

FISCAL IMPACT: The funds from this grant are "pass-thru" funds, and they require no financial match from Door County; as such, there is no fiscal impact on the 2018 budget. MEJ

Certification:

I, JIM M. LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 23rd day of January, 2018 by the Door County Board of Supervisors.


 JIM M. LAU
 County Clerk, Door County

Resolution No. 2018-07
APPROVAL OF GIFT, GRANT AND/OR DONATION – WATER QUALITY TARGETED RUNOFF MANAGEMENT PROGRAM – SWCD

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, Section 59.52(19) Wis. Stats. empowers the County Board to accept
 2 donations, gifts, or grants of money for any public governmental purpose within the powers of
 3 the County; and

4
 5 **WHEREAS**, Resolution 75-84 entitled "Gifts, Grants & Donations to the County of Door"
 6 requires approval of the Door County Board of Supervisors, for acceptance of all donations,
 7 gifts, and grants whether in the form of money, or personal or real property; and

8
 9 **WHEREAS**, Rule of Order # 38, entitled "Donations, Gifts or Grants", authorized an
 10 oversight committee to accept donations, gifts or grants; requires County Board be provided
 11 notice of any donation, gift or grant in excess of \$1,000 prior to acceptance; and requires that
 12 an itemized report of all donations, gifts or grants shall be submitted to the county board on an
 13 annual basis; and

14
 15 **WHEREAS**, The Soil & Water Conservation Department (SWCD) has been awarded two
 16 small-scale water quality Targeted Runoff Management Program Grants (TRM Grants) through
 17 the Wisconsin Department of Natural Resources for the Silver Creek Headwaters Project in the
 18 amount of \$102,374 and for the Fabry Creek Headwaters Project in the amount of \$144,872;
 19 and

20
 21 **WHEREAS**, ^{these} water quality TRM grants brings the total of TRM grants awarded to the
 22 SWCD to 51 small-scale and one large-scale totaling \$6,190,319 since 2003; and

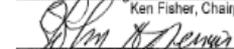
23
 24 **WHEREAS**, A TRM Grant is a competitive financial award to protect water quality. Grant
 25 funds will be used to cost-share structural best management practices to control polluted runoff
 26 and cost-share design assistance. The SWCD will enter into a contractual agreement with the
 27 landowner to disburse the funds. The landowner must comply with program conditions (i.e. pay
 28 the project costs they have agreed to cover, install all best management practices (BMP's) to
 29 which they have agreed, and maintain the BMP's in sound operating condition for a minimum of
 30 10 years) and maintain compliance with Statewide water quality standards and prohibitions; and

31
 32 **WHEREAS**, The Land Conservation Committee (LCC) has voted to accept the aforesaid
 33 grants

34
 35 **NOW THEREFORE, BE IT RESOLVED**, That the Door County Board of Supervisors does
 36 hereby approve the acceptance of the water quality Targeted Runoff Management Program
 37 Grants totaling \$247,246.

38
 39 **BE IT FURTHER RESOLVED**, That the aforesaid grant and donation shall be administered
 40 by the SWCD, subject to LCC oversight.

41
SUBMITTED BY:
LAND CONSERVATION COMMITTEE

 Ken Fisher, Chairperson
 John Neinas
 Randy Halstead
 Richard Virlee
 Mike Vandenhouten



**Resolution No. 2018-08
APPOINTMENT OF DOOR COUNTY
EMERGENCY SERVICES DIRECTOR**

DOOR COUNTY

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
ENGLEBERT D.			
ENGLEBERT R.			
ENGL			X
FISHER			
GUNNAKISSON			
HALSTEAD			
KOCH			
KOHOUT			
LIENAU			
LINDAHL			
MOELLER			
NEINIS			
ROBILLARD			
SCHULTZ			
SITTE			
SOHNS			
WIRLEE			
VLES WOTACHEK			
WINT			

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st Koch Defeated

2nd Vles Wotachek

Yes: _____ No: _____ Exc: _____

Reviewed by: _____, Corp. Counsel

Reviewed by: _____, Administrator

FISCAL IMPACT: This position was included in the 2018 Budget at a salary and benefit level greater than what will be paid to Mr. LeClair; as such, there is no fiscal impact associated with the adoption of this resolution. -MEJ

Certification:
I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of February, 2018 by the Door County Board of Supervisors.

Jill M. Lau
County Clerk, Door County

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, Section 59.18 (2) Wisconsin Statutes provides that
2 the county administrator shall appoint, subject to confirmation by the
3 county board, the heads of all departments; and

4 **WHEREAS**, Through the appointive authority of the County
5 Administrator, Aaron LeClair has been offered an appointment to the
6 position of Door County Emergency Services Director.

7 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County
8 Board of Supervisors does hereby confirm the appointment of Aaron
9 LeClair as Door County's Emergency Services Director.

SUBMITTED BY:

Dave Lienau, Chairman
Door County Board of Supervisors



DOOR COUNTY

Resolution No. 2018-09

**NON-COMMERCIAL HANGAR SITE LEASE AGREEMENT
LAPLANT-55**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
ENGLEBERT D.	X		
ENGLEBERT R.	X		
ENGL	X		
FISHER	X		
GUNNLAUGSSON			X
HALSTEAD	X		
KOCH	X		
KOHOIT	X		
LIENAU	X		
LUNDAHL	X		
MOELLER	X		
NEINAS	X		
ROBILLARD	X		
SCHULTZ	X		
SITTE			X
SOHNS	X		
VIREE	X		
VLIES WOTACHEK	X		
WAT	X		
	19	0	2

BOARD ACTION

Vote Required: Majority Vote of Total Membership.

Motion to Approve: Adopted

1st Austad Deleted

2nd Schultz

Yes 19 No 0 Exc. 2

Reviewed by:

[Signature], Corp. Counsel

[Signature], Administrator

FISCAL IMPACT: The fiscal impact would be the certainty of revenues for a given period of time. Lease revenues to be recorded in the year of service. MEJ

Certification:

I, JIM Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of February, 2018 by the Door County Board of Supervisors.

[Signature]
JIM Lau
County Clerk, Door County

1 **WHEREAS**, Rule No. 34 of the Rules of Order provides, in
2 pertinent part, that "... (a)ny contract with a term in excess of three (3)
3 years is subject to review and approval by the County Board..."; and

4
5 **WHEREAS**, Private and Public concerns have been reluctant to
6 construct or operate private non-commercial hangars at the Door
7 County Cherryland Airport; and

8
9 **WHEREAS**, The Airport and Parks Committee deems the
10 presence of non-commercial hangars at the Door County Cherryland
11 Airport to be advantageous to the Airport; and

12
13 **WHEREAS**, The Airport & Parks Committee believes it is
14 reasonable and necessary to offer multi-year non-commercial
15 hangar site lease agreements as an incentive to stimulate the growth
16 and development of the Door County Cherryland Airport.

17
18 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County
19 Board of Supervisors does hereby give approval to the Airport &
20 Parks Committee to enter into a 10 year non-commercial hangar site
21 lease agreement, with a 10 year renewal clause, for the parcel(s) of
22 land on which Building No.55 has been constructed.

**SUBMITTED BY:
Airport and Parks Committee**

[Signature] Dan Austad, Chairperson

[Signature] Steve Sohns

[Signature] John Neinas

[Signature] Don Sitte

[Signature] Kathy Schultz

[Signature] Richard Virlee

[Signature] Laura Vlies Wotachek



Resolution No. 2018-10
GRANT OF EASEMENT TO WISCONSIN PUBLIC SERVICE
LASALLE COUNTY PARK

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
D. ENGLEBERT			
R. ENGLEBERT			
ENGL			
FISHER			
GUNNLAUGSSON			
HALSTEAD			
KOCH			
KOCHOUT			
LIENAU			
LUNDQVIST			
MOELLER			
NEEDS			
ROBILLARD			
SCHULTZ			
SITTE			
SOHNS			
VIRLEE			
VLIES WOTACHEK			
WAIT			

BOARD ACTION
 Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted
 1st Austad Defeated
 2nd Sohns
 Yes: No: Exc: _____

Reviewed by:
 _____, Corp. Counsel
 _____, Administrator

FISCAL IMPACT: There is no fiscal impact associated with the adoption of this resolution. MEJ

Certification:
 I, JIM M. LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 22nd day of February, 2018 by the Door County Board of Supervisors.

Jim Lau
 J.M. Lau
 County Clerk, Door County

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, The County of Door ("County") owns the real property
 2 (hereinafter referred to as the "subject property") assigned Parcel #
 3 0060029262641B, located in the Town of Clay Banks, County of Door,
 4 State of Wisconsin; and

5
 6 **WHEREAS**, Wisconsin Public Service Corporation ["WPS"] has
 7 approached the County to negotiate an electric distribution easement over,
 8 in and to a portion of the subject property to install, operate and maintain
 9 underground electric facilities; and

10
 11 **WHEREAS**, the County is amenable to negotiating the grant of such an
 12 easement to WPS.

13
 14 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board
 15 of Supervisors does hereby authorize the grant of an electric distribution
 16 easement to WPS ... over, in and to a portion of the subject property ... to
 17 install, operate and maintain underground electric facilities.

18
 19 **BE IT FURTHER RESOLVED**, That the location, length and width of
 20 the easement is subject to review and approval of the Parks Director and
 21 the terms and conditions of the easement document are subject to final
 22 review, negotiation, and approval by the Corporation Counsel.

23
 24 **BE IT FURTHER RESOLVED**, That the County Clerk is hereby
 25 empowered to execute any and all documents necessary or incident to the
 26 grant of the easement to WPS.
 27

SUBMITTED BY: PROPERTY COMMITTEE

Richard Virlee Randy Halstead
 Richard Virlee, Chairman Randy Halstead

Dan Austad Jgn Koch
 Dan Austad Jgn Koch

Helen Bacon Steve Sohns
 Helen Bacon Steve Sohns

Ken Fisher
 Ken Fisher



DOOR COUNTY

Resolution No. 2018-11

SALARIES OF ELECTIVE OFFICIALS

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
D. ENGLEBERT		X	
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNLAUGSSON			X
HALSTAD	X		
KOCH	X		
KOHOUT	X		
LIENAU	X		
LUNDIAHL	X		
MCCELLER	X		
NEINAS	X		
ROBILLARD	X		
SCHULTZ	X		
SETTE			X
SOHNS	X		
VRILJEE	X		
VLIES WOTACHEK	X		
WALT	X		
	18	1	2

1 **WHEREAS**, Sec. 59.22 Wis. Stats. requires that compensation for certain
2 elective county officials be established by the County Board of Supervisors "...before
3 the earliest time for filing nomination papers for (such) elective office."

4 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board of
5 Supervisors does hereby establish the total annual compensation for the enumerated
6 elective officials, effective the first day of a term of office that begins after the date this
7 resolution is adopted, as follows:
8

Elective Official	2018 Rate	2019 Rate	2020 Rate	2021 Rate	2022 Rate
Sheriff	\$86,958.00	\$86,958.00	\$86,958.00	\$87,696.00	\$89,888.00
Clerk of Circuit Court	\$65,460.00	\$65,115.00	\$66,776.00	\$67,444.00	\$68,118.00

9
10
11
12
13
14
15
16
17
18 **BE IT FURTHER RESOLVED**, That each elective official is entitled to participate
19 in the Wisconsin Retirement System ("WRS") if and as authorized by law. Each
20 elective official is required to pay their share of the total WRS required contribution.
21 Door County will pay only its share of the total required WRS contribution. It is
22 expressly recognized that these shares may change, when the required WRS rate is
23 adjusted, as authorized by law. These contributions will be pre-tax.
24

25 **BE IT FURTHER RESOLVED**, That each elective official is conditionally eligible
26 for, and may elect to receive, health insurance through Door County's Group Health
27 Insurance Plan. This eligibility for health insurance coverage is expressly subject to
28 the same terms and conditions (e.g., premium contribution, deductibles, co-pays,
29 etc.) as full-time non-represented employees' of Door County.
30

31 **BE IT FURTHER RESOLVED**, That each elective official is eligible for, and may
32 elect to participate in, the fringe benefit package provided to full-time non-represented
33 employees of Door County. Such eligibility and participation is subject to the same
34 terms and conditions as full-time non-represented employees of Door County.
35

36 **BE IT FURTHER RESOLVED**, That each elective official is eligible for
37 reimbursement of expenses consistent with 2.15 *Expense Reimbursement Door*
38 *County Administrative Manual*, and Sec. 59.22(3), Wis. Stats.

BOARD ACTION
Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Defeated

1st: Fisher Defeated

2nd: D. Englebert

Yes: _____ No: _____ Exc: _____

Reviewed by: _____ Corp. Counsel

Reviewed by: _____ Administrator

FISCAL IMPACT: When compared to the 2018 budget, the fiscal impact of this resolution would be a decrease to the 2019 budget of \$2,833; a decrease to the 2020 budget of \$85; an increase to the 2021 budget of \$2,722; and an increase to the 2022 budget of \$5,588. The rates adopted in this resolution would become part of the annual budget process for those years. MEJ

Certification:
I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of February, 2018 by the Door County Board of Supervisors.

Jill M. Lau
County Clerk, Door County

SUBMITTED BY: ADMINISTRATIVE COMMITTEE

David Lienau, Chairman
Ken Fisher
Dan Austad
Joel Gunnlaugsson

John Neinas
Kathy Schultz
Richard Virjee



DOOR COUNTY

**Resolution No. 2018-12
Intergovernmental Agreement -
Village of Egg Harbor Branch Library**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL	Board Members	Aye	Nay	Exc.
AUSTAD		X		
BACON		X		
D. ENGLEBERT		X		
R. ENGLEBERT		X		
ENIGL		X		
FISHER		X		
GUNNLAUGSSON				X
HALSTEAD		X		
KOCH		X		
KOHOUT		X		
LIENAU		X		
LUNDAHL		X		
MOELLER		X		
NEINAS		X		
ROBILLARD		X		
SCHULTZ		X		
SITTE				X
SOHNS		X		
VRILEE		X		
VLIES WOTACHEK		X		
WAIT		X		
		19	0	0

BOARD ACTION

Vote Required: Majority Vote of Total Membership

Motion to Approve Adopted

1st: Robillard Deleted

2nd: Lundahl

Yes: 19 No: 0 Exc: 0

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: Since the costs of operating the Village of Egg Harbor Branch Library are already included in the 2018 budget, passage of this resolution has no fiscal impact. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of February, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

1 **WHEREAS**, Door County ("County") maintains and operates a
2 consolidated public library system within Door County consistent with Ch. 43,
3 Wis. Stats. and Ch. PI 6, Wis. Adm. Code;

4 **WHEREAS**, County and the Village of Egg Harbor ("Village") established
5 and have, since December 1990, maintained the Village of Egg Harbor Branch
6 Library ("Branch Library") as part of the consolidated public library system
7 pursuant to an intergovernmental agreement;

8 **WHEREAS**, Village has constructed a new facility to house the Branch
9 Library, and a rework of the existing intergovernmental agreement is needed;

10 **WHEREAS**, the intergovernmental cooperation contemplated herein
11 serves legitimate public purposes, including the organization, development
12 and improvement of the public library system within Door County, is deemed
13 to be of benefit to the County and Village, and is consistent with § 66.0301,
14 Wis. Stats.; and

15 **WHEREAS**, The proposed Intergovernmental Agreement (attached
16 hereto and incorporated herein by reference as if set forth in full) represents a
17 collaborative and cooperative effort by the County and Village, and its approval
18 is recommended.

19 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board of
20 Supervisors does hereby approve the proposed Intergovernmental
21 Agreement.

22 **BE IT FURTHER RESOLVED**, That the Library Director, subject to the
23 oversight of the County Administrator, shall administer the Intergovernmental
24 Agreement.

SUBMITTED BY: ADMINISTRATIVE COMMITTEE

[Signature] David Lienau, Chairman

[Signature] John Neinas

[Signature] Ken Fisher

[Signature] Kathy Schultz

[Signature] Dan Austad

[Signature] Richard Virlee

Joel Gunnlaugsson

DOOR COUNTY CONSOLIDATED PUBLIC LIBRARY SYSTEM
Agreement – Village of Egg Harbor Branch Library

This Agreement is made this 1st day of January, 2018 by and between the County of Door ("County") and the Village of Egg Harbor ("Village"), each a public body corporate within the State of Wisconsin.

Whereas, this is an intergovernmental agreement consistent with § 66.0301, Wis. Stats.;

Whereas, County maintains and operates a consolidated public library system within Door County consistent with Ch. 43, Wis. Stats. and Ch. PI 6, Wis. Adm. Code;

Whereas, County and Village previously (on December 20, 1990) entered into a written agreement (*See: Addendum A*, attached) to operate a public library within the Village of Egg Harbor ("Village of Egg Harbor Branch Library" or "Branch Library") as part of the consolidated public library system;

Whereas, Village has constructed a new facility, situated at 7845 Church Street, Village of Egg Harbor, Door County, Wisconsin ("Premises") to house the Branch Library;

Whereas, County and Village each believe a rework of the existing written agreement is necessary;

Whereas, the intergovernmental cooperation contemplated herein serves legitimate public purposes, including the organization, development and improvement of the public library system within Door County; and

Whereas, this Agreement is deemed to be of benefit to each of the parties and is consistent with their powers or duties under law.

It is therefore agreed as follows:

- A. The Village and County (each a "Party" and collectively "Parties") enter into, and agree to be bound to faithfully perform, this Agreement to maintain and operate the Village of Egg Harbor Branch Library as described herein.
- B. The Parties agree to exercise good faith, make reasonable efforts, and take whatever cooperative action is necessary to fulfill the intent and purposes of this Agreement.
- C. The initial term of this Agreement shall be a period of five (5) years, commencing on January 29, 2018 (the "Commencement Date") and continuing through and including January 29, 2023. This Agreement may be extended, for successive five (5) year terms, upon the prior written agreement of the parties.
- D. Village
 1. The Village owns the Premises (further described in *Addendum B*, attached hereto and incorporated herein by reference) and consents to its use, gratis, by County for purposes of,

and related to, the operation of the Village of Egg Harbor Branch Library as described herein.

2. The Village reserves the right:
 - a. To enter into and upon the Premises, at all reasonable times following reasonable notice to County (except in an emergency), for the purpose of examining and inspecting the Premises.
 - b. To rent, during the Branch Library's hours of operation except as mutually agreed, the Great Hall and Porches, Business Center, Makers Space, and History Center for special events.
 - c. To rent, outside the Branch Library's hours of operation, the entire Premises for special events *except* the Children's Center and Library Work Room.
 - d. To temporarily, with reasonable prior notice to the County, relocate its equipment and furniture (described in *Addendum C*, attached hereto and incorporated herein by reference) for special event rentals outside of library hours.

3. The Village is responsible for:
 - a. Providing the Premises for the purposes described herein.
 - b. Maintenance and repair of the Premises, which includes:
 - (1) Routine cleaning, upkeep and maintenance of the Premises to keep the same in a clean and neat condition.
 - (2) All structural and mechanical maintenance, upkeep, repairs and replacements necessary to maintain and operate the Premises.
 - (3) Carrying out regular and routine inspections of all fixtures and appliances and mechanical, electrical and other systems, and all appurtenances thereto located on or within the Premises; and, shall keep and maintain the same in good working order and repair at all times during the term hereof.
 - c. Lawn care and grounds maintenance.
 - d. Control and removal of snow and ice on all parking lots, roads, steps, and walkways (sidewalks) serving the Premises.
 - e. Trash and recyclables disposal from the Premises, provided that such trash and recyclables are placed by County in designated dumpsters or other appropriate receptacles.
 - f. Providing and timely paying for all utilities (e.g., water, electricity, and gas), *except* internet and other information technology services required for operation of the Branch Library.
 - g. Payment of ten (10) hours of the Branch Library's staff time per week. County will invoice the Village at agreed intervals.
 - h. Telephone services.

4. The Village grants the County use of the kitchen appliances outside of special event rentals. However, the kitchen must be returned the way it was found after each use. This includes removal of all items from fridge, with all countertops and appliances clean and free of debris.

5. The Village acknowledges, and agrees not to interfere with, the County's beneficial and quiet enjoyment (i.e., possession and use) of the Premises for the purposes set forth in this Agreement.

E. County

1. The County will make use of the Premises to maintain and operate the Village of Egg Harbor Branch Library as described herein.
 2. County may not make use of the Premises for any other purpose, without prior written notice to and the prior written consent of the Village, which will not be unreasonably withheld.
 3. The Branch Library's days and hours of operation will initially be as set forth in *Addendum D*, attached hereto and incorporated herein by reference. County will provide the Village prior written notice of any permanent change in days or hours of operation.
 4. The County is responsible for:
 - a. Determining the minimum standards of operation for the Branch Library;
 - b. Determining and providing the resources necessary to adequately meet the needs of and operate the Branch Library;
 - c. Staffing of the Branch Library, as it deems appropriate, including:
 - (1) The number of, and minimum qualifications for, positions;
 - (2) Identification, recruitment, hiring and training of personnel; and
 - (3) Cost of staffing.
 - d. Internet and other information technology services it deems appropriate for operation of the Branch Library;
 - e. Management, and providing the Village fourteen (14) days prior notice, of any significant and substantial Branch Library-sponsored events or programming;
 - f. Keeping the Premises in a reasonably clean, neat and orderly manner at all times; and
 - g. Timely informing the Village of any concerns noted with respect to the Premises, including needed maintenance and repairs.
- F. The County shall have the right, at its expense, to, from time to time, with and upon the prior written consent of the Village, make such non-structural alterations, changes, additions, or improvements (collectively the "changes"), in, on, to, or about such parts of the Premises as the County shall deem expedient or necessary to carry out its stated uses and purposes thereof. This includes the displays, decorations, and public information areas outside of the Children's area and Library Work Room. It is prohibited to adhere items to the wall without prior approval in all spaces *except* the Children's area and Library Work Room, where small nails or tacks may be used to hang art, pictures, posters and like items.
- G. In the event of damage by fire or other casualty to the Premises that cannot reasonably be expected to be repaired within ninety (90) days following same, then either the Village or County may, at any

time following such fire or other casualty, terminate this Agreement upon fifteen (15) days prior written notice to the other party. Any such notice of termination shall cause this Agreement to expire with the same force and effect as though the date set forth in such notice were the date originally set as the expiration date of this Agreement.

H. Insurance.

1. Village and County each agree that, at its own cost and expense, each will maintain:
Commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property (to protect, among other things, the public's library assets) in any one occurrence. The Parties each agree that it will include the other Party as an additional insured or loss payee.
2. Each Party shall provide the other certificates evidencing such insurance coverage and additional insured endorsement(s) or loss payee status.

I. Indemnification.

1. Each Party shall indemnify and hold the other harmless against any claim of liability or loss from personal injury or property damage resulting from or arising out of the negligence or willful misconduct of the indemnifying Party, its employees, contractors or agents, except to the extent such claims or damages may be due to or caused by the negligence or willful misconduct of the other Party, or its employees, contractors or agents.

J. Nothing herein is intended or may be interpreted to constitute a waiver of any immunity, limitations on damages, notice requirements, or statutes of limitation afforded the Village or County.

K. The provisions of this Agreement are intended to be (interpreted and administered in a manner that is) consistent with the requirements of Ch. 43, Wis. Stats. and Ch. PI 6, Wis. Adm. Code.

L. This Agreement supersedes and replaces the existing agreement.

M. Each party is responsible to designate an employee or official ("contact person") who is responsible for administration of, and receiving any notices required or permitted by, this Agreement. The contact persons are as follows:

a. County:

Attn: Library Director
107 South 4th Avenue
Sturgeon Bay, WI 54235
tkakuske@co.door.wi.us
920.746.7115

b. Village

Attn: Administrator

P.O. Box 175
Egg Harbor, WI 54209
rhaise@villageofegg Harbor.org
920.868.3334

Contact person may be changed upon prior written notice to the other party.

- N. Any party may terminate this Agreement for cause, if another party materially breaches any covenant or obligation set forth in this Agreement, and the terminating party: a) provides written notice of such to the breaching party; b) affords the breaching party a reasonable opportunity to cure such breach; and c) there is an ongoing material breach for a period of forty five (45) days after written notice is delivered.
- O. The waiver by a party of any breach or failure of the other party to perform any covenant or obligation contained in this Agreement shall not constitute a waiver of any subsequent breach.
- P. This Agreement may not be sold, assigned or transferred without the prior written approval or consent of the County and Village.
- Q. This Agreement shall extend to and bind the authorized successors and permitted assigns of the Parties hereto.
- R. This Agreement was jointly drafted, so the maxim dictating that ambiguity is to be construed against the drafter is inapplicable.
- S. If a dispute between any part hereto arises out of or relating to this Agreement, and cannot be settled through direct discussions, each party agrees to first endeavor to settle the dispute by alternative dispute resolution (e.g. arbitration or mediation) before recourse to a court.
- T. If any covenant, condition, provision, or term of this Agreement is held to be invalid or unenforceable by a court of competent jurisdiction, the remaining covenants, conditions, provision, or terms of this Agreement shall not be affected thereby, but each covenant, condition, provision, or term of this Agreement shall be valid and in force to the fullest extent permitted by law.
- U. Parties irrevocably submit themselves to the original jurisdiction of the Circuit Court, County of Door, State of Wisconsin, with regard to any controversy arising out of, relating to, or in any way concerning this agreement.
- V. This Agreement shall be subject and subordinate to applicable federal or state, laws, codes, regulations, ordinances, rules and orders.
- W. This Agreement constitutes the entire agreement between the parties with respect to the subject matter of this Agreement. Any amendments, changes or modification of this agreement shall be effective only when made in writing and executed by the parties.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK; SIGNATURE PAGE FOLLOWS.

Accepted and agreed this ___ day of January, 2018.

Ryan Heise, Village Administrator
Village of Egg Harbor

Sworn and subscribed to before me this _____

Notary Public
My commission expires _____.

Accepted and agreed this ___ day of January, 2018.

Ken Pabich, County Administrator
County of Door

Sworn and subscribed to before me this _____

Notary Public
My commission expires _____.

ADDENDUM A

DOOR COUNTY CONSOLIDATED LIBRARY SYSTEM

AGREEMENT - VILLAGE OF EGG HARBOR

AGREEMENT made this 20th day of September, 1990 between County of Door and the Village of Egg Harbor:

WHEREAS, the Door County library system will be called the Door County Consolidated Library System in compliance with Wisconsin Statutes Chapter 43.

WHEREAS, ever since the Egg Harbor branch was established it has provided a multi purpose building to house the branch library and has maintained the facility. County of Door has provided the staff and books for the library.

WHEREAS, it is the intent of the parties to execute a written agreement to conform to the requirements of a consolidated library system and Wisconsin Statutes Chapter 43.

IT IS HEREBY mutually agreed as follows:

1. That in consideration for County of Door providing a branch library in the Village of Egg Harbor, the Village of Egg Harbor will provide a facility to house the library. It will pay the cost of utilities, janitorial services, insurance, maintenance and repair and related supplies of the building and its contents, and will provide grounds maintenance.
2. That County of Door will pay the costs of operating the library including the salaries of the librarians, purchase of books, magazines, video cassettes, microfiche reader, computers, film projectors, P.A. system, camera, rewinders, and typewriters. It may add to or delete from the library furnishings with the exception of those items on the attached list, equipment, books and

publications at any time.

3. That the consolidated library system will operate in compliance with any lawful statutory or administrative requirements of the State of Wisconsin or its agencies.

4. That the parties agree to work cooperatively to further improve public library service for the residents, guests and visitors of Door County.

5. That this Agreement shall continue in force until it is terminated by either party upon provision of six (6) months written notice of termination and in accordance with Chapter 43 of the Wisconsin Statutes.

Dated as of the date first written above.

COUNTY OF DOOR

VILLAGE OF EGG HARBOR

By,

By,

Lyle B. Hill
Lyle B. Hill, Chairman
County Board Supervisors

Thomas A. Starn
Village President

Nancy Beermann
Nancy Beermann
County Clerk/Admin. Coordinator

I certify that on 12-20-90
I served the within document, by mail, postage
prepaid, pursuant to rule 201.14(3) Wis. rules
of Court procedure. Original on file here.

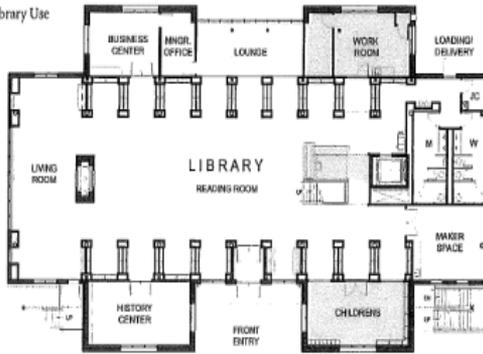
DOOR CO. CORPORATE COUNSEL
Marie A. Jackson
Village of Egg Harbor
Door County Clerk
Door County Library

EGG HARBOR LIBRARY
INVENTORY - FURNITURE AND EQUIPMENT

Owned by Door County Library	Microfiche Reader Tape Recorder Paperback Racks (3) Desk Chair 4-Drawer Filing Cabinet Royal Typewriter <i>Camera</i> <i>Video Rewinder</i>
Owned by Egg Harbor	Shelving Speaker System Slide Projector 16 MM Film Projector 2 Austin Fraser Paintings Book Truck Clock Movie Screen Card Catalog 2 Round Tables Eight Chairs Two Square Tables One Children's Table 6 Cushions 1 Sofa 1 Matching Chair Desk

ADDENDUM B

 = Dedicated to Library Use



First Floor Plan

EGG HARBOR LIBRARY and COMMUNITY CENTER

1/4\"/>

Inventory – Egg Harbor Library – County Owned Items

7 desktop computers

7 Monitors

2 laptops

4 iPads

2 printer/scanners

1 self-check computer

4 Receipt Printers

4 Barcode scanners

1 Printer/Scanner/Copier

4 Access Points

1 Ergotron Charging Station

4 Access Points

8 Surge Protectors

2 (10) Book Carts

Children's Room items – small bookcase, puppet tower, stuffed animals, wooden railway table, toy barn items in bags

2 upright media spinners

2 computer tables

2 magazine spinners

Tax form rack

Large antique cabinet

Rolling cart

Desktop display spinner

Various book stands, bookends, acrylic sign holders

Papercutter

Tool Box with tools

First Aid Box

Metal Sticker Box

Various craft and processing supplies

Collection – 11,240 items

ADDENDUM C



Resolution No. 2018-13

APPOINTMENT TO COMMITTEES, COMMISSIONS & BOARDS
CCS/CST COORDINATING COMMITTEE

DOOR COUNTY		Board Members		Exc.
AUSTAD				
BACON				
D. ENGLEBERT				
R. ENGLEBERT				
ENIGL				
FISHER				
GUNNLAUGSSON				
HALSTEAD				
KOCH				
KOHOUT				
LIENAU				
LUNDAHL				
MOELLER				
NEINIS				
ROBILLIARD				
SCHULTZ				
SITTE				
SOHNS				
VIRLEE				
VILJES WOTACHEK				
WAIT				

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Pursuant to Section 59.18(2)(c) Wisconsin
2 Statutes, the duties and powers of a County Administrator include
3 appointment of "...the members of all boards and commissions
4 where the statutes provide that such appointment shall be made by
5 the county board or by the chairperson of the county board"; and

6
7 WHEREAS, "All appointments to boards and commissions by
8 the County Administrator shall be subject to the confirmation of the
9 County Board" per Section 59.18(2)(c), Wisconsin Statutes; and

10
11 WHEREAS, The Rules of Order confers the power to appoint
12 the members of certain committees upon the Chairperson of the
13 County Board, subject to the confirmation of the County Board; and

14
15 WHEREAS, The appointment set forth on Exhibit A, attached
16 hereto and incorporated herein by reference, are submitted for
17 County Board confirmation.

18
19 NOW, THEREFORE, BE IT RESOLVED, That the Door
20 County Board of Supervisors hereby confirms the proposed
21 appointment to boards, commissions, and committees as set forth in
22 Exhibits A.

BOARD ACTION
Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted Defeated

1st Lienau
2nd Austad

Yes: No: Exc:

Reviewed by: _____ Corp. Counsel

Reviewed by: _____ Administrator

FISCAL IMPACT: There is no additional fiscal implication with the adoption of this resolution. MEJ

Certification:
I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of February, 2018 by the Door County Board of Supervisors.

Jill M. Lau
County Clerk, Door County

SUBMITTED BY:

David Lienau, Chairman
Door County Board of Supervisors

Ken Pabich
County Administrator



County of Door
COUNTY ADMINISTRATOR

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

Ken Pabich
County Administrator
(920) 746-2303
kpabich@co.door.wi.us

MEMORANDUM

TO: Dave Lienau, Chairman, County Board of Supervisors
FROM: Ken Pabich
County Administrator
DATE: February 21, 2018
RE: Appointments to Boards/Commissions

Subject to confirmation by the Door County Board of Supervisors, I respectfully submit the following nomination for appointment:

TERM BEGINS **TERM ENDS**

CCS/CST COORDINATING COMMITTEE
Christopher Miotke (*new youth member*)

February 27, 2018

Biography on New Appointee:

Hi, my name is Christopher Miotke

I have been in Sturgeon Bay Schools District my whole life! Though it has had its ups and downs I have always come out on top. I couldn't have done it without the teacher support of Mr. Schriener Schmitt, he has guided me through very tough moments. I don't think I would have even come close to passing any of my classes this last semester. He has encouraged me to keep going and has been a great role model for me. I also couldn't have done it without my mom Rachel Marie Miotke she has been an even greater role model for me. She is not only my mom but my best friend as well. I have been involved with the football team, track and wrestling. One of my least favorite memories in my time in Sturgeon Bay Schools is when I went to the Special Ed sixth grade orientation, there was a storm coming in and I ended up getting caught in a rip current in Whitefish dunes. I almost drowned. One of my favorite memories at Sturgeon Bay Schools was in ecology last semester when my buddy Jake Mueller would have everybody sing happy birthday to people even if it wasn't their birthday. After high school I am not sure what I want to do. I plan on going to NWTC and possibly transferring to GB or some other college like that, because I'm not sure what I want to do I'm going to do my gen eds at TC and dribble in different subjects whether it be nursing, computers or even cooking.



DOOR COUNTY

Resolution No. 2018-14

PROCLAMATION

**CELEBRATE WATER DAY
MAY 5, 2018**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
D. ENGLEBERT			
R. ENGLEBERT			
ENGL			
FISHER			
GUNNLAUGSSON			
HALSTEAD			
KOCH			
KOHOUT			
LIEBAU			
LUNDAHL			
MOELLER			
NEINAS			
ROBILLARD			
SCHULTZ			
SITTE			
SOHNS			
VIRLEE			
VLIES WOTACHEK			
WAIT			

BOARD ACTION

Vote Required: Majority vote of a quorum

Motion to Approve: Adopted Defeated

1st Fisher

2nd Kohout

Yes: _____ No: _____ Exc: _____

Reviewed by: _____ Corp. Counsel

Reviewed by: _____ Administrator

FISCAL IMPACT: No Fiscal Impact.

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of March, 2018 by the Door County Board of Supervisors.

Jill M. Lau
Jill M. Lau
County Clerk, Door County

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, Water is essential for our health, fundamental to our
2 environment, and critical to our economy; and

3
4 **WHEREAS**, Door County's unique geography makes our water vulnerable...
5 as a peninsula situated on the Niagara Escarpment, our thin soil layer, combined
6 with the vertical and horizontal fracturing common in our bedrock, makes
7 protecting our water a priority; and

8
9 **WHEREAS**, Water has been defined by the County Board as a strategic
10 priority which states "Protect Door County's natural resources, especially water
11 quality"; and

12
13 **WHEREAS**, Celebrate Water Door County is a non-profit organization
14 which is focusing on the concept of healthy water for Door County; and

15
16 **WHEREAS**, Celebrate Water Door County is planning a year-long series to
17 celebrate Door County's waters, to understand the threats to our waters, and to
18 inspire and support people to act and project our waters; and

19
20 **WHEREAS**, Celebrate Water Door County is planning three outreach
21 phases which are:

- 22 1. Celebrating our Water
- 23 2. Threats to our Water
- 24 3. Protecting our Water; and

25
26 **WHEREAS**, Celebrate Water Door County is partnering with multiple
27 County Departments to help with each of phases... including the Library, Soil and
28 Water, Health, and Land Use Services; and

29
30 **WHEREAS**, Celebrate Water Door County plans to host events between
31 May of 2018 and June of 2019.

32
33 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board
34 of Supervisors does hereby support and promote May 5, 2018 as Celebrate Water
35 Day in Door County, and urges the citizens of Door County to join in this special
36 observance with appropriate events and commemorations throughout the year.
37

SUBMITTED BY: ADMINISTRATIVE COMMITTEE

David Lindu David Lindu, Chairman
Ken Fisher Ken Fisher
Dan Austad Dan Austad
John Neinas John Neinas
Kathy Schultz Kathy Schultz
Richard Virlee Richard Virlee

Joel Gunnlaugsson



DOOR COUNTY

Resolution No. 2018-15

PROCLAMATION

**TRAVEL & TOURISM WEEK
MAY 6-12, 2018**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BAGON			
D. ENGLEBERT			
R. ENGLEBERT			
ENGL			
FISHER			
GUNNLAUGSSON			
HALSTED			
KOCH			
KOHOUT			
LIENAU			
LUNDAHL			
MOELLER			
NEINAS			
ROBILLARD			
SCHULTZ			
SITTE			
SOHNS			
VIRLEE			
VILES-WOTACHEK			
WATT			

Vote Yes

BOARD ACTION

Vote Required: Majority vote of a quorum

Motion to Approve: Adopted X

1st Adrian Defeated:

2nd Shus

Yes: No: Exc:

Reviewed by:

[Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

FISCAL IMPACT: No Fiscal Impact.

Certification:

I, JIM LEU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of March, 2018 by the Door County Board of Supervisors.

[Signature]
JIM LEU
County Clerk, Door County

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS,** Travel matters to the nation's economic prosperity and its image
2 abroad, to business wealth and to individual travelers; and

3
4 **WHEREAS,** Travel to and within the United States provides significant economic
5 benefits for the nation, generating \$2.3 trillion in economic output in 2016, with \$990.3
6 billion spent directly by domestic and international travelers that spurred an additional
7 \$1.3 trillion in other industries; and

8
9 **WHEREAS,** Travel is among the largest private-sector employers in the United
10 States, supporting 15.3 million jobs in 2016, including 8.6 million directly in the travel
11 industry and 6.7 million in other industries; and

12
13 **WHEREAS,** Travel spending directly generated tax revenues of \$157.8 billion in
14 2016 for federal, state and local governments, funds used to support essential services
15 and programs; and

16
17 **WHEREAS,** Direct tourism spending in Door County totaled \$347.8 million in
18 2016 and generated \$37.5 million in state and local tax revenue while supporting 3,178
19 jobs and generating \$75.1 million in employee wages; and

20
21 **WHEREAS,** International travel to the United States is the nation's largest single
22 export industry - greater than the export of business services, machinery, computer and
23 electronic products, motor vehicles and agriculture. Travel generated \$246 billion in
24 exports in 2016, creating a travel trade surplus of \$87 billion in favor of the U.S.; and

25
26 **WHEREAS,** Meetings, events and incentive travel are core business functions that
27 help companies strengthen business performance - an average of \$9.50 in increased
28 revenue and \$2.90 in new profits for every dollar spent on business travel alone - to align
29 and educate employees and customers, and reward business accomplishments; and

30
31 **WHEREAS,** Leisure travel, which accounts for nearly 4 out of 5 domestic trips
32 taken, spurs countless benefits to travelers' creativity, cultural awareness, education,
33 happiness, productivity, relationships and wellness; and

34
35 **WHEREAS,** Travel is a catalyst that moves the county, state and national economy
36 forward.

37
38 **NOW, THEREFORE, BE IT RESOLVED,** That the Door County Board of
39 Supervisors does hereby support and promote May 6-12, 2018 as Travel and Tourism
40 Week in Door County, and urges the citizens of Door County to join in this special
41 observance with appropriate events and commemorations.

SUBMITTED BY:

[Signature]
David Lienau, Chairperson
Door County Board of Supervisors



DOOR COUNTY

Resolution No. 2018-16

APPROVAL OF LAND LEASE AND TOWER SALE AGREEMENT WITH WISCONSIN PUBLIC SERVICE CORPORATION

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
ALSTAD	✓		
BACON	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL	✓		
FISHER	✓		
GLUNLAUGSSON			✓
HALSTEAD	✓		
KOCH	✓		
KOCHOUT	✓		
LIENAU	✓		
LUNDAHL	✓		
MOELLER	✓		
NEINAS	✓		
ROBILLARD	✓		
SCHULTZ	✓		
SETTE			X
SOHNS	✓		
VIRLEE	✓		
VILIES WOTACHEK	X		
WAIT	X		
	19	0	2

BOARD ACTION
 Vote Required: Majority Vote of Total Membership

Motion to Approve: Adopted

1st: Virlee Dated:

2nd: Richard

Yes: 19 No: 0 Exc: 2

Reviewed by: Corp. Counsel

Reviewed by: Administrator

FISCAL IMPACT: The \$20,000 purchase price for the tower facilities was not included as a revenue in our 2018 budget. The agreement also transfers the responsibility and cost of removing the tower facilities at the end of its useful life to WPSC. MEJ

Certification:
 I, JILL M. LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of March, 2018 by the Door County Board of Supervisors.

JILL M. LAU
 County Clerk, Door County

1 **WHEREAS**, Rule No. 34 of the Rules of Order provides, in pertinent
 2 part, that "...no Committee of the County Board shall enter into any contract
 3 for a period in excess of three (3) years without prior approval of the County
 4 Board..."; and

5
 6 **WHEREAS**, The 'old' communications tower and related facilities
 7 (situated on the County's Brussels Hill) have been declared surplus and
 8 are to be disposed of by the most appropriate method; and

9
 10 **WHEREAS**, in August, 2016, County sought proposals for disposition
 11 of the 'old' communications tower and related facilities and, following a
 12 prolonged negotiation process, reached tentative consensus with
 13 Wisconsin Public Service Corporation; and

14
 15 **WHEREAS**, The Property Committee has considered and
 16 recommends approval of the Land Lease and Tower Sale Agreement
 17 (hereafter "Agreement"), which is attached hereto and incorporated herein
 18 by reference); and

19
 20 **WHEREAS**, It is deemed advantageous and suitable for the County of
 21 Door to enter into the Agreement.

22
 23 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board
 24 of Supervisors does hereby approve the Agreement.

25
 26 **BE IT FURTHER RESOLVED**, That the Agreement shall be jointly
 27 administered by the Technical Services Department and Facilities & Parks
 28 Department, subject to the oversight of the Property Committee.

SUBMITTED BY: PROPERTY COMMITTEE

Richard Virlee, Chairman

Jon Koch

Dan Austad

Helen Bacon

Ken Fisher

Randy Halstead

Steve Sohns

LAND LEASE AND TOWER SALE AGREEMENT

THIS LAND LEASE AND TOWER SALE AGREEMENT (this "Agreement") is made as of the ___ day of _____, 2018 (the "Effective Date"), by and between the COUNTY OF DOOR, a Wisconsin body corporate with its principal offices located at Government Center, 421 Nebraska Street, Sturgeon Bay, Wisconsin, hereinafter designated *LESSOR* and WISCONSIN PUBLIC SERVICE CORPORATION, a Wisconsin corporation with its principal offices located at 700 North Adams Street, Green Bay, Wisconsin, hereinafter designated *LESSEE*. The *LESSOR* and *LESSEE* are at times collectively referred to hereinafter as the "Parties" or individually as the "Party".

RECITALS

WHEREAS, *LESSOR* is the owner of certain real property described on *Exhibit A* attached hereto (the "Property");

WHEREAS, *LESSOR* issued a request for proposals ("RFP") relating to the Tower Facilities (defined below) located on the Property;

WHEREAS, this Agreement resulted from a proposal submitted by the *LESSEE* in response to the RFP whereby *LESSEE* offered to purchase the Tower Facilities and enter into a long-term lease of the portion of the Property depicted on *Exhibit B* attached hereto (the "Land Space" or the "Premises"); and

WHEREAS, the Parties hereto desire to enter into this Agreement to set forth the terms, conditions and agreements of the Parties relating to the Tower Facilities and the Property.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

1. Recitals.

The recital paragraphs set forth above are hereby incorporated into this Agreement.

2. Transfer of the Tower Facilities to LESSEE.

As used herein, the "Tower" shall mean the communications tower located on the Land Space. As used herein, the "Tower Facilities" shall mean, collectively, the Tower and the following items located on or at the Land Space: all fencing and gates surrounding the Tower, all guy wires, anchors, cabling and utility lines serving or supporting the Tower (whether located on the Land Space or on or over other portions of the Property, such as the Ancillary Area defined below), any accessory structure(s), all generators, and all other associated equipment, components, fixtures and personal property and any replacements thereof. The Parties agree that the Tower Facilities shall expressly exclude any underground storage tanks.

Simultaneously with the Effective Date of this Agreement, LESSOR is selling the Tower Facilities to LESSEE for \$20,000.00, which transfer shall be evidenced by a deed in the form attached hereto as *Exhibit C* and a bill of sale in the form attached hereto as *Exhibit D* effective as of the Effective Date (collectively, the "Transfer Documents"). In addition to the Transfer Documents and the other acts and deeds contemplated to be performed herein the Parties agree to perform, execute and deliver any further deliveries and assurances as may be reasonably necessary to consummate the transactions contemplated in this Agreement or to further perfect the conveyance, transfer and assignment of the Tower Facilities to LESSEE. The Parties agree that the allocation of the purchase price for the Tower Facilities between real and personal property for the purposes of the Wisconsin real estate transfer tax return shall be as follows: \$ _____ allocated to real property and \$ _____ allocated to personal property.

3. Premises.

LESSOR hereby leases exclusively to LESSEE the Land Space which comprises that portion of the Property legally described on *Exhibit A* attached hereto and as depicted on *Exhibit B* attached hereto with the label "LEASE AREA". The Parties intend the Land Space to be the full area of the Tower Facilities within the Property (with the exception of any utility lines and tower guy wires extending beyond the fenced area into the Ancillary Area, described below), including the fenced compound. The Land Space is an approximately 25 foot by 34 foot area containing approximately 850 square feet. LESSEE shall have the right to control all vegetation (including cutting, trimming and removal) within the Land Space.

In the event LESSEE desires in the future to expand or improve the Tower Facilities which does not include the right to replace or rebuild the tower except as addressed in the next paragraph, LESSOR agrees to cooperate in good faith with reasonable requests from LESSEE to expand or otherwise modify the Land Space and use of the Ancillary Area, defined below, to accomplish such activities. Such expansion activities may include the expansion of the fenced area, the expansion or addition of foundations and the expansion or addition of building structures. Such expansion shall be memorialized by a written amendment to this Agreement and the Memorandum of Lease and subject to LESSOR'S review and approval of the plans to improve or replace the Tower Facilities.

LESSEE may in the future rebuild the Tower Facilities after a catastrophic event. Any rebuilding must meet the following criteria:

- 1) The Tower must be in substantially the form it was in at the time of destruction (including the same footprint and with no vertical expansion).
- 2) The rebuilding must comply with land use and zoning regulations.

4. Road/Utility Area; Ancillary Area; Appurtenant Rights.

LESSOR hereby grants LESSEE a non-exclusive access right (the "Right-of-Way") to use the existing access road that passes through the Property from the nearest public road (i.e., High Road) to the Land Space for ingress, egress, and regress for pedestrians and

motor vehicles. The area containing this Right-of-Way is depicted on *Exhibit B* hereto with the label "UTILITY AND INGRESS/EGRESS AREA" (the "Road/Utility Area"). *LESSEE* is responsible for the routine maintenance and repair of the access road (including snow removal) for *LESSEE*'s use and any damage caused by *LESSEE*, its agents, invitees or subtenants, with *LESSOR* responsible for any access for and damage caused by *LESSOR*, its agents, invitees or other tenants of the Property. *LESSOR* shall be responsible for any necessary replacement or substantial repair of the Road/Utility Area not caused by *LESSEE*'s, its agents', invitees' or subtenants'.

LESSOR hereby grants *LESSEE* the right to install, maintain, replace and upgrade utility lines serving the Tower Facilities (the "Utility Rights"), including, without limitation, the right to install electric utilities, over and under the Road/Utility Area. The Parties agree to cooperate in good faith if the utility lines and Road/Utility Area should need to be relocated outside of this area or otherwise modified in the future. Except for relocations of utilities requested by *LESSOR*, *LESSEE* agrees to repair any damage to the Property caused by *LESSEE*, its agents, invitees or subtenants in connection with the utilities.

LESSOR hereby grants *LESSEE* the right to use such other portions of the Property surrounding the Premises, including, without limitation, the areas labeled as "GUY WIRE AREA" on *Exhibit B* (collectively, the "Ancillary Area"), as are reasonably necessary for the installation, operation, maintenance, inspection, removal or replacement of the Tower Facilities (including, without limitation, affixing guy wires and anchors), including, without limitation, the right to control vegetation (including cutting and trimming) immediately outside the Premises which may be reasonable or appropriate (collectively, the "Maintenance Rights"). Without limiting the generality of the foregoing, the Maintenance Rights shall include (1) *LESSEE*'s right to use the Ancillary Area for staging and other activities involved in the installation and removal of Tower Facilities and replacements/upgrades thereto and (2) the installation of new guy wires and anchors to support replacements/upgrades to the Tower Facilities. The Parties agree to cooperate in good faith if the Ancillary Area should need to be modified in the future due to the Maintenance Rights, including, without limitation, the installation of guy wires and anchors lines outside of the area labelled as "GUY WIRE AREA" on *Exhibit B*.

The Right-of-Way, Utility Rights and Maintenance Rights (collectively, the "Appurtenant Rights") in the Road/Utility Area and Ancillary Area are not permanent interests nor are they of permanent duration. Rather, the Appurtenant Rights terminate concurrently with the termination of this Agreement.

5. Term.

This Agreement shall be effective as of the Effective Date. This Agreement's term shall be the lesser of the life of the existing Tower in place on the Effective Date or fifty (50) years (the "Term"), unless sooner terminated in accord with the terms and conditions herein.

6. Consideration.

There is no additional rental cost to the *LESSEE*. Consideration for this Agreement includes *LESSEE*'s purchase of the Tower Facilities from *LESSOR* and *LESSEE*'s agreement to remove these at the end of this Agreement and restore the site as provided in Paragraph 14 *infra*.

7. Use of Premises.

LESSEE's plan is to utilize the Tower Facilities for utility and communication technologies (whether now existing or developed in the future) for *LESSEE*'s utility and communication systems and, if desired by *LESSEE*, for the utility and communications systems of *LESSEE*'s affiliated companies and subtenants.

LESSEE may use the Land Space and Road/Utility Area and Ancillary Area for purposes related to the above use, including Appurtenant Rights and the operation, maintenance and repair of the Tower Facilities; and installation, operation, maintenance, repair, upgrades, relocation (within the Land Space) and replacements of any necessary or desirable equipment and components thereto (e.g., antennas, transmitters, receivers, base stations, power supplies, cabling).

LESSEE may not use any of the Premises for any other purpose, and, except as otherwise set forth herein, may not make use of the Property beyond the boundaries of the Land Space, Road/Utility Area and Ancillary Area for any purpose, without prior written notice to and the prior written consent of the *LESSOR*, which consent shall not be unreasonably withheld, delayed or conditioned.

8. Compliance with Laws.

LESSEE shall comply with all applicable laws in its use of the Premises.

9. *LESSEE*'s Termination Right.

In the event that *LESSEE* determines, in its sole discretion, that the Premises is no longer technically compatible for its use, or that the Premises is obsolete or its use unnecessary, then *LESSEE* shall have the right to terminate this Agreement prior to the expiration of the Term. Notice of *LESSEE*'s exercise of its right to terminate shall be given to *LESSOR* in writing by certified mail, return receipt requested, and shall be effective upon receipt of such notice by *LESSOR* or refusal as shown on the receipt obtained or such later date if specified in such notice.

10. Taxes.

LESSOR is a Wisconsin county under Ch. 59 Wis. Stats. Its real and personal property is generally exempt from taxation. The Property (including existing improvements) is currently exempt from taxation consistent with Sec. 70.11(2) Wis. Stats.

LESSEE shall have the responsibility to timely pay any personal property taxes, real estate taxes, assessments, or charges levied and owed as a result of *LESSEE*'s use of the Premises. For as long as the original *LESSOR* remains owner of the Property, if the Premises and/or the Tower Facilities are not separately assessed from the remainder of the Property, *LESSEE* shall have the responsibility for the tax bills or assessments levied on the Property unless *LESSEE* demonstrates such is the result of *LESSOR*'s use of the Property or as a result of another user of the Property by through or under *LESSOR*.

LESSEE is responsible for any sales and use taxes imposed as a result of *LESSEE*'s purchase and use of the Tower Facilities.

LESSEE is responsible for any franchise or similar tax as a result of *LESSEE*'S use of the Tower Facilities.

LESSEE shall have the right, at its sole option and at its sole cost and expense, to appeal, challenge or seek modification of any tax assessment or billing for which *LESSEE* is wholly or partly responsible for payment. *LESSOR* shall reasonably cooperate with *LESSEE*, at *LESSEE*'s expense, in filing, prosecuting and perfecting any appeal or challenge to taxes as set forth in the preceding sentence, including but not limited to, executing any consent, appeal or other similar document. In the event that *LESSEE* lacks standing to pursue a good faith and reasonable dispute of any taxes under this Paragraph, *LESSOR* will pursue such dispute at *LESSEE*'s sole cost and expense upon written request of *LESSEE*.

11. Indemnification.

Each Party shall indemnify and hold the other harmless against any claim of liability or loss from personal injury or property damage resulting from or arising out of the negligence or willful misconduct of the indemnifying Party, its employees, contractors or agents, except to the extent such claims or damages may be due to or caused by the negligence or willful misconduct of the other Party, or its employees, contractors or agents.

12. Insurance.

LESSOR and *LESSEE* each agree that at its own cost and expense, each will maintain commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. *LESSOR* and *LESSEE* each agree that it will include the other Party as an additional insured. Each Party shall provide the other certificates evidencing such insurance coverage and additional insured endorsement(s). *LESSOR* agrees that *LESSEE* may satisfy these insurance requirements through self-insurance and/or excess liability insurance.

Nothing herein is intended or may be interpreted to constitute a waiver of any immunity, limitations on damages, notice requirements, or statutes of limitation afforded the *LESSOR* or *LESSEE*.

13. Signal Interference.

Lessor and Lessee mutually agree not to interfere with the operation of or cause signal interference with the other's communication equipment due to the operation of communication equipment or electrical interference, whether initially installed hereunder or at some future date, which is reasonably designed and installed to operate without interference from each other's equipment. Prior to the installation of any equipment by Lessor or Lessee, they shall provide each other for review of possible signal interference, with complete equipment specifications, including but not limited to antennas, dishes, cables, receivers and transmitters and frequencies thereof and all appurtenant equipment, the location of all equipment on the Tower and the location of electrical facilities and communication equipment in Lessee's Lease Area. In the event Lessor or Lessee causes signal interference with the other's communication equipment, and upon receipt of written notice of such interference from the other Party, the interfering Party will promptly (within 48 hours) take all steps necessary to correct and eliminate same at its cost, including but not limited to, at the interfering Party's option, powering down such equipment and later powering up such equipment for intermittent testing. If Lessor's equipment is at fault and Lessor is unable to eliminate the interference, even with replacement of equipment, Lessor, at its election may remove its equipment from the Tower and its Buildings without terminating this Lease. If Lessee's equipment is at fault and Lessee, after reasonable due diligence, is unable to eliminate the interference, either Party may terminate this Lease at its sole discretion or may take any other reasonable steps to eliminate the interference. In addition, Lessor shall not be responsible for reimbursing Lessee for any costs as a result of such termination or interference. During such time that either Party's equipment is shut down hereunder, all other Lease obligations remain in full force and effect. In the event the equipment of another lessee located on the Tower is at fault, the faulty equipment shall immediately be shut down upon receipt of notice of such interference from Lessor or Lessee. If such equipment is reasonably designed and installed to operate without interference from each other's equipment and after due diligence is unable to eliminate the interference, Lessor shall immediately notify such lessee that it shall not be permitted to continue its operations until the faulty or interfering equipment is replaced and such replacement equipment does not cause interference with Lessor's or Lessee's equipment.

Lessor agrees that any new lessee who may install equipment on the Tower subsequent to the Effective Date may be permitted to install only such equipment of the type and frequency which will not cause material interference to Lessor's or Lessee's operations. In the event that such new lessee's equipment causes interference, Lessor will cause the new lessee to comply with the more stringent of: 1) any and all FCC regulations prohibiting interference with public safety communications; or 2) any and all steps to correct or eliminate said interference as specified herein.

In the event that Lessor leases other portions of the Tower or Compound to parties subsequent to the Effective Date of this Lease, Lessor shall include a non-interference clause similar to the foregoing in any and all subsequent agreements.

14. Removal at End Of Term.

LESSEE shall, within ninety (90) days after either expiration of the Term or any earlier termination of this Agreement, remove the Tower Facilities (except footings or piers, which must be cut-off a minimum of twelve (12) inches below grade and covered with clean fill) and all personal property from the Premises, and grade and level the site if and as needed.

If the *LESSEE* fails to do so, *LESSOR* may, at *LESSOR*'s discretion, hire an outside company to carry out the work at *LESSEE*'s sole cost and expense. Payment shall be due and payable by the *LESSEE* upon invoice therefore from *LESSOR*.

It is acknowledged and agreed, by and between the Parties, that the Tower Facilities are and shall remain the property of *LESSEE*, and *LESSEE* has the right to remove (subject to the preceding two (2) paragraphs) the same at any time during the Term, whether or not said items are considered fixtures, improvements or otherwise attachments to real property under applicable laws.

15. Holdover.

LESSEE has no right to retain possession of the Premises or any part thereof beyond the expiration of the removal period set forth in Paragraph 14 herein, unless the Parties are negotiating a new lease or lease extension in good faith. In the event that the Parties are not in the process of negotiating a new lease or lease extension in good faith, and *LESSEE* holds over in violation of Paragraph 14 and this Paragraph 15, then such will be deemed a month-month tenancy terminable by either Party upon thirty (30) days' notice, *LESSEE* shall pay *LESSOR* a hold-over rental rate of five thousand dollars (\$5,000.⁰⁰) per month, and will otherwise be subject to the terms of this Agreement

16. Rights Upon Sale.

Should *LESSOR*, at any time during the Term decide to sell or transfer all or any part of the Property, such sale or transfer of interest therein shall be subject to this Agreement and any such purchaser or transferee shall recognize *LESSEE*'s rights under this Agreement.

17. Quiet Enjoyment.

LESSOR covenants that *LESSEE*, subject to its compliance with the terms and conditions of this Agreement, shall peaceably and quietly have, hold and enjoy the Land Space and Appurtenant Rights.

LESSEE may do whatever is reasonably necessary in order to enjoy fully the purposes for which the Land Space is leased and Appurtenant Rights are granted as long as *LESSEE* does not place any undue burden on the Property or unreasonably interfere with *LESSOR*'S or other lessees' use of the Property.

18. Title.

LESSOR represents and warrants to *LESSEE* as of the Effective Date, and covenants during the Term, that *LESSOR* is seized of good and sufficient title and interest to the Property and has full authority to enter into and execute this Agreement. *LESSOR* further covenants during the Term that there are no liens, judgments, leases or impediments of title on the Premises, or affecting *LESSOR*'s title to the same and that there are no covenants, easements or restrictions which prevent or adversely affect the use or occupancy of the Premises by *LESSEE* as set forth above.

19. Integration.

It is agreed and understood that this Agreement and the Transfer Documents contain all agreements, promises and understandings between *LESSOR* and *LESSEE* with respect to their subject matter and that no verbal or oral agreements, promises or understandings shall be binding upon either *LESSOR* or *LESSEE* in any dispute, controversy or proceeding at law with respect to the Property, the Premises, the Appurtenant Rights, the Tower Facilities, and any addition, variation or modification to this Agreement shall be void and ineffective unless made in writing signed by the Parties. This Agreement and the Transfer Documents supersede all prior negotiations, agreements and undertakings between the Parties with respect to the subject matter hereof, including, without limitation, the RFP and *LESSEE*'s response thereto.

The failure of either Party to insist upon strict performance of any of the terms or conditions of this Agreement or to exercise any of its rights under the Agreement shall not waive such rights and such Party shall have the right to enforce such rights at any time and take such action as may be lawful and authorized under this Agreement, in law or in equity.

20. Assignment/Sale/Transfer.

This Agreement may not be sold, assigned or transferred by the *LESSEE* to a third party without the prior written approval or consent of the *LESSOR*. Such written approval or consent shall not be unreasonably withheld, conditioned or delayed. Any proposed assignment/sale/transfer to a third party must, at a minimum, include the assignee's/buyer's/transferee's agreement that it will honor all of the terms of this Agreement, fulfill *LESSEE*'s obligations under this Agreement, and promptly cure any and all then-existing *LESSEE* defaults under this Agreement. Unless otherwise agreed in writing, in the event of an assignment, transfer or sale of this Agreement by *LESSEE* to a third party, *LESSEE* shall not be released from its obligations to *LESSOR* under this Agreement, and *LESSOR* shall have the right to look to *LESSEE* and the third party, jointly and severally, for the full performance of this Agreement.

Notwithstanding the foregoing, for purposes of this provision, none of the following shall be deemed an assignment of *LESSEE*'s interest in this Agreement requiring prior written notice or consent: (1) the merger or consolidation of *LESSEE* with or into another entity, whether or not *LESSEE* is the surviving entity; (2) a transfer, issuance, or dilution of

greater than fifty percent (50%) of the ownership or beneficial interests (whether stock, partnership interest, membership interest, or otherwise) in *LESSEE*, either in a single transaction or a series of transactions; (3) the conversion of *LESSEE* into another type of entity; (4) the reorganization or restructuring of *LESSEE*, including, without limitation, by a spin-off or split-off; and (5) the transfer of this Agreement to an affiliate, subsidiary, or parent of, or an entity otherwise related to, *LESSEE*. Any successor of *LESSEE* (as described in (1) – (5) above) must agree that it will honor all of the terms of this Agreement, fulfill *LESSEE*'s obligations under this Agreement, and promptly cure any and all then-existing *LESSEE* defaults under this Agreement.

LESSEE cannot, without the prior written consent of the *LESSOR*, sublet its rights under this Agreement. Such consent shall not be unreasonably withheld, delayed or conditioned.

21. Notices.

All notices hereunder must be in writing and shall be deemed validly given if sent by certified mail, return receipt requested or by commercial courier, provided the courier's regular business is delivery service and provided further that it guarantees delivery to the addressee by the end of the next business day following the courier's receipt from the sender, addressed as follows (or any other address that the Party to be notified may have designated to the sender by like notice):

LESSOR: County of Door
Attn: Corporation Counsel
421 Nebraska Street
Sturgeon Bay, WI 54235

LESSEE: Wisconsin Public Service Corporation
Attention: Real Estate
P.O. Box 19001
Green Bay, WI 54307-9001

Notice shall be effective upon actual receipt or refusal as shown on the receipt obtained pursuant to the foregoing.

22. Successors.

This Agreement shall extend to and bind the authorized successors and permitted assigns of the Parties hereto.

23. Recording.

LESSEE may, at *LESSEE*'s expense, record this Agreement (or a memorandum of lease) with the Door County Register of Deeds. *LESSOR* hereby approves the form of memorandum of lease attached hereto as *Exhibit E*. If *LESSEE* does so, *LESSEE* will also record a notice of termination for the lease within forty five (45) days of this Agreement's termination.

24. Default.

In the event there is a breach by a Party with respect to any of the provisions of this Agreement or its obligations under it, the non-breaching Party shall give the other Party written notice of such breach. After receipt of such written notice, the alleged breaching-Party shall have thirty (30) days in which to cure any breach, provided the alleged breaching Party shall have such extended period as may be required beyond the thirty (30) days if the nature of the cure is such that it reasonably requires more than thirty (30) days and the breaching Party commences the cure within the thirty (30) day period and thereafter continuously and diligently pursues the cure to completion.

25. Remedies.

In the event of a default by either Party with respect to a material provision of this Agreement, without limiting the non-defaulting Party in the exercise of any right or remedy which the non-defaulting Party may have by reason of such default, the non-defaulting Party may at its option (but without obligation to do so): (a) perform the defaulting Party's duty or obligation on the defaulting Party's behalf, including but not limited to the obtaining of reasonably required insurance policies; or (b) terminate this Agreement and/or pursue any remedy now or hereafter available to the non-defaulting Party under the laws or judicial decisions of the state in which the Premises are located; provided, however, each Party shall use reasonable efforts to mitigate its damages in connection with a default by the other. If either Party so performs any of the others obligations hereunder, the full amount of the reasonable and actual cost and expense incurred by the performing Party shall immediately be owing by the defaulting Party to the performing Party, and the defaulting Party shall pay to the performing Party upon demand the full undisputed amount thereof with interest thereon from the date of payment at the greater of a) ten percent (10%) per annum, or b) the highest rate permitted by applicable laws. Notwithstanding the foregoing, if the defaulting Party does not pay the performing Party the full undisputed amount within thirty (30) days of its receipt of an invoice setting forth the amount due from the defaulting Party, the performing Party may pursue available legal or equitable remedies to collect the full undisputed amount.

26. Environmental.

LESSOR will be responsible for all obligations of compliance with any and all environmental and industrial hygiene laws, including any regulations, guidelines, standards, or policies of any governmental authorities regulating or imposing standards of liability or standards of conduct with regard to any environmental or industrial hygiene conditions or concerns as may now or at any time hereafter be in effect, that are or were in any way related to activity now, previously or in the future conducted in, on, or in any way related to the Property, except to the extent such conditions or concerns are caused or exacerbated by *LESSEE's*, its agents', invitees' or subtenants' negligence or willful misconduct at the Premises, in which case *LESSEE* will then be responsible and liable to the extent of its fault.

Each Party shall defend, hold the other Party harmless and indemnify the other Party from and assume all duties, responsibility and liability at their sole cost and expense, for all duties, responsibilities, and liability (for payment of penalties, sanctions, forfeitures, losses, costs, or damages) and for responding to any action, notice, claim, order, summons, citation, directive, litigation, investigation or proceeding (collectively, "Claims") to the extent caused by such Party's failure to comply with any environmental or industrial hygiene law, including without limitation any regulations, guidelines, standards, or policies of any governmental authorities regulating or imposing standards of liability or standards of conduct with regard to any environmental or industrial hygiene concerns or conditions as may now or at any time hereafter be in effect, except to the extent such non-compliance results from conditions caused by the other Party. Further, and independent of the foregoing, LESSOR shall, defend, hold harmless and indemnify LESSEE for any environmental or industrial hygiene conditions, whether known or unknown, existing on the Property as of the Effective Date (including, without limitation, any underground storage tanks), except to the extent such environmental conditions are caused or exacerbated by LESSEE's, its agents', invitees' or subtenants' negligence, willful misconduct or failure to comply with applicable laws.

27. Casualty.

In the event of damage by fire or other casualty to LESSEE's facilities that cannot reasonably be expected to be repaired within ninety (90) days following same or, if LESSEE's facilities are damaged by fire or other casualty so that such damage may reasonably be expected to disrupt LESSEE's operations at the Premises for more than ninety (90) days, then LESSEE may, at any time following such fire or other casualty, terminate this Agreement upon fifteen (15) days prior written notice to LESSOR. Any such notice of termination shall cause this Agreement to expire with the same force and effect as though the date set forth in such notice were the date originally set as the expiration date of this Agreement.

28. Submission of Agreement/Partial Invalidation/Authority.

The submission of this Agreement for examination does not constitute an offer to lease the Premises and this Agreement becomes effective only upon the full execution of this Agreement by the Parties.

In the event any provision of the Agreement is found to be invalid or unenforceable, such finding shall not affect the validity and enforceability of the remaining provisions of this Agreement.

Each of the Parties hereto warrants to the other that the person or persons executing this Agreement on behalf of such Party has the full right, power and authority to enter into and execute this Agreement on such Party's behalf and that no consent from any other person or entity is necessary as a condition precedent to the legal effect of this Agreement.

29. Governing Law/Venue.

This Agreement and the performance thereof shall be governed, interpreted, construed and regulated by the Laws of the State and County in which the Property is located.

The Parties submit to the jurisdiction of the State of Wisconsin, and federal courts for or in, Door County, Wisconsin, and agree that any legal action or proceeding relating to this Agreement may be brought in those courts.

30. Survival.

The provisions of the Agreement relating to indemnification from one Party to the other Party shall survive any termination or expiration of this Agreement. Additionally, any provisions of this Agreement which require performance subsequent to the termination or expiration of this Agreement shall also survive such termination or expiration.

31. Captions.

The captions contained in this Agreement are inserted for convenience only and are not intended to be part of the Agreement. They shall not affect or be utilized in the construction or interpretation of the Agreement.

{Signature page follows}

IN WITNESS WHEREOF, the Parties hereto have set their hands and affixed their respective seals on the dates below, intending this Agreement to be effective as of the Effective Date.

LESSOR:

COUNTY OF DOOR

By: _____
David Lienau, Chairperson
Door County Board of Supervisors

Date: _____

LESSEE:

**WISCONSIN PUBLIC SERVICE
CORPORATION**

**By: WEC Business Services LLC its affiliate
and agent**

By: _____

Name: _____

Title: _____

Date: _____



DOOR COUNTY

**Resolution No. 2018-17
COUNTY SNOWMOBILE TRAIL AID,
2018-19 SNOW SEASON**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENGIL	X		
FISHER	X		
GUNNLAUGSSON			X
HALSTEND	X		
KOCH	X		
KOHOUT	X		
LIEMAU	X		
LUNDAHL	X		
MOELLER	X		
NEINAS	X		
ROBBILARD	X		
SCHULTZ	X		
SITTE			X
SOHNS	X		
VIRLEE	X		
VLIES WOTACHEK	X		
WAIT	X		
	19	0	2

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adapted

1st: Austad Deleted:

2nd: Virlee

Yes: 19 No: 0 Exc: 2

Reviewed by:

[Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: Snowmobile trail grant funds are utilized up to the amount of the grant received. There should be no fiscal impact. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of March, 2018 by the Door County Board of Supervisors.

Jill M. Lau
County Clerk, Door County

1 **WHEREAS**, Door County is interested in the development and
2 maintenance of snowmobile trails and related facilities for public
3 snowmobile purposes; and

4
5 **WHEREAS**, Aid to counties for snowmobile purposes is available
6 under Section 23.09(26), Wisconsin Statutes.

7
8 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County
9 Board of Supervisors does hereby approve the application for
10 funds under Section 23.09(26), Wisconsin Statutes, for aid to counties
11 for snowmobile purposes.

12
13 **BE IT FURTHER RESOLVED**, that the Door County Facilities and
14 Parks Director or their designee, subject to the oversight of the Door
15 County Airport and Parks Committee, is hereby authorized to act on
16 behalf of Door County and; a) apply (to the State of Wisconsin,
17 Department of Natural Resources and/or any other source) for aid
18 under Section 23.09(26), Wisconsin Statutes; b). negotiate; c) execute
19 documents; and take all actions necessary to receive the aid and
20 undertake and complete funded projects.

SUBMITTED BY: AIRPORT & PARKS COMMITTEE

[Signature]
Dan Austad, Chairperson

[Signature]
Richard Virlee

[Signature]
Steve Sohns

[Signature]
John Nienas

[Signature]
Kathy Schultz

[Signature]
Don Sitte

[Signature]
Laura Vlies Wotachek



DOOR COUNTY

ROLL CALL	Aye	Nay	Exc.
Board Members			
AUSTAD	X		
BACON	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNLAUSSON			X
HALSTEAD	X		
KOCH	X		
KOHOUT	X		
LIENAU	X		
LUNDQVIST	X		
MOELLER	X		
NEINAS	X		
ROBILLARD	X		
SCHULTZ	X		
SITTE			X
SOHNS	X		
VIRLEE	X		
VLIES WOTACHEK		X	
WAIT	X		
	18	1	2

BOARD ACTION

Vote Required: Two-thirds of Entire Membership

Motion to Approve: Adopted

1st: Schultz Deleted

2nd: Engl

Yes: ___ No: ___ Exc: ___

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

FISCAL IMPACT: Since this is not a loan (no interest will be charged), the \$365,000.00 will be considered as an advance to the Cana Island Restoration Fund. If approved, the available balance in the Unassigned Fund Balance (before close-out of 2017 operations) will be \$10,545,662.22 after this advance. MEJ

Certification:
 I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of March, 2018 by the Door County Board of Supervisors.

Jill M. Lau
 County Clerk, Door County

Resolution No. 2018-18
CANA ISLAND PRESERVATION-REHABILITATION-RESTORATION PROJECT
AUTHORIZATION TO PROCEED WITH PHASE III

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, This Project has been the subject of myriad resolutions,
 2 including Resolution No. 2013-38 (adopted 05-28-2013); Resolution No. 2013-39
 3 (adopted 05-28-2013); Resolution No. 2013-69 (adopted 09-26-2013); Resolution
 4 No. 2013-62 (adopted 10-22-2013); Resolution No. 2014-03 (adopted 01-28-
 5 2014); Resolution No. 2014-60 (adopted 06-24-2014); and Resolution No. 2016-
 6 38 (adopted 05-24-2016); Resolution No. 2017-33 (adopted 04-18-17); &
 7 Resolution No. 2017-47 (adopted 07-25-17) and

8
 9 WHEREAS, Phase I and Phase II of this Project, authorized by Resolution
 10 No. 2014-60 & 2016-38 and 2017-33 & 2017-47, have been completed; and

11
 12 WHEREAS, The Airport & Parks Committee, at its March 13, 2018 meeting,
 recommended: 1) That Phase III (as described in Addendum A, attached hereto
 and incorporated herein by reference as if fully set forth) of this Project proceed;
 13 2) That up to \$75,000.00 be transferred from the Cana Island Preservation
 Reserve Fund (Account #100.32133) to the Cana Island Restoration Fund
 14 (Account #213.66.49110.100); and 3) Door County advance up to \$365,000 from
 the Unassigned Fund Balance to cover the shortfall, with the understanding that
 15 the funds advanced will be reimbursed, within four (4) years, from the Cana Island
 Preservation Reserve Fund (Account #100.32133); and

16
 17 WHEREAS, The Finance Committee, at its March 19, 2018, meeting,
 18 accepted the Airport & Parks Committee's recommendations and approved,
 consistent with §65.90, Wis. Stats. and Rule of Order #19, the transfer of up to
 19 \$365,000.00 from the Unassigned Fund Balance (Account #100.33101) to the
 20 Cana Island Restoration Fund (Account #213.66.49110.100) to cover the shortfall
 for Phase III of this Project, subject to reimbursement by the DCMM as described
 21 above.

22
 23 NOW, THEREFORE, BE IT RESOLVED, That the Door County Board of
 24 Supervisors does hereby authorize Phase III of this Project to proceed.

25
 26 BE IT FURTHER RESOLVED, That the transfer of up to \$75,000.00 from the
 Cana Island Preservation Reserve Fund (Account #100.32133) to the Cana Island
 27 Restoration Fund (Account #213.66.49110.100) and that a transfer of up to
 \$365,000.00 from the Unassigned Fund Balance (Account #100.33101) to the
 28 Cana Island Restoration Fund (Account #213.66.49110.100) for Phase III of this
 Project is hereby approved.

29
 30 BE IT FURTHER RESOLVED, That Phase III of this Project will be
 administered by the Facilities & Parks Director, and subject to the general oversight
 31 of the Airport & Parks Committee.

SUBMITTED BY: FINANCE COMMITTEE

Kathy Schultz Kathy Schultz, Chairman
Ken Fisher Ken Fisher
David Englebert David Englebert
Susan Kohout Susan Kohout
Roy Englebert Roy Englebert
Mark Moeller Mark Moeller
David Engl David Engl

Addendum A

Cana Island Phases remaining phases are defined as:

Phase III

1. Construction of a garage by the main parking lot to be used for storage. It would be the size of a two stall garage.
2. Design of a new Interpretative Center which would be on the Island. It is estimated the building would be approximately 1800-2000 square feet.
3. Construction of the new Interpretative Center.
4. Final assessment of the light keeper's house which would include the preparation of construction documents that could be used for bidding.

Phase IV:

1. Restoration of light keeper's house.
2. Restoration of the landscaping around the house.



DOOR COUNTY

ROLL CALL	Board Members	Aye	Nay	Exc.
AUSTAD		X		
BACON		X		
D. ENGLEBERT		X		
R. ENGLEBERT		X		
ENGIL		X		
FISHER		X		
GUNNLAUGSSON				X
HALSTEAD		X		
KOCH		X		
KOHOOT		X		
LIENAU		X		
LUNDHIL		X		
MOELLER		X		
NEINAS		X		
ROBBILARD		X		
SCHULTZ		X		
SITTE				X
SOHNS		X		
VIRLEE		X		
VILIS WOTACHIEK		X		
WAIT		X		
		19	0	2

BOARD ACTION

Vote Required: Two-thirds of Entire Membership

Motion to Approve: Adopted Deleted

1st: Schultz 2nd: Virlee

Yes: 19 No: 0 Exc: 2

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: The Boat Launch Reserve has a present balance of \$342,485.04; if this resolution is approved, the balance would decrease to \$318,122.64. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of March, 2018 by the Door County Board of Supervisors.

Jill M. Lau
Jill M. Lau
County Clerk, Door County

Resolution No. 2018-19
APPROPRIATIONS FOR BREAKWATER REPAIRS
GEORGE K. PINNEY COUNTY PARK

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, Pursuant to § 65.90(5)(a), Wis. Stats. and Rules of Order
2 #19 the amounts of the various appropriations and the purposes for such
3 appropriations stated in a budget required may not be changed unless
4 authorized by a vote of two-thirds of the entire membership of the County
5 Board of Supervisors.

6
7 **WHEREAS**, A comprehensive engineering study of the breakwater
8 revealed defects and the need to expedite structural repairs to mitigate
9 damage; and

10
11 **WHEREAS**, Bids have been solicited and received for breakwater
12 repairs, and the Airport and Parks Committee recommends proceeding with
13 such repairs at a cost not to exceed \$27,000; and

14
15 **WHEREAS**, By adoption of Resolution 2018-02, the County Board
16 authorized acceptance of \$2,627.00 from the Wisconsin DNR's County
17 Conservation Aids Program for breakwater repairs; and

18
19 **WHEREAS**, The need for breakwater repairs was not anticipated, and no
20 funds were appropriated for this purpose, in 2018; and

21
22 **WHEREAS**, It is recommended that \$24,363 be transferred from the Boat
23 Launch Fee account [#100.32115] to the George K. Pinney Breakwater
24 Repair expense line within the Parks budget, account
25 [#100.34.5202.69906.6749] for breakwater repairs. The balance of the cost
26 to be paid for from the awarded Wisconsin DNR's County Conservation Aids
27 Program Grant.

28
29 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board of
30 Supervisors does hereby approve the transfer of \$24,363 from the Boat
31 Launch Fee account [#100.32115] to the George K. Pinney Break Water
32 Repair expense line within Parks budget, account,
33 [#100.34.5202.69906.6749] for breakwater repairs.

SUBMITTED BY: Finance Committee

Kathy Schultz Kathy Schultz, Chairperson
Ken Fisher Ken Fisher
David Englebert David Englebert
Susan Kohout Susan Kohout
Roy Englebert Roy Englebert
Mark Moeller Mark Moeller
David Enigl David Enigl



DOOR COUNTY

Resolution No. 2018-20

**TRANSFER OF NON-BUDGETED FUNDS
PURCHASE AND INSTALLATION OF NORTHPOINT SUITE COMPAS CORE
SOFTWARE FOR DOOR COUNTY OPERATION FRESH START PROGRAM**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL	✓		
FISHER	✓		
GUNNLAUSSON			X
HALSTEAD	✓		
KOCH	✓		
KOHOUT	✓		
LIENAU	✓		
LINDAHL	✓		
MOELLER	✓		
NEINAS	✓		
ROBILLARD	✓		
SCHULTZ	✓		
SITTE			X
SOHNS	✓		
VIRLEE	✓		
VLUES WOTACHEK	✓		
WATT	✓		
	19	0	2

BOARD ACTION

Vote Required: Two Thirds of Entire Membership

Motion to Approve Adopted

1st W. Virlee Second

2nd W. Lindahl

Yes: 19 No: 0 Exc: 2

Reviewed by:

Corp. Counsel

Administrator

FISCAL IMPACT: Prior to this requested transfer, the unaudited available balance in the Inmate Trust Account Fund-Reserve for Subsequent Years' Expenditures account is \$138,662.69. If this transfer is approved, that available balance would decrease to \$120,117.69. MEJ

Certification:

I, JIM LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of March, 2018 by the Door County Board of Supervisors.

JIM LAU
County Clerk, Door County

1 WHEREAS, In accordance with Section 65.90(5)(a) Wisconsin Statutes and Rules of
2 Order #19 the amounts of the various appropriations and the purposes for such
3 appropriations stated in a budget may not be changed unless authorized by a vote of two-
4 thirds of the entire membership of the Door County Board of Supervisors; and

5
6 WHEREAS, During the planning and implementation process of the jails Operation
7 Fresh Start Program, an area of need was identified by Operation Fresh Start Committee;
8 and

9
10 WHEREAS, Jail Lieutenant, along with County Judges, and District Attorneys, have
11 developed a Pre-Trial Release Program targeted for implementation in mid-2018; and

12
13 WHEREAS, The program offers the courts a better way to evaluate and monitor
14 individuals during the pre-trial process in addition to reducing jail expenses; and

15
16 WHEREAS, The program requires a Pre-Trial Risk Assessment be conducted on all
17 inmates at jail intake. The recommendation is to utilize the Northpoint Suite Pre-Trial
18 Assessment tool to give an objective, validated and expandable product to meet the initial
19 needs, along with any future expansion of the program if needed; and

20
21 WHEREAS, The initial startup cost for the software, implementation, licenses, training
22 and support, would be \$18,535.00; and

23
24 WHEREAS, The Finance Committee is recommending that an amount not to exceed
25 \$18,535.00 be transferred from the Inmate Trust Account Fund-Reserve for Subsequent
26 Years' Expenditures account (#505.33104) to the Operation Fresh Start account
27 (#505.57.2130.52866) to cover the estimated cost to purchase and install the Northpoint
28 Suite Pre-Trial Assessment software;

29
30 NOW, THEREFORE, BE IT RESOLVED, That the Door County Board of Supervisors
31 does hereby approve an amount not to exceed \$18,535.00 be transferred from the Inmate
32 Trust Account Fund-Reserve for Subsequent Years' Expenditures account (#505.33104) to
33 the Operation Fresh Start account (#505.57.2130.52866) to cover the estimated cost to
34 purchase and install the Northpoint Suite Pre-Trial Assessment software.

SUBMITTED BY: Finance Committee

Kathy Schultz, Chairperson

David Englebert

Roy Englebert

David Enigl

Ken Fisher

Susan Kohout

Mark Moeller



DOOR COUNTY

Resolution No. 2018-21

RESOLUTION DISSOLVING THE COMMUNITY JUSTICE COALITION AND ESTABLISHING A DOOR COUNTY CRIMINAL JUSTICE COLLABORATING COUNCIL

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			✓
FISHER			✓
GUNNAUGSSON			✓
HALSTEAD			
KOCH			
KOHCUT			
LIENAU			
LUNDAHL			
MOELLER			
NEINAS			
ROBILLARD			
SCHULTZ			
SITTE			
SOHNS			
VIIRLEE			
VILIS WOTACHEK			
WATT			

BOARD ACTION
Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Debate

1st: Koch
2nd: Schultz

Yes: _____ No: _____ Exc: _____

Reviewed by: [Signature], Com-Counsel
Reviewed by: [Signature], Administrator

FISCAL IMPACT: There is no fiscal impact associated with the adoption of this resolution. MEJ

Certification:
I, JIM LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of March, 2018 by the Door County Board of Supervisors.

[Signature]
JIM LAU
County Clerk, Door County

1 **WHEREAS**, There currently exists a Community Justice Coalition, established by
2 Resolution No. 38-02 (see attached); that said coalition has not met formally in many years and
3 is, in essence, defunct; and

4 **WHEREAS**, In order to provide a coordinated leadership necessary to establish and foster
5 innovative and effective corrections programs for adult and juvenile offenders and to effectively
6 qualify for state and federal grants to fund such programs, a Door County Criminal Justice
7 Collaborating Council should be established; and

8 **WHEREAS**, The principal mission of the Door County Criminal Justice Collaborating
9 Council will be to enhance public safety in Door County through community collaboration by
10 ensuring offender accountability, providing effective rehabilitation programs and supporting the
11 rights and needs of victims; and

12 **WHEREAS**, The initial membership of the Door County Criminal Justice Collaborating
13 Council shall consist of at least a circuit court judge, the district attorney or his or her designee,
14 the state public defender or his or her designee, a local law enforcement official, a representative
15 of the county, a representative of each other county agency responsible for providing social
16 services, including services relating to child welfare, mental health, and the Wisconsin Works
17 program, representatives of the departments of corrections and health and family services, a
18 representative from private social services agencies, a representative of substance abuse
19 treatment providers, and other members to be determined by the county.

20 **WHEREAS**, The Door County Criminal Justice Collaborating Council will have the
21 authority to establish and appoint members to committees, subcommittees and ad hoc
22 committees as provided in its by-laws; and

23 **WHEREAS**, The Door County Criminal Justice Collaborating Council will have such other
24 authority as granted by its by-laws; and

25 **WHEREAS**, The Door County Criminal Justice Collaborating Council shall report to the
26 Door County Board of Supervisors as required.

27 **NOW, THEREFORE BE IT RESOLVED**, By the Door County Board of Supervisors that it
28 hereby dissolves the Community Justice Coalition and establishes the Door County Criminal
29 Justice Collaborating Council with the mission and initial membership as described above, to
30 operate pursuant to the by-laws attached to this resolution.

31 **BE IT FURTHER RESOLVED**, That the members of the Door County Criminal Justice
32 Collaborating Council will serve without per diem or expense reimbursement.

SUBMITTED BY: ADMINISTRATIVE COMMITTEE

[Signature] David Lienau, Chairman
[Signature] Ken Fisher
[Signature] Dan Austad
[Signature] John Neinas
[Signature] Kathy Schultz
[Signature] Richard Virlee
Joel Gunnaugsson

DOOR COUNTY CRIMINAL JUSTICE COLLABORATING COUNCIL

BY-LAWS

Article I: Name

The name of this Council shall be the Door County Criminal Justice Collaborating Council. It will be referred to as the Council throughout these by-laws.

Article II: Creation

The Council is created by resolution as adopted by the Door County Board of Supervisors.

Article III: Mission

The principal mission of the Council is to enhance public safety in Door County through community collaboration by ensuring offender accountability, providing rehabilitation programs and supporting the rights and needs of victims.

Article IV: Structure

Section A: Membership:

The voting members of the Council are:

- Circuit Court Judges for Door County
- County Administrator
- Chair - Law Enforcement Committee
- Sheriff
- Jail Administrator
- Chief of Police
- District Attorney
- State Public Defender
- Department of Corrections Field Supervisor
- Department of Human Services Director
- A representative of a substance abuse treatment provider selected by a majority of the voting members of the Council
- A representative from a private social services agency selected by a majority of the voting members of the Council

Additional members may be appointed as the Council deems appropriate. Council members may designate another competent person to represent him or her and vote at Council meetings.

Any member of the Council may recommend removal of any agency member whom he or she believes is no longer appropriate for membership. Lack of attendance by a member may be cause for removal from the Council. Removal of Council members, or their resignation, shall be submitted to the Chair and brought to a vote of the Council.

Section B: Legal Authority of the Council:

The Council acts in an advisory role and does not have direct authority over any aspect of the criminal justice system. Membership of the Council shall consist of individuals serving in authorized positions that do have direct authority and responsibility in their respective areas of public service.

Section C: Committees:

The Council may authorize the formation of Subcommittees and Ad Hoc Committees to deal with specific problems or issues. Standing Committees, Subcommittees and Ad Hoc Committees shall report their information and recommendations to the Council.

Section D: Meetings:

1. Meeting of the Council shall be set by the Council, the Chair, or upon petition by three members of the Council. Notice of Council, Subcommittees, and Ad Hoc Committee meeting times and locations shall be provided to all members and duly posted in compliance with open meetings statutes.
2. Minutes of the Council meetings shall be recorded and distributed to all members of the Council.
3. A quorum is a simple majority of the membership described in Section A.

Article V: Officers

Section A: Officers

The Council shall elect a Chair, Vice Chair, and Secretary. The Council shall elect at the first meeting of the year a Chair, Vice-Chair, and Secretary for a term of one year. The Chair, Vice Chair, and Secretary shall serve until the next election is held.

Section B: Duties of Officers

The chair shall preside at all meetings. The Vice-Chair shall preside in the absence of the Chair. The Secretary shall be responsible for preparation of minutes of meetings.

Article VI: Change In By-Laws

Proposed amendments to the by-laws are to be brought to the Council for approval. Any action in response to the proposed change in the by-laws taken by the Council shall become effective immediately.



DOOR COUNTY

Resolution No. 2018-22

Approve Fiber Lateral Agreement with Lawrence University

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNNLAUGSSON			
HALSTEAD			
KOCH			
KOHOUT			
LIENAU			
LUNDAHL			
MDELLER			
NEINAS			
ROBILLARD			
SCHULTZ			
SITTE			
SOHNS			
VIRLEE			
VLIES WOTACHEK			
WAIT			

BOARD ACTION
Vote Required: Majority Vote of Total Membership

Motion to Approve Adopted

1st: Fisher Debated

2nd: Schultz

Yes: ___ No: ___ Exc: ___

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: At this point in time, there is no fiscal impact associated with the adoption of this resolution. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of March, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

1 **WHEREAS**, Generally, any contract with a term in excess of three (3)
2 years requires approval by the Door County Board of Supervisors ("County
3 Board");

4 **WHEREAS**, The County Board, by adoption of Resolution No. 2014-
5 91 (November 12, 2014) and Resolution No. 2015-07 (on 01-27-2015)
6 authorized the Fiber Optic Project ("Project") to move forward and
7 appropriated funds for such;

8 **WHEREAS**, The *Fiber Route Agreement and Maintenance*
9 *Agreement* negotiated with Brown County C-LEC, LLC anticipated certain
10 laterals off the fiber backbone (See: Resolution No. 2015-47, adopted 05-
11 26-2015); and

12 **WHEREAS**, It appears that public purposes and the public's interest
13 will be served by Door County and Lawrence University working together
14 cooperatively, as contemplated by the *Agreement for Lateral Extension of*
15 *Fiber Optic Backbone* (attached hereto and incorporated herein by
16 reference);

17 **WHEREAS**, It is deemed appropriate for Door County to enter into the
18 *Agreement for Lateral Extension of Fiber Optic Backbone* with Lawrence
19 University.

20 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board
21 of Supervisors does hereby approve the *Agreement for Lateral Extension*
22 *of Fiber Optic Backbone* with Lawrence University.

23 **BE IT FURTHER RESOLVED**, That the Technology Services
24 Department, subject to the oversight of the Technology Services
25 Committee, shall administer the *Agreement*.

SUBMITTED BY:

[Signature]
David Lienau, Chairperson
Door County Board of Supervisors

AGREEMENT FOR LATERAL EXTENSION OF FIBER OPTIC BACKBONE
[Lawrence University- Björklunden]

This Agreement for Lateral Extension of Fiber Optic Backbone ("Agreement") is made on March 27, 2018, by and between the County of Door ("County"), a body corporate and politic organized and existing under the laws of the State of Wisconsin, with its principal place of business at County Government Center, 421 Nebraska Street, Sturgeon Bay, Wisconsin 54235, and Lawrence University of Wisconsin ("Lawrence University"), an institution of higher education, with its principal place of business at 711 E. Boldt Way, Appleton, Wisconsin 54911.

RECITALS

- A. Brown County C-LEC, LLC ("Nsight") has completed a build-out of optical fiber infrastructure ("fiber optic backbone") in the approximate location shown on *Exhibit A*, attached hereto and incorporated herein by reference as if set forth in full.
- B. Reliable high-speed networks (e.g., telecommunications and information technology) are critical to the changing needs of county government operations, with a specific emphasis on public safety, health, culture, recreation, education, convenience, and general welfare.
- C. Reliable high-speed networks (e.g., telecommunications and information technology) are needed by institutions of higher education, for the purpose of carrying out their mission (e.g., providing educational opportunities, teaching and learning, research, and fostering individual development).
- D. This Agreement represents cooperation between, promotes the wise use of resources by, and is of mutual benefit to each party.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. Term/Automatic Renewal.

This Agreement commences on March 27, 2018 (the "Effective Date") and expires on December 31, 2036 (the "initial term"). Thereafter, this Agreement will continue for consecutive five (5) year renewal terms (each a "renewal term") unless either party provides to the other written notice of nonrenewal not less than one hundred and eighty (180) days prior to the end of the initial term or any renewal term. Nonrenewal shall not relieve a party of any obligation incurred hereunder prior to the effective date of termination.

2. Fiber Optic Backbone

Nsight has completed the construction of the fiber optic backbone referenced supra. This fiber optic backbone contains ninety six (96) fibers. County has the right to use six (6) fibers within this fiber optic backbone.

County has entered into a *Fiber Route Agreement, Infeasible Right of Use Agreement and Maintenance Agreement* with Nsight. This Agreement is subject and subordinate to County's agreements with Nsight.

There is no assurance of continuing performance by Nsight. In case of termination or an uncured event of default under the County's agreements with Nsight, Lawrence University may endeavor to

negotiate and contract directly with Nsight for any of the services to be provided or privileges granted under the County's agreements with Nsight.

3. Lateral

The Lateral contemplated here consists of two (2) strands of fiber and will run from the fiber optic backbone to Björklunden (situated at 7590 Boynton Lane, Baileys Harbor, WI 54202) and back as shown on *Exhibit B*, attached hereto and incorporated herein by reference.

4. Construction and Connection of Lateral.

Lawrence University is responsible for the construction of the Lateral, connection of the Lateral to Björklunden facilities as it deems fit, and all related costs. All such work will be done consistent with prevailing telecommunications industry standards.

County will facilitate Nsight's performance of all necessary splicing (at the splice point, identified in *Exhibit B*) on, to, or from the fiber optic backbone to the Lateral. Lawrence University is responsible for all related costs. Splicing will be done consistent with prevailing telecommunications industry standards.

Lawrence University will provide the County timely written notice of commencement of construction and completion of the lateral. County will provide Lawrence University timely written notice of completion of the necessary splicing.

5. Ownership, Maintenance, Repair or Relocation of Lateral.

Lawrence University:

- a) will own the Lateral; and
- b) is solely responsible for any and all maintenance, repair or relocation of the Lateral.

All such maintenance, relocation or repair will be done consistent with prevailing telecommunications industry standards.

County will facilitate Nsight's performance of all necessary splicing (at the splice point, identified in *Exhibit B*) on, to, or from the fiber optic backbone to the Lateral. Lawrence University is responsible for all related costs. Splicing will be done consistent with prevailing telecommunications industry standards.

6. Grant of License

Lawrence University is granted by this Agreement, without the need for a separate grant of license, an indefeasible, non-exclusive license to use two (2) of the County's six (6) fibers within the fiber optic backbone for the purpose of: carrying out its mission, including providing educational opportunities, teaching and learning, research, and fostering individual development, and to provide telecommunication services (e.g., Internet access) to authorized on-site guests and visitors of Björklunden. Lawrence University shall not offer, resell, or otherwise provide telecommunications services to the general public or to any other public or private entity.

7. Services Available from County and Costs to Lawrence University

Lawrence University may avail itself of the following services:

- a) Internet Access/Connectivity
- b) Transport to other entities
- c) Redundant/Offsite/Remote Datacenters
- d) Telephony
- e) Filtration/Antivirus/Firewalling

- f) Compute/Server Resources
- g) Storage
- h) Backups
- i) Other?

Lawrence University will be charged, on a pro-rata or proportional basis, only for such services it uses. The charge will include the actual / direct costs plus a reasonable administrative fee.

The cost to Lawrence University of such services will be determined by the County and disclosed to Lawrence University in advance.

8. Insurance.

During the full term of this Agreement, at its sole cost and expense, each party shall maintain a policy of comprehensive general liability insurance as follows: one million dollars (\$1,000,000) combined single limit (i.e., up to one million dollars (\$1,000,000) per occurrence for bodily injury or property damage arising out of single loss, with no sub-limits). This coverage must be written on an "occurrence" basis and shall cover all risks incident to any activity of the insured under this Agreement.

Each party shall be named an additional insured under the other's policy. Each party shall provide the other a certificate of insurance evidencing such insurance coverage and additional insured endorsement.

Each party's indemnification liability to the other is not limited by the limits of any insurance coverage.

9. Indemnity.

Subject to the immunities, privileges, and limitations on damages afforded the parties, including those under Sec. 893.80 Wis. Stats., each party agrees to indemnify, defend, protect and save and hold each other (including its directors, officers, agents, representatives and employees) harmless from and against any claim, damage, loss or damage to any property or facilities arising out of or resulting in any way from the acts or omissions to act, negligence or willful misconduct of the indemnifying party, its directors, officers, employees, servants, contractors or agents in connection with the exercise of its rights and obligations under this Agreement.

10. Default and Remedies.

A party shall be in default if it fails to perform any of its obligations under this Agreement, and such failure continues for a period of thirty days after notice from the other party. The foregoing notwithstanding, no cure period shall be afforded for any default based on a failure to maintain required insurance under paragraph 7 above.

11. Relationship of Parties.

Nothing in, or done pursuant to this Agreement shall be construed to create the relationship of employer and employee, principal and agent, partners, or a joint venture between County and Lawrence University.

12. Force Majeure.

Either party's performance of any part of this Agreement shall be excused to the extent that it is hindered, delayed or otherwise made impractical by reason of flood, riot, fire, explosion, war, acts or omissions of the other party, or any other cause, whether similar or dissimilar to those listed, beyond the reasonable control of that party, provided, however, that relief under this paragraph shall not extend beyond a period of 30 days irrespective of the cause of the failure to perform.

13. Waiver.

No waiver of any breach of any provision of this Agreement shall constitute a waiver of any prior, concurrent or subsequent breach of the same or any other provisions hereof, and no waiver shall be effective unless made in writing and signed by an authorized representative of the waiving party.

14. Good Faith Performance.

The parties shall exercise good faith and make reasonable efforts to fulfill the intent and purposes of this Agreement.

15. Severability.

If any covenant, condition, provision, or term of this Agreement is held to be invalid or unenforceable by a court of competent jurisdiction, the remaining covenants, conditions, provision, or terms of this agreement shall not be affected thereby, but each covenant, condition, provision, or term of this Agreement shall be valid and in force to the fullest extent permitted by law.

16. Contacts

The primary contacts, for purposes of administration of this Agreement are:

County:

Jason Rouer, Director - Technology Services Department
County Government Center, 421 Nebraska Street, Sturgeon Bay, WI 54235
920.746.5983
jrouer@co.door.wi.us

Lawrence University:

Steven M. Armstrong, Director of Technology Services
711 E. Boldt Way, Appleton, WI 54911
920.832.6769
steven.m.armstrong@lawrence.edu

17. Notices.

Any notices required or permitted hereunder shall be given in writing and shall be delivered (a) in person, with proof of service (b) by certified mail, postage prepaid, return receipt requested, (c) by registered mail, postage prepaid, with evidence of safe delivery from the U.S. Postal Service or (d) by a commercial overnight courier that guarantees next day delivery and provides a receipt, and such notices shall be addressed as follows:

County:

Attention: County Administrator
County Government Center
421 Nebraska Street, Sturgeon Bay, Wisconsin 54235

Lawrence University:

Attention:

Vice President-Finance and Administration
711 E. Boldt Way, Appleton, WI 54911

or to such other address as either party may from time to time specify in writing to the other party. Any notice shall be effective only upon delivery. The foregoing addresses shall be presumed to be valid until notice of a different address for notice is given according to the provisions of his paragraph.

18. Assignment.

Neither party may assign any of their rights or obligations under this Agreement in whole or part without the prior written consent of the other party. Such consent will not be unreasonably withheld.

19. Entire Agreement.

This Agreement sets forth the entire understanding of the parties in regard to the subject matter hereof. No modification or addition of this Agreement shall be effective unless it is reduced to writing and executed by County and Lawrence University.

20. Interpretation.

This Agreement shall not be subject to the rule of interpretation construing ambiguities against the drafter, this Agreement being the product of the negotiation and drafting by attorneys for both parties.

21. Headings.

Headings in this Agreement are for reference only and are not to be considered substantial provisions.

22. Authorization.

Each person signing this Agreement represents and warrants to the other party that he/she has been duly authorized by all necessary action to execute and deliver this Agreement and bind the party for which they purport to sign to the terms of this Agreement.

23. Counterparts and Signatures.

This Agreement may be signed in counterparts. Facsimile and electronic signatures shall have the same effect as original signatures.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY. SIGNATURE PAGE FOLLOWS.]

IN WITNESS WHEREOF, the parties have caused this Agreement for Lateral Extension of Fiber Optic Backbone to be executed effective on the day and year first written above.

LAWRENCE UNIVERSITY

By: _____
Christopher Lee, Vice President-Finance and Administration

Sworn and subscribed to before me this ____ day of _____, 2018.

Print Name: _____
Notary Public
My commission is permanent / expires _____.

COUNTY OF DOOR

By: _____
Kenneth Pabich, Door County Administrator

Sworn and subscribed to before me this ____ day of _____, 2018.

Print Name: _____
Notary Public
My commission is permanent / expires _____.



RESOLUTION NO. 2018-23

RECOGNIZING SUPERVISOR MARK MOELLER
IN SERVICE TO THE COUNTY BOARD

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

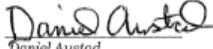
WHEREAS, Mark Moeller was first appointed to the Door County Board of Supervisors in April, 2005. He was duly elected to subsequent terms and served through April 16, 2018, for a total of thirteen years on the Board; and

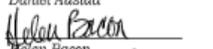
WHEREAS, Supervisor Moeller represented Supervisory District 12, encompassing the City of Sturgeon Bay, Wards 11, 12, 15-17 and 28; and

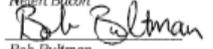
WHEREAS, During his tenure, Supervisor Moeller served on many committees and boards including Airport & Parks, Board of Health, CCS/CSP Coordinating Committee, Children's COP Advisory Committee, Communications Advisory Technical Subcommittee, Community Programs, Emergency Services, Finance, Human Services, Information Systems, Lake Shore Cap, Law Enforcement, Museum-Archives, Resource Planning, Senior Resources Commission, Social Services, and Ad Hoc W-2 Steering Committee; and

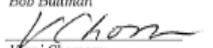
WHEREAS, Supervisor Moeller also served at various times as Chairman of Community Programs, Social Services, Human Services, Museum-Archives, Communications Advisory Technical Subcommittee, Children's COP Advisory Committee, and CCS/CST Coordinating Committee, and Ad Hoc W-2 Community Steering Committee.

NOW, THEREFORE, BE IT RESOLVED, That the County Board of Supervisors, assembled this 17th day of April, 2018, extends to Mark Moeller, our sincere thanks and appreciation for his service to the people of Door County, and wish him the best in his future endeavors.


Daniel Austad


Helen Bacon


Bob Bultman


Vanni Chomeau

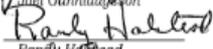

David Englebert

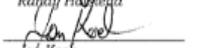

Rob Englebert

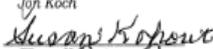

David Enigi


Kenneth Fisher


Jael Gunnlaugson


Randy Hartlieb


Jan Koch

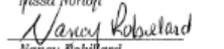

Susan Kopovut

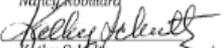

David Senau

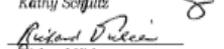

Megan Luhdahl


Gwyn Nenas


Nissa Nortoft


Nancy Robillard


Kelley Schmitt

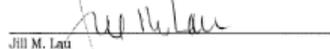

Richard Virree


Laura Vires Wotechak


Linda Wait

CERTIFICATION:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 17th day of April, 2018, by the Door County Board of Supervisors.



Jill M. Lau
County Clerk, Door County



RESOLUTION NO. 2018-24

RECOGNIZING SUPERVISOR DON SITTE
IN SERVICE TO THE COUNTY BOARD

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

WHEREAS, Don Sitte was duly elected to the Door County Board of Supervisors in April, 1996, 1998 and 2000 and served through 2001. He was again elected in April 2014 and 2016, and served through April 16, 2018, for a total of ten years on the Board; and

WHEREAS, Supervisor Sitte first represented Supervisory District 17, encompassing the Town of Baileys Harbor and Jacksonport Ward 1. In his second term he represented District 19, encompassing the Town of Baileys Harbor - Ward 2, and Town of Liberty Grove - Ward 3; and

WHEREAS, During his tenure, Supervisor Sitte served on several committees and boards including Ag & Extension, Airport & Parks, Communications Advisory Technical Subcommittee, Community Programs, Economic Development, Emergency Services, Finance, Highway, Information Systems, Law Enforcement, Library Board, Resource Planning, Social Services, and Ad Hoc Veterans Memorial Committee; and

WHEREAS, Supervisor Sitte also served at various times as Chairman of Communications Advisory Technical Subcommittee, and Social Services.

NOW, THEREFORE, BE IT RESOLVED, That the County Board of Supervisors, assembled this 17th day of April, 2018, extends to Don Sitte, our sincere thanks and appreciation for his service to the people of Door County, and wish him the best in his future endeavors.

Daniel Austad
Daniel Austad

Helen Bacon
Helen Bacon

Bob Bultman
Bob Bultman

Vin Chomeau
Vinni Chomeau

David Englebert
David Englebert

Rob Englebert
Rob Englebert

David Enigl
David Enigl

Kenneth Fisher
Kenneth Fisher

Jael Gunnlaugsson
Jael Gunnlaugsson

Randy Halstead
Randy Halstead

Jon Koch
Jon Koch

Susan Kohout
Susan Kohout

David Genau
David Genau

Meghan Gurjahni
Meghan Gurjahni

John Neimas
John Neimas

Nissa North
Nissa North

Nancy Robillard
Nancy Robillard

Kathy Schultz
Kathy Schultz

Richard Virjee
Richard Virjee

Laura Viles Wotachak
Laura Viles Wotachak

Linda Wait
Linda Wait

CERTIFICATION:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 17th day of April, 2018, by the Door County Board of Supervisors.

Jill M. Lau
Jill M. Lau
County Clerk, Door County



RESOLUTION NO. 2018-25

RECOGNIZING SUPERVISOR STEVE SOHNS
IN SERVICE TO THE COUNTY BOARD

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

WHEREAS, Steve Sohns was first appointed to the Door County Board of Supervisors in September 2015. He was duly elected to the County Board in April 2016 and served through April 16, 2018, and

WHEREAS, Supervisor Sohns represented Supervisory District 18, encompassing the Town of Gibraltar and Village of Ephraim; and

WHEREAS, During his tenure, Supervisor Sohns served on several committees and boards including Airport & Parks, Board of Health, Legislative Committee and Property Committee; and

NOW, THEREFORE, BE IT RESOLVED, That the County Board of Supervisors, assembled this 17th day of April, 2018, extends to Steve Sohns, our sincere thanks and appreciation for his service to the people of Door County, and wish him the best in his future endeavors.

Daniel Austad
Daniel Austad

Helen Bacon
Helen Bacon

Bob Bultman
Bob Bultman

Vinut Chomeau
Vinut Chomeau

David Englebert
David Englebert

Ray Englebert
Ray Englebert

David Enigl
David Enigl

Kenneth Fisher
Kenneth Fisher

Joel Gunnlaugson
Joel Gunnlaugson

Randy Halsted
Randy Halsted

Jan Koch
Jan Koch

Susan Kohout
Susan Kohout

Dawn Lienau
Dawn Lienau

Megan Mandahl
Megan Mandahl

John Neinas
John Neinas

Nissa Norton
Nissa Norton

Nancy Robillard
Nancy Robillard

Kathy Schultz
Kathy Schultz

Richard Virtue
Richard Virtue

Laura Vines Wolachek
Laura Vines Wolachek

Linda Wait
Linda Wait

CERTIFICATION:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 17th day of April, 2018, by the Door County Board of Supervisors.

Jill M. Lau
Jill M. Lau
County Clerk, Door County



Resolution No. 2018-26

APPROVAL OF DONATION FROM THE FRIENDS OF THE DOOR COUNTY PARK SYSTEM, INC. TO THE PARKS DEPARTMENT

DOOR COUNTY

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
BULTMAN	✓		
CHOMEAU	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENGL	✓		
FISHER	✓		
GUNNLAUGSSON	✓		
HALSTEAD	✓		
KOCH	✓		
KOHOUT	✓		
LIENAU	✓		
LUNDHAL	✓		
NEINAS	✓		
NORTON	✓		
ROBILLARD	✓		
SCHULTZ	✓		
VIRLEE	✓		
VILIES WOTACHEK	✓		
WAIT	✓		
	21	0	0

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Defeated

1st Austad 2nd Lundahl

Yes 21 No 0 Exc. 0

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: The donated funds will be used for the specified purpose; no additional County funds are required because of the acceptance of this donation. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 17th day of April, 2018 by the Door County Board of Supervisors.

[Signature] Jill M. Lau, County Clerk, Door County

1 WHEREAS, § 59.52(19) Wis. Stats. empowers the County Board to accept donations, 2 gifts, or grants of money for any public governmental purpose within the powers of the 3 County; and

4 WHEREAS, Resolution 75-84 entitled "Gifts, Grants & Donations to the County of Door" 5 requires approval of the Door County Board of Supervisors, for acceptance of all donations, 6 gifts, and grants whether in the form of money, or personal or real property; and

7 WHEREAS, Rule of Order # 38, entitled "Donations, Gifts or Grants", authorized an 8 oversight committee to accept donations, gifts or grants; requires County Board be provided 9 notice of any donation, gift or grant in excess of \$1,000 prior to acceptance; and requires 10 that an itemized report of all donations, gifts or grants shall be submitted to the county board 11 on an annual basis; and

12 WHEREAS, Friends of the Door County Parks System, Inc. has offered a donation of 13 \$16,800.00 to the Door County Facilities and Parks Department for the Ahnapee Trail 14 Extension project; and

15 WHEREAS, The Airport & Parks Committee recommends acceptance of the 16 aforementioned donation.

17 NOW THEREFORE, BE IT RESOLVED, That the Door County Board of Supervisors 18 does hereby accept the donation of \$16,800.00 from the Friends of the Door County Parks 19 System, Inc. for the Ahnapee Trail Extension project.

20 BE IT FURTHER RESOLVED, That the aforementioned donation will be administered 21 by the Door County Facilities and Parks Department, subject to oversight by the Airport & 22 Parks Committee.

SUBMITTED BY: Airport & Parks Committee

[Signatures] Dan Austad, Chairperson; John Neinas; Kathy Schultz; Don Silte

[Signatures] Steve Sohns; Richard Virlee; Laura Vilies Wotachek



DOOR COUNTY

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
BULTMAN	✓		
CHOMEAU	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL	✓		
FISHER	✓		
GUNNLAUGSSON	✓		
HALSTEAD	✓		
KOCH	✓		
KOHOUT	✓		
LTIENAU	✓		
LUNDAHL	✓		
NEINAS	✓		
NORTON	✓		
ROBILLARD	✓		
SCHULTZ	✓		
VIRLEE	✓		
VLIES WOTACHEK	✓		
WAT	✓		
	21	0	0

BOARD ACTION
 Vote Required: Majority Vote of Total Membership

Motion to Approve: Adopted Deleted

1st: Fisher Deleted

2nd: Bacon

Yes: 21 No: 0 Exc: 0

Reviewed by: [Signature], Comp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: There is no fiscal impact associated with the adoption of this resolution.
 MEJ

Certification:
 I, JIM LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 17th day of April, 2018 by the Door County Board of Supervisors.

[Signature]
 JIM LAU
 County Clerk, Door County

Resolution No. 2018-27
Lease Agreement – Wisconsin Public Service Corporation
[Heritage Lake Road Site]

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

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WHEREAS, A county board may lease and/or purchase property (e.g., land and improvements) on terms that the board approves (See: Sec.'s 59.01 & 59.52(6) Wis. Stats.); *and*

WHEREAS, WPSC owns land and improvements (e.g., a telecommunications tower and accessory structure) situated at 7906 Heritage Lake Road, Egg Harbor, Wisconsin (hereafter "Heritage Lake Road Site"); *and*

WHEREAS, Door County expressed interest in leasing a portion of the Heritage Lake Road Site for purposes of collocation; *and*

WHEREAS, In return for collocation at the Heritage Lake Road Site, County will allow WPSC to collocate at County's Sunnyslope Site (see Resolution No. 2017-76); *and*

WHEREAS, Negotiations between Door County and WPSC have resulted in a "meeting of the minds", in the form of a *Lease Agreement*, which serves the interests of WPSC and Door County; *and*

WHEREAS, The Door County Property Committee, at its April 4, 2018, meeting, approved the *Lease Agreement* with WPSC; *and*

WHEREAS, It was deemed to be necessary and appropriate to submit these matters to the County Board for consideration and decision.

NOW, THEREFORE, BE IT RESOLVED, That the County Board does hereby approve the above described *Lease Agreement* with WPSC, and regards such as serving public uses and purposes, including enhancement of public safety communications.

BE IT FURTHER RESOLVED, That the Technology Services Director, subject to the oversight of the County Administrator, is empowered to take such action (including facilitation of the execution of the *Lease Agreement* by County Clerk and County Board Chairperson) as is necessary to carry out the purpose and intent of this Resolution and administer the Lease Agreement.

SUBMITTED BY: PROPERTY COMMITTEE

[Signature] Richard Virlee, Chairman
[Signature] Randy Halstead
[Signature] Dan Austad
[Signature] Jon Koch
[Signature] Helen Bacon
[Signature] Steve Sohns
[Signature] Ken Fisher



DOOR COUNTY

Resolution No. 2018-28

**DISPOSITION OF REAL ESTATE ACQUIRED BY A JUDGMENT
ISSUED UNDER §75.521, WIS. STATS.**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
BULTMAN	✓		
CHOMEAU	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL	✓		
FISHER	✓		
GUNNLAUGSSON	✓		
HALSTAD	✓		
KOCH	✓		
KOHOUT	✓		
LIENAU	✓		
LUNDAHL	✓		
MEINAS	X		
NORTON	✓		
ROBILLARD	✓		
SCHULTZ	✓		
VIRLEE	✓		
VLES WOTACHEK	✓		
WAIT	✓		
	21	0	0

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Deleted

1st: Ken Fisher

2nd: Ken Fisher

Yes: 21 No: 0 Exc: 0

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: The payments specified in the resolution would cover the delinquent taxes for the years 2013 thru 2017 plus a \$250.00 in rem fee for each parcel. We would forgo accrued penalties and interest totalling \$7,106.29, pro-rated taxes for 2018, and fees for environ-mental assessments totalling \$3,400.00. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 17th day of April, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

1 **WHEREAS**, Door County acquired P.I.N. 018-02-14322822H2 and
2 P.I.N. 281-62-10000106 by a Judgment issued on March 30, 2018 in Door
3 County Case No. 2017-GF-12 under §75.521, Wis. Stats.; and

4 **WHEREAS**, Conveyance of P.I.N. 018-02-14322822H2 by quit claim
5 deed to the Town of Liberty Grove in exchange for payment of \$956.31 is,
6 in good faith, considered to be the most advantageous disposition to the
7 County in view of the facts and circumstances; and

8 **WHEREAS**, Conveyance of P.I.N. 281-62-10000106 by quit claim deed
9 to the City of Sturgeon Bay in exchange for payment of \$19,000.00 is, in
10 good faith, considered to be the most advantageous disposition to the
11 County in view of the facts and circumstances; and

12 **NOW, THEREFORE, BE IT RESOLVED**, That disposition of P.I.N. 018-
13 02-14322822H2 as described above is approved and the County Clerk is
14 authorized to execute a quit claim deed to finalize the conveyance.

15 **BE IT FURTHER RESOLVED**, That disposition of P.I.N. 281-62-
16 10000106 as described above is approved and the County Clerk is
17 authorized to execute a quit claim deed to finalize the conveyance.

SUBMITTED BY: Finance Committee

[Signature] [Signature]
Kathy Schultz, Chairperson Ken Fisher

[Signature] [Signature]
David Englebert Susan Kohout

[Signature] [Signature]
Roy Englebert Mark Moeller

[Signature]
David Enigl



DOOR COUNTY

Resolution No. 2018-29

TRANSFER OF NON-BUDGETED FUNDS
PURCHASE AND INSTALLATION OF ENCARTELE-CELLCAST CONTENT
BROADCASTING PROPOSAL FOR DOOR COUNTY JAIL

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members table with columns: Aye, Nay, Exc. and rows for members like AUSTAD, BACON, BULTMAN, etc.

BOARD ACTION section with 'Vote Required: Two Thirds of Entire Membership' and 'Motion to Approve' checked.

Reviewed by section with signatures for Corp. Counsel and Administrator.

FISCAL IMPACT: Prior to this requested transfer, the unaudited available balance in the Inmate Trust Account Fund-Reserve for Subsequent Years' Expenditures account is \$120,117.69.

Certification: I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 17th day of April, 2018 by the Door County Board of Supervisors.

Jill M. Lau County Clerk, Door County

1 WHEREAS, In accordance with Section 65.90(5)(a) Wisconsin Statutes and Rules of
2 Order #19 the amounts of the various appropriations and the purposes for such
3 appropriations stated in a budget may not be changed unless authorized by a vote of two-
4 thirds of the entire membership of the Door County Board of Supervisors; and

5 WHEREAS, Electronic communication platforms allow jails to eliminate paper clutter
6 and communicate relevant information with inmates in real time, visitors and staff through
7 digital TVs. In addition to saving money on printing, implementation of this product will allow
8 for the jail to be compliant with jail standards and PREA; and

9 WHEREAS, Jail staff has reviewed different programs available to accomplish electronic
10 inmate communication and has recommended to utilize the Encartele (Cellcast) product;
11 and

12 WHEREAS, Encartele (Cellcast) hardware and software product allows the introduction
13 of electronic content in a timely, cost effective and code compliant manner in addition to
14 reducing jail expenses; and

15 WHEREAS, Jail staff has reviewed different programs available to deliver electronic
16 inmate communication and has recommended to utilize the Encartele (Cellcast) product; and

17 WHEREAS, The initial startup cost for the software, implementation, licenses, training
18 and support, would be \$19,000.00; and

19 WHEREAS, The Finance Committee is recommending that an amount not to exceed
20 \$19,000.00 be transferred from the Inmate Trust Account Fund-Reserve for Subsequent
21 Years' Expenditures account (#505.33104) to the Inmate Trust Fund Account-Other
22 Materials and Supplies account (#505.57.2130.53101) to cover the estimated cost to
23 purchase and install the Encartele (Cellcast) Hardware, Software and Campaign
24 Management.

25 NOW, THEREFORE, BE IT RESOLVED, That the Door County Board of Supervisors
26 does hereby approve an amount not to exceed \$19,000.00 be transferred from the Inmate
27 Trust Account Fund-Reserve for Subsequent Years' Expenditures account (#505.33104) to
28 cover the estimated cost to purchase and install the Encartele (Cellcast) Hardware, Software
29 and Campaign Management.

SUBMITTED BY: Finance Committee

Signatures of Kathy Schultz, David Englebert, Roy Englebert, and David Enig.

Signatures of Ken Fisher, Susan Kohout, and Mark Moeller.

DOOR COUNTY
Request Authorization
For
Transfer of Funds / Change in Budget

I, the undersigned, respectfully request that the Finance Committee approve the following transfer of funds:

FROM:

Description	Fund	Account Exp/Rev	Amount
Inmate Trust Account Fund – Reserve for Subsequent Years' Expenditures	505	33104	\$19000.00

TO:

Description	Fund	Account Exp/Rev	Amount
Inmate Trust Account Fund - Other Materials and Supplies	505	57.2130.53101	\$19000.00

Requested transfer of funds is to purchase Encartele (Cellcast) hardware and software to be used within the housing units of the Door County Jail for the purpose of electronic inmate communications. Product allows us to introduce content in a timely, cost effective and code compliant manner. Please refer to the attached quote and letter from Door County Jail Lieutenant Tammy Sternard.

Fiscal Impact

Prior to this requested transfer, the unaudited available balance in the Inmate Trust Account Fund-Reserve for Subsequent Years' Expenditures account is \$120,117.69. If this transfer is approved, that available balance would decrease to \$101,117.69

Requested By: Tammy Sternard	Date: 4/5/2018
Funds Available, Verified By: Mark Janiak	Date: 4/6/2018
Reviewed by Finance Director: Mark Janiak	Date: 4/6/2018
Authorized & Approved by Finance Committee	Date _____
Transfer Entered By _____	Date _____



Resolution No. 2018-30

2017 CARRY FORWARDS FROM GENERAL FUND ACCOUNTS

DOOR COUNTY

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHONEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNN-AUGSSON	X		
HALSTEAD	X		
KOCH	X		
KOHOUT	X		
LIENAU	X		
LUNDAHL	X		
MEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VLIES WOTACHEK	X		
WAIT	X		
	21	0	0

BOARD ACTION

Vote Required: Two-thirds of entire membership

Motion to Approve: Adopted

1st: Virlee Debated

2nd: Wait

Yes: 21 No: 0 Exc: 0

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

FISCAL IMPACT: Project funds or grants that are ongoing are non-lapsed or carried forward to the next budget year. There is no additional fiscal impact on the 2018 budget. MEJ

Certification:

LJH M. Lee, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 17th day of April, 2018 by the Door County Board of Supervisors.

[Signature]
LJH M. Lee
County Clerk, Door County

1 **WHEREAS**, In accordance with Section 65.90(5)(a) Wisconsin
2 Statutes and Rules of Order #19 the amounts of the various
3 appropriations and the purposes for such appropriations stated in a
4 budget may not be changed unless authorized by a vote of two-thirds of
5 the entire membership of the County Board of Supervisors; and
6

7 **WHEREAS**, Carry forwards arise when there is a committed
8 contract or project that was budgeted in one year and will not be
9 completed until the following year and where the County has various
10 grant projects that continue to provide programming as directed by the
11 specific nature of the grant into the next year; and
12

13 **WHEREAS**, Those funds are available until the projects are
14 completed; and;
15

16 **WHEREAS**, The Finance Committee is recommending that
17 \$455,520.41 be transferred from the respective non-lapsing accounts in
18 2017 to the respective non-lapsing accounts in 2018 (attached listing)
19 in accordance with the Finance Committee adopted Carryover of Funds
20 from One Year to the Next procedure/policy. Policy attached.
21

22 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County
23 Board of Supervisors does hereby approve the request made to transfer
24 \$455,520.41 from the 2017 non-lapsing account to the respective 2018
25 non-lapsing accounts (attached listing) to be expended in 2018 budget
26 year.

SUBMITTED BY: FINANCE COMMITTEE

[Signature] Kathy Schultz, Chairman
[Signature] Ken Fisher
[Signature] David Englebert
[Signature] Susan Kohout
[Signature] Roy Englebert
[Signature] Mark Moeller
[Signature] David Enigl

DOOR COUNTY
Carry Forwards Approved by Finance Committee

Amounts Carried Forward from 2017 to 2018

Department	Account	Description	Amount	
General Administration	100.06.1161.61207	Unemployment Compensation	\$ 16,000.00	
	100.06.1161.69103	Contingency Expense	\$ 198,925.86	
	100.06.1161.62158	Special Projects (for HIPAA Risk Assessment)	\$ 10,235.82	
		Subtotal		\$ 224,161.68
County Board	100.11.1101.54116	Jingdezhen Sister City (for Ceramic Lamp Post for Community Center)	\$ 4,101.23	
		Subtotal		\$ 4,101.23
Technology Services	100.13.1108.52301	Repair & Maintenance (for Replacement of Computer Switches)	\$ 2,127.25	
		Subtotal		\$ 2,127.25
Soil & Water Conservation	100.31.6108.53101	Soil & Water Conservation Special Fund (Multi-Year Project)	\$ 45,785.96	
	100.31.6111.58119	Red River-Sturgeon Bay Waters (Multi-Year Project)	\$ 6,979.35	
	100.31.6112.53101	Waste Storage Permits (Multi-Year Project)	\$ 28,018.33	
	100.31.6113.58120	Water Pollution Abatement-Cost Share (Multi-Year Project)	\$ 70,288.38	
		Subtotal		\$ 151,072.02
Airport	100.34.4201.52303	Airport Repair & Maintenance (for Runway Crack Filling)	\$ 7,000.00	
	100.34.4201.69901	Airport Capital Outlay (Budgeted Match for Airport Entitlement Funds)	\$ 8,930.32	
		Subtotal		\$ 15,930.32
Museum	100.35.5111.52314	Museum Exhibits (to Complete Paleo-Indian Exhibit)	\$ 3,764.91	
		Subtotal		\$ 3,764.91
Facilities & Parks	100.37.1139.69917	Future JMP Projects (to Help Fund 2018 Midway Paving Project)	\$ 35,000.00	\$ 35,000.00
Finance Department	100.48.1102.62103	Independent Audit/Accounting (for Additional Audit Expenses)	\$ 11,113.00	
	100.48.1102.62114	Investment Advisor (for Arbitrage Report on 2017A Bond Proceeds)	\$ 4,000.00	
	100.48.1102.62127	Independent Actuary/OPEB (for Biennial OPEB Calculations)	\$ 4,250.00	
		Subtotal		\$ 19,363.00
Total Amount to be Transferred from Unassigned Fund Balance (#100.33101) to Designated for Subsequent Year's Budget (#100.33102)				\$ 455,520.41

**DOOR COUNTY
FINANCE COMMITTEE PROCEDURES/POLICIES**

ISSUE DATE: 03/19/04

STANDARD PROCEDURE

REVISION DATE:

Carryover of Funds from One Year to the Next

Carryover of Funds from One Year to the Next

At the end of a given year, County departments may have monies remaining from their budgets from the closing year. The net effect of all departments at year-end flows directly into the Undesignated Fund Balance. The development of a carryover appropriation policy will improve the financial operation of the County by eliminating various questions and other issues that continually arise. This policy/procedure explains the areas in which the carrying over of these funds from one year into the next year is deemed appropriate and acceptable. The carryover policy/procedures also gives guidance for the process.

Definition:

A carryover is the moving of unused budgeted dollars from one year to the next.

- (1) Carryovers arise when there is a committed contract or project that was budgeted in one year and will not be completed until the following year.
- (2) Carryovers arise when there is no contract, project or purchase commitment at year end but a department wishes to obtain permission to expend unused budget dollars in a succeeding year.

Effects of Carryovers funds:

An approved carryover will be placed in a designated fund "Designated for Subsequent Year Expenditures". The Undesignated Fund Balance will be reduced by the amount being approved for use in the subsequent year.

Designated funds cannot be considerations in the formula for calculation of a possible tax levy offset during the budget process.

Without a policy/procedure, designated funds could create a situation where the annual budget is circumvented by allowing a large number of expenditures to be incurred that are not approved in the annual budget. In the opinion of the external auditors, designated funds of a government should be kept to a minimum.

Carryover Policy Conditions:

- Federal and state funds (or program income) (grants) remain unspent at year-end and are legally required to be spent on a specific program.
- A construction or outlay project is in progress and funds were budgeted in the current year to finance completion of the project.

**DOOR COUNTY
FINANCE COMMITTEE PROCEDURES/POLICIES**

ISSUE DATE: 03/19/04

STANDARD PROCEDURE

REVISION DATE:

Carryover of Funds from One Year to the Next

- A designated fund was established to provide funded depreciation or replacement resources to be used for future outlay purchases or projects (i.e. vehicle replacement designated fund).
- Non-capital outlay items (operations), the amount can be carried over to a like object budget line item. These items must be detailed as to the reason for the carryover.
- Unexpended budgets cannot be simply carried forward unless there is a specific item requested to be rolled over.
- A department may not carry over funding because they feel they will be short in the next year.
- Carryovers must be for a specific item and the request must include an explanation as to why it wasn't budgeted during the budget process.
- Carryovers will be limited to the lesser of the amount requested or the amount available under that budget line item.

Carryover Request Instructions:

Fill out a **Request for Year End Carryover**. This is located on the "P" Drive, Finance, Forms and Template, Year End Carryover Template.

- 1) **Department Name**
- 2) **Oversight Committee approval and date approved, month, day and year**
- 3) **Account** – Include Account Name, Fund, Dept #, Sub-Dept, Account # and Detail account if applicable
- 4) **Amount** – Give the amount of the carryover.
- 5) **Reason for Carryover** – State the specific reason for the carry over request (i.e. what will be purchased or the expenditure)
- 6) **Preparer's Signature**
- 7) **Department Heads Signature**
- 8) **Date**

Submit oversight committee approved request to the Finance Director for verification and inclusion with that years' carryover listings. All approved requests are to be submitted to the Finance Director by the end of the third (3rd) week in March.

AGREEMENT FOR LATERAL EXTENSION OF FIBER OPTIC BACKBONE
[NWTC Learning and Innovation Center in Sister Bay]

This Agreement for Lateral Extension of Fiber Optic Backbone ("Agreement") is made on April 17, 2018, by and between the County of Door ("County"), a body corporate and politic organized and existing under the laws of the State of Wisconsin, with its principal place of business at County Government Center, 421 Nebraska Street, Sturgeon Bay, Wisconsin 54235, and Northeast Wisconsin Technical College ("NWTC"), an institution of higher education, with its principal place of business at 2740 West Mason Street, Green Bay Wisconsin, 54303.

RECITALS

- A. Brown County C-LEC, LLC ("Nsight") has completed a build-out of optical fiber infrastructure ("fiber optic backbone") in the approximate location shown on *Exhibit A*, attached hereto and incorporated herein by reference as if set forth in full.
- B. Reliable high-speed networks (e.g., telecommunications and information technology) are critical to the changing needs of county government operations, with a specific emphasis on public safety, health, culture, recreation, education, convenience, and general welfare.
- C. Reliable high-speed networks (e.g., telecommunications and information technology) are needed by institutions of higher education, for the purpose of carrying out their mission (e.g., providing educational opportunities, teaching and learning, research, and fostering individual development).
- D. This Agreement represents cooperation between, promotes the wise use of resources by, and is of mutual benefit to each party.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are acknowledged, the parties agree as follows:

1. Term/Automatic Renewal.

This Agreement commences on March 27, 2018 (the "Effective Date") and expires on December 31, 2036 (the "initial term"). Thereafter, this Agreement will continue for consecutive five (5) year renewal terms (each a "renewal term") unless either party provides to the other written notice of nonrenewal not less than one hundred and eighty (180) days prior to the end of the initial term or any renewal term. Nonrenewal shall not relieve a party of any obligation incurred hereunder prior to the effective date of termination.

2. Fiber Optic Backbone

Nsight has completed the construction of the fiber optic backbone referenced supra. This fiber optic backbone contains ninety six (96) fibers. County has the right to use six (6) fibers within this fiber optic backbone.

County has entered into a *Fiber Route Agreement, Indefeasible Right of Use Agreement and Maintenance Agreement* with Nsight. This Agreement is subject and subordinate to County's agreements with Nsight.

There is no assurance of continuing performance by Nsight. In case of termination or an uncured event of default under the County's agreements with Nsight, NWTC may endeavor to negotiate and contract directly with Nsight for any of the services to be provided or privileges granted under the County's agreements with Nsight.

3. Lateral

The Lateral contemplated here consists of two (2) strands of fiber and will run from the fiber optic backbone to NWTC Learning and Innovation Center (situated at 72438 S. Bay Shore Drive, Sister Bay, WI 54234) and back as shown on *Exhibit B*, attached hereto and incorporated herein by reference.

4. Construction and Connection of Lateral.

NWTC is responsible for the construction of the Lateral, connection of the Lateral to Learning and Innovation Center facilities as it deems fit, and all related costs. All such work will be done consistent with prevailing telecommunications industry standards.

County will facilitate Nsight's performance of all necessary splicing (at the splice point, identified in *Exhibit C* attached hereto and incorporated herein by reference) on, to, or from the fiber optic backbone to the Lateral. NWTC is responsible for all related costs. Splicing will be done consistent with prevailing telecommunications industry standards.

NWTC will provide the County timely written notice of commencement of construction and completion of the lateral. County will provide NWTC timely written notice of completion of the necessary splicing.

5. Ownership, Maintenance, Repair or Relocation of Lateral.

NWTC:

- a) will own the Lateral; and
- b) is solely responsible for any and all maintenance, repair or relocation of the Lateral.

All such maintenance, relocation or repair will be done consistent with prevailing telecommunications industry standards.

County will facilitate Nsight's performance of all necessary splicing (at the splice point, identified in *Exhibit C*) on, to, or from the fiber optic backbone to the Lateral. NWTC is responsible for all related costs. Splicing will be done consistent with prevailing telecommunications industry standards.

6. Grant of License

NWTC is granted by this Agreement, without the need for a separate grant of license, an indefeasible, non-exclusive license to use two (2) of the County's six (6) fibers within the fiber optic backbone for the purpose of carrying out its mission, including providing educational opportunities, teaching and learning, research, and fostering individual development ... and to provide telecommunication services (e.g., internet access) to authorized on-site guests and visitors. NWTC shall not offer, resell, or otherwise provide telecommunications services to the general public or to any other public or private entity.

7. Services Available from County and Costs to NWTC

NWTC may avail itself of the following services:

- a) Internet Access/Connectivity
- b) Transport to other entities
- c) Redundant/Offsite/Remote Datacenters
- d) Telephony
- e) Filtration/Antivirus/Firewalling
- f) Compute/Server Resources
- g) Storage
- h) Backups
- i) Other?

NWTC will be charged, on a pro-rata or proportional basis, for such services. The charge will include the actual / direct costs plus a reasonable administrative fee.

The cost to NWTC of such services will be determined by the County and disclosed to NWTC in advance.

8. Insurance.

During the full term of this Agreement, at its sole cost and expense, each party shall maintain a policy of comprehensive general liability insurance as follows: one million dollars (\$1,000,000) combined single limit (i.e., up to one million dollars (\$1,000,000) per occurrence for bodily injury or property damage arising out of single loss, with no sub-limits). This coverage must be written on an "occurrence" basis and shall cover all risks incident to any activity of the insured under this Agreement.

Each party shall be named an additional insured under the other's policy. Each party shall provide the other a certificate of insurance evidencing such insurance coverage and additional insured endorsement.

Each party's indemnification liability to the other is not limited by the limits of any insurance coverage.

9. Indemnity.

Subject to the immunities, privileges, and limitations on damages afforded the parties, including those under Sec. 893.80 Wis. Stats., each party agrees to indemnify, defend, protect and save and hold each other (including its directors, officers, agents, representatives and employees) harmless from and against any claim, damage, loss or damage to any property or facilities arising out of or resulting in any way from the acts or omissions to act, negligence or willful misconduct of the indemnifying party, its directors, officers, employees, servants, contractors or agents in connection with the exercise of its rights and obligations under this Agreement.

10. Default and Remedies.

A party shall be in default if it fails to perform any of its obligations under this Agreement, and such failure continues for a period of thirty days after notice from the other party. The foregoing notwithstanding, no cure period shall be afforded for any default based on a failure to maintain required insurance under paragraph 7 above.

11. Relationship of Parties.

Nothing in, or done pursuant to this Agreement shall be construed to create the relationship of employer and employee, principal and agent, partners, or a joint venture between County and NWTC.

12. Force Majeure.

Either party's performance of any part of this Agreement shall be excused to the extent that it is hindered, delayed or otherwise made impractical by reason of flood, riot, fire, explosion, war, acts or omissions of the other party, or any other cause, whether similar or dissimilar to those listed, beyond the reasonable control of that party, provided, however, that relief under this paragraph shall not extend beyond a period of 30 days irrespective of the cause of the failure to perform.

13. Waiver.

No waiver of any breach of any provision of this Agreement shall constitute a waiver of any prior, concurrent or subsequent breach of the same or any other provisions hereof, and no waiver shall be effective unless made in writing and signed by an authorized representative of the waiving party.

14. Good Faith Performance.

The parties shall exercise good faith and make reasonable efforts to fulfill the intent and purposes of this Agreement.

15. Severability.

If any covenant, condition, provision, or term of this Agreement is held to be invalid or unenforceable by a court of competent jurisdiction, the remaining covenants, conditions, provision, or terms of this agreement shall not be affected thereby, but each covenant, condition, provision, or term of this Agreement shall be valid and in force to the fullest extent permitted by law.

16. Contacts

The primary contacts, for purposes of administration of this Agreement are:

County:

Director - Technology Services Department
County Government Center, 421 Nebraska Street, Sturgeon Bay, WI 54235
920.746.5983
jrouer@co.door.wi.us

NWTC:

IIT Director
2740 W. Mason Street, Green Bay, Wisconsin 54304
920.498.6933
karl.reischl@nwtc.edu

17. Notices.

Any notices required or permitted hereunder shall be given in writing and shall be delivered (a) in person, with proof of service (b) by certified mail, postage prepaid, return receipt requested, (c) by registered mail, postage prepaid, with evidence of safe delivery from the U.S. Postal Service or (d) by a commercial overnight courier that guarantees next day delivery and provides a receipt, and such notices shall be addressed as follows:

County:

Attention: County Administrator
County Government Center
421 Nebraska Street, Sturgeon Bay, Wisconsin 54235

NWTC:

Attention: V.P. Business & Finance
NWTC
2740 W. Mason Street, Green Bay, Wisconsin 54304

or to such other address as either party may from time to time specify in writing to the other party. Any notice shall be effective only upon delivery. The foregoing addresses shall be presumed to be valid until notice of a different address for notice is given according to the provisions of his paragraph.

18. Assignment.

Neither party may assign any of their rights or obligations under this Agreement in whole or part without the prior written consent of the other party. Such consent will not be unreasonably withheld.

19. Entire Agreement.

This Agreement sets forth the entire understanding of the parties in regard to the subject matter hereof. No modification or addition of this Agreement shall be effective unless it is reduced to writing and executed by County and NWTC.

20. Interpretation.

This Agreement shall not be subject to the rule of interpretation construing ambiguities against the drafter, this Agreement being the product of the negotiation and drafting by attorneys for both parties.

21. Headings.

Headings in this Agreement are for reference only and are not to be considered substantial provisions.

22. Authorization.

Each person signing this Agreement represents and warrants to the other party that he/she has been duly authorized by all necessary action to execute and deliver this Agreement and bind the party for which they purport to sign to the terms of this Agreement.

23. Counterparts and Signatures.

This Agreement may be signed in counterparts. Facsimile and electronic signatures shall have the same effect as original signatures.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY. SIGNATURE PAGE FOLLOWS.]

IN WITNESS WHEREOF, the parties have caused this Agreement for Lateral Extension of Fiber Optic Backbone to be executed effective on the day and year first written above.

NORTHEAST WISCONSIN TECHNICAL COLLEGE

By: _____
PRINT NAME PRINT TITLE

Sworn and subscribed to before me this ____ day of _____, 2018.

Print Name: _____
Notary Public
My commission is permanent / expires _____.

COUNTY OF DOOR

By: _____
Kenneth Pabich, Door County Administrator

Sworn and subscribed to before me this ____ day of _____, 2018.

Print Name: _____
Notary Public
My commission is permanent / expires _____.



DOOR COUNTY

Resolution No. 2018-32

ESTABLISHING A DOOR COUNTY COMMITTEE FOR 980 PLACEMENTS

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
BULTMAN			
CHOMEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNNAUGSSON			
HALSTEAD			
KOCH			
KOHOUT			
LIENAU			
LUNDAHL			
NEINAS			
NORTON			
ROBILLARD			
SCHULTZ			
VRILEE			
VLIES WOTACHEK			
WAIT			

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Deleted

1st Lienu Deleted

2nd Bacon

Yes: ___ No: ___ Exc: ___

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

FISCAL IMPACT: There is no fiscal impact associated with the adoption of this resolution. MEJ

Certification:

I, JIM M. LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 17th day of April, 2018 by the Door County Board of Supervisors.

[Signature]
JIM M. LAU
County Clerk, Door County

1 WHEREAS, 2017 Wisconsin Act 184 ("Act") was enacted on March 28, 2018,
2 published on March 29, 2018, and effective March 30, 2018); and

3
4 WHEREAS, The Act makes changes related to the supervised release and
5 representation of sexually violent persons (SVP), who are sex offenders civilly committed
6 under Ch. 980, Wis Stats.; and

7
8 WHEREAS, The Act, among other changes, eliminates the ability of a court to place
9 an SVP outside of her or his home county for "good cause," meaning that any residence for
10 an SVP on supervised release must be within the SVP's county of residence; and

11
12 WHEREAS, The Act also requires the SVP's county of residence to form a temporary
13 committee, consisting of the county department under § 51.42, Wis. Stats., a representative
14 of Wisconsin's Department of Health Services, a local probation or parole officer, the county
15 corporation counsel or his or her designee, and a representative of the county that is
16 responsible for land use planning or the department of the county that is responsible for
17 land information, to identify an appropriate residential option for the SVP.

18
19 NOW, THEREFORE BE IT RESOLVED, By the Door County Board of Supervisors
20 that it hereby establishes a temporary committee as provided and for the purposes set forth
21 in § 980.08(4)(dm), Wis. Stats.

22
23 BE IT FURTHER RESOLVED, That this temporary committee shall consist of the
24 Director of Door County's Human Services Department or her/his designee, a
25 representative of the Wisconsin Department of Health Services, a local probation or parole
26 officer, the Door County Corporation Counsel or her/his designee, and the Director of Door
27 County's Land Use Services Department or her/his designee.

28
29 BE IT FURTHER RESOLVED, That this temporary committee will meet on an as-
30 needed basis, is vested with the authority and responsibility set forth in § 980.08(4)(dm),
31 Wis. Stats., and its members are not eligible for compensation or reimbursement under the
32 County's Rules of Order.

SUBMITTED BY: ADMINISTRATIVE COMMITTEE

[Signature]
David Lienau, Chairman

[Signature]
Ken Fisher

[Signature]
Dan Austad

[Signature]
Joel Gunnaugsson

[Signature]
John Neinas

[Signature]
Kathy Schultz

[Signature]
Richard Vrilee



DOOR COUNTY

Resolution No. 2018-33 SUPPORTING A CONSTITUTIONAL AMENDMENT TO ALLOW LIMITS ON CAMPAIGN CONTRIBUTIONS AND CONDUCTING A NON-BINDING STATEWIDE REFERENDUM

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER		X	
GURNLAUGSSON	X		
HALSTEAD	X		
KOCH	X		
KOHOUT	X		
LIENAU		X	
LUNDHIL	X		
NEEDS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VILES WOTACHEK	X		
WALT	X		
	19	2	0

BOARD ACTION
Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted

1st: Koch Debated

2nd: Enigl

Yes: 19 No: 2 Exc: 0

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: There is no fiscal impact associated with the adoption of this resolution. MEJ

Certification:
I, JIM Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of April, 2018 by the Door County Board of Supervisors.

[Signature]
JIM Lau
County Clerk, Door County

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Free and fair elections are essential to democracy and effective self-governance;
2 and

3
4 WHEREAS, The appearance of buying access to candidates or influencing policy, governance,
5 and judicial decisions because of large outsider donations erodes voter confidence in our elections
6 and democracy; and

7
8 WHEREAS, The County of Door has an interest in protecting itself and its citizens against
9 intrusions on local control by mitigating the influence of money and privileged access in state and
10 federal government and elections; and

11
12 WHEREAS, The U.S. Supreme Court's decisions in *Citizens United* and related cases allow
13 unlimited spending by certain groups known as Super-PACs to influence local, state, and federal
14 elections; and

- 15
16 WHEREAS, The above mentioned Supreme Court cases:
- 17 • have granted Corporations, Unions, non-profits, and other man-made entities (such as
 - 18 Super-PACs) the same Constitutional protections given only to individual human beings
 - 19 by the Framers of the Constitution, and;
 - 20 • have declared money to be 'free speech'

21
22 WHEREAS, as of February 15, 2018, 78.9% of Door County municipalities (15/19) have called
23 upon the Door County Board of Supervisors to support their Resolutions Supporting a Constitutional
24 Amendment to Allow Limits on Campaign Contributions and Conducting a Non-Binding Statewide
25 Referendum.

26
27 NOW, THEREFORE, BE IT RESOLVED, that the Door County Board of Supervisors (joining
28 with the 120 Wisconsin communities to date, including 9 other counties) calls upon our elected
29 State Assembly Representative and State Senator and on the Wisconsin State Legislature to
30 hold a non-binding state-wide Referendum asking the voters if they wish the State of
31 Wisconsin to support an Amendment to the United States Constitution stating:

- 32 1. Only human beings are endowed with individual constitutional rights –not corporations,
- 33 unions, non-profits or artificial entities (such as SuperPACs)
- 34
- 35 2. Money is not speech, and therefore limiting political contributions and spending is not
- 36 equivalent to limiting political speech.
- 37

38
39 BE IT FURTHER RESOLVED, That following the Door County resolution, the County Clerk is
40 directed to forward a copy of this resolution to all other counties, the Wisconsin Counties Association,
41 and to our state and federal representatives, including the members of any state committees in which
42 such a referendum or bill resides, with instructions to enact resolutions, referenda, and legislation to
43 advance this effort.

SUBMITTED BY: LEGISLATIVE COMMITTEE

[Signature]
Susan Kohout, Chairman

[Signature]
Helen Bacon

[Signature]
Roy Englebert

[Signature]
David Enigl

[Signature]
Steve Sohns



DOOR COUNTY

Resolution No. 2018-34

**APPOINTMENTS TO COMMITTEES,
COMMISSIONS AND BOARDS**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
BULTMAN			
CHOMEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNNLAUGSSON			
HALSTEAD			
KOCH			
KOHOUT			
LIENAU			
LUNDAHL			
MEINAS			
MORTON			
ROBILLARD			
SCHULTZ			
VIRLEE			
VLES WOTACHEK			
WAIT			

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Deleted

1st: Austad Deleted

2nd: Fisher

Yes: ___ No: ___ Exc: ___

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: There is no fiscal implication with the adoption of this resolution.
MEJ

Certification:

I, JIM M. LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 17th day of April, 2018 by the Door County Board of Supervisors.

[Signature]
Jim M. Lau
County Clerk, Door County

1 **WHEREAS**, Pursuant to § 59.11(1)(c) Wis. Stats. the County
2 Board is to meet on the 3rd Tuesday of each April to organize and
3 transact business. At this meeting the Board may transact any
4 business permitted at the § 59.11 (1)(a) Wis. Stats. annual meeting.
5 This includes the appointment of all boards, commissions, and
6 committees; *and*

7
8 **WHEREAS**, The authority to appoint the members of certain
9 committees of the County Board rests with the Chairperson of the
10 County Board, subject to the confirmation of the County Board; *and*

11
12 **WHEREAS**, § 59.18 Wis. Stats. confers the power to appoint the
13 members of certain boards, commissions and committees upon the
14 County Administrator, subject to the confirmation of the County
15 Board; *and*

16
17 **WHEREAS**, The existing boards, commissions, and committees
18 (including current and proposed members) are set forth in
19 Addendum A, which attached hereto and incorporated herein by
20 reference; *and*

21
22 **WHEREAS**, We submit the following appointments for your
23 consideration and confirmation.

24
25 **NOW, THEREFORE, BE IT RESOLVED**, That the Board of
26 Supervisors hereby confirms the proposed appointments to boards,
27 commissions, and committees as set forth in Addendum A, attached
28 hereto and incorporated herein by reference as if set forth in full.

29
30 **BE IT FURTHER RESOLVED**, That Resolutions No. 2016-31,
31 2016-32, 2016-72, 2016-77, 2017-05, 2017-34, 2017-36, 2017-40,
32 2017-59, 2017-73 and 2018-13 are, to the extent they are
33 inconsistent herewith, superseded.

SUBMITTED BY:

[Signature]
David Lienau, Chairman
Door County Board of Supervisors

[Signature]
Ken Pabich
County Administrator

STANDING COMMITTEES (Expire April 2019)

- 1 **ADMINISTRATIVE (7)**
 2 1. * David Lienau (C)
 3 2. * Ken Fisher
 4 3. * Dan Austad
 5 4. * Joel Gunnlaugsson
 6 5. * Susan Kohout
 7 6. * John Neinas
 8 7. * Nancy Robillard
 9

- 10 **AGRICULTURE & EXTENSION (5)**
 11 1. * Randy Halstead (C)
 12 2. * Bob Bultman
 13 3. * Vinni Chomeau
 14 4. * Nancy Robillard
 15 5. * Linda Wait
 16

- 17 **FACILITIES & PARKS (7)**
 18 1. * Daniel Austad (C)
 19 2. * Helen Bacon
 20 3. * Roy Englebert
 21 4. * Ken Fisher
 22 5. * Randy Halstead
 23 6. * Susan Kohout
 24 7. * Richard Virlee
 25

- 26 **FINANCE (7)**
 27 1. * Kathy Schultz (C)
 28 2. * David Englebert
 29 3. * David Enigl
 30 4. * Susan Kohout
 31 5. * Nancy Robillard
 32 6. * Richard Virlee
 33 7. * Laura Vlies Wotachek
 34

- 35 **HIGHWAY & AIRPORT (5)** (elected for 2-yr term April 2019)
 36 1. * John Neinas (C) (South) Chairman
 37 2. * Joel Gunnlaugsson (North)
 38 3. * Ken Fisher (City)
 39 4. * Roy Englebert (Member at Large)
 40 5. * Randy Halstead (Member at Large)
 41

- 42 **LEGISLATIVE (5)**
 43 1. * Nancy Robillard (C)
 44 2. * Bob Bultman
 45 3. * David Enigl
 46 4. * Kathy Schultz
 47 5. * Linda Wait
 48

- 49 **NEGOTIATING (5)**
 50 1. * David Englebert (C)
 51 2. * Joel Gunnlaugsson
 52 3. * Megan Lundahl
 53 4. * Kathy Schultz
 54 5. * Laura Vlies Wotachek
 55

- PUBLIC SAFETY (7)**
 1. * Joel Gunnlaugsson (C)
 2. * David Englebert
 3. * Roy Englebert
 4. * Jon Koch
 5. * Megan Lundahl
 6. * Kathy Schultz
 7. * Linda Wait

- RESOURCE PLANNING (5)** (Chair Elected)
 1. * Ken Fisher
 2. * Vinni Chomeau
 3. * David Enigl
 4. * Jon Koch
 5. * Richard Virlee

- RISK MANAGEMENT / INSURANCE**
 1. * Richard Virlee (C)
 2. * Bob Bultman
 3. * David Enigl
 4. * Joel Gunnlaugsson
 5. * Jon Koch

- TECHNOLOGY SERVICES (7)**
 1. * David Enigl (C)
 2. * David Englebert
 3. * Roy Englebert
 4. * Jon Koch
 5. * Kathy Schultz
 6. * Richard Virlee
 7. * Linda Wait

Appointed by the County Board Chairperson
 Appointed by the County Administrator
 Elected by County Board or appointed by resolution

* Denotes County Board Supervisors
 First Member is Chairman
 (C) Chairperson Elected by Committee

Back-Up Resolutions:
 2016-31 2016-32 2016-72 2016-77
 2017-05 2017-34 2017-36 2017-40
 2017-59 2017-73 2018-13 2018-34

Updated April 17, 2018

MASTER LIST: Appointments to Committees, Commissions and Boards
STATUTORY, AD HOC & OTHER COMMITTEES, COMMISSIONS, BOARDS

1	BAY LAKE REGIONAL PLANNING COMMISSION REP - 6 yr.		
3	1.*		April 2019
4	2.* ?	(1st Alternate)	April 2019
5	3.* ?	(2nd Alternate)	April 2019
6	4.* ?	(3rd Alternate)	April 2019
7	5.* ?	(4th Alternate)	April 2019

8	BOARD OF HEALTH (8)		
10	1.*	Megan Lundahl (C)	April 2019
11	2.*	Helen Bacon	April 2019
12	3.*	Vinni Chomeau	April 2019
13	4.*	Nissa Norton	April 2019
14	5.*	Laura Vlies Wotachek	April 2019
15	6.	James F. Heise, MD	December 2019
16	7.	Christa Krause	December 2018
17	8.	Mark Moeller	December 2018

18	CIVIL SERVICE COMMISSION – 5 yr. (Elected by CB)		
19	Joe Wautier		December 2022
20	William Larson		December 2019
21	Tim Herlache		December 2020
22	William Brey		December 2021
23	Sharon Haines		December 2018

26	COMMUNICATIONS ADVISORY TECHNICAL SUBCOMMITTEE (April 2019)		
28	1.	* Jon Koch (C) [Public Safety Comm. Rep.]	
29	2.	* David Enigl [TS Comm. Rep.]	
30	3.	EM Director (alternate Cante Gossen) [EM]	
31	4.	Aaron LeClair (alternate _____) [EMS]	
32	5.	Pat McCarty (alternate Steve Delanoele) [DC Sheriff's Dept.]	
33	6.	Arleigh Porter (alternate Tim Dietman) [Sturg, Bay Public Safety]	
34	7.	Greg Diltz (alternate Steve Schopf) [Citizen]	
35	8.	Chris Hecht [Joint Fire Chiefs]	
36	9.	Howie Hathaway (alternate Mike Green) [ARES / RACES]	

38	DOOR COUNTY HOUSING AUTHORITY-5 YR.		
39	1.	Paul Tredeau	December 2022
40	2.	Sandi Soik	December 2018
41	3.	Mary Bink	December 2019
42	4.	Steve Kase	December 2020
43	5.	Julie Dragseth	December 2021
44		Sue Binish, Dir.	

46	ECONOMIC DEVELOPMENT		
47	1.*	Kathy Schultz	December 2019
48	2.*	Helen Bacon	December 2019

54	Appointed by the County Board Chairperson
55	Appointed by the County Administrator
56	Elected by County Board or appointed by resolution

HIGHWAY SAFETY COMMISSION (April 2019)	
1.*	John Neinas (C) (alternate John Kolodziej) (*Hay Chair)
2.	John Kolodziej (alternate Thad Ash)
3.	Steve Delarwelle (alternate Lt. Bob Lauder)
4.	Grant P. Thomas (alt Rod Dequaine, Karyn Behling)
5.	Jake Holtz (alternate: John Sullivan)
6.	Arleigh Porter (alternate: Dan Brinkman)
7.	Aaron LeClair (alternate:)
8.	Chad Shefchik (alternate: Marty Olejniczak)
9.	David Englebert
DOT Appt.:	
	Randy Asman (alternate Chris Blazek)
	Michael Panosh
	Andrew Hyer

HUMAN SERVICES BOARD – 3 yr. ☉ Chair Elected		
1.*	Helen Bacon	December 2020
2.*	Bob Bultman	December 2019
3.*	Megan Lundahl	December 2018
4.*	Nissa Norton	December 2018
5.*	Laura Vlies Wotachek	December 2019
6.	Wayne Kudick	December 2019
7.	Thomas Leist	December 2020
8.	Joe Miller	December 2020
9.	Robert Rau	December 2018

JINGDEZHEN SISTER CITY AD HOC INFORMAL ADVISORY GROUP (Res 2014-50) ...will serve without per diem or expense reimbursement	
1.	* Helen Bacon
2.	* Susan Kohout
3.	* Megan Lundahl
4.	* Laura Vlies Wotachek
5.	Bill Schuster
6.	Bill Chaudoir

LAKE SHORE CAP REP		
1.*	Richard Virlee	April 2019

LAND CONSERVATION COMMITTEE (2 members in common w/Ag & Ext)		
1.*	Ken Fisher (C)	April 2019
2.*	Dan Austad	April 2019
3.*	Vinni Chomeau	April 2019
4.*	Randy Halstead	April 2019
5.*	John Neinas	April 2019
6.*	Richard Virlee	April 2019
7.	Mike Vandenhouten ☉	April 2019
☉ The current chairperson of the County Agricultural Stabilization and Conservation Committee is appointed to the LCC. (Res 2009-16)		

* Denotes County Board Supervisors
First Member is Chairman
☉ Chairperson Elected by Committee

**MASTER LIST: Appointments to Committees, Commissions and Boards
STATUTORY, AD HOC & OTHER COMMITTEES, COMMISSIONS, BOARDS**

LAND INFORMATION COUNCIL
[Statutory, created per Resolution 2010-63]

- 1 Tom Haight, GIS Specialist
- 2 * David Enigl, County Board Supervisor
- 3 Jason Rouer, Director of Technology Services
- 4 Carey Petersilka, Register of Deeds
- 5 Jay Zahn, Treasurer
- 6 Holly Hansen, Real Property Lister
- 7 Brian Frisque, Registered Land Surveyor
- 8 Bob Starr, Realtor and/or Realtor Assoc. Member
- 9 Aaron LeClair, EMS Director

LIBRARY BOARD – 3 yr. 0 (President Elected)

1. Robert Dickson (President) December 2018
 2. Bridget Bowers (Vice Pres.) December 2020
 3. * Megan Lundahl April 2019
 4. * Nissa Norton April 2019
 5. Mary Jackson December 2018
- City:
6. Kelly Catarozili (Secretary) April 2019
 7. Laurel Hauser April 2019

LOCAL ELECTED OFFICIALS

1. * Richard Virlee

LOCAL EMERGENCY PLANNING COMM. (LEPC)

1. Tim Dielman, Co-Chair Emergency Response Agency – SB Fire Dept. April 2019
2. EM Director, Co-Chair Emergency Response Agency – DC EM April 2019
3. * Susan Kohout Local Elected Official – Door County Board April 2019
4. Aaron LeClair, Secretary Emergency Response Agency – DC EMS April 2019
5. Pal McCarty Emergency Response Agency – DC Sheriff Dept April 2019
6. Carrie Gossen Emergency Response Agency – DC Dispatch April 2019
7. Rhonda Kolberg Emergency Response Agency – DC Public Health April 2019
8. Haley Adams Local Elected Official – Balleys Harbor Town Board April 2019
9. Curt Vandertle Emergency Response Agency – B.U.G. Fire April 2019
10. Howie Hathaway Community Group Rep – Amateur Radio April 2019
11. Pete Devlin Broadcast/Print Media April 2019
12. Arleigh Porter Emergency Response Agency – SB Police Dept. April 2019
13. Nick Cluppert Community Group Rep. – Red Cross April 2019
14. Tom Carow Facility Rep – Bay Shipbuilding April 2019
15. Dan Brinkman (Alternate) Emergency Response Agency – SBPD April 2019
16. Glenn Nelson (Alternate) Facility Rep – Bay Shipbuilding April 2019

MUSEUM - ARCHIVES

1. * Linda Wait (C) April 2019
2. * Dan Austad April 2019
3. * Helen Bacon April 2019
4. * David Englebert April 2019
5. * Ken Fisher April 2019
6. * Joel Gunnlaugsson April 2019
7. * Susan Kohout April 2019

NICOLET FEDERATED LIBRARY BOARD (3 yr)

1. Miriam Erickson December 2018

PACE REPRESENTATIVE
(per Resolution 2017-42)

1. * David Enigl

SECURITY & FACILITIES COMMITTEE REP.
(Wis. Supreme Court Rules, SCR 68.05)

1. * Laura Vlies Wotachek (CB Chair or their designee)

VETERANS SERVICE COMMISSION – 3 yr.

- | | |
|--------------------|---------------|
| 1. Kenneth Wendt | December 2018 |
| 2. John G. Schlise | December 2019 |
| 3. Bill Becker | December 2020 |

WI DEVELOPMENT FUND GRANT - LOAN REVIEW COMMITTEE

1. * Laura Vlies Wotachek
2. Leslie Gast
3. Sandy Hurley
4. Matt Nichols
5. Vicki Stangel

ZONING BOARD OF ADJUSTMENT – 3 yr.

1. Lars Johnson June 2018
2. John Young June 2018
3. Fred Frey June 2020
4. Bob Ryan June 2020
5. Aric Weber June 2019

Alternate:

1. Monica Nelson (1st Alternate) June 2020
2. Chris Anderson (2nd Alternate) June 2019

DOOR COUNTY HISTORIAN
George Evenson (resolution 2005-89)

DOOR COUNTY POET LAUREATE

- Sharon Auberle (resolution 2017-17) April 2019

Appointed by the County Board Chairperson
Appointed by the County Administrator
Elected by County Board or appt. by resolution

* Denotes County Board Supervisors
First Member is Chairman
0 Chairperson Elected by Committee

**MASTER LIST: Appointments to Committees, Commissions and Boards
STATUTORY, AD HOC & OTHER COMMITTEES, COMMISSIONS, BOARDS**

1 **AGING & DISABILITY RESOURCE CENTER**
2 **ADVISORY BOARD** ① **Chair Elected**
3 *Per bylaws 2.2.3 "No member may serve more than 2*
consecutive full terms." A full term is defined as 3 years.

- 4 1. * Helen Bacon (HS Board Rep) April 2021
- 5 2. Christine Anderson April 2021
- 6 3. Michael Green April 2021
- 7 4. Tom Krueck April 2020
- 8 5. Carol Moellenberndt April 2020
- 9 6. Lucille Kirkegaard April 2020
- 10 7. Melissa Wolfe April 2019
- 11 8. Judy Larson April 2019
- 12 9. Tami Leist April 2019

14 **NUTRITION ADVISORY COUNCIL – 3 YR.** *Pursuant to*
15 *the Wisconsin Elders Act and Federal Older American Act*

- 16 1. * Megan Lundahl (HS Board Rep) April 2019
- 17 2. Michael Green April 2019
- 18 3. Jenny Spude April 2019
- 19 4. Lynn Ballendux April 2020
- 20 5. Susan Clemens April 2020
- 21 6. Carmen Schroeder April 2021
- 22 7. Christine Anderson April 2021

24 **CCS/CST COORDINATING COMMITTEE**
25 *(Resolution 2016-31 and 2016-72)*

- 26 1. Mark Moeller, Chairperson
- 27 2. Beth Chisholm
- 28 3. vacant (CCS Manager)
- 29 4. Dori Goddard
- 30 5. Ann Smejkal
- 31 6. Kathie Birmingham
- 32 7. Martha Neigel
- 33 8. Seth Wiederanders
- 34 9. vacant
- 35 10. Barb Snow
- 36 11. Sandy Hilmer
- 37 12. Leslie Boden
- 38 13. Rebecca Davis
- 39 14. Christopher Miotke (youth member)

41 **CHILDREN'S COP ADVISORY COMMITTEE**
42 *(Resolution 2016-31 and 2016-72)*

- 43 1. Mark Moeller, Chairperson
- 44 2. Beth Chisholm
- 45 3. Ann Smejkal
- 46 4. Kathie Birmingham
- 47 5. Katie Van Laanen
- 48 6. Antonio Sorenson
- 49 7. Leslie Boden
- 50 8. Rebecca Davis

DOOR COUNTY CRIMINAL JUSTICE
COLLABORATING COUNCIL (Res. 2018-21)
...will serve without per diem or expense reimbursement

- Circuit Court Judges for Door County
- County Administrator
- Chair – Law Enforcement Committee
- Sheriff
- Jail Administrator
- Chief of Police
- District Attorney
- State Public Defender
- Departments of Corrections Field Supervisor
- Department of Human Services Director
- Rep of a substance abuse treatment provider
- Rep from a private social services agency

Additional members may be appointed as the Council deems appropriate. Council member may designate another competent person to represent him or her and vote at Council meetings.

Committees no longer in existence:



LONG TERM SUPPORT PLANNING COMMITTEE

CCS (Comprehensive Community Services)
COORDINATING COMMITTEE (Res 2014-31)

- With the implementation of Family Care in Door County, there is no longer need for the §§ 46.27(3) & (4), Wis. Stats. Long Term Support Planning Committee, so the Long Term Support Planning Committee will cease to exist effective April 19, 2016.
- With the implementation of Family Care in Door County, there is no longer need for the §§ 46.985(3), Wis. Stats. Family Support Advisory Committee, so the Family Support Advisory Committee will cease to exist effective April 19, 2016.
- The Comprehensive Community Services ("CCS") Coordinating Committee and the Coordinated Services Teams ("CST") Coordinating Committee will be merged into a single 13 member CCS CST Coordinating Committee.

-GLACIERLAND RESOURCE, CONSERVATION & DEVELOPMENT COUNCIL, INCORPORATED

(Door County is no longer an area sponsor)

AD HOC FAIR STUDY COMMITTEE

(Res. 2012-69 and Res. 2012-86 Voluntary basis)

Final Report presented February 2014

AD HOC EMS STUDY COMMITTEE

(County Board authorized creation at 12/16/14 mtg.)

Final Report presented May 11, 2015

Appointed by the County Board Chairperson

Appointed by the County Administrator

Elected by County Board or appointed by resolution

* Denotes County Board Supervisors

First Member is Chairman

① Chairperson Elected by Committee



DOOR COUNTY

**Resolution No. 2018-35
APPROVAL OF GIFT, GRANT AND/OR DONATION TO THE
FACILITIES AND PARKS DEPARTMENT**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
BULTMAN	✓		
CHOMEAU	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL			✓
FISHER	✓		
GUNNLAUGSSON	✓		
HALSTEAD	✓		
KOCH	✓		
KOHOOT			✓
LIENAU	✓		
LUNDAHL			✓
NEENAS	✓		
NORTON	✓		
ROBILLARD	✓		
SCHULTZ	✓		
VIRLEE	✓		
VLJES WOTACHEK	✓		
WALT	✓		
	18	0	3

BOARD ACTION
Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted Defeated

1st Austad 2nd Halstead

Yes: 18 No: 0 Exc: 3

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

FISCAL IMPACT: The donated funds will be used for the specified purpose; no additional County funds are required because of the acceptance of this donation. MEJ

Certification:
I, Jill M. Leu, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 22nd day of May, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Leu
County Clerk, Door County

1 **WHEREAS**, Sec. 59.52(19) Wis. Stats. empowers the County Board to
2 accept donations, gifts, or grants of money for any public governmental
3 purpose within the powers of the County; and

4 **WHEREAS**, Resolution 75-84 entitled "Gifts, Grants & Donations to the
5 County of Door" requires approval of the Door County Board of
6 Supervisors, for acceptance of all donations, gifts, and grants whether in
7 the form of money, or personal or real property; and

8 **WHEREAS**, Rule of Order # 38, entitled "Donations, Gifts or Grants",
9 authorizes an oversight committee to accept donations, gifts or grants;
10 requires County Board be provided notice of any donation, gift or grant in
11 excess of \$1,000 prior to acceptance; and requires that an itemized report
12 of all donations, gifts or grants shall be submitted to the county board on
13 an annual basis; and

14 **WHEREAS**, Sturgeon Bay Bass Open Tournament LLC has made a
15 \$3,617.69 donation to the Door County Facilities and Parks Department for
16 improvements to Robert M. Carmody Park to provide better accessibility
17 and fishing opportunities for persons with disabilities; and

18 **WHEREAS**, The Facilities and Parks Committee has voted to accept
19 the aforesaid donation.

20 **NOW THEREFORE, BE IT RESOLVED**, That the Door County Board
21 of Supervisors does hereby accept the donation of \$3,617.69 for
22 improvements to Robert M. Carmody Park to provide better accessibility
23 and fishing opportunities for persons with disabilities.

24 **BE IT FURTHER RESOLVED**, That the aforesaid donation shall be
25 administered by the Door County Facilities and Parks Department, subject
26 to oversight by the Facilities & Parks Committee.

**SUBMITTED BY:
Facilities & Parks Committee**

[Signature] [Signature]
Dan Austad, Chairperson Randy Halstead

[Signature] [Signature]
Helen Bacon Susan Kohout

[Signature] [Signature]
Roy Englebert Richard Virlee

[Signature]
Ken Fisher



DOOR COUNTY

Resolution No. 2018-36

**NON-COMMERCIAL HANGAR SITE LEASE AGREEMENT
RANDY ROSE #14 & 15 WESLEY HAKARI #16**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL			X
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH	X		
KOHOUT			X
LIENAU	X		
LUNDAHL			X
NEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VILJES WOTACHEK	X		
WAIT	X		
	18	0	3

BOARD ACTION

Vote Required: Majority Vote of Total Membership

Motion to Approve Adopted Defeated

1st Neinas 2nd Fisher

Yes 18 No 0 Exc. 3

Reviewed by:

[Signature] Corp. Counsel

[Signature] Administrator

FISCAL IMPACT: The fiscal impact would be the certainty of revenues for a given period of time. Lease revenues to be recorded in the year of service. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 22nd day of May, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

1 **WHEREAS**, Rule No. 34 of the Rules of Order provides, in
2 pertinent part, that "...(a)ny contract with a term in excess of three (3)
3 years is subject to review and approval by the County Board..."; and
4

5 **WHEREAS**, Private and Public concerns have been reluctant to
6 construct or operate private non-commercial hangars at the Door
7 County Cherryland Airport; and
8

9 **WHEREAS**, The Highway & Airport Committee deems the
10 presence of non-commercial hangars at the Door County Cherryland
11 Airport to be advantageous to the Airport; and
12

13 **WHEREAS**, The Highway & Airport Committee believes it is
14 reasonable and necessary to offer multi-year non-commercial
15 hangar site lease agreements as an incentive to stimulate the growth
16 and development of the Door County Cherryland Airport.
17

18 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County
19 Board of Supervisors does hereby give approval to the Highway &
20 Airport Committee to enter into a 10 year non-commercial hangar
21 site lease agreement, with a 10 year renewal clause, for the parcel(s)
22 of land on which Building No. 14, 15, & 16 have been constructed.

**SUBMITTED BY:
Highway and Airport Committee**

[Signature] John Neinas, Chairperson [Signature] Joel Gunnlaugsson

[Signature] Roy Englebert [Signature] Randy Halstead

[Signature] Ken Fisher



DOOR COUNTY

**Resolution No. 2018-37
HIGHWAY & AIRPORT DEPARTMENT
PURCHASE OF PORTABLE 400 KW GENERATOR**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Abs	Not	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	✓		
CHOMEAU	✓		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL			X
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH	X		/
KOHOUT			X
LLENAU	X		
LUNDHL			X
NEINAS	✓		
NORTON	✓		
ROBILLARD	✓		
SCHULTZ	✓		
VIRLEE	✓		
VILIES WOTACHEK	✓		
WAIT	✓		
	18	0	3

BOARD ACTION

Vote Required: Two Thirds of Entire Membership

Motion to Approve: Adopted Deleted

1st: John Neinas Deleted

2nd: Joel Gunnlaugsson

Yes: 18 No: 0 Exc: 3

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: Funding will come entirely from savings in the 2018 Highway Department Capital Equipment Plan and from Highway Department retained earnings; no transfer of funds is needed from the General Fund Unassigned Fund Balance or any other fund. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 22nd day of May, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

1 **WHEREAS**, In accordance with Section 65.90(5)(a) Wisconsin Statutes and
 2 Rules of Order #19 the amounts of the various appropriations and the purposes
 3 for such appropriations stated in a budget may not be changed unless authorized
 4 by a vote of two-thirds of the entire membership of the County Board of
 5 Supervisors; and
 6
 7 **WHEREAS**, The Highway & Airport Department's thirty eight (38) year old
 8 portable generator, necessary for ongoing operations (e.g., crushing), recently
 9 suffered a mechanical breakdown requiring an evaluation to repair or replace the
 10 existing unit; and
 11
 12 **WHEREAS**, On May 14, 2018 the Highway & Airport Committee reviewed
 13 options and decided to replace the existing failed unit with a used portable
 14 generator ... and recommends purchase of a 2006 Caterpillar XQ400 - \$98,000,
 15 from the Fabick Equipment Company; and
 16
 17 **WHEREAS**, Funds were not specifically appropriated for this purpose in the
 18 2018 budget; and
 19
 20 **WHEREAS**, Sufficient funding is available from the 2018 Highway & Airport
 21 Department 2018 capital equipment plan and also from the internal service fund.
 22
 23 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board of
 24 Supervisors does hereby authorize the appropriation of \$98,000 for purchase of a
 25 2006 Caterpillar XQ400 - \$98,000, from the Fabick Equipment Company by the
 26 Door County Highway & Airport Department.

SUBMITTED BY:

HIGHWAY & AIRPORT COMMITTEE **FINANCE COMMITTEE**

[Signature] John Neinas, Chair [Signature] Kathy Schultz, Chair

[Signature] Joel Gunnlaugsson [Signature] David Englebert

[Signature] Ken Fisher _____ David Enigl

[Signature] Roy Englebert _____ Susan Kohout

[Signature] Randy Halstead [Signature] Nancy Robillard

_____ [Signature] Richard Virlee

_____ [Signature] Laura Vilies Wotachek



DOOR COUNTY

Resolution No. 2018-38

APPOINTMENTS TO COMMITTEES, COMMISSIONS & BOARDS

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

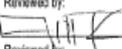
ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
BULTMAN			
CHOMEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNNLAUGSSON			
HALSTEAD			
KOCH			
KOIHOUT			
LIENAU			
LUNDAHL			
NEINAS			
NORTON			
ROBILLARD			
SCHULTZ			
VIRLEE			
VLIES WOTACHEK			
WATT			

1 **WHEREAS**, Pursuant to Section 59.18(2)(c) Wisconsin
2 Statutes, the duties and powers of a County Administrator include
3 appointment of "...the members of all boards and commissions
4 where the statutes provide that such appointment shall be made by
5 the county board or by the chairperson of the county board"; and
6
7 **WHEREAS**, "All appointments to boards and commissions by
8 the County Administrator shall be subject to the confirmation of the
9 County Board" per Section 59.18(2)(c), Wisconsin Statutes; and
10
11 **WHEREAS**, The Rules of Order confers the power to appoint
12 the members of certain committees upon the Chairperson of the
13 County Board, subject to the confirmation of the County Board; and
14
15 **WHEREAS**, The appointments set forth on Exhibit A, attached
16 hereto and incorporated herein by reference, are submitted for
17 County Board confirmation.
18
19 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County
20 Board of Supervisors hereby confirms the proposed appointments as
21 set forth in Exhibit A

BOARD ACTION

Vote Required: Majority Vote of a Quorum

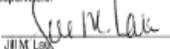
Motion to Approve Adopted
1st: Fisher Deleted
2nd: Koch
Yes: _____ No: _____ Exc: _____

Reviewed by:
 , Corp. Counsel
Reviewed by:
 , Administrator

FISCAL IMPACT: There is no additional fiscal implication with the adoption of this resolution. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 22nd day of May, 2017 by the Door County Board of Supervisors.


Jill M. Lau
County Clerk, Door County

SUBMITTED BY:



David Lienau, Chairman
Door County Board of Supervisors



Ken Pabich
County Administrator

Recommended Appointments to Committees, Commissions and Boards

TERM ENDS

ZONING BOARD OF ADJUSTMENT – 3 YR. (County Administrator Appointment)

John Young (Renewed appointment, Regular member).....	June 2021
Monica Nelson (Appointment as Regular Member)	June 2021
Lars Johnson (Appointment as First Alternate)	June 2020

2018 Board of Adjustment (BOA) Appointee Information

Wisconsin State Statute Requirements for BOA Appointees

- The BOA shall be comprised of no less than three and no more than five regular members, plus two alternates. (The Door County BOA is five members, per county board resolution.)
- All BOA members must be Door County town residents. Village or city residency not allowed.
- No two BOA members (including regular and alternate) may live in the same town.
- Terms are for three years, beginning July 1.
- Appointments are made by county administrator, subject to confirmation of the county board.
- The BOA chooses its own chair.

John Young – Renewed Appointment as Regular Member

- Three-year term
- BOA first alternate starting in 2010 (completing someone else's term remainder); renewed appointment as first alternate in 2011; appointed in 2012 as regular member
 - Participation in many dozens of hearings
 - Proven ability to apply required legal criteria to cases
 - Regularly attends training/educational sessions
- Resident of Town of Gibraltar
 - Qualifies him for membership as no other Gibraltar residents are on BOA
 - Town is under county zoning
 - Northern Door
 - Residency and schedule allows participation on twice-monthly Tuesday evenings year-round for three-year term
- Retired; former development consultant/coordinator for Clem Hedeen

Lars Johnson – Appointment as First Alternate

- Term ends 2020 (completing Monica Nelson's First Alternate term)
- BOA regular member since 1984
 - Participation in thousands of hearings
 - Proven ability to apply required legal criteria to cases
 - Regularly attends training/educational sessions
- Resident of Town of Liberty Grove
 - Qualifies him for membership as no other Liberty Grove residents are on BOA
 - Town is under county zoning
 - Northern Door
 - Residency and schedule allows participation on twice-monthly Tuesday evenings year-round for term remainder
- Co-owner/manager of his family's restaurant, Al Johnson's Swedish Restaurant in Sister Bay

Monica Nelson – Appointment as Regular Member

- Three-year term
- BOA regular member 2000-2011; First Alternate member 2017-2018
 - Estimated participation in over 300 hearings
 - Proven ability to apply required legal criteria to cases
 - Regularly attends training/educational sessions
- Resident of Town of Forestville
 - Qualifies her for membership as no other Forestville residents are on BOA
 - Town is under county zoning
 - Southern Door
 - Residency and schedule allows participation on twice-monthly Tuesday evenings year-round for three-year term
- Current Forestville Plan Commission member
- Retired teacher and school administrator; currently field agent for national vegetable grower

Note: Other regular members of the BOA are Fred Frey, Egg Harbor; Bob Ryan, Clay Banks; and Eric Weber, Nasowaupee. Chris Anderson, Jacksonport, is Second Alternate.



DOOR COUNTY

Resolution No. 2018-39

**NON-COMMERCIAL HANGAR SITE LEASE AGREEMENT
JULIE VANDERMEERSCH #18 AND PAUL CARMODY #61**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH			X
KOHOUT	X		
LIENAU	X		
LUNDAHL	X		
NEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VILIES WOTACHEK	X		
WAIT	X		

BOARD ACTION

Vote Required: Majority Vote of Total Membership

Notice to Approve: Adopted:

1st Neinas abstained

2nd Englebert

Yes 26 No 0 Exc: 1

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: The fiscal impact would be the certainty of revenues for a given period of time. Lease revenues to be recorded in the year of service.
MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 26th day of June, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

1 **WHEREAS**, Rule No. 34 of the Rules of Order provides, in
2 pertinent part, that "...(a)ny contract with a term in excess of three (3)
3 years is subject to review and approval by the County Board..."; and
4
5 **WHEREAS**, Private and Public concerns have been reluctant to
6 construct or operate private non-commercial hangars at the Door
7 County Cherryland Airport; and
8
9 **WHEREAS**, The Highway & Airport Committee deems the
10 presence of non-commercial hangars at the Door County Cherryland
11 Airport to be advantageous to the Airport; and
12
13 **WHEREAS**, The Highway & Airport Committee believes it is
14 reasonable and necessary to offer multi-year non-commercial
15 hangar site lease agreements as an incentive to stimulate the growth
16 and development of the Door County Cherryland Airport.
17
18 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County
19 Board of Supervisors does hereby give approval to the Highway &
20 Airport Committee to enter into a 10 year non-commercial hangar
21 site lease agreement, with a 10 year renewal clause, for the parcel(s)
22 of land on which Buildings No. 18 & 61 have been constructed.

SUBMITTED BY:
Highway and Airport Committee

[Signature] John Neinas, Chairperson
[Signature] Joel Gunnlaugsson
[Signature] Roy Englebert
[Signature] Randy Halstead
[Signature] Ken Fisher



Resolution No. 2018-40

WASHINGTON ISLAND'S EMERGENCY SERVICES PROGRAM

DOOR COUNTY

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	May	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHONEAU	V		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENGL	X		
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH			X
KOHOUT	X		
LIENAU	X		
LUNDAHL	X		
NEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VILIES WOTACHEK	X		
WAIT	X		

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Defeated

1st Gunnlaugsson
2nd Kohout

Yes: 20 No: 0 Exc: 1

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

FISCAL IMPACT: While there will be additional costs to County of Door to improve and develop a new site and building in the future, there is no additional fiscal impact beyond what is presently budgeted to maintain the status quo. MEJ

Certification:

I, JILL M. LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 29th day of June, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

1 WHEREAS, The County of Door ("County") and the Town of Washington
2 ("Town") have long worked cooperatively to establish and maintain an emergency
3 medical services program on Washington Island; and

4
5 WHEREAS, That this intergovernmental cooperation is both authorized and
6 necessary to ensure that Washington Island's emergency medical services
7 program is sustainable long-term; and

8
9 WHEREAS, The existing facilities (121 Airport Road) from which Washington
10 Island's emergency services program operates are 70 years old, are jointly used
11 (i.e., also house the Town's Fire Department), are over-burdened, and in need of
12 renovation or replacement to keep pace with current demands and anticipated
13 future needs; and

14
15 WHEREAS, The parcel upon which the existing facilities are situated is simply
16 too small to contain all of the current uses, accommodate expansion, or meet
17 anticipated future demands; and

18
19 WHEREAS, The County and Town each recognize that they should continue
20 to work collaboratively to provide effective police, emergency and fire services on
21 Washington Island; and

22
23 WHEREAS, Maintaining the status quo, while a new site is found and the
24 alternative facilities are ready for use, is imperative to the effective ongoing
25 operations of Washington Island's emergency services program; and

26
27 WHEREAS, This investment of time and resources, in Washington Island's
28 emergency services program, furthers and serves the interests of both the County
29 and Town.

30
31 NOW, THEREFORE, BE IT RESOLVED, By the Door County Board of
32 Supervisors that Door County should work collaboratively with the Town of
33 Washington to identify, obtain and develop alternative facilities from which
34 Washington Island's emergency services program will operate prospectively.

35
36 BE IT FURTHER RESOLVED, That, until alternative facilities are ready for
37 use, the status quo should be maintained with respect to Washington Island's
38 existing emergency services program.

39
40

SUBMITTED BY:
Public Safety Committee

[Signature] Joel Gunnlaugsson, Chairperson
[Signature] Megan Lundahl
[Signature] David Englebert
[Signature] Kathy Schultz
[Signature] Roy Englebert
[Signature] Linda Wait

Jon Koch



DOOR COUNTY

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH			X
KOHOUT	X		
LIENAU	X		
LUNDAHL	X		
NEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VLEES WOTACHEK	X		
WAIT	X		

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st Gunnlaugsson Debated

2nd Koch

Yes: 20 No: 0 Exc: 1

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: This grant requires no matching funds from Door County. While revenues and expenses will both increase by \$80,000 each in 2018 and 2019, there is no effect on either tax levy or fund balance as a result of approving this resolution. MEJ

Certification:

I, Jim Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 26th day of June, 2018 by the Door County Board of Supervisors.

[Signature]
Jim Lau
County Clerk, Door County

**Resolution No. 2018-41
APPROVAL OF GIFT, GRANT AND/OR DONATION TO THE
DOOR COUNTY SHERIFF'S OFFICE**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, Section 59.52(19) Wis. Stats. empowers the County Board
2 to accept donations, gifts, or grants of money for any public governmental
3 purpose within the powers of the County; and
4

5 **WHEREAS**, Resolution 75-84 entitled 'Gifts, Grants & Donations to the
6 County of Door' requires approval of the Door County Board of
7 Supervisors, for acceptance of all donations, gifts, and grants whether in
8 the form of money, or personal or real property; and
9

10 **WHEREAS**, Rule of Order # 38, entitled 'Donations, Gifts or Grants',
11 authorized an oversight committee to accept donations, gifts or grants;
12 requires County Board be provided notice of any donation, gift or grant in
13 excess of \$1,000 prior to acceptance; and requires that an itemized report
14 of all donations, gifts or grants shall be submitted to the county board on
15 an annual basis; and
16

17 **WHEREAS**, The State of Wisconsin, Department of Justice, Treatment
18 Alternatives & Diversion (TAD) Program, has offered \$160,000 (\$80,000
19 from 6/1/18-12/31/18 and \$80,000 from 1/1/19-12/31/19) grant to the Door
20 County Sheriff's Office for a Pre-Booking Diversion Pilot Program; and
21

22 **WHEREAS**, The Public Safety Committee has voted to accept the
23 aforesaid grant.
24

25 **NOW THEREFORE, BE IT RESOLVED**, That the Door County Board
26 of Supervisors does hereby approve the acceptance of the grant of cash
27 valued at \$160,000 to the Door County Sheriff's Office for purposes of
28 funding a Pre-Booking Diversion Pilot Program.
29

30 **BE IT FURTHER RESOLVED**, That the aforesaid grant and donation
31 shall be administered by the Door County Sheriff's Office, subject to
32 oversight by the Public Safety Committee.

**SUBMITTED BY:
Public Safety Committee**

[Signature]
Joel Gunnlaugsson, Chairperson

[Signature]
David Englebert

[Signature]
Roy Englebert

[Signature]
Megan Lundahl

[Signature]
Kathy Schultz

[Signature]
Linda Wait

Jon Koch



DOOR COUNTY

ROLL CALL Board Members	Ayo	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNLAUGSSON	X		
HALSTAD	X		
KOCH			X
KOHOUT	X		
LIENAU	X		
LUNDHAL	X		
NEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
WIRLEE	X		
VLIES WOTACHEK	X		
WATT	X		

BOARD ACTION

Vote Received: Two Thirds of Entire Membership

Motion to Approve: Adopted Deleted

1st: Schultz
2nd: Robillard

Yes: 20 No: 0 Exc: 1

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: The fiscal impact is a decrease of up to \$20,000.00 to the Contingency Expense account, which would leave a balance of \$300,373.61 in this account. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 26th day of June, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

**Resolution No. 2018-42
TRANSFER OF NON-BUDGETED FUNDS
EMERGENCY MANAGEMENT & COMMUNICATIONS**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, In accordance with Section 65.90(5)(a), Wisconsin Statutes
2 and Rule of Order #19 the amounts of the various appropriations and the
3 purposes for such appropriations stated in a budget may not be changed
4 unless authorized by a vote of two-thirds of the entire membership of the
5 County Board of Supervisors; and

6
7 **WHEREAS**, The Public Safety Committee has considered the matter and
8 deems it necessary to acquire a vehicle for use by Door County's Emergency
9 Management and Communications Director; and

10 **WHEREAS**, Funds were not appropriated for this purpose in the 2018
11 budget; and

12
13 **WHEREAS**, The Finance Committee is recommending that up to
14 \$20,000.00 be transferred from the Contingency Expense account,
15 #100.06.1161.59103, to the Emergency Services Capital Outlay Expense
16 account, #100.29.2112.69901.

17
18
19 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board of
20 Supervisors does hereby approve the transfer of up to \$20,000.00 from the
21 Contingency Expense account, #100.06.1161.59103, to the Emergency
22 Services Capital Outlay Expense account, #100.29.2112.69901 for the
23 purpose of acquiring a vehicle for use by Door County's Emergency
24 Management and Communications Director

SUBMITTED BY: FINANCE COMMITTEE

[Signature] Kathy Schultz, Chair
[Signature] Nancy Robillard
[Signature] David Englebert
[Signature] Richard Virlee
[Signature] David Enigl
[Signature] Laura Vlies Wotachek
[Signature] Susan Kohout



DOOR COUNTY

Resolution No. 2018-43

TRANSFER OF NON-BUDGETED FUNDS
DOOR COUNTY SHERIFF'S DEPARTMENT

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members table with columns: Name, Aye, Nay, Exc. Rows include AUSTAD, BACON, BULTMAN, CHOMEAU, D. ENGLEBERT, R. ENGLEBERT, ENIGL, FISHER, GUNNLAUGSSON, HALSTEAD, KOCH, KOHOUT, LIENAU, LUND AHL, MEINAS, NORTON, ROBILIARD, SCHULTZ, VIRLEE, VLIES WOTACHEK, WAIT.

BOARD ACTION

Vote Required: Two Thirds of Entire Membership

Motion to Approve Adopted [X]
1st: Schultz Defeated []
2nd: Virlee
Yes: 20 No: 4 Exc: 1

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

FISCAL IMPACT: The fiscal impact is a decrease of up to \$24,000.00 in the Sheriff's Department Vehicle Replacement Reserve account, which leaves a balance \$408,767.96 in this account. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 26th day of June, 2018 by the Door County Board of Supervisors.

[Signature] Jill M. Lau County Clerk, Door County

1 WHEREAS, in accordance with Section 65.90(5)(a), Wisconsin Statutes
2 and Rule of Order #19 the amounts of the various appropriations and the
3 purposes for such appropriations stated in a budget may not be changed
4 unless authorized by a vote of two-thirds of the entire membership of the
5 County Board of Supervisors; and

6 WHEREAS, a Sheriff's Department vehicle was damaged beyond
7 practicable repair as a result of an impact with a deer; and

8 WHEREAS, this vehicle was slated for replacement in the 2019 Vehicle
9 Replacement Program; and

10 WHEREAS, The Public Safety Committee has considered the matter and
11 deems it necessary to acquire a replacement vehicle for use by the Sheriff's
12 Department; and

13 WHEREAS, Funds were not appropriated for this purpose in the 2018
14 budget; and

15 WHEREAS, The Finance Committee is recommending that up to
16 \$24,000.00 be transferred from the Sheriff's Department Vehicle Replacement
17 Reserve account, #100.32113.00028, to the Sheriff's Department Vehicle
18 Replacement Purchase Expense account, #100.28.2101.69910.

19 NOW, THEREFORE, BE IT RESOLVED, That the Door County Board of
20 Supervisors does hereby approve the transfer of up to \$24,000.00 from the
21 Sheriff's Department Vehicle Replacement Reserve account,
22 #100.32113.00028, to the Sheriff's Department Vehicle Replacement
23 Purchase Expense account, #100.28.2101.69910 for the purpose of acquiring
24 a replacement vehicle for use by Door County's Sheriff's Department.

SUBMITTED BY: FINANCE COMMITTEE

[Signature] Kathy Schultz, Chair

[Signature] David Englebert

[Signature] David Enigl

[Signature] Susan Kohout

[Signature] Nancy Robilliard

[Signature] Richard Virlee

[Signature] Laura Vlies Wotachek



DOOR COUNTY

Resolution No. 2018-44

**STATEMENT OF PROJECT INTENTIONS FOR
DOOR COUNTY CHERRYLAND AIRPORT**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
BULTMAN			
CHOPEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNNLAUGSSON			
HALSTEAD			
KOCH			
KOHOOT			
LIENAU			
LUNDAHL			
NEINAS			
NORTON			
ROBILLIARD			
SCHULTZ			
VIRLEE			
VLIJES WOTACHEK			
WATT			

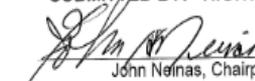
1 **WHEREAS**, The Door County Highway and Airport Committee
2 determined that the attached list of proposed improvements are in
3 the best interest of the Door County Cherryland Airport; and
4

5 **WHEREAS**, Wisconsin Statutes require a Statement of Project
6 Intentions from airport owners contemplating federal and/or state aid
7 within the next six years; and
8

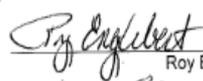
9 **WHEREAS**, This Six Year Statement of Project Intentions is
10 used by the Department of Transportation, Bureau of Aeronautics,
11 for planning and budgeting purposes and is not a petition for federal
12 and/or state aid.
13

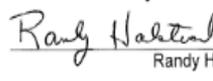
14 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County
15 Board of Supervisors hereby contemplates requesting federal and/or
16 state aid for the projects listed on the attached schedule of airport
17 improvements.

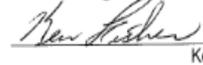
SUBMITTED BY: HIGHWAY & AIRPORT COMMITTEE


John Neinas, Chairperson


Joel Gunnlaugsson


Roy Englebert


Randy Halstead


Ken Fisher

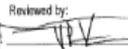
BOARD ACTION
Vote Required: Majority Vote of a Quorum

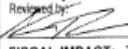
Motion to Approve Adopted

1st Neinas Defeated

2nd Gunnlaugsson

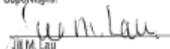
No: Yes: Exc: _____

Reviewed by:  Corp. Counsel

Reviewed by:  Administrator

FISCAL IMPACT: The adoption of this resolution is for planning and budgeting purposes for the State and Federal governments. It is, as the resolution states, a statement of project intentions, not a commitment to appropriate funds. As such, there is no fiscal impact. MEJ

Certification:
I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 24th day of July, 2018 by the Door County Board of Supervisors.


Jill M. Lau
County Clerk, Door County

STATEMENT OF PROJECT INTENTIONS FOR DOOR COUNTY CHERRYLAND AIRPORT

Fiscal Year	Description of Improvement	Size of Improvement	Estimated Cost	Anticipated Petition Date
2018				
2019				
2020				
2021	Replace Rotating Beacon Install Concrete Pads for Jet Parking	2 - 40'x60'		August 2018
2022	Upgrade Lead-in-Lights	6 - Inline Lights		2019
2023	Crack-fill & Slurry Seal Airport Pavement	Unknown		2019

DESCRIBE PROPOSED IMPROVEMENTS AS FOLLOWS:

Construct paved runway or extension, construct or expand paved apron, develop hangar area, construct terminal building, acquire land or easements, erect airport beacon or tetrahedron, remove obstructions, develop auto parking, light runways, prepare master plan. List the size of the improvement in acres, square yards, length, width, or as appropriate. If estimated cost is unknown, the Bureau of Aeronautics will estimate.

X:\P&IS & Year Attachments



DOOR COUNTY

Resolution No. 2018-45

**MUTUAL TERMINATION OF LEASE AGREEMENT
[Door County Medical Center – Former Central Ambulance Station]**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
BULTMAN	✓		
CHOMEAU	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL	✓		
FISHER	✓		
GUNNLAUGSSON	✓		
HALSTEAD	✓		
KOCH			✓
KOHOUD	✓		
LIENAU	✓		
LUNDVHL	✓		
NEINAS	✓		
NORTON	✓		
ROBILLARD	✓		
SCHULTZ	✓		
VIRLEE	✓		
VILES WOTACHEK	✓		
WAIT	✓		

BOARD ACTION
Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted

1st: Austad Delected

2nd: Fisher

Yes: 20 No: 0 Exc: 1

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: Since no funds will be exchanged as part of this lease termination, adoption of this resolution will have no fiscal impact. MEJ

Certification:

I, JIM L. LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 24th day of July, 2018 by the Door County Board of Supervisors.

[Signature]
JIM L. LAU
County Clerk, Door County

1 **WHEREAS,** The existing Lease Agreement (incorporated herein
2 by reference) was approved by adoption of Resolution No. 89-89 on
3 October 24, 1989, has been in full force and effect since January 1,
4 1990, and does not terminate until January 31, 2030; and

5 **WHEREAS,** Door County constructed and now occupies a new
6 Central Ambulance Station, and has vacated the former Central
7 Ambulance Station; and

8 **WHEREAS,** Door County and Door County Medical Center
9 desire to terminate, and thereby fully and finally resolve all
10 obligations and rights that either party may have under, the existing
11 Lease Agreement.

12 **NOW, THEREFORE, BE IT RESOLVED,** That the Door County
13 Board of Supervisors hereby approves termination of the existing
14 Lease Agreement

15 **BE IT FURTHER RESOLVED,** that the foregoing approval is
16 expressly conditioned on the County Administrator and Corporation
17 Counsel negotiating and memorializing a mutual termination of lease
18 agreement and release with the Door County Medical Center.
19
20
21
22
23

**SUBMITTED BY:
Facilities & Parks Committee**

[Signature]
Dan Austad, Chairperson

[Signature]
Richard Virlee

[Signature]
Helen Bacon

[Signature]
Roy Englebert

[Signature]
Ken Fisher

[Signature]
Randy Halstead

[Signature]
Susan Kohout



DOOR COUNTY

**Resolution No. 2018-46
SUPPORT FOR NSIGHT'S APPLICATION FOR A PUBLIC
SERVICE COMMISSION OF WISCONSIN FY 2019 BROADBAND
EXPANSION GRANT**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH			X
KOHOUT	X		
LIENAU	X		
LUNDAHL	X		
NEINAS	X		
ROTHCO	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VLIES WOTACHEK	X		
WATT	X		

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Deleted

1st Lienau 2nd Gunnlaugsson

Yes 20 No 0 Exc. 1

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: Since this is an unbudgeted expenditure, funds would have to come from the Contingency Expense account. If approved, the available balance in the Contingency Expense account after this transfer would be \$293,973.61. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 24th day of July, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

1
2 **WHEREAS**, Door County has long favored and worked toward broadband
3 service expansion throughout the County, including increasing capacity,
4 performance, reliability, scalability and security of broadband service to
5 Washington Island; and

6
7 **WHEREAS**, The underwater conduit and cable, owned and operated by the
8 Washington Island Electric Co-Operative, Inc., providing electrical service to
9 Washington Island is in need of expeditious replacement; and

10
11 **WHEREAS**, The current state of affairs provides a unique, fleeting, and cost-
12 effective opportunity for a broadband service provider to partner with the
13 Washington Island Electric Co-Operative, Inc. and construct broad band facilities
14 and expand the footprint of their existing broadband service, concurrent with
15 Washington Island Electric Co-Operative, Inc's replacement of its underwater
16 conduit and cable; and

17
18 **WHEREAS**, Expansion of broadband service to Washington Island, an
19 underserved area, will, among other things: make broadband more available and
20 affordable to residents and visitors, increase economic opportunity, support
21 economic diversity, bolster learning opportunities for students, and positively
22 impact telehealth and telemedicine programs; and

23
24 **WHEREAS**, Door County pledges, contingent upon the Public Service
25 Commission of Wisconsin's award of a FY 2019 broadband expansion grant to
26 Nsight, the sum of one thousand dollars (\$1,000) toward broadband expansion on
27 Washington Island.

28
29 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board of
30 Supervisors hereby expresses strong support for expansion of broadband services
31 on Washington Island. This support extends to Nsight's application for a Public
32 Service Commission ("PSC") of Wisconsin FY 2019 Broadband Expansion Grant.

33
34 **BE IT FURTHER RESOLVED**, That Door County hereby pledges, contingent
35 upon the PSC of Wisconsin's award of a FY 2019 broadband expansion grant to
36 Nsight, the sum of one thousand dollars \$1,000 toward broadband expansion on
37 Washington Island.

SUBMITTED BY: Administrative Committee

[Signature] Dave Lienau, Chairperson

[Signature] Susan Kohout

[Signature] Ken Fisher

[Signature] John Neinas

[Signature] Dan Austad

[Signature] Nancy Robillard

[Signature] Joe Gunnlaugsson



DOOR COUNTY

**Resolution No. 2018-47
INCREASE OF USER FEES FOR EMERGENCY MEDICAL
(AMBULANCE) SERVICES**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	May	Exc.
AUSTAD	✓		
BACON	✓		
BULTMAN	✓		
CHOMEAU	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENGL	✓		
FISHER	✓		
GUNNLAUGSSON	✓		
HALSTEAD	✓		
KOCH			✓
KOHOUT	✓		
LIERNAU	✓		
LUNDAHL	✓		
NEINAS	✓		
NORTON	✓		
ROBILLARD	✓		
SCHULTZ	✓		
VIRLEE	✓		
VLIES WOTACHEK	✓		
WAIT		✓	

BOARD ACTION
Vote Required: Majority Vote of a Quorum

Motion to Approve: Accepted Rejected

1st: Gunnaugsson 2nd: Schultz

Yes: 19 No: 1 Exc: 1

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: The proposed increase in user fees was not included in the 2018 budget. If approved, any increased revenues resulting from the higher user fees will diminish the department's reliance on property tax levy to fund its operations. MEJ

Certification:
I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 24th day of July, 2018 by the Door County Board of Supervisors.

[Signature]
J.M. Lau
County Clerk, Door County

1 **WHEREAS,** Door County Emergency Services provides
2 emergency medical (ambulance) services to the residents and
3 visitors of Door County; *and*

5 **WHEREAS,** The Door County Emergency Services' operating
6 budget is funded virtually exclusively through property taxes and
7 user fees; *and*

9 **WHEREAS,** Door County Emergency Services last increased
10 user fees for emergency medical (ambulance) services on January
11 17 2013; *and*

13 **WHEREAS,** The costs (e.g., personnel, equipment and supplies)
14 of operating an emergency medical (ambulance) service continue to
15 escalate; *and*

17 **WHEREAS,** A comparative review of user fees charged by other
18 emergency medical (ambulance) services providers suggests that
19 the user fees charged by Door County Emergency Services are
20 below that of the external comparables; *and*

22 **WHEREAS,** It is necessary, expedient, and in the best interest of
23 Door County to increase user fees for emergency medical
24 (ambulance) services as set forth in *Addenda A*, attached hereto and
25 incorporated herein by reference as if fully set forth.

27 **NOW, THEREFORE, BE IT RESOLVED,** by the Door County
28 Board of Supervisors, that the emergency medical (ambulance)
29 service user fees, as set forth in *Addenda A*, are hereby approved
30 and will go into effect on August 1, 2018.
31

SUBMITTED BY:
Public Safety Committee

[Signature] Joel Gunnlaugsson, Chairperson
[Signature] David Englebert
[Signature] Roy Englebert

[Signature] Megan Lundahl
[Signature] Kathy Schultz
[Signature] Linda Wait

Jon Koch



**Door County
Emergency Services**

916 N 14thth Ave.
Sturgeon Bay, WI 54235

Memorandum

Aaron LeClair, Director

07/02/2018

TO: Public Safety Committee

FROM: Aaron LeClair

RE: Emergency Services Fees for Service

Current Charges:

The service currently has the following billing rates:

ALS emergent (A0427)	\$815.00
ALS non-emergent (A0426)	\$815.00
BLS emergent (A0429)	\$615.00
BLS non-emergent (A0428)	\$615.00
ALS II (A0433)	\$815.00
SCT (A0434)	\$815.00
Service Charge (A0998)	\$0.00

All transports are also charged loaded miles (A0425): \$11.30 per mile

Possible Charges:

ALS emergent (A0427)	\$915.00
ALS non-emergent (A0426)	\$915.00
BLS emergent (A0429)	\$715.00
BLS non-emergent (A0428)	\$815.00
ALS II (A0433)	\$1,015.00
SCT (A0434)	\$1,015.00
Service Charge ALS (A0998)	\$450.00
Service Charge BLS	\$250.00
Loaded Miles	\$15.50 per mile

The above prices represent the average charges issued in Northeast WI.

The department will bundle supply charges into the base rates starting with the approval of this resolution.



DOOR COUNTY

**Resolution No. 2018-48
CAPITAL IMPROVEMENTS PLAN
2019-2023**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
BULTMAN	✓		
CHOMEAU	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL	✓		
FISHER	✓		
GLUNNLAUGSSON	✓		
HALSTEAD	✓		
KOCH			✓
KOHOUT	✓		
LIENAU	✓		
LUNDAHL	✓		
NEINAS	✓		
NORTON	✓		
ROBILLARD	✓		
SCHULTZ	✓		
VIRLEE	✓		
VLIES WOTACHEK	✓		
WAIT	✓		

1 **WHEREAS**, By adoption of Resolution 2007-38, the Door
2 County Board of Supervisors approved the *Capital Improvements*
3 *Plan, Policy and Procedures*; and

4
5 **WHEREAS**, The County Administrator and Finance Director
6 crafted a *Capital Improvements Plan 2019-2023*, which was
7 reviewed and approved by the Finance Committee on July 16, 2018;
8 and

9
10 **WHEREAS**, The *Capital Improvements Plan 2019-2023* is
11 subject to review by the County Board.

12
13 **NOW, THEREFORE, BE IT RESOLVED**, By the Door County
14 Board of Supervisors that the *Capital Improvements Plan 2019-2023*
15 [which is incorporated herein by reference] is hereby approved.

16
17 **BE IT FURTHER RESOLVED**, That the *Capital Improvements*
18 *Plan 2019-2023* is remanded to the Finance Committee for inclusion
19 in the 2019 Budget.

BOARD ACTION

Vote Required: Majority Vote of A Quorum

Motion to Approve: Adopted Defeated

1st: Schultz 2nd: Vlies Wotachek

Yes: 20 No: 0 Exc: 1

21 Tax Levy	\$4,526,780.00
22 Other Funding	<u>\$2,183,700.00</u>
23 Total C.I.P. Projects	\$6,710,480.00

Reviewed by: _____, Corp. Counsel

Reviewed by: _____, Administrator

FISCAL IMPACT: Adoption of this resolution moves the 2019 C.I.P. projects forward as per the plan to be included with the 2019 budget process. Projects for 2020 thru 2023 will become part of the 2020 C.I.P. process—2024 will be added and projects will again go through the review and approval process. MEJ

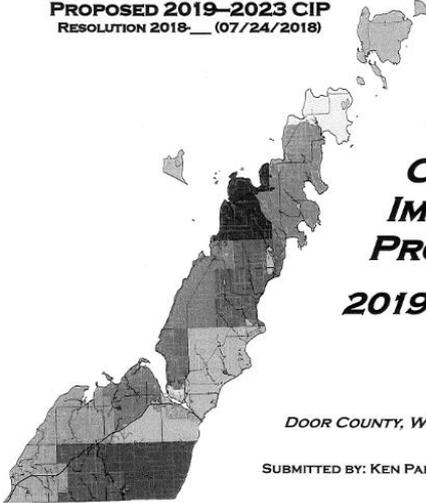
SUBMITTED BY: FINANCE COMMITTEE

<u>Kathy Schultz</u> Kathy Schultz, Chairperson	<u>Nancy Robillard</u> Nancy Robillard
<u>David Englebert</u> David Englebert	<u>Richard Virlee</u> Richard Virlee
<u>David Enigl</u> David Enigl	<u>Laura Vlies Wotachek</u> Laura Vlies Wotachek
<u>Susan Kohout</u> Susan Kohout	

Certification:

I, JIM LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 24th day of July, 2018 by the Door County Board of Supervisors.

Jim M. Lau
Jim M. Lau
County Clerk, Door County



DOOR COUNTY CAPITAL IMPROVEMENTS PROGRAM 2019 - 2023

DOOR COUNTY, WISCONSIN

SUBMITTED BY: KEN PABICH, COUNTY ADMINISTRATOR

Table of Contents for Capital Improvements Plan (C.I.P.)

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CTH A (CTH E-CTH F)	37	Emergency Management/Communications			
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Capital Improvement Plan (C.I.P.) Introduction

The Door County Capital Improvements Program (C.I.P.) analyzes the County's capital asset needs and identifies major projects that enhance and support the County's ability to provide the needed services. Capital improvement projects are different from programs adopted in the operating budget; such projects often represent very large financial obligations, and may span two or more fiscal years. It is important that they be properly planned, budgeted and tracked. Because of the unique nature of capital improvements, the processes for preparing, prioritizing and presenting them are different from the operating budget. Capital improvement projects require additional information such as geographic location, multi-year funding sources and impact on the operating budget. The ability to forecast capital needs is becoming more complex, precise and expensive. The C.I.P. is a schedule of major County projects contemplated to be undertaken during the next five years.

Objectives of the Capital Improvement Program

There are several objectives of the C.I.P.

1. A C.I.P. sets a realistic schedule of capital improvements that can be implemented within the limits of the County's financial resources.
2. It is a mechanism for departments to identify potential projects and provide justification for their need to the County Administrator. Projects can be evaluated from a long-term perspective rather than satisfying immediate needs.
3. The C.I.P. serves as a conduit of information from the various departments to the County Board.
4. It is a comprehensive document that not only provides continuity in financial decisions but connects long-term planning to the annual budget process for major projects.
5. The C.I.P. will help to stabilize the tax levy over time and effectively match future expenditures with the capacity to pay for them in a given time frame.
6. Improving public awareness about future needs is another valuable objective of a C.I.P.

Capital Improvements Projects Defined

For the purposes of the C.I.P., a capital asset to be included in a C.I.P. is defined as:

1. an expenditure that is for a County department or operation;
2. generally non-recurring;
3. has a cost over **\$50,000**;
4. has a service life of five (5) years or greater.

Goals and Expectations of the C.I.P.

The most important issue faced by the County is the maintenance of a balance between operational expenditures and capital expenditures. The County needs to protect its investment in buildings, equipment, infrastructure, and land improvements, which totaled \$160,204,229 as of December 31, 2016. In the past, capital projects may have been deferred to supplement the operating budget. There is recognition that the two portions of the budget, operating and capital, are of equal importance to the County. There are legitimate needs that will not be funded through the normal budget process. It is the purpose of the C.I.P. to develop a funding mechanism within the scope of the adopted Capital Improvements Plan Policy and Procedures for these needs.

CAPITAL PROJECT COST SUMMARY BY FUNDING SOURCE AND YEAR

This section contains the capital project costs summarized by funding for all five (5) years of the Capital Improvement Plan.

Table 1
Cost Summary by Funding Source and Year
FY 2019

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Project No.	2019 Project Name	Eligible for Long Term Financing	Eligible for Short Term Financing	Federal	State	Levy	Other*	TOTAL
<i>*Other funding could be Unassigned Fund Balance, Carryovers from Prior Years, DK funding, C.I.P. Excess Funds, City Stern, County Roads & Bridges Fund, Donations. (see table 8)</i>								
Airport								
1-53-01	Replace Airport Unleaded and Diesel Fuel Tanks <small>Scope of Project reduced - No longer qualifies for CIP</small>	-	-	-	-	75,000	-	75,000
1-53-02	NORTHSOUTH Runway Reconstruction ("Other" is unused C.I.P. funding for Airport Runway Reconstruction not used in 2016-2017)	-	-	-	-	25,000	150,000	175,000
						212,500		212,500
1-53-03	Snow Removal Equipment Building ("Other" is C.I.P. carryover from prior years, levied in 2017) Project to be split between 2019 & 2020	-	-	-	-	425,000	75,000	500,000
						237,500	225,000	462,500
Highway								
1-33-01	CTH K (CTH-CTH C)	-	-	-	-	506,244	-	506,244
1-33-02	CTH SB (CTH C-Zirbel)	-	-	-	-	245,326	-	245,326
1-33-03	CTH SB (Sand Bay Road-0.5 miles East)	-	-	-	-	98,130	-	98,130
1-33-04	CTH HH (Dunn Road-Old County OR)	-	-	-	-	345,419	-	345,419
1-33-05	CTH XC (CTH X-CTH J)	-	-	-	-	196,261	-	196,261
1-33-06	CTH A (CTH E-CTH F)	-	-	-	-	759,308	-	759,308
1-33-07	CTH X (CTH XC-STH 42)	-	-	-	-	750,521	-	750,521
1-33-08	CTH U (Salona Road-Hornspler Road)	-	-	-	-	195,724	-	195,724
1-33-09	CTH U (Hornspler Road-S. of Lake Lane)	-	-	-	-	433,847	-	433,847
						3,530,780	-	3,530,780
Clerk of Court								
1-25-01	Protected Front Counter Deleted at recommendation of County Administrator	-	-	-	-	55,791	-	55,791
Emergency Management/Communication								
1-89-01	Simulcast Ops & Reprogramming ("Other" is funds from Communication Simulcast Programming Reserve)	-	-	-	-	-	350,000	350,000
EMS								
1-29-01	Washington Island Station ("Other" is funds from Washington Island Reserve) <small>Scope of Project reduced</small>	-	-	-	-	600,000	500,000	1,000,000
						300,000	-	800,000
Finance								
1-48-01	Replace Ceridian Payroll Software	-	-	-	-	200,000	-	200,000

M.C.I.P. (Capital Improvement Plan) 2019 C.I.P. Tables - Cost Summary by Year and 2019 Cost Summary

Table 1 - Continued
 Cost Summary by Funding Source and Year
 FY 2019

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Project No.	2019 Project Name	Eligible for Long Term Financing	Eligible for Short Term Financing	Federal	State	Levy	Other*	TOTAL
<i>*Other funding could be Unassigned Fund Balance, Carryovers from Prior Years, DK Funding, C.I.P. Excess Funds, City Share, County Roads & Bridges Fund, Donations. (see table 8)</i>								
Land Use Services								
1-68-01	Land Records Software Upgrade ("Other" is funds from the Land Modernization Reserve)	-	-	-	-	-	225,000	225,000
Library								
1-35-01	New Chiller ("Other" is funds from City of Sturgeon Bay)	-	-	-	-	46,000	46,000	92,000
Facilities and Parks								
1-37-01	Frank C. Murphy County Park - Horseshoe Bay Cave Center ("Other" is funds from Donations) Project moved from 2018 to 2020	-	-	-	-	-20,000	-70,000	90,000
1-37-02	John Miles Park - Entrance Gate, Signs and Ticket Booth Project moved from 2019 to 2020	-	-	-	-	-90,000	-	90,000
1-37-03	John Miles Park - Stagle removed at recommendation of County Administrator	-	-	-	-	-100,000	-	100,000
1-37-04	John Miles Park - Paving Midway ("Other" is unused Non-C.I.P. funding for John Miles Park not used in 2017 & C.I.P. carryover from prior year, levied in 2018)	-	-	-	-	75,000	200,200	275,200
1-37-05	Robert LaSalle County Park - Pavilion ("Other" is from Donations)	-	-	-	-	37,500	37,500	75,000
1-37-06	Caña Island Restoration Project - Phase 4 Deleted at recommendation of County Administrator	-	-	-	-	-100,000	-	100,000
Sheriff								
1-28-02	Justice Center Cold storage building Project moved from 2022 to 2019	-	-	-	-	100,000	-	100,000

M/C.I.P. (Capital Improvement Proj)2019 C.I.P.Tables--Cost Summary by Year.xls2019CostSummary

Table 1 - Continued
 Cost Summary by Funding Source and Year
 FY 2019

CIP Page 9 of 21

Project No.	2019 Project Name	Eligible for Long Term Financing	Eligible for Short Term Financing	Federal	State	Levy	Other*	TOTAL
<i>*Other funding could be Unassigned Fund Balance, Carryovers from Prior Years, DK Funding, C.I.P. Excess Funds, City Share, County Roads & Bridges Fund, Donations. (see table 8)</i>								
Soil & Water								
1-31-01	Crestview Dam Impound Improvement Project deleted for 2019	-	-	-	-	-100,000	-	100,000
Administration								
1-49-01	Remodel Government Center ("Other" is \$300,000 C.I.P. carryover from prior year, levied in 2018 and move up to \$300,000 moved from unassigned fund balance in 2019)	-	-	-	-	-300,000	600,000	600,000
TOTAL - 2019 C.I.P.		-	-	-	-	4,526,780	2,163,700	6,710,480
2019 Adopted C.I.P.		-	-	2,214,784	125,000	4,458,900	707,442	7,506,126
2019 Over (Under) 2019 Adopted		-	-	(2,214,784)	(125,000)	67,880	1,476,258	(795,646)
% Increase 2019 over 2018		0%	0%	-100%	-100%	2%	209%	-11%

M/C.I.P. (Capital Improvement Proj)2019 C.I.P.Tables--Cost Summary by Year.xls2019CostSummary

**Table 2
Cost Summary by Funding Source and Year
FY 2020**

Project No.	2020 Project Name	Eligible for Long Term Financing	Eligible for Short Term Financing	Federal	State	Levy	Other*	TOTAL
<i>*Other funding could be Unassigned Fund Balance, Carryovers from Prior Years, DK Funding, C.I.P. Excess Funds, City Shares, County Roads & Bridges Fund, Donations. (see table E)</i>								
Airport								
1-53-02	North/South Runway Reconstruction	-	-	-	-	-35,000	-	-35,000
1-53-03	Snow Removal Equipment Building ("Other" is C.I.P. carryover from prior years, levied in 2017) Project to be split between 2019 & 2020	-	-	-	-	212,500	-	212,500
Highway								
1-33-10	CTH J (Carnot Road-CTH U)	-	-	-	-	351,421	-	351,421
1-33-11	CTH J (Mill Road-CTH O)	-	-	-	-	319,077	-	319,077
1-33-12	CTH A (CTH E-CTH V)	-	-	1,315,427	-	438,476	-	1,753,903
1-33-13	CTH V (CTH T-CTH A)	-	-	-	-	574,673	-	574,673
1-33-14	CTH V (CTH A-STH 57)	-	-	-	-	87,179	-	87,179
1-33-15	CTH Q (Stevenson Pike-CTH PD)	-	-	-	-	1,608,976	-	1,608,976
1-33-16	CTH M (CTH C-Hainesville Road)	-	-	-	135,000	147,748	-	282,748
				1,315,427	135,000	3,535,250	-	4,985,677
Library								
1-38-02	New Boiler ("Other" is funds from City of Sturgeon Bay)	-	-	-	-	31,500	31,500	63,000
Facilities and Parks								
1-37-01	Frank E. Murphy County Park - Horseshoe Bay Cave Center ("Other" is funds from Donations) Project moved from 2019 to 2020	-	-	-	-	20,000	70,000	90,000
1-37-02	John Miss Park - Entrance Gate, Signs and Ticket Booth Project moved from 2019 to 2020	-	-	-	-	90,000	-	90,000
1-37-03	John Miss Park - Stage Deleted at recommendation of County Administrator	-	-	-	-	-100,000	-	-100,000
1-37-08	Cuba Island Restoration Project - Phase 4 ceased at recommendation of County Administrator	-	-	-	-	-100,000	-	-100,000
						110,000	76,000	180,000
Soil & Water								
1-31-01	Foreshville Dam Millpond Improvement	-	-	-	-	100,000	-	100,000
Sheriff								
1-28-01	Replacement of Mobile & Portable Radios	-	-	-	-	189,254	-	189,254
TOTAL - 2020 C.I.P.		-	-	1,315,427	135,000	4,203,504	101,500	5,755,431

M.C.I.P., (Capital Improvement Proj)2019 C.I.P.ITables--Cost Summary by Year.xls2020CostSummary

**Table 3
Cost Summary by Funding Source and Year
FY 2021**

Project No.	2021 Project Name	Eligible for Long Term Financing	Eligible for Short Term Financing	Federal	State	Levy	Other*	TOTAL
<i>*Other funding could be Unassigned Fund Balance, Carryovers from Prior Years, DK Funding, C.I.P. Excess Funds, City Shares, County Roads & Bridges Fund, Donations. (see table E)</i>								
Airport								
1-53-02	North/South Runway Reconstruction	-	-	-	-	-35,000	-	-35,000
						25,000	-	25,000
Highway								
1-33-17	CTH D (CTH PD-N/Duluth Ave)	-	-	-	-	335,044	-	335,044
1-33-18	CTH Q (Stevenson Pike-Charleys Road)	-	-	-	-	949,997	-	949,997
1-33-19	CTH A (CTH F-STH 42)	-	-	-	-	573,503	-	573,503
1-33-20	CTH S (Maplewood Road-Wilson Road)	-	-	-	-	742,852	-	742,852
1-33-21	CTH Q (Sunset Drive-Woodcrest Road)	-	-	-	-	1,515,894	-	1,515,894
						4,115,490	-	4,115,490
Soil & Water								
1-31-01	Foreshville Dam Millpond Improvement	-	-	-	-	100,000	-	100,000
TOTAL - 2021 C.I.P.		-	-	-	-	4,240,490	-	4,240,490

M.C.I.P., (Capital Improvement Proj)2019 C.I.P.ITables--Cost Summary by Year.xls2021CostSummary

Table 4
Cost Summary by Funding Source and Year
FY 2022

Project No.	2022 Project Name	Eligible for Long Term Financing	Eligible for Short Term Financing	Federal	State	Levy	Other	TOTAL
<i>*Other funding could be Unassigned Fund Balance, Carryovers from Prior Years, DK Funding, C.I.P. Excess Funds, City Share, County Roads & Bridges Fund, Donations. (see table 6)</i>								
Airport								
1-83-02	North/South Runway Reconstruction	-	-	3,725,000	-	50,000	-	3,775,000
Highway								
1-33-22	CTH N (Lodge Road-CTH K)	-	-	-	135,000	155,575	-	290,575
1-33-23	CTH N (Four Corners Road-CTH C)	-	-	-	-	542,935	-	542,935
1-33-24	CTH B (White Cedar Road-CTH G)	-	-	-	-	1,046,306	-	1,046,306
1-33-25	CTH G (STH 42-Bluff Drive)	-	-	-	-	542,935	-	542,935
1-33-26	CTH C (CTH DK-East Gardner Road)	-	-	-	250,000	294,086	-	544,086
1-33-27	CTH MM (STH 42/57-CTH C)	-	-	-	-	449,434	-	449,434
1-33-28	CTH T (STH 42-Hlalde Road)	-	-	-	-	627,391	-	627,391
		-	-	-	385,000	3,608,662	-	4,043,662
Soil & Water								
1-31-01	Forestville Dam Millpond Improvement	-	-	-	-	100,000	-	100,000
Sheriff								
1-28-02	Justice Center Cold Storage Building	-	-	-	-	100,000	-	100,000
Project moved from 2022 to 2019								
TOTAL - 2022 C.I.P.		-	-	3,725,000	385,000	3,808,662	-	7,918,662

M.C.I.P. (Capital Improvement Proj)2019 C.I.P.Tables-Cost Summary by Year.xls2022CostSummary

Table 5
Cost Summary by Funding Source and Year
FY 2023

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Project No.	2023 Project Name	Eligible for Long Term Financing	Eligible for Short Term Financing	Federal	State	Levy	Other	TOTAL
<i>*Other funding could be Unassigned Fund Balance, Carryovers from Prior Years, DK funding, C.I.P. Excess Funds, City Share, County Roads & Bridges Fund, Donations. (see table 6)</i>								
Highway								
1-33-29	CTH ZZ (Appleport Road-Meadow Road)	-	-	-	-	477,312	-	477,312
1-33-30	CTH EE (STH 42-CTH A)	-	-	-	-	955,326	-	955,326
1-33-31	CTH WD (STH 57- West Shore Drive)	-	-	-	-	529,302	-	529,302
1-33-32	CTH CC (CTH C-Lime Klin Road)	-	-	-	-	327,020	-	327,020
1-33-33	CTH J (CTH S-CTH U)	-	-	-	-	464,753	-	464,753
1-33-34	CTH C (CTH DK-East Gardner Road)	-	-	-	-	935,936	-	935,936
1-33-35	CTH C (East Gardner Road-Charleys Road)	-	-	-	-	594,581	-	594,581
		-	-	-	-	3,954,230	-	3,954,230
Emergency Services								
1-29-02	Egg Harbor/Jacksonport Ambulance Station	-	-	-	-	800,000	-	800,000
TOTAL - 2023 C.I.P.		-	-	-	-	4,764,230	-	4,764,230

M.C.I.P. (Capital Improvement Proj)2019 C.I.P.Tables-Cost Summary by Year.xls2023CostSummary

CAPITAL PROJECT COST SUMMARY BY YEAR FOR ALL YEARS

This section contains the capital project costs summarized by year for all five (5) years of the Capital Improvement Plan. The last page of this summary also gives a snapshot short summary by funding source.

Table 6
Capital Project Cost Summary by Year

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Project No.	Project Name	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	PROJECT TOTAL
Airport							
1-53-01	Replace Airport Unleaded and Diesel Fuel Tanks Scope of Project reduced - No longer qualifies for CIP	-	-	-	-	-	-
1-53-02	North/South Runway Reconstruction	175,000	25,000	25,000	3,775,000	-	4,000,000
1-53-03	Snow Removal Equipment Building	287,500	212,500	-	-	-	500,000
		462,500	237,500	25,000	3,775,000	-	4,600,000
Highway							
1-33-01	CTH K (CTHN-CTH C)	506,244	-	-	-	-	506,244
1-33-02	CTH SB (CTH C-Zirbel)	245,328	-	-	-	-	245,328
1-33-03	CTH SB (Sand Bay Road-0.5 miles East)	98,130	-	-	-	-	98,130
1-33-04	CTH HH (Dunn Road-Old County OR)	345,419	-	-	-	-	345,419
1-33-05	CTH XC (CTH X-CTH J)	196,261	-	-	-	-	196,261
1-33-06	CTH A (CTH E-CTH F)	759,308	-	-	-	-	759,308
1-33-07	CTH X (CTH X-CTH 42)	750,521	-	-	-	-	750,521
1-33-08	CTH U (Salona Road-Hornsplier Road)	195,724	-	-	-	-	195,724
1-33-09	CTH U (Hornsplier Road-S. of Lake Lane)	433,847	-	-	-	-	433,847
1-33-10	CTH J (Carnot Road-CTH U)	-	361,421	-	-	-	361,421
1-33-11	CTH J (Mill Road-CTH O)	-	319,077	-	-	-	319,077
1-33-12	CTH A (CTH E-CTH V)	-	1,753,903	-	-	-	1,753,903
1-33-13	CTH V (CTH T-CTH A)	-	574,673	-	-	-	574,673
1-33-14	CTH V (CTH A-SIH 67)	-	87,179	-	-	-	87,179
1-33-15	CTH C (Stevenson Pier-CTH PD)	-	1,606,676	-	-	-	1,606,676
1-33-16	CTH M (CTH C-Hainesville Road)	-	282,748	-	-	-	282,748
1-33-17	CTH C (CTH PD-N Duluth Ave)	-	-	335,044	-	-	335,044
1-33-18	CTH C (Stevenson Pier-Charleys Road)	-	-	948,397	-	-	948,397
1-33-19	CTH A (CTH F-STH 42)	-	-	573,503	-	-	573,503
1-33-20	CTH S (Maplewood Road-Wilson Road)	-	-	742,852	-	-	742,852
1-33-21	CTH Q (Sunset Drive-Woodcrest Road)	-	-	1,515,694	-	-	1,515,694
1-33-22	CTH N (Ledge Road-CTH K)	-	-	-	290,575	-	290,575
1-33-23	CTH N (Four Corners Road-CTH C)	-	-	-	542,935	-	542,935
1-33-24	CTH B (White Cedar Road-CTH G)	-	-	-	1,046,306	-	1,046,306

Table 6
Capital Project Cost Summary by Year

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Project No.	Project Name	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	PROJECT TOTAL
Highway - Continued							
1-33-26	CTH G (STH 42-Bluff Drive)	-	-	-	542,936	-	542,936
1-33-26	CTH C (CTH DK-East Gardner Road)	-	-	-	544,086	-	544,086
1-33-27	CTH MM (STH 42/57-CTH C)	-	-	-	449,434	-	449,434
1-33-28	CTH T (STH 42-Hillside Road)	-	-	-	627,391	-	627,391
1-33-29	CTH ZZ (Appleport Road-Meadow Road)	-	-	-	-	477,312	477,312
1-33-30	CTH EE (STH 42-CTH A)	-	-	-	-	955,328	955,328
1-33-31	CTH WD (STH 57- West Shore Drive)	-	-	-	-	529,302	529,302
1-33-32	CTH CC (CTH C-Lime Kiln Road)	-	-	-	-	327,020	327,020
1-33-33	CTH J (CTH S-CTH U)	-	-	-	-	464,753	464,753
1-33-34	CTH C (CTH DK-East Gardner Road)	-	-	-	-	605,936	605,936
1-33-35	CTH C (East Gardner Road-Charleys Road)	-	-	-	-	594,581	594,581
		3,530,780	4,985,677	4,115,490	4,043,662	3,954,230	20,629,839
Clerk of Court							
1-25-01	Protected Front Counter Project Deleted	-	-	-	-	-	-
Sheriff							
1-28-01	Replacement of Mobile & Portable Radios	-	189,254	-	-	-	189,254
1-28-02	Justice Center Cold Storage Building	100,000	-	-	-	-	100,000
		100,000	189,254	-	-	-	289,254
Emergency Management/Communications							
1-69-01	Simulcast Ops & Reprogramming	350,000	-	-	-	-	350,000
Emergency Services							
1-29-01	Washington Island Ambulance Station	800,000	-	-	-	-	800,000
1-29-02	Egg Harbor/Jacksonport Ambulance Station	-	-	-	-	800,000	800,000
		800,000	-	-	-	800,000	1,600,000
Finance							
1-48-01	Replace Ceridian Payroll Software	200,000	-	-	-	-	200,000
		200,000	-	-	-	-	200,000
Land Use Services							
1-68-01	Land Records Software Upgrade	225,000	-	-	-	-	225,000

M:\C.I.P. (Capital Improvement Proj)\2019 C.I.P.\2019 Cost Summary Tables.xlsCS by Year

Table 6
Capital Project Cost Summary by Year

CIP Page 17 of 21

Project No.	Project Name	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	PROJECT TOTAL
Library							
1-13-01	New Chiller	92,000	-	-	-	-	92,000
1-13-02	New Boiler	-	63,000	-	-	-	63,000
1-13-03		-	-	-	-	-	-
		92,000	63,000	-	-	-	155,000
Facilities and Parks							
1-37-01	Frank E. Murphy County Park - Horseshoe Bay Cave Center	-	90,000	-	-	-	90,000
1-37-02	John Miles Park - Entrance Gate, Signs and Ticket Booth	-	90,000	-	-	-	90,000
1-37-03	John Miles Park - Stage Project Deleted	-	-	-	-	-	-
1-37-04	John Miles Park - Paving Midway	275,200	-	-	-	-	275,200
1-37-05	Robert LaSalle County Park - Pavillion	75,000	-	-	-	-	75,000
1-37-06	Canal Island Restoration Project - Phase 4 Project Deleted	-	-	-	-	-	-
		350,200	180,000	-	-	-	530,200
Soil & Water							
1-34-01	Forestville Dam Impoundment Improvement Project Deleted for 2019	-	100,000	100,000	100,000	-	300,000
		-	100,000	100,000	100,000	-	300,000
Administration							
1-49-01	Remodel Government Center	600,000	-	-	-	-	600,000
	TOTAL	6,710,480	5,755,431	4,240,490	7,918,662	4,754,230	29,379,293

M:\C.I.P. (Capital Improvement Proj)\2019 C.I.P.\2019 Cost Summary Tables.xlsCS by Year

**Table 7
Capital Project Cost Summary by Funding Source
All Years**

CIP Page 18 of 21

Project No.	Project Name	Eligible for Long Term Financing	Eligible for Short Term Financing	Federal	State	Levy	Other/ Undesig.	TOTAL COST
Airport								
1-53-01	Replace Airport Unleaded and Diesel Fuel Tanks <small>Scope of Project reduced</small>	-	-	-	-	-	-	-
1-53-02	North/South Runway Reconstruction	-	-	3,725,000	-	125,000	150,000	4,000,000
1-53-03	Snow Removal Equipment Building	-	-	-	-	425,000	75,000	500,000
		-	-	3,725,000	-	550,000	225,000	4,500,000
Highway								
1-33-01	CTH K (CTHN-CTH C)	-	-	-	-	506,244	-	506,244
1-33-02	CTH SB (CTH C-Zirbel)	-	-	-	-	245,328	-	245,328
1-33-03	CTH SB (Sand Bay Road-0.5 miles East)	-	-	-	-	98,130	-	98,130
1-33-04	CTH HH (Dunn Road-Old County OR)	-	-	-	-	345,419	-	345,419
1-33-05	CTH XC (CTH X-CTH J)	-	-	-	-	196,281	-	196,281
1-33-06	CTH A (CTH E-CTH F)	-	-	-	-	759,308	-	759,308
1-33-07	CTH X (CTH XC-STH 42)	-	-	-	-	750,521	-	750,521
1-33-08	CTH U (Salona Road-Homepler Road)	-	-	-	-	195,724	-	195,724
1-33-09	CTH U (Homepler Road-S. of Lake Lane)	-	-	-	-	433,847	-	433,847
1-33-10	CTH J (Carnot Road-CTH U)	-	-	-	-	361,421	-	361,421
1-33-11	CTH J (Mill Road-CTH O)	-	-	-	-	319,077	-	319,077
1-33-12	CTH A (CTH E-CTH V)	-	-	1,315,427	-	438,476	-	1,753,903
1-33-13	CTH V (CTH T-CTH A)	-	-	-	-	574,673	-	574,673
1-33-14	CTH V (CTH A-STH 57)	-	-	-	-	87,179	-	87,179
1-33-15	CTH C (Stevenson Pier-CTH PD)	-	-	-	-	1,806,676	-	1,806,676
1-33-16	CTH M (CTH C-Hainesville Road)	-	-	-	135,000	147,748	-	282,748
1-33-17	CTH C (CTH PD-N. Duluth Ave)	-	-	-	-	335,044	-	335,044
1-33-18	CTH C (Stevenson Pier-Charleys Road)	-	-	-	-	948,397	-	948,397
1-33-19	CTH A (CTH F-STH 42)	-	-	-	-	573,503	-	573,503
1-33-20	CTH S (Maplewood Road-Wilson Road)	-	-	-	-	742,852	-	742,852
1-33-21	CTH Q (Sunset Drive-Woodcrest Road)	-	-	-	-	1,515,694	-	1,515,694
1-33-22	CTH N (Ledge Road-CTH K)	-	-	-	135,000	155,575	-	290,575
1-33-23	CTH N (Four Corners Road-CTH C)	-	-	-	-	942,935	-	942,935

M:\C.I.P. (Capital Improvement Proj)\2019 C.I.P\2019 Cost Summary Tables.xlsx\FundingAllYears

**Table 7
Capital Project Cost Summary by Funding Source
All Years**

CIP Page 19 of 21

Project No.	Project Name	Eligible for Long Term Financing	Eligible for Short Term Financing	Federal	State	Levy	Other/ Undesig.	TOTAL COST
Highway - Continued								
1-33-24	CTH B (White Cedar Road-CTH G)	-	-	-	-	1,046,306	-	1,046,306
1-33-25	CTH G (STH 42-Bluff Drive)	-	-	-	-	542,935	-	542,935
1-33-26	CTH C (CTH DK-East Gardner Road)	-	-	-	250,000	294,086	-	544,086
1-33-27	CTH MM (STH 42/57-CTH C)	-	-	-	-	449,434	-	449,434
1-33-28	CTH T (STH 42-Hillside Road)	-	-	-	-	627,391	-	627,391
1-33-29	CTH ZZ (Appleport Road-Meadow Road)	-	-	-	-	477,312	-	477,312
1-33-30	CTH EE (STH 42-CTH A)	-	-	-	-	955,326	-	955,326
1-33-31	CTH WD (STH 57- West Shore Drive)	-	-	-	-	529,302	-	529,302
1-33-32	CTH CC (CTH C-Lime Klin Road)	-	-	-	-	327,020	-	327,020
1-33-33	CTH J (CTH S-CTH U)	-	-	-	-	464,753	-	464,753
1-33-34	CTH C (CTH DK-East Gardner Road)	-	-	-	-	605,936	-	605,936
1-33-35	CTH C (East Gardner Road-Charleys Road)	-	-	-	-	594,581	-	594,581
		-	-	1,315,427	520,000	18,794,412	-	20,629,839
Sheriff								
1-28-01	Replacement of Mobile & Portable Radios	-	-	-	-	189,254	-	189,254
1-28-02	Justice Center Cold Storage Building	-	-	-	-	100,000	-	100,000
		-	-	-	-	289,254	-	289,254
Emergency Services								
1-29-01	Washington Island Ambulance Station	-	-	-	-	300,000	500,000	800,000
1-29-02	Jacksonport/Egg Harbor EMS Station	-	-	-	-	800,000	-	800,000
		-	-	-	-	1,100,000	500,000	1,600,000
Emergency Management/Communication								
1-69-01	Simulcast Ops & Reprogramming	-	-	-	-	-	350,000	350,000
Finance								
1-48-01	Replace Ceridian Payroll Software	-	-	-	-	200,000	-	200,000
		-	-	-	-	200,000	-	200,000

M:\C.I.P. (Capital Improvement Proj)\2019 C.I.P\2019 Cost Summary Tables.xlsx\FundingAllYears

Table 7
Capital Project Cost Summary by Funding Source
All Years

Project No.	Project Name	Eligible for Long Term Financing	Eligible for Short Term Financing	Federal	State	Levy	Other/Undesignated	TOTAL COST
Land Use Services								
1-68-01	Land Records Software Upgrade	-	-	-	-	-	225,000	225,000
Library								
1-38-01	New Chiller	-	-	-	-	46,000	46,000	92,000
1-36-02	New Boiler	-	-	-	-	31,500	31,500	63,000
		-	-	-	-	77,500	77,500	155,000
Facilities and Parks								
1-37-01	Frank E. Murphy County Park - Horseshoe Bay Cave Center	-	-	-	-	20,000	70,000	90,000
1-37-02	John Miles Park - Entrance Gate, Signs and Ticket Booth	-	-	-	-	80,000	-	80,000
1-37-03	John Miles Park - Stage Project Deleted	-	-	-	-	-	-	-
1-37-04	John Miles Park - Paving Midway	-	-	-	-	75,000	200,200	275,200
1-37-05	Robert LaSalle County Park - Pavillion	-	-	-	-	37,500	37,500	75,000
1-37-06	Carina Island Restoration Project - Phase 4 Project Deleted	-	-	-	-	-	-	-
		-	-	-	-	222,500	307,700	530,200
Administration								
1-49-01	Remodel Government Center	-	-	-	-	-	600,000	600,000
Soil & Water								
1-34-01	Forestville Dam Millpond Improvement Project Deleted for 2019	-	-	-	-	300,000	-	300,000
TOTAL		-	-	5,040,427	520,000	21,533,666	2,285,200	29,379,293

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Table 8
General Funding Summary by Year and Source

Source of Funds	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	TOTAL
Long Term Financing Eligible	-	-	-	-	-	-
Short Term Borrowing Eligible	-	-	-	-	-	-
Federal Revenues	-	1,315,427	-	3,725,000	-	5,040,427
State Revenues	-	135,000	-	385,000	-	520,000
Tax Levy	4,526,780	4,203,504	4,240,490	3,808,662	4,754,230	21,533,666
Undesignated Fund Balance	-	-	-	-	-	-
Other Revenue-CIP Carryover	525,000	-	-	-	-	525,000
Other Revenue-Non-CIP Carryover	200,200	-	-	-	-	200,200
Other Revenue-Donations	37,500	70,000	-	-	-	107,500
Other Revenue-City Share	46,000	31,500	-	-	-	77,500
CIP Designated	-	-	-	-	-	-
Other Reserves	1,150,000	-	-	-	-	1,150,000
Land Modernization Reserve	225,000	-	-	-	-	225,000
Total Summary by Funding	6,710,480	5,755,431	4,240,490	7,918,662	4,754,230	29,379,293

M:\C.I.P. (Capital Improvement Proj)\2019 C.I.P\2019 Cost Summary Tables.xls\GenFund Summary



DOOR COUNTY

Resolution No. 2018-49

**NON-COMMERCIAL HANGAR SITE LEASE AGREEMENT
BEN STEPHEN #31**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENGL	X		
FISHER	X		
GUNNLAUGSSON			X
HALSTEAD	X		
KOCH			X
KOHOUT	X		
LIENAU	X		
LURDAHL	X		
NEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VILES WOTACHEK	X		
WAIT			X

1 **WHEREAS**, Rule No. 34 of the Rules of Order provides, in
2 pertinent part, that "... (a)ny contract with a term in excess of three (3)
3 years is subject to review and approval by the County Board..." and

4 **WHEREAS**, Private and Public concerns have been reluctant to
5 construct or operate private non-commercial hangars at the Door
6 County Cherryland Airport; and

7 **WHEREAS**, The Highway & Airport Committee deems the
8 presence of non-commercial hangars at the Door County Cherryland
9 Airport to be advantageous to the Airport; and

10 **WHEREAS**, The Highway & Airport Committee believes it is
11 reasonable and necessary to offer multi-year non-commercial
12 hangar site lease agreements as an incentive to stimulate the growth
13 and development of the Door County Cherryland Airport.

14 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County
15 Board of Supervisors does hereby give approval to the Highway &
16 Airport Committee to enter into a 10 year non-commercial hangar
17 site lease agreement, with a 10 year renewal clause, for the parcel(s)
18 of land on which Building No. 31 has been constructed.

BOARD ACTION

Vote Required: Majority Vote of Total Membership

Motion to Approve Accepted

1st Neinas Defeated

2nd Halstead

Yes 18 No 0 Exc. 3

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: The fiscal impact would be the certainty of revenues for a given period of time. Lease revenues to be recorded in the year of service. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 28th, day of August, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

SUBMITTED BY:
Highway and Airport Committee

[Signature] John Neinas, Chairperson

[Signature] Roy Englebert

[Signature] Ken Fisher

[Signature] Joel Gunnlaugsson

[Signature] Randy Halstead



DOOR COUNTY

Resolution No. 2018-50

PROCLAMATION

**LIBRARY CARD SIGN-UP MONTH
SEPTEMBER**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
BULTMAN			
CHOMEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNNLAUGSSON			
HALSTEAD			
KOCH			
KOHOUT			
LIENAU			
LUNDAHL			
HEINAS			
NORTON			
ROBILLARD			
SCHULTZ			
YRILEE			
VLJES WOTACHEK			
WAIT			

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS,** A library card is the most important school
2 supply of all; and

3
4 **WHEREAS,** Libraries play an important role in the education
5 and development of children; and

6
7 **WHEREAS,** Libraries serve students of all ages, from early
8 literacy through adult lifelong learning; and

9
10 **WHEREAS,** Libraries empower all people to pursue their
11 interests, discover their passions and achieve their highest potential
12 as learners and citizens; and

13
14 **WHEREAS,** Librarians bring communities together, creating
15 welcoming and inclusive spaces for students of all backgrounds to
16 learn together; and

17
18 **WHEREAS,** Libraries are constantly transforming and
19 expanding their services to meet the needs of the communities they
20 serve;

21
22 **WHEREAS,** Libraries promote equity, making digital
23 technology and information equally accessible to all.

24
25 **NOW, THEREFORE, BE IT RESOLVED,** That the Door
26 County Board of Supervisors does hereby proclaim September
27 Library Card Sign-up Month in Door County, Wisconsin and
28 encourages everyone to sign up for their own library card today

BOARD ACTION

Vote Required: Majority vote of a quorum

Notice to Approve Adopted

1st Wendell Defeated

Yes: Wendell No: Exc:

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: No Fiscal Impact.

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 28th day of August, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

SUBMITTED BY:

[Signature]
David Lienau, Chairperson
Door County Board of Supervisors



DOOR COUNTY

Resolution No. 2018-51

**APPOINTMENT TO COMMITTEES, COMMISSIONS & BOARDS
CCS/CST COORDINATING COMMITTEE**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
BULTMAN			
CHOMEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GLUNNAUGSSON			
HALSTEAD			
KOCH			
KCHOUT			
LIENAU			
LUNDAHL			
NEIMS			
NORTON			
ROBILLARD			
SCHULTZ			
VIRLEE			
VLIJES WOTACHEK			
WALT			

Vote Voted

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, Pursuant to Section 59.18(2)(c) Wisconsin
2 Statutes, the duties and powers of a County Administrator include
3 appointment of "...the members of all boards and commissions
4 where the statutes provide that such appointment shall be made by
5 the county board or by the chairperson of the county board"; and
6

7 **WHEREAS**, "All appointments to boards and commissions by
8 the County Administrator shall be subject to the confirmation of the
9 County Board" per Section 59.18(2)(c), Wisconsin Statutes; and
10

11 **WHEREAS**, The Rules of Order confers the power to appoint
12 the members of certain committees upon the Chairperson of the
13 County Board, subject to the confirmation of the County Board; and
14

15 **WHEREAS**, The appointment set forth on Exhibit A, attached
16 hereto and incorporated herein by reference, are submitted for
17 County Board confirmation.
18

19 **NOW, THEREFORE, BE IT RESOLVED**, That the Door
20 County Board of Supervisors hereby confirms the proposed
21 appointment to boards, commissions, and committees as set forth in
22 Exhibits A.

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st Lienau Defeated

2nd Fisher

Yes: ___ No: ___ Exc: ___

Reviewed by:

[Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: There is no additional fiscal implication with the adoption of this resolution. MEJ

Certification:

I, JIM LAW, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of February, 2018 by the Door County Board of Supervisors.

[Signature]
JIM LAW
County Clerk, Door County

SUBMITTED BY:

[Signature]
David Lienau, Chairman
Door County Board of Supervisors

[Signature]
Ken Pabich
County Administrator



**County of Door
COUNTY ADMINISTRATOR**

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

Ken Pabich
County Administrator
(920) 746-2303
kpabich@co.door.wi.us

MEMORANDUM

TO: Dave Lienau, Chairman, County Board of Supervisors
FROM: Ken Pabich
County Administrator
DATE: August 23, 2018
RE: Appointments to Boards/Commissions

Subject to confirmation by the Door County Board of Supervisors, I respectfully submit the following nomination for appointment:

	TERM BEGINS	TERM ENDS
CCS/CST COORDINATING COMMITTEE Jamie Cole (<i>CCS Manager</i>)	August 28, 2018	

Biography on New Appointee:

Jamie Cole was promoted to the position of CCS Program Manager in Door County Department of Human Services in July. Prior to moving into this role, she served as the Behavioral Health and Crisis Case Manager for two and a half years, after having completed an internship in our Community Support Program as part of her Master in Social Work studies.

Jamie's decision to pursue social work was solidified after spending several meaningful weeks in Uganda and Haiti in 2010. She returned to the states with a newfound passion to 'do more' within our society. Soon after, she resigned from her career in cosmetology/management, began employment at New Community Shelter and enrolled in college full time at UW-Green Bay. She attained a Bachelor of Social Work and Bachelor of Science in Psychology degree (double major) in 2014 and a Master of Social Work degree in 2015. Her areas of concentration and research included mental health, homelessness, corrections, and sex offender treatment. During that time, she also completed a teaching assistantship for social science statistics, two internships at Attle Correctional Services and a Community Support Program internship at Door County Department of Human Services.



Resolution No. 2018-52
GRANT OF EASEMENT TO STURGEON BAY UTILITIES
JOHN MILES COUNTY PARK

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
BULTMAN	✓		
CHOMEAU	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL	✓		
FISHER	✓		
GUNNAUGSSON			✓
HALSTEAD	✓		
KOCH			✓
KOHOUT	✓		
LIFENAU	✓		
LUNDAHL	✓		
NEINAS	✓		
NORTON	✓		
ROBILLARD	✓		
SCHULTZ	✓		
VIRLEE	✓		
VLIES WOTACHEK	✓		
WAIT			✓

BOARD ACTION
 Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted / Defeated

1st: Austad
 2nd: Kohout

Yes: 18 No: 0 Exc: 3

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: There is no fiscal impact associated with the adoption of this resolution. MEJ

Certification:
 I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 28th day of August, 2018 by the Door County Board of Supervisors.

[Signature]
 Jill M. Lau
 County Clerk, Door County

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, The County of Door ("County") owns the real property
 2 (hereinafter referred to as the "subject property") assigned Parcel # 281-
 3 62-11000113, located in the City of Sturgeon Bay, County of Door, State
 4 of Wisconsin; and

5 **WHEREAS**, Sturgeon Bay Utilities ["SBU"] has approached the County
 6 to negotiate a non-exclusive utility easement as to a portion of the subject
 7 property, to construct, install, operate, inspect, maintain, repair, replace,
 8 abandon and remove facilities used in connection with the underground
 9 transmission and distribution of electricity; and

10 **WHEREAS**, the County is amenable to negotiating the grant of such an
 11 easement to SBU.

12 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board
 13 of Supervisors does hereby authorize the grant of a non-exclusive utility
 14 easement to SBU as to a portion of the subject property as described
 15 above.

16 **BE IT FURTHER RESOLVED**, That the location, length and width of
 17 the easement is subject to final review, negotiation, and approval of the
 18 Facilities Parks Director and the terms and conditions of the easement
 19 document are subject to final review, negotiation, and approval by the
 20 Corporation Counsel.

21 **BE IT FURTHER RESOLVED**, That the County Clerk is hereby
 22 empowered to execute any and all documents necessary or incident to the
 23 grant of the easement to SBU.
 24

SUBMITTED BY: FACILITIES AND PARKS COMMITTEE

[Signature] Daniel Austad, Chairman [Signature] Ken Fisher
[Signature] Richard Virlee [Signature] Randy Halstead
[Signature] Helen Bacon [Signature] Susan Kohout
[Signature] Roy Englebert

Exhibit 'A' – Description – 12 foot wide Utility Easement:

A 12 foot wide easement for the construction and maintenance of underground utilities, being part of Subdivision 11, located in Section 5, Township 27 North, Range 26 East, City of Sturgeon Bay, Door County, Wisconsin. More particularly described as follows:

Commencing at the East 1/4 Corner of said Section 5-27-26; thence S. 88°59'15" W., 1301.70 feet along the south line of the SE 1/4 of the NE 1/4 of said Section 5-27-26 to the SW corner of the SE 1/4 of the NE 1/4 of said Section 5-27-26, said corner being on the centerline of N. 14th Ave.; thence N. 01°21'13" W., 1785.03 feet along the west line of SE 1/4 of the NE 1/4 of said Section 5-27-26 (centerline of N. 14th Ave.) to the northwesterly corner of Tax Parcel No. 281-62-11000113; thence N. 88°38'47" E., 30.00 feet along the northerly property line of said parcel to the easterly right of way line of N. 14th Ave. and the point of beginning of said easement; thence continue N. 88°38'47" E., 420.60 feet along said northerly property line; thence S. 01°21'58" E., 12.00 feet; thence S. 88°38'47" W., 420.60 feet to the aforementioned easterly right of way line of N. 14th Ave.; thence N. 01°21'13" W., 12.00 feet along said right of way line to the point of beginning.

Said easement contains 5,047 square feet.

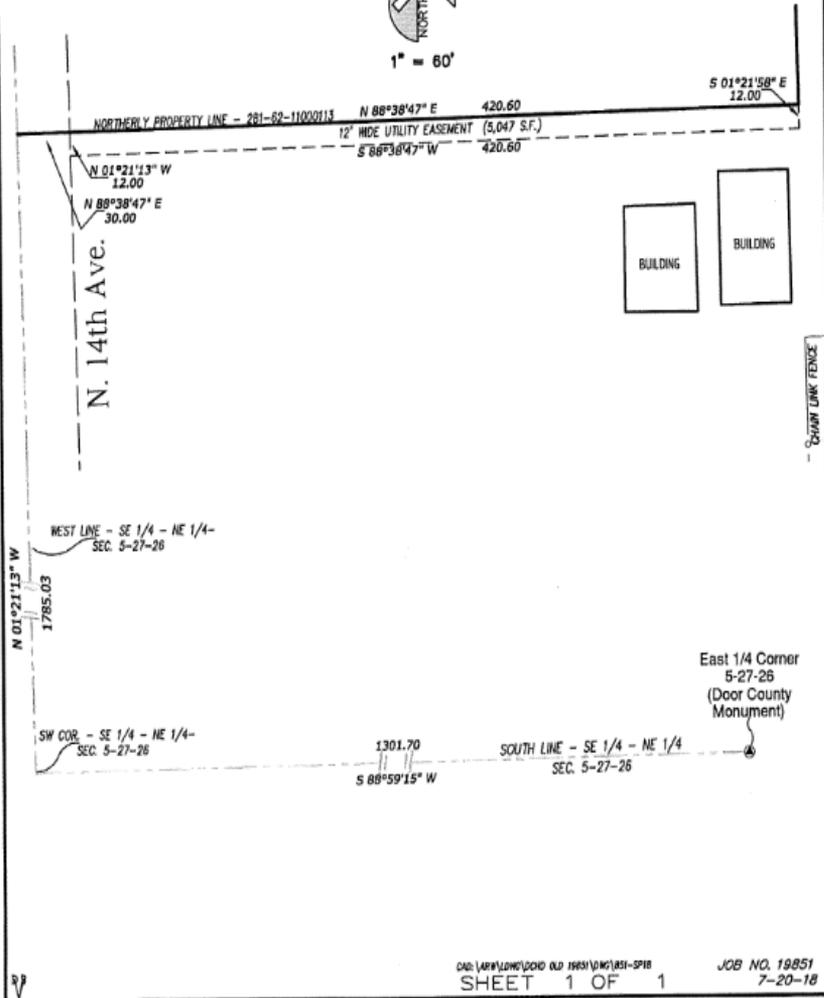
EXHIBIT 'B'

Exhibit 'B' attachment to Resolution 2018-52

BEING PART OF:
SUBDIVISION 11
LOCATED IN:
SECTION 5,
TOWNSHIP 27 NORTH, RANGE 26 EAST,
CITY OF STURGEON BAY,
DOOR COUNTY,
WISCONSIN.



1" = 60'





DOOR COUNTY

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
BULTMAN	✓		
CHOMEAU	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL	✓		
FISHER	✓		
GURINLAUGSSON			✓
HALSTEAD	✓		
KOCH			✓
KOHOUT	✓		
LIENAU	✓		
LUNDAHL	✓		
NEUNAS	✓		
NORTON	✓		
ROBILLARD	✓		
SCHULTZ	✓		
VIRLEE	✓		
V. LIES WOTACHEK	✓		
WAIT			✓

BOARD ACTION

Vote Required Two Thirds of Entire Membership

Motion to Approve Adopted Deleted

1st Schultz
2nd Kohout

Yes: 12 No: 0 Exc: 3

Reviewed by:

Corp. Counsel

Reviewed by: Administrator

FISCAL IMPACT: The fiscal impact is a decrease of \$16,200.00 to the Contingency Expense Account which leaves an available balance of \$270,773.61. MEJ

Certification:

I, Jill M. Lase, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 28th day of August, 2018 by the Door County Board of Supervisors.

Jill M. Lase
County Clerk, Door County

Resolution No. 2018-54

HUMAN SERVICES
LTE for ADRC Transportation Program
TRANSFER OF NON-BUDGETED FUNDS

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, In accordance with Section 65.90(5)(a) Wisconsin Statutes
2 and Rules of Order #19 the amounts of the various appropriations and the
3 purposes for such appropriations stated in a budget may not be changed
4 unless authorized by a vote of two-thirds of the entire membership of the
5 County Board of Supervisors; and

6
7 WHEREAS, The Human Services Department is requesting up to
8 \$16,200.00 to hire an LTE for the balance of 2018 with the expertise to carefully
9 analyze the transportation programs operated by the ADRC. These programs
10 are presently operating at a deficit, and the transportation reserve funds which
11 had been covering the deficit can no longer be used for operational costs. The
12 goal would be for this LTE to determine how our transportation programs can
13 be changed to eliminate future operating deficits. The estimated costs for this
14 position for the balance of 2018 is \$32,400.00, of which 50% could be
15 recovered from the existing transportation program grants; and

16
17 WHEREAS, The Finance Committee is recommending that an amount
18 not to exceed \$16,200.00 be transferred from the Contingency Expense
19 Account, #100.06.1161.59103 as outlined in the Use of Fund
20 Balance/Contingency policy adopted on 5/22/12, County Board Resolution
21 2012-52. The transfer should be to the ADRC Part-Time Salary & Wages,
22 Social Security and Workers Compensation Accounts, #204.23.2611.51102,
23 #204.23.3611.51201, and #204.23.3611.51206 for the LTE; and

24
25 WHEREAS, The Administrative Committee reviewed and approved the
26 hiring of the LTE at the 8-21-2018 meeting. This position will be responsible
27 to explore options, make recommendations for running the program without a
28 deficit, as well as for implementation.

29
30 NOW, THEREFORE, BE IT RESOLVED, That the Door County Board of
31 Supervisors does hereby approve the transfer of an amount not to exceed
32 \$16,200.00 from the Contingency Expense Account, #100.06.1161.59103 as
33 outlined in the Use of Fund Balance/Contingency policy adopted on 5/22/12,
34 County Board Resolution 2012-52. The transfer should be to the ADRC Part-
35 Time Salary & Wages, Social Security and Workers Compensation Accounts,
36 #204.23.2611.51102, #204.23.3611.51201, and #204.23.3611.51206 for the
37 LTE.

SUBMITTED BY: FINANCE COMMITTEE

Kathy Schultz, Chair

Nancy Robillard

David Englebert

Richard Virlee

David Enigl

Latra Vlies Wotachek

Susan Kohout



DOOR COUNTY

**Resolution No. 2018-55
APPROVAL OF AGREEMENT TO AMEND COUNTY
ADMINISTRATOR CONTRACT**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
BULTMAN	✓		
CHOMEAU	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL	✓		
FISHER	✓		
GUNNLAUGSSON			✓
HALSTEAD	✓		
KOOH			✓
KOHOUT	✓		
LIENAU	✓		
LINDAHL	✓		
NEINAS	✓		
NORTON	✓		
ROBILLARD	✓		
SCHULTZ	✓		
VIRLEE	✓		
VILIES WOTACHEK	✓		
WALT			✓

BOARD ACTION

Vote Required: Majority Vote of Total Membership

Motion to Approve Adopted

1st Lienau Defeated

2nd Fisher

Yes: 18 No: 0 Exc: 1

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: These expenses will be included in the annual budget for 2019 and subsequent years. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 28th day of August, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

1 **WHEREAS**, Rule No. 34 of the Rules of Order provides, in pertinent
2 part, that "...no Committee of the County Board shall enter into any contract
3 for a period in excess of three (3) years without prior approval of the County
4 Board..."; and

5 **WHEREAS**, Ken Pabich was appointed Door County Administrator by
6 the Door County Board of Supervisor's adoption of Resolution No. 2015-
7 50 on June 23, 2015; and

8 **WHEREAS**, Door County and Administrator Pabich entered into a
9 *County Administrator Contract* (attached hereto as Addendum A and
10 incorporated herein by reference); and

11 **WHEREAS**, The Administrative Committee has considered and is
12 recommending approval of the *Agreement to Amend County Administrator*
13 *Contract* (attached hereto as Addendum B and incorporated herein by
14 reference).

15 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board
16 of Supervisors does hereby approve the *Agreement to Amend County*
17 *Administrator Contract*.

18 **BE IT FURTHER RESOLVED**, That the Administrative Committee is
19 vested with the authority and charged with the responsibility to administer
20 the *Agreement to Amend County Administrator Contract*.

SUBMITTED BY: ADMINISTRATIVE COMMITTEE

[Signature] David Lienau, Chairman

[Signature] Susan Kohout

[Signature] Ken Fisher

[Signature] John Neinas

[Signature] Dan Austad

[Signature] Nancy Robillard

Joel Gunnlaugsson

COUNTY ADMINISTRATOR CONTRACT

This contract is entered into this 23rd day of June, 2015, by and between the County of Door (hereafter "County") and Kenneth P. Pabich, the prospective Door County Administrator, (hereafter "Administrator"). In consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, County and Administrator agree as follows:

I. DURATION

- A. This contract will be effective upon the Door County Board of Supervisors' (hereafter "County Board") adoption of a resolution approving both this contract and Administrator's appointment to the position and will continue in full force and effect until August 3, 2018. Thereafter, this contract will renew on an annual basis.
- B. This agreement may be terminated by County or Administrator as provided for herein.

II. APPOINTMENT, DUTIES & POWERS.

- A. County will appoint Kenneth P. Pabich as County Administrator, effective August 3, 2015.
- B. The duties and powers of County Administrator are set forth in Wisconsin law, including Section 59.18, Wisconsin Statutes, together with the codes, policies, regulations and rules of County, which are now existing or which may be hereinafter adopted or enacted by County, and other such legally permissible and proper duties and functions as County Board by itself or through its Administrative Committee shall from time to time assign.
- C. The written county administrator position description, as it currently exists or is subsequently revised by County, is incorporated herein by reference as if set forth in full. A copy of the written county administrator position description, as it currently exists or is subsequently revised by County, will be provided to Administrator by County's Human Resources Director. Said position description is not intended to cover every kind of work assignment Administrator may have, but rather, is only demonstrative of those work assignments which are predominant and recurring.

III. PERFORMANCE

- A. Administrator will perform the duties and exercise the powers of the position with the degree of competence, diligence, professionalism, skill and tenor normally employed by an individual performing the same or similar services.
- B. Administrator will devote the time necessary to properly perform the duties and exercise the powers of the position.
- C. Administrator shall not engage in outside employment without the prior written approval of the Administrative Committee. Otherwise, Administrator may engage in any pursuit that does not interfere with the proper discharge of the duties and exercise of the powers of the position.
- D. Administrator will participate in local, regional, state, and national professional organizations (e.g., Wisconsin County Executives and Administrators Association, Wisconsin City/County Management Association, International City / County Management Association, Wisconsin Counties Association, and National Association of Counties); attend related conferences, meetings, and seminars; and participate in other activities for the purpose of professional development. County encourages such participation and will pay the cost for Administrator's membership and attendance, subject to the Administration Committee's review and approval as part of the annual budget process.

IV. COMPENSATION AND BENEFITS

- A. The annual salary of Administrator will be \$ 108,000. County will pay Administrator, for the balance of 2015, a pro-rated salary of \$45,274.24. Administrator's pay for December 20 through December 31, 2015 will be paid on January 6, 2016 as part of the payroll ending January 2, 2016.
- B. Annual salary increases, beginning in 2016, will be commensurate with that of the non-represented employees, and based upon an overall "satisfactory" performance evaluation by the Administrative Committee per section V, below. For purposes of the County Compensation Plan and any across the board wage increase (which is typically applied at the beginning of the calendar year) and any increase based on the performance evaluation

(which is typically applied at the employee's anniversary date), Administrator will be considered and treated the same as any other above the mid-point and non-represented employee.

- C. Administrator is entitled to all benefits provided to department heads as set forth in County's Employee Handbook and Administrative Manual. Also:
1. Administrator shall receive ten (10) days paid-time-off ("PTO") immediately, and will be credited with five (5) years of service for PTO accrual purposes.
 2. Administrator will be reimbursed up to \$4,000 for moving expenses actually incurred and documented.
 3. Administrator shall inform the County Board Chairperson in advance of intended absences of more than three (3) work days.
- D. Administrator's salary or benefits shall not be reduced during the term of this agreement.

V. PERFORMANCE EVALUATION

- A. The Administrative Committee will review and evaluate Administrator's performance at least once annually prior to each anniversary renewal date hereof. This performance evaluation will be consistent with the evaluation recently approved by the Administrative Committee for use in developing the performance evaluation for the County Administrator, and having been provided to Administrator prior to the execution of this agreement.
- B. The performance evaluation shall be in writing, and Administrator shall be provided with an adequate opportunity to discuss the evaluation with the Administrative Committee.
- C. As part of the written performance evaluation, the Administrative Committee and Administrator will endeavor to agree on goals and objectives for the upcoming year.

VI. REMOVAL / RESIGNATION / TERMINATION BY MUTUAL CONSENT

- A. Administrator serves at the will of County Board, and may be removed at any time that Administrator's conduct of the county administration becomes, in the sole judgment of County Board, unsatisfactory. The action of County Board in removing Administrator

shall be final. Nothing in this contract will limit, prevent or otherwise interfere with the right of County Board to remove Administrator.

- B. Administrator may resign at any time. Nothing in this contract will limit, prevent or otherwise interfere with the right of Administrator to resign.
- C. Upon mutual written agreement by County and Administrator, this contract and employment of Administrator may be terminated without penalty or prejudice against either County or Administrator. In this event, the County shall pay Administrator all remuneration earned and benefits accrued but unpaid during the period of employment immediately prior to such termination.

VII. SEVERANCE PAY

- A. In the event Administrator is removed by County Board under section VI, A. above, County agrees to pay Administrator a one-time lump sum cash payment equal to one-fourth (1/4th) of his current annual salary, accrued PTO up to the annual maximum accrual limit and extend paid health insurance coverage to Administrator and existing beneficiaries for three (3) months following removal.
- B. The severance payment and extension of health insurance coverage set forth in paragraph A. above shall constitute a full settlement payment to Administrator. County's obligation to pay the settlement amount and extend health insurance coverage to Administrator is conditioned upon Administrator executing and delivering to County a complete, final and full release of any and all claims that Administrator may claim he has against County, including but not limited to any claims of wrongful discharge, discrimination or other employment related claims. The release shall be in a form and shall contain such terms as shall be required by County's attorney. Administrator shall not be required to release any pending Worker's Compensation claim nor shall Administrator be required to release any claim that Administrator may have as to entitlement for unemployment compensation benefits or any COBRA health insurance extension coverage arising out of Administrator's removal.
- C. In the event that Administrator is removed for cause, defined as willful neglect of duty or misconduct (malfeasance or misfeasance) in office, then County shall have no obligation

to make the severance payment or extend paid health insurance coverage to Administrator under paragraph A. above or otherwise.

VIII. INABILITY TO PERFORM

- A. If Administrator is unable to perform the duties and exercise the powers of the position for a period of twelve (12) successive weeks beyond any accrued paid leave, or for ninety (90) working days over a one hundred twenty (120) working day period, County Board may remove Administrator, subject to the severance requirements of section VII. A. above.
- B. Paragraph A. above does not apply where specific privileges or rights are afforded under the state or federal Family and Medical Leave Acts or other applicable laws, regulations or rules.

IX. INDEMNIFICATION

- A. County recognizes its indemnification obligations under Section 895.46, Wisconsin Statutes.
- B. In the event Administrator is sued for acts committed within the scope of his employment as Administrator, Administrator will be entitled to all the protections afforded by Section 895.46, Wisconsin Statutes.

X. NOTICES

Any notices required or permitted under this contract shall be in writing and delivered or mailed by certified mail as follows (unless notified in writing of a new address by either party):

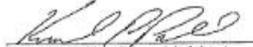
County:	Corporation Counsel Door County Government Center 421 Nebraska Street, Sturgeon Bay, WI 54235
Administrator:	Kenneth F. Pabich Door County Government Center, 421 Nebraska Street, Sturgeon Bay, WI 54235

X. MISCELLANEOUS

- A. The provisions of this contract shall be interpreted, when possible, to sustain their legality and enforceability as a whole. In the event any provision of this contract shall be held illegal, invalid or unenforceable by a court of competent jurisdiction, in whole or in part, neither the validity of the remaining part of such provision, nor the validity of any other provision of this contract shall be in any way affected thereby.
- B. No modification, addition, deletion, revision, alteration or other change to this contract shall be effective unless and until such is reduced to writing and executed by County and Administrator.
- C. This contract and the rights and obligations of County and Administrator under this contract shall be interpreted according to the laws of the State of Wisconsin.
- D. Venue, as to any dispute arising under or in connection with this contract, shall exclusively be in the Circuit Court, County of Door, State of Wisconsin or, if federal jurisdiction exists, the United States District Court-Eastern District of Wisconsin.
- E. This contract shall be binding upon and shall inure to the benefit of County and Administrator and upon their respective beneficiaries, heirs and successors.
- F. This contract shall not be subject to the rule of construing ambiguities against the drafter, as this contract is the product of negotiation.
- G. It is understood and agreed that this contract constitutes the entire agreement between the parties with respect to the subject matter hereof.
- H. County and Administrator each represents and warrants that it / he has carefully reviewed, fully understands, and agrees to be bound by this contract. Each party signing this agreement warrants full authorization to enter into the terms hereof.

Dated this 23 day of June, 2015.Dated this 23 day of June, 2015.


 Daniel Anstad, County Board Chairperson


 Kenneth P. Fubich, County Administrator

AGREEMENT TO AMEND COUNTY ADMINISTRATOR CONTRACT

This *Agreement*, by and between the County of Door (hereafter "County") and Kenneth P. Pabich (hereafter "Administrator") is effective August 3, 2018.

County and Administrator previously entered into a *County Administrator Contract* (attached hereto as **Appendix A**, and incorporated herein by reference). The Administrator's appointment and the *County Administrator Contract* were approved by the Door County Board of Supervisor's adoption of Resolution 2015-50 on June 23, 2015.

The *County Administrator Contract* (hereafter "*Contract*") is hereby amended as follows:

❖ Paragraph I. A. of the *Contract* is amended to read as follows:

A. This *Contract* will be effective upon the Door County Board of Supervisors' (hereafter "County Board") adoption of a resolution approving this *Agreement and* will continue in full force and effect until December 31, 2022. Thereafter, this contract will continue from year-to-year unless terminated or extended.

❖ Paragraph IV. A. of the *Contract* is amended to read as follows:

A. The salary of the Administrator, subject to all other provisions of this agreement, will be:

1. August 3, 2018 - through August 2, 2019 ... \$120,911.23
2. August 3, 2019 - through August 2, 2020 ... \$126,956.79
3. August 3, 2020 - through August 2, 2021 ... \$129,495.93
4. August 3, 2021 - through August 2, 2022 ... \$132,085.85
5. August 3, 2022 - through December 31, 2023 ... \$134,727.57

The foregoing is subject to County's payroll practices applicable to salaried personnel.

❖ Paragraph IV. B. is amended to read as follows:

B. Annual salary increases set forth in Par. A. 1-5 above, beginning in 2019, are contingent upon Administrator receiving an overall "satisfactory rating" on annual performance evaluation (See: Par. V below).

❖ Paragraph IV. C. 1. is amended to read as follows:

C. Except as otherwise set forth herein, Administrator is entitled to all benefits afforded department heads as provided in County's Employee Handbook and Administrative Manual.

1. Commencing January 1, 2019, Administrator is not eligible for Paid-Time-Off (PTO). Rather, the Administrator will be entitled to five (5) weeks of paid vacation each calendar year. Any vacation time not used prior to the end of a calendar year is lost (i.e., may not be used in any subsequent year and will not be paid out).

❖ Paragraph IV C.2. is amended to read as follows:

2. Administrator may, beginning in 2019 and each year thereafter, elect to receive \$100 per month to cover all expenses of operating his personal vehicle for official County use. This is in lieu of the standard mileage rate allowance. ~~***SUCH MAY BE TAXABLE AS WAGES***~~

❖ Paragraph VII. A. of the *Contract* is amended to read as follows:

- A. In the event Administrator is removed by County Board under Section VI., A., above, County Agrees to pay Administrator a one-time lump sum cash payment equal to one-fourth (1/4th) of his current annual salary and extend health insurance coverage to Administrator and existing beneficiaries for four (4) months following removal.

Except as modified herein all terms and conditions of the original *County Administrator Contract (Appendix A)* shall remain in full force and effect.

Dated this __, day of ____, 2018.

Dated this __, day of ____, 2018.

David Lienau, County Board Chairperson

Kenneth P. Pabich, County Administrator



DOOR COUNTY

Resolution No. 2018-56

**NON-COMMERCIAL HANGAR SITE LEASE AGREEMENTS:
PIERRE VANDERMEERSCH #19, WILLIAM HALE #53**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	✓		
BACON	✓		
BULTMAN	✓		
CHOMEAU	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL	✓		
FISHER	✓		
GUNNLAUGSSON	✓		
HALSTEAD	✓		
KOCH	✓		
KOHOUT	✓		
LIENAU	✓		
LUNDAHL	✓		
NEINAS	✓		
NORTON	✓		
ROBILLARD	✓		
SCHULTZ	✓		
VIRLEE	✓		
VLIES WOTACHEK	✓		
WAIT	x		

BOARD ACTION
Vote Required: Majority Vote of Total Membership

Motion to Approve: Adopted Defeated

1st: Neinas Defeated

2nd: Fisher

Yes 21 No 0 Exc: 0

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

FISCAL IMPACT: The fiscal impact would be the certainty of revenues for a given period of time. Lease revenues to be recorded in the year of service. MEJ

Certification:
Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of September, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

1 **WHEREAS**, Rule No. 34 of the Rules of Order provides, in
2 pertinent part, that "...(a)ny contract with a term in excess of three (3)
3 years is subject to review and approval by the County Board..."; and
4
5 **WHEREAS**, Private and Public concerns have been reluctant to
6 construct or operate private non-commercial hangars at the Door
7 County Cherryland Airport; and
8
9 **WHEREAS**, The Highway & Airport Committee deems the
10 presence of non-commercial hangars at the Door County Cherryland
11 Airport to be advantageous to the Airport; and
12
13 **WHEREAS**, The Highway & Airport Committee believes it is
14 reasonable and necessary to offer multi-year non-commercial
15 hangar site lease agreements as an incentive to stimulate the growth
16 and development of the Door County Cherryland Airport.
17
18 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County
19 Board of Supervisors does hereby give approval to the Highway &
20 Airport Committee to enter into a 10 year non-commercial hangar
21 site lease agreement, with a 10 year renewal clause, for the parcel(s)
22 of land on which Building No. 19 & 53 have been constructed.

**SUBMITTED BY:
Highway and Airport Committee**

[Signature] John Neinas, Chairperson
[Signature] Roy Englebert
[Signature] Ken Fisher

[Signature] Joel Gunnlaugsson
[Signature] Randy Halstead



Resolution No. 2018-57
PETITION THE SECRETARY OF TRANSPORTATION FOR
AIRPORT IMPROVEMENT AID BY DOOR COUNTY
CHERRYLAND AIRPORT, DOOR COUNTY, WISCONSIN

1 **TO THE DOOR COUNTY BOARD OF SUPERVISORS:**

2
3 **WHEREAS**, Door County, (hereinafter referred to as the "Sponsor"), a Body Corporate of the State of
4 Wisconsin, is authorized by Sec. 114.11, Wis. Stats. To acquire, establish, construct, own, lease, equip, improve,
5 maintain, and operate an airport; and

6
7 **WHEREAS**, Sponsor owns and desires to develop or improve the Cherryland Airport, Door County, Wisconsin;
8 and

9
10 **"PETITION FOR AIRPORT PROJECT"**

11
12 **WHEREAS**, Airport users have been consulted in formulation of the improvements included in this Resolution;
13 and

14
15 **WHEREAS**, The Sponsor is required by Sec. 114.32(5), Wis. Stats. to designate the Secretary of the
16 Wisconsin Department of Transportation (hereinafter referred to as the "Secretary") as its agent to accept, receive,
17 receipt for and disburse any funds granted by the United States under the Federal Airport and Airway Improvement
18 Act, and is authorized by law to designate the Secretary as its agent for other purposes; and

19
20 **WHEREAS**, It is recognized that the improvements petitioned for as listed will be funded individually or
21 collectively as funds are available, with specific project costs to be approved as work is authorized, the
22 proportionate cost of the airport development projects described above which are to be paid by the Sponsor to the
23 Secretary, to be held in trust for the purposes of the project; any unneeded and unspent balance after the project
24 is completed is to be returned to the Sponsor by the Secretary; the Sponsor will make available any additional
25 monies that may be found necessary, upon request of the Secretary, to complete the project as described above;
26 the Secretary shall have the right to suspend or discontinue the project at any time additional monies are found to
27 be necessary by the Secretary, and the Sponsor does not provide the same; and

28
29 **WHEREAS**, A public hearing was held prior to the adoption of this airport development project in accordance
30 with Sec. 114.33(2) Wis. Stats. and evidence, in the form of a transcript, that the project has received a public
31 hearing is being submitted with this petition.

32
33 **NOW, THEREFORE, BE IT RESOLVED**, That a petition for Federal and/or State Aid in the following form is
34 hereby approved by the Sponsor:

35
36 The petitioner, desiring to sponsor an airport development project with Federal and State Aid or State Aid only,
37 in accordance with applicable State and Federal laws, respectfully represents and states:

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1. That the airport, which it is desired to develop, should generally conform to the requirements for a transport type airport as defined by the Federal Aviation Administration.
 2. The character, extent, and kind of improvements desired under the project are as follows: Replace rotating beacon and beacon tower; Sealcoat & crack fill airport pavements; Reconstruct/strengthen runway 2/20, including lighting and Runway End Identifier Lights (REILs); Lighting protection for airfield lighting; Replace fence gates; Reconstruct ramp including two additional concrete pads; Reconstruct taxiways; Replace taxiway lighting and reflectors; conduct wildlife site visit and site assessment; purchase snow removal and mowing equipment; clear runway approaches as stated in Transportation Administrative Code Chapter 55, and any necessary related work.
 3. That the airport project, which your petitioner desires to sponsor, is necessary for the following reason(s): To meet existing and future needs of the airport and replace deteriorating infrastructure.



RESOLUTION 2018-57
PETITION THE SECRETARY OF TRANSPORTATION FOR
AIRPORT IMPROVEMENT AID BY DOOR COUNTY
CHERRYLAND AIRPORT, DOOR COUNTY, WISCONSIN

"DESIGNATION OF SECRETARY OF TRANSPORTATION AS SPONSOR'S AGENT"

ROLL CALL Board Members	Aye	May	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH	X		
KOHOUT	X		
LIEFNAU	X		
LUNDAHL	X		
NEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VILIES WOTACHEK	X		
WAIT	X		

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted Deleted

1st Neinas 2nd R. Englebert

Yes: 21 No: 0 Exc: 0

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

FISCAL IMPACT: This resolution is the beginning of the process to request State and Federal Block Grant (20% cost share) and/or Entitlement Funds (5% cost share) for 2019 and subsequent years.
MEJ

Certification:
 I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of September, 2018 by the Door County Board of Supervisors.
[Signature]
 Jill M. Lau
 County Clerk, Door County

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BE IT FURTHER RESOLVED, That the Secretary of the Wisconsin Department of Transportation is hereby designated as Sponsor's agent pursuant to and in accordance with Sec. 114.32(5) Wis. Stats. and is requested to agree to act as such in matters relating to the airport development project described above, and is hereby authorized as its agent to make all arrangements for the development and final acceptance of the completed project whether by contract, agreement, force account or otherwise; and particularly, to accept, receive, receipt for and disburse federal monies or other monies, either public or private, for the acquisition, construction, improvement, maintenance and operation of the airport; and to acquire property or interests in property by purchase, gift, lease, or eminent domain under Chapter 32 Wisconsin Statutes; and to supervise the work of any engineer, appraiser, negotiator, contractor or other person employed by the Secretary; and to execute any assurances or other documents required or requested by any agency of the federal government and to comply with all federal and state laws, rules, and regulations relating to airport development projects.

BE IT FURTHER RESOLVED, That the Secretary of the Wisconsin Department of Transportation provide that all or certain parts of the required land or interests in land that the Secretary deems necessary to complete the aforesaid project may be acquired by the sponsor pursuant to and in accordance with Sec. 114.33(8)(a) Wis. Stats.

"AIRPORT OWNER ASSURANCES"

BE IT FURTHER RESOLVED, That the Sponsor agrees to maintain and operate the airport in accordance with conditions established by the Secretary of the Wisconsin Department of Transportation under Sec. 114.31(7), Wis. Stats., Chapter Trans. 55 Wis. Adm. Code, (or) in accordance with Sponsor assurances enumerated in a federal grant agreement.

BE IT FURTHER RESOLVED, That the Door County Highway & Airport Committee and Door County Clerk are authorized to execute the Agency Agreement, the Federal Block Grant "Owner Assurances" appended to and authorized by this Resolution, or any other necessary documents.

BE IT FURTHER RESOLVED, That this Resolution supplements but does not supersede Resolution No. 2014-58.

**SUBMITTED BY:
HIGHWAY & AIRPORT COMMITTEE**

[Signature] John Neinas, Chair
[Signature] Roy Englebert
[Signature] Ken Fisher
[Signature] Randy Halstead
[Signature] Joel Gunnlaugsson



Resolution No. 2018-58

APPROVAL OF EPCRA COUNTY-WIDE STRATEGIC PLAN

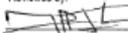
DOOR COUNTY

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH	X		
KOHOUT	X		
LIEFNAU	X		
LUNDAHL	X		
NEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VLIES WOTACHEK	X		
WAIT	X		

BOARD ACTION
Vote Required: Majority Vote of a Quorum

Motion to Approve: Accepted
 1st: Joel Gunnlaugsson Defeated
 2nd: Jon Koch

Yes: 11 No: 0 Exc: 0

Reviewed by:
 , Corp. Counsel
 Reviewed by:
 , Administrator

FISCAL IMPACT: There is no fiscal impact specifically related to approval of this resolution. Door County does receive an annual grant for the EPCRA program to help pay for the EPCRA activities; we received \$13,853 in 2017, and expect a similar amount in 2018. MEJ

Certification:
 I, Jim M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 22nd day of September, 2018 by the Door County Board of Supervisors.


 JIM M. LAU
 County Clerk, Door County

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, The Emergency Planning and Community Right-to-Know
2 Act ("EPCRA") was passed in 1986 in response to concerns regarding the
3 environmental and safety hazards posed by the storage and handling of
4 toxic chemical; and

6 **WHEREAS**, Each county is to develop and adopt an EPCRA County-
7 Wide Strategic Plan ("Plan") that is compatible with state and Federal laws,
8 regulations and rules; and

10 **WHEREAS**, The purpose of this Plan is to develop policies and
11 procedures for responding to hazardous materials incidents and/or
12 accidents in compliance with the requirements of EPCRA in order to protect
13 the community from the harmful and possibly life threatening effects of a
14 hazardous materials release; and

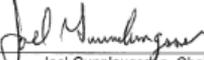
16 **WHEREAS**, This Plan forms a part of the county Emergency
17 Operations Plan and defines the roles, responsibilities, and inter/intra-
18 organizational relations of government and private organizations in
19 response to a hazardous material incident and includes requirements for
20 the development/update of the Plan; and

22 **WHEREAS**, This Plan was reviewed and approved by the Door County
23 Local Emergency Planning Committee.

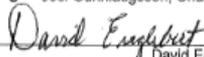
25 **NOW, THEREFORE, BE IT RESOLVED**, That the proffered EPCRA
26 County-Wide Strategic Plan is hereby approved.

28 **BE IT FURTHER RESOLVED**, That this Plan supplants any prior the
29 EPCRA County-Wide Strategic Plan adopted by Door County.
30
31

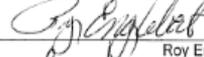
SUBMITTED BY: Public Safety Committee

 _____
 Joel Gunnlaugsson, Chairperson

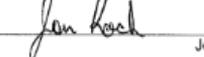
 _____
 Megan Lundahl

 _____
 David Englebert

 _____
 Kathy Schultz

 _____
 Roy Englebert

 _____
 Linda Wait

 _____
 Jon Koch



DOOR COUNTY

Resolution No. 2018-59

**APPOINTMENT TO COMMITTEES, COMMISSIONS & BOARDS
LOCAL EMERGENCY PLANNING COMMITTEE**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
BULTMAN			
CHOMEAU			
D. ENGLEBERT			
R. ENGLEBERT			/
ENGL			/
FISHER			/
GUNNLAUGSSON			/
HALSTEAD			/
KOCH			/
KOHOUT			/
LIENAU			/
LURDAHL			/
NEINAS			/
NORTON			
ROBILLARD			
SCHULTZ			
VIRLEE			
VILIES WOTACHEK			
WAT			

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, Pursuant to Section 59.18(2)(c) Wisconsin
2 Statutes, the duties and powers of a County Administrator include
3 appointment of "...the members of all boards and commissions
4 where the statutes provide that such appointment shall be made by
5 the county board or by the chairperson of the county board"; and

6 **WHEREAS**, "All appointments to boards and commissions by
7 the County Administrator shall be subject to the confirmation of the
8 County Board" per Section 59.18(2)(c), Wisconsin Statutes; and

9 **WHEREAS**, The Rules of Order confers the power to appoint
10 the members of certain committees upon the Chairperson of the
11 County Board, subject to the confirmation of the County Board; and

12 **WHEREAS**, The appointment set forth on Exhibit A, attached
13 hereto and incorporated herein by reference, are submitted for
14 County Board confirmation.

15 **NOW, THEREFORE, BE IT RESOLVED**, That the Door
16 County Board of Supervisors hereby confirms the proposed
17 appointment to boards, commissions, and committees as set forth in
18 Exhibits A.
19
20
21
22

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st Fisher Defeated

2nd Gunnlaugsson

Yes: No: Exc:

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

FISCAL IMPACT: There is no additional fiscal implication with the adoption of this resolution. MEJ

Certification:
I, JIM LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of September, 2018 by the Door County Board of Supervisors.

[Signature]
JIM LAU
County Clerk, Door County

SUBMITTED BY:

[Signature]
David Lienau, Chairman
Door County Board of Supervisors

[Signature]
Ken Pabich
County Administrator



**County of Door
COUNTY ADMINISTRATOR**

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

Ken Pabich
County Administrator
(920) 746-2303
kpabich@co.door.wi.us

MEMORANDUM

TO: Dave Lienau, Chairman, County Board of Supervisors
FROM: Ken Pabich
County Administrator
DATE: September 20, 2018
RE: Appointments to Boards/Commissions

In conjunction with Resolution 2018-58 - Approval of EPCRA County-Wide Strategic Plan, I am including the current listing of members for the Local Emergency Planning Committee (LEPC). The listing includes one staff change and one citizen member change from the previous listing, along with one vacancy.

LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)

Name	Group	Agency / Organization	Term Ends
Tim Dietman, Co-Chair	2	Sturgeon Bay Fire Dept.	April 2019
Dan Kane, Co-Chair	2	Door County EM/Communications	April 2019
* Susan Kohout	1	Door County Board Supervisor	April 2019
Aaron LeClair, Secretary	2	Door County EMS Department	April 2019
Pat McCarty	2	Door County Sheriff Dept	April 2019
Carrie Gossen	2	Door County Dispatch	April 2019
Sue Powers (<i>new staff appointee</i>)	2	Door County Public Health	April 2019
Haley Adams	1	Baileys Harbor Town Board	April 2019
Curt Vandertic	2	Brussels, Union, Gardner (BUG) Fire	April 2019
Howie Hathaway	4	Amateur Radio (Citizen at large)	April 2019
Pete Devlin	3	Media Representative	April 2019
Arleigh Porter	2	Sturgeon Bay Police Department	April 2019
Bob Mayer (<i>new appointee</i>)	4	Red Cross	April 2019
Vacant	5	Fincantieri Bay Shipbuilding	April 2019
Dan Brinkman (Alternate)	2	Sturgeon Bay Police Department	April 2019
Glenn Nelson (Alternate)	5	Fincantieri Bay Shipbuilding	April 2019

Biography on New Appointee: Bob Mayer

My Red Cross Story: I have been with the American Red Cross for approximately 9 years. I started as a volunteer instructor teaching CPR. Very shortly after that I was hired as a Part Time On-Call (PTOC) instructor, then for the next 5 years as a Logistics Specialist. I then moved into my current position as the Disaster Program Manager for Northeast Wisconsin. Prior to my American Red Cross career, I spent over 30 years in law enforcement and fire services. I have also owned several different businesses. I'm very proud of the American Red Cross and love the people I gets to work with. To me, it's my way of giving back to not only my community but the State of Wisconsin, and the USA. I love and am very protective of the volunteers. My biggest goal in the organization will happen once my wife retires and I'll get promoted back to being a volunteer. My wife and I want to be DOVES then.



Resolution No. 2018-60
AUTHORIZE APPLICATION FOR AND ACCEPTANCE OF
FINANCIAL ASSISTANCE FOR ROBERT LA SALLE COUNTY
PARK PRAIRIE PLANTING

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH	X		
KOHOUT	X		
LIENAU	X		
LUNDGAHL	X		
NEIKAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
Virlee	X		
VLES WOTACHEK	X		
WAIT	X		

BOARD ACTION
 Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted
 Defeated

1st: Austad
 2nd: Virlee

Yes: 21 No: 0 Exc: 0

Reviewed by: [Signature] Corp. Counsel
 Reviewed by: [Signature] Administrator

FISCAL IMPACT: The estimated county match of \$1,850.00 for the project will be funded through a gift from the Friends of Door County Parks. MEJ

Certification:
 I, Jill Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of September, 2018 by the Door County Board of Supervisors.

[Signature]
 Jill Lau
 County Clerk, Door County

1 **WHEREAS**, Section 59.52(19) Wis. Stats. Empowers the County Board to
 2 accept donations, gifts, or grants of money for any public governmental purpose
 3 within the powers of the County; and

4 **WHEREAS**, Rule No. 38 of the Rules of Order provides, in pertinent part, as
 5 follows: "An oversight committee may accept donations, gifts or grants. County
 6 Board shall be provided notice of any donation, gift or grant in excess of \$1,000.00
 7 prior to acceptance. An itemized report of all donations, gifts or grants shall be
 8 submitted to the County Board on an annual basis."; and

9 **WHEREAS**, Resolution 75-84 entitled "Gifts, Grants & Donations to the
 10 County of Door" requires approval of the Door County Board of Supervisors, for
 11 acceptance of all donations, gifts, and grants whether in the form of money, or
 12 personal or real property; and

13 **WHEREAS**, Door County formally requested financial assistance (i.e., a
 14 grant) through the Wisconsin Department of Natural Resources' (DNR's) County
 15 Conservation Aids Program for Upper La Salle County Park Prairie Planting in an
 16 estimated amount of \$3,700.00 There is a 50% county match required for this
 17 grant; and

18 **WHEREAS**, The Door County Parks Department has sufficient funds
 19 available (in the form of a donation from the Friends of the Door County Parks
 20 System, Inc.) to meet the financial obligation of the grant (i.e., 50% match); for the
 21 prairie planting; and

22 **WHEREAS**, The Facilities & Parks Committee has approved the application
 23 for and acceptance of financial assistance (i.e., a grant) through the DNR's
 24 Conservation Aids Program for the prairie planting project at Robert La Salle
 25 County Park;

26 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board of
 27 Supervisors does hereby authorize the Parks Superintendent, subject to the
 28 oversight by the Facilities & Parks Committee, to: act on behalf of Door County,
 29 prepare and submit a County Conservation Aids grant application, accept any
 30 grant award and related donation, sign necessary documents, administer any
 31 County Conservation Aids grant, and take any and all action necessary to
 32 complete the proposed project.

33 **BE IT FURTHER RESOLVED**, That Door County will comply with the project
 34 grant award contract mandates.

SUBMITTED BY:
FACILITIES & PARKS COMMITTEE

Dan Austad Dan Austad, Chairperson
Randy Halstead Randy Halstead
Ken Fisher Ken Fisher
Helen Bacon Helen Bacon
Susan Kohout Susan Kohout
Richard Virlee Richard Virlee
Roy Englebert Roy Englebert



DOOR COUNTY

Resolution No. 2018-61

GRANT OF EASEMENT TO WPSC – CANA ISLAND

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
BULTMAN			
CHOMEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNNLAUGSSON			
HALSTEAD			
KOCH			
KOHOUT			
LEENAU			
LUNDAHL			
NEDNAS			
NORTON			
ROBILLARD			
SCHULTZ			
VIRLEE			
VJLES WOTACHEK			
WALT			

VIRLEE VOTE

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, The County of Door ("County") owns the real property
2 (hereinafter referred to as the "subject property") assigned Parcel # 002-
3 03-11302811, located in the Town of Baileys Harbor, County of Door, State
4 of Wisconsin; and

5
6 **WHEREAS**, Wisconsin Public Service Corporation ["WPSC"] has
7 approached the County to negotiate a non-exclusive utility easement as to
8 a portion of the subject property, to construct, install, operate, inspect,
9 maintain, repair, replace, abandon and remove facilities used in connection
10 with the underground transmission and distribution of electricity; and

11
12 **WHEREAS**, The County is amenable to negotiating the grant of such
13 an easement to WPSC.

14
15 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board
16 of Supervisors does hereby authorize the grant of a non-exclusive utility
17 easement to WPSC as to a portion of the subject property as described
18 above.

19
20 **BE IT FURTHER RESOLVED**, That the location, length and width of
21 the easement is subject to final review, negotiation, and approval of the
22 Facilities & Parks Director and the terms and conditions of the easement
23 document are subject to final review, negotiation, and approval by the
24 Corporation Counsel.

25
26 **BE IT FURTHER RESOLVED**, That the County Clerk is hereby
27 empowered to execute any and all documents necessary or incident to the
28 grant of the easement to WPSC.
29

SUBMITTED BY: FACILITIES AND PARKS COMMITTEE

Daniel Austad, Chairman	Ken Fisher
Richard Virlee	Randy Halstead
Helen Bacon	Susan Kohout
Roy Englebert	

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Defeated

1st Austad

2nd Halstead

Yes: ___ No: ___ Exc: ___

Reviewed by:

Reviewed by:

FISCAL IMPACT: There is no fiscal impact associated with the adoption of this resolution. MEJ

Certification:

I, JIM LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of September, 2018 by the Door County Board of Supervisors.

JIM LAU
County Clerk, Door County



DOOR COUNTY

**Resolution No. 2018-62
APPOINTMENT OF DOOR COUNTY
FINANCE DIRECTOR**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
BULTMAN			
CHOMEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNLAUGSSON			
HALSTEAD			
KOOH			
KOHOUT			
LIENAU			
LUNDAHL			
NEINAS			
NORTON			
ROBILLARD			
SCHULTZ			
VIRLEE			
VLIES WOTACHIEK			
WAIT			

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WHEREAS, Section 59.18 (2) Wisconsin Statutes provides that the county administrator shall appoint, subject to confirmation by the county board, the heads of all departments; and

WHEREAS, Through the appointive authority of the County Administrator, Steve Wipperfurth has been offered an appointment to the position of Door County Finance Director.

NOW, THEREFORE, BE IT RESOLVED, That the Door County Board of Supervisors does hereby confirm the appointment of Steve Wipperfurth as Door County's Finance Director, with a start date of October 1, 2018.

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted Defeated

1st Fisher
2nd Vlies Wotachiek

Yes: _____ No: _____ Exc: _____

Reviewed by: _____ Corp. Counsel

Reviewed by: _____ Administrator

FISCAL IMPACT: This position was included in the 2019 Budget at a salary and benefit cost greater than what will be paid to Mr. Wipperfurth; as such, there is no fiscal impact associated with the adoption of this resolution. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of September, 2018 by the Door County Board of Supervisors.

Jill M. Lau
County Clerk, Door County

SUBMITTED BY:

Dave Lienau, Chairman
Door County Board of Supervisors



Resolution No. 2018-63

RESOLUTION IN SUPPORT OF INCREASED
COUNTY CHILD SUPPORT FUNDING

DOOR COUNTY

1 TO THE DOOR COUNTY BOARD OF SUPERVISORS:
2

3 WHEREAS, Door County administers the Child Support Enforcement Program on behalf
4 of the state, providing services to Door County residents including paternity establishment,
5 obtaining child support and health insurance orders for children, and enforcing and modifying
6 those orders; and
7

8 WHEREAS, Our children's well-being, economic security and success in life are enhanced
9 by parents who provide financial and emotional support; and
10

11 WHEREAS, Door County's Child Support Agency ensures that parents take responsibility
12 for the care and well-being of their children, supports the involvement of parents in their
13 children's lives and provides services to both custodial and noncustodial parents; and
14

15 WHEREAS, The Child Support Enforcement Program is an effective investment in
16 Wisconsin's future as child support increases self-sufficiency, reduces child poverty, and has a
17 positive effect on children's well-being; and
18

19 WHEREAS, Wisconsin's Child Support Enforcement Program is ranked 2nd in the nation
20 for collecting current support; and
21

22 WHEREAS, Wisconsin's Child Support Enforcement Program is incredibly cost-effective,
23 collecting an average of \$5.56 in support for every dollar invested in the program; and
24

25 WHEREAS, County child support agencies collected \$934 Million in child support during
26 2017, 95% of which went directly to families while 5% reimbursed public assistance programs;
27 and
28

29 WHEREAS, Child support agencies help save taxpayer dollars by establishing health
30 insurance orders for 97% of cases, which reduces state Medicaid costs by moving children from
31 public assistance to private insurance; and
32

33 WHEREAS, State funding for county child support services has not increased above the
34 2007 funding level while county agency costs have steadily increased due to growing
35 caseloads, inflation and new federal regulations; and
36

37 WHEREAS, Wisconsin's strong performance in child support is at risk without additional
38 state funding. Diminished performance would result in reduced federal funding to Wisconsin;
39 and
40

41 WHEREAS, Decreased federal funding would lead to less funding for Door County's Child
42 Support Agency. This could lead to reductions in child support enforcement staff and services
43 and reduced child support collections; and



DOOR COUNTY

RESOLUTION 2018-63

**RESOLUTION IN SUPPORT OF INCREASED
COUNTY CHILD SUPPORT FUNDING**

ROLL CALL	Aye	Nay	Exc.
Board Members			
AUSTAD			
BACON			
BULTMAN			
CHOMEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNNLAUGSSON			
HALSTEAD			
KOCH			
KDHOUT			
LIENAU			
LUNDAHL			
NEINAS			
NORTON			
ROBILLARD			
SCHULTZ			
VIRLEE			
VLES WOTACHEK			
WAIT			

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WHEREAS, New state investments in child support are amplified by a generous federal match. Every \$1 of state GPR invested in the Child Support Program generates \$2 in federal matching funds.

NOW, THEREFORE, BE IT RESOLVED. That the Door County Board of Supervisors respectfully requests that state funding for county child support agencies be increased by \$1.5 million GPR in each fiscal year of the 2019-21 Wisconsin state budget, which will generate approximately \$3 million in additional federal funding each year. This investment will ensure that counties can continue to effectively provide economic support to our children.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded by the County Clerk to the Governor of the State of Wisconsin, State Senators and State Representatives representing Door County, the Secretary of the Wisconsin Department of Administration, the Wisconsin Counties Association, and each of Wisconsin's seventy two counties for consideration.

BOARD ACTION
Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Deleted

1st: Norton Deleted

2nd: Bultman

Yes: ___ No: ___ Exc: ___

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: There is no fiscal impact associated with the adoption of this resolution. MEJ

Certification:
I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of September, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

**SUBMITTED BY:
ADMINISTRATIVE COMMITTEE**

[Signature] David Lienau, Chair

[Signature] Ken Fisher

[Signature] Dan Austad

[Signature] Joel Gunnlaugsson

[Signature] Susan Kohout

[Signature] John Neinas

[Signature] Nancy Robillard



DOOR COUNTY

Resolution No. 2018-64

IN SUPPORT OF INCREASING THE COMPENSATION FOR DEFENSE COUNSEL APPOINTED BY THE WISCONSIN PUBLIC DEFENDER'S OFFICE

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL	Board Members	Aye	Nay	Exc.
AUSTAD				
BACON				
BULTMAN				
CHOMEAU				
D. ENGLERBERT				
R. ENGLERBERT				
ENIGL				
FISHER				
GUNNLAUGSSON				
HALSTEAD				
KOCH				
KOHOUT				
LIENAU				
LIUNDAHL				
NEINAS				
NORTON				
ROBILLARD				
SCHULTZ				
VIRLEE				
VLIES WOTACHEK				
WAIT				

Force Vote

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Deleted

1st Robillard Deleted

2nd Vlies Wotachek

Yes: _____ No: _____ Exc: _____

Revised by: _____, Corp. Counsel

Revised by: _____, Administrator

FISCAL IMPACT: There is no fiscal impact associated with the adoption of this resolution. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of September, 2018 by the Door County Board of Supervisors.

Jill M. Lau
County Clerk, Door County

1 **WHEREAS**, Both the United States Constitution and the Wisconsin State
2 Constitution provide that persons accused of a crime have the right to counsel; and

3
4 **WHEREAS**, The Wisconsin State Public Defender's Office ("SPD") provides
5 legal representation to the indigent, utilizing staff attorneys as well as (about 40%
6 of the time) private attorneys certified to take SPD appointments to handle conflict
7 and overflow cases; and

8
9 **WHEREAS**, In May, 2018, The Wisconsin Supreme Court increased, effective
10 January, 2020, the hourly rate of pay for county-funded, court-appointed, attorneys
11 from \$70 to \$100 per hour; and

12
13 **WHEREAS**, The rate of pay for state-funded SPD appointments is \$40 per
14 hour, has not been increased since 1995, and is the lowest in the nation; and

15
16 **WHEREAS**, The pay for state-funded SPD appointments is so low that it has
17 been and is hard to find private attorneys willing to accept such appointments in
18 many counties, resulting in some persons charged with crimes sitting in jail for
19 weeks while they waited for legal representation.

20
21 **WHEREAS**, The disparity in pay (i.e., the decision to increase pay for county-
22 funded attorneys, but not state-funded SPD appointments) will lead private
23 attorneys to refuse state-funded SPD assignments and instead hold out for county-
24 funded, court-appointed, assignments; and

25
26 **WHEREAS**, A greater share of the cost of indigent defense is going to fall on
27 the counties, resulting in (what may reasonably be viewed as) an unfunded
28 mandate.

29
30 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board of
31 Supervisors does hereby urge the State of Wisconsin to provide sufficient resources
32 to the Wisconsin State Public Defender's Office to ensure the criminal justice
33 system operates effectively and efficiently, including increasing the rate of pay for
34 state-funded SPD appointments to \$100 per hour and tie future increases to the
35 rate of inflation.

36
37 **BE IT FURTHER RESOLVED**, That the County Clerk is directed to send a copy
38 of this resolution to Governor Scott Walker, the Wisconsin Counties Association,
39 the Wisconsin Towns Association, the League of Wisconsin Municipalities, all
40 members of the State Legislature representing Door County, and to each Wisconsin
41 County.
42

SUBMITTED BY: ADMINISTRATIVE COMMITTEE

David Lienau, Chair
David Lienau, Chair

Susan Kohout
Susan Kohout

Ken Fisher
Ken Fisher

John Neinas
John Neinas

Dan Austad
Dan Austad

Nancy Robillard
Nancy Robillard

Joel Gunnlaugsson
Joel Gunnlaugsson



DOOR COUNTY

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BELTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNLAUGSSON	X		
HALSTAD	X		
KOCH	X		
KOHOUT	X		
LIENAU	X		
LUNDAHL	X		
NEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VILIES WOTACHEK	X		
WAIT	X		

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Deleted

1st: Fisher Deleted

2nd: Kohout Deleted

Yes: 21 No: 0 Exc: 0

Reviewed by: , Corp. Counsel

Reviewed by: , Administrator

FISCAL IMPACT: The only rates changed by this resolution are those for the Museum Director, Assistant Curator and Stand-by Bridgetender. Based on the number of hours presently included in the 2019 proposed budget for these workers, it is estimated that the fiscal impact of the rate increases would be \$2,331. This is not presently included in the 2019 proposed budget. MEJ

Certification:
I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of September, 2018 by the Door County Board of Supervisors.

Jill M. Lau
County Clerk, Door County

Resolution No. 2018-65
PART TIME PAY RATES
(Replacing Resolution #2017-67)

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, The process requires that a Joint Meeting be held with
2 the Finance and Administrative Committee to review and recommend
3 action by the County Board on all increases to part time pay rates; and

4
5 **WHEREAS**, The Committees met, conferred with department heads,
6 oversight committee chairpersons, Human Resources Director, and
7 County Administrator, considered the part time pay rate changes and
8 submits the attached recommendation to the County Board:

9
10 **NOW, THEREFORE BE IT RESOLVED**, That the Part Time Pay Rates
11 (attached hereto as Addendum A, and incorporated herein by reference)
12 takes the place of (i.e., supersedes and supplants) Resolution #2017-67.

13
14 **BE IT FURTHER RESOLVED**, That the attached rates apply to all
15 classifications as listed, effective January 1, 2019.

SUBMITTED BY:
ADMINISTRATIVE COMMITTEE & FINANCE COMMITTEE

David Lienau, Administrative Committee Chair	Kathy Schultz, Finance Committee Chair
Ken Fisher	David Englebert
Dan Austad	David Enigl
Joel Gunnlaugsson	Susan Kohout
Susan Kohout	Nancy Robillard
John Neinas	Richard Virlee
Nancy Robillard	Laura Vilies Wotachek

PART TIME PAY RATES – WORKSHEET

Position		Current Rate	Proposed Rate	Recommendation	
EMERGENCY MEDICAL TECHNICIAN (EMT)	Training / Certification Required				
On Duty		11.50			
Standby [2012 On-Call]		Payment = on call time mult by W/ min wage			
Paramedic back-up		14.45			
Paramedic (replacement)		14.50			
SHERIFF					
Non-Sworn Reserve Deputy		14.00			
Sworn Reserve Deputy		15.75			
On Call Court Security Deputy					
Class I (start)		18.50			
Class II (3 years)		17.00			
Class III (5 years)		17.50			
MEDICAL EXAMINER					
Medical Examiner Investigator	70.00/case + 15.00 for add'l assigned work by Med Exam				
Cremation	25.00 per assist				
Autopsy / External Exam	100.00 per assist				
Standby [2012 On-Call]	daily stipend \$90 based on 24 hrs prorated				
HIGHWAY					
Stand by Bridgetender	17.50	18.25	17.75		
HIGHWAY & AIRPORT					
Seasonal Class I (start)	11.75				
Seasonal Class II (second year)	12.75				
Seasonal Class III (third year)	13.75				
PARKS (FACILITIES & PARKS)					
Seasonal Class I (start)	11.75				
Seasonal Class II (second year)	12.75				
Seasonal Class III (third year)	13.75				
Seasonal Class IV (CDL Required)	CDL Req'd 14.00				
Seasonal Class V (new class requested)		14.50	14.50		
CIRCUIT COURT					
Baliff	11.00				
MUSEUM					
Museum Director	12.85	13.25	13.25		
Assistant Curator Part Time	12.10	12.50	12.50		
LIBRARY					
Library Page Class I (start)	11.00				
Library Page Class II (second year)	12.00				
Library Page Class III (third year)	13.00				



DOOR COUNTY

ROLL CALL	Aye	Nay	Exc.
Board Members			
AUSTAD	X		
BACON	X		
BULTMAN	✓		
CHOMEAU	✓		
D. ENGLEBERT	✓		
R. ENGLEBERT	✓		
ENIGL	✓		
FISHER	✓		
GUNNLAUGSSON	✓		
HALSTEAD	✓		
KOCH	✓		
KOHOUT	✓		
LIEMAU	X		
LINDAHL	✓		
MEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	✓		
VIRLEE	✓		
VLIES WOTACHEK	✓		
WAIT	✓		

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Debate

1st: Schultz
2nd: Austad

Yes: all No: 0 Exc: 0

Reviewed by: [Signature], Comp. Council

Reviewed by: [Signature], Administrator

FISCAL IMPACT:
See Attached. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of September, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

Resolution No. 2018-66
New Position Requests for 2019
(Increase of Hours, Reclassifications, New Positions)

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, The process requires that a Joint Meeting be held with the Finance and
2 Administrative Committee to review and recommend action by the County Board on all
3 increase of hours; reclassifications and new regular or part time position requests; and
4

5 WHEREAS, The Committees met, conferred with department heads, oversight
6 committee chairpersons, Human Resources Director, and County Administrator,
7 considered the personnel requests made and submits the following recommendation to the
8 County Board:
9

10 The following personnel requests are recommended for approval:
11 **Please reference *Addendum A* for details

12 NOW, THEREFORE, BE IT RESOLVED, That the Door County Board of Supervisors
13 does hereby approve the above action on the increase of hours, and new positions detailed
14 above.
15

FISCAL IMPACT: \$ (SEE ADDENDUM A)

SUBMITTED BY:
ADMINISTRATIVE COMMITTEE & FINANCE COMMITTEE

[Signature]
David Liemau,
Administrative Committee Chair

[Signature]
Kathy Schultz,
Finance Committee Chair

[Signature]
Ken Fisher
David Englebert

[Signature]
Dan Englebert

[Signature]
Blair Austad
David Enigl

[Signature]
Joel Gunnlaugsson

[Signature]
Susan Kohout

[Signature]
Susan Kohout

[Signature]
Susan Kohout
Nancy Robillard

[Signature]
Susan Kohout
Nancy Robillard

[Signature]
John Nehas
Richard Virlee

[Signature]
John Nehas
Richard Virlee

[Signature]
Nancy Robillard
Lauri Vlies Wotachek

[Signature]
Nancy Robillard
Lauri Vlies Wotachek

2019 New Positions, Reclassification and Change of Hours - Summary Effect on 2019 Budget

Addendum A

Department	Rationale	Current Budget or Contract Amount		Proposed Budget or Contract Amount		Change or Increase	Impact on 2019 Personnel Costs		Request Reviewed By: Human Resources	County Administrator Recommendation
		Contract Amount	Offsetting Resources	Contract Amount	Offsetting Resources		Percent Change	Percent Change		
District Attorney										
2 FTE JD PTE Admin Assistant 1	Instead of adding a new position, the department will increase hours for existing staff members to address.	653,616		654,688	\$310	\$310	\$310	Yes	Yes	Yes
		\$0,000 (PCL)								7.19%
		2018 Tax Levy	529,900	2019 Tax Levy	\$298,061	Levy with Change	\$298,391	% Change		
Human Services - RECLASSIFICATION REQUEST										
W/ Home Energy Assistance Program Position	Sent to consultant for review and recommendation									
Support Specialist Position	Sent to consultant for review and recommendation									
Human Services - ADRC										
1.5 FTE to LOTE Cook	Volume of meals has increased 30%			\$22,337		\$22,337		Yes	Yes	Yes
Increase LTE Hours @ ADRC	We need additional LTE hours to cover the work load when staff are out or when we have special events.			\$12,585		\$12,585		Yes	Yes	Yes
1 FTE Transportation (LTE)	LTE position or contracted position that will analyze the Transportation program and determine the direction the County will go in 2020 and beyond.	\$9,388 Revenue		\$9,388		\$9,388		LTE included in budget	Yes	Approved - included in the budget.
Human Services - Human Services										
1 FTE Psychiatrist	ADRC	\$520,964	2018 Tax Levy	\$591,860	2019 Tax Levy	\$69,896	Levy with Change	\$69,892	% Change	13.00%
1 FTE Children's Long Term Care Mgr.	Current contracted doctor with licensure is not working and we have more expensive than just hiring the doctor.	\$117,200		\$263,000	(\$156,200)	(\$156,200)		Yes	Yes	Yes
1 FTE Comprehensive Community Services Case Mgr	ADRC	\$96,000 Revenue		\$96,824		\$824		Yes	No	No
	Supplies for the 2019-2020 year. The Comprehensive Community Service program continues to increase. We have yet to see the volume of discharges equal the number of new admissions. In this program, we have the ability to capture our full costs through Medicaid billing.	\$143,248 Revenue		\$41,888		\$41,888		Yes	No	No
	ADRC	\$3,694,531	2018 Tax Levy	\$3,654,039	2019 Tax Levy	\$40,492	Levy with Change	\$41,137	% Change	0.72%
Library										
LTE	Archives Researcher			\$20,197		\$20,197		Yes	Yes	Yes
		\$5,514,715	2018 Tax Levy	\$1,504,765	Levy with Change	\$1,524,962	% Change			0.82%
Sheriff										
1 FTE Case Manager (LTE)	LTE position or contracted position that will work under that grant ordered as part of Operation Fresh Start. Position will also complete initial research for the Treatment Court. This position will report to Adult Services.	\$66,000 Grant		\$66,824		\$824				Approved - included in the budget.
Part time pay rate requests										
Emergency Services										
	Paramedic Replacement - from \$14.50 to \$16.92 per hour	\$7,480,596	2018 Tax Levy	\$5,800,250	2019 Tax Levy	\$5,800,250	Levy with Change	\$5,800,250	% Change	-9.09%
	EMT - Back from \$7.25 to \$11.50 to \$13.54 per hour									
Highways & Parks Seasonal										
	Seasonal Class I (start) \$11.75 - \$13.25 per hour	\$5,331,629	2018 Tax Levy	\$3,087,703	2019 Tax Levy	\$3,124,620	Levy with Change	\$3,124,620	% Change	-6.24%
	Seasonal Class II (second year) \$13.75 - \$13.25 per hour	\$5								
	Seasonal Class III (third year) \$13.75 - \$14.25 per hour									
	Seasonal Class IV (final year) \$14.00 - \$14.50 per hour									
	Security Class V - \$14.50 per hour (new class requested)									
	Stand by Bridge tender - \$17.50 to \$18.25 per hour			\$0.75		\$0.75		Yes	No	No
	Highway	\$0	2018 Tax Levy	\$0	2019 Tax Levy	\$0	Levy with Change	\$0	\$ Change	25.77%
	Park & Parks	\$1,796,791	2018 Tax Levy	\$3,256,839	2019 Tax Levy	\$1,460,048	Levy with Change	\$1,539,058	% Change	40.14%

Department	Reasonable	Current Budget or Contract Amount or Offsetting Revenues	Proposed Budget or Contract Amount	Change or Increase	Impact on 2019 Budget, Mitig. Revenues or Department Charges	Percent Change	Revised for Annual Budget	County Administrator Recommendation
Museum	Museum Director - \$12.85 to \$13.25 Assistant Curator - part time - \$12.10 to \$12.50 Museum	598,989	2019 Tax Levy	599,053	\$1,218	2%	Yes	Yes
Sherriff's Department	Non-Sworn Reserve Deputy - from \$14.00 to \$14.50 per hour Sworn Reserve Deputy - from \$13.75 to \$14.25 per hour Reserve Coordinator - \$11.00 per hour (new rate requested) Sheriff	\$7,480,956	2019 Tax Levy	\$6,800,250	Levy with Change	\$105,273	1.4%	Yes
Reference to our Current Pay Structure:	Grade A: step 1 - \$12.46 Grade B: step 1 - \$13.46 Grade C: Step 1 - \$14.53				Levy with Change	\$6,800,250	0%	Yes

Summary of Changes Recommended by Administrator		
Department	Position	Fiscal Impact
District Attorney	Admin Asst I	\$310
MS - ADRG	Cook	\$22,337
MS - ADRG	LTE Hour	\$12,585
MS - HS	Psychiatric	(\$55,000)
Library	LTE Researcher	\$30,157
Museum	Director/Curator	\$1,218
Total 2019 Fiscal Impact on Tax Levy		(\$19,510)



Resolution No. 2018-67

TRANSFER OF NON-BUDGETED FUNDS
Recruitment and Retention of Psychiatrist

DOOR COUNTY

ROLL CALL table with columns: Board Members, Aye, Nay, Exc. Lists names like AUSTAD, BACON, BULTMAN, etc.

BOARD ACTION

Vote Required: Two Thirds of Entire Membership

Form for Board Action with fields for Motion to Approve, Adopted, Deleted, and Yes/No/Exc counts.

Reviewed by section with signature lines for Corp. Counsel and Administrator, and a FISCAL IMPACT statement.

Certification: I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of September, 2018 by the Door County Board of Supervisors.

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

WHEREAS, Per § 85.90(5)(a) Wis. Stats. and Rules of Order #19 the amounts of the various appropriations and the purposes for such appropriations stated in a budget may not be changed unless authorized by a vote of two-thirds of the entire membership of the County Board of Supervisors; and

WHEREAS, The Human Services Department ("HSD") is in need of a full-time Psychiatrist to assume, among others, the role of Treatment Director for its Outpatient Mental Health and AODA Clinic; and

WHEREAS, HSD has, without success, been seeking to hire a full-time staff psychiatrist for the better part of two-years. During this two-year period DHS has explored or tried alternatives to a full-time staff psychiatrist (e.g., telepsychiatry, a combination of telepsychiatry and in-person, locum tenens psychiatrist, and contracting with another county for psychiatric services), but none have proven to be feasible or adequate; and

WHEREAS, Recruiting and retaining a full-time staff psychiatrist remains a significant concern for DHS. One strategy to address this concern is to utilize the services of a recruiter or headhunter to fill the position. Funds were not appropriated for this purpose in the 2018 budget; and

WHEREAS, At a joint meeting on September 18, 2018, the Administrative Committee and the Finance Committee considered this matter and recommended: a) hiring a recruiter or headhunter to assist in filling the full-time DHS psychiatrist position; and b) supplementing the 2018 appropriations for the Human Services Department by transfer of up to \$30,000 from the contingent fund to cover the fees and expenses of a recruiter or headhunter.

NOW, THEREFORE, BE IT RESOLVED, That the Door County Board of Supervisors does hereby approve supplementing the 2018 appropriations for the Human Resources budget by transfer of up to \$30,000 from the Door County Contingency Expense Account #100.06.1161.59103, to the Human Services Department Psychiatrist Recruitment Account, #240.47.3900.53162, to cover the fees and expenses of a recruiter or headhunter to assist in filling the full-time DHS psychiatrist position, and any other expenses related to the recruitment and filling of this position.

SUBMITTED BY: ADMINISTRATIVE COMMITTEE & FINANCE COMMITTEE. Includes signature lines for David Lienau, Ken Fisher, Dan Austad, Joel Gunnlaugsson, Susan Kohout, John Neimas, Nancy Robillard, Kathryn Schultz, Finance Committee Chair, David Englebert, David Enigi, Susan Kohout, Nancy Robillard, Richard Virlee, and Laura Vlies Wotachek.



DOOR COUNTY

Resolution No. 2018-68

CLASSIFICATION OF EMPLOYEES FOR PURPOSES OF THE WISCONSIN RETIREMENT SYSTEM UNDER § 40.06(1)(d), WIS. STATS.

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD		X	
BACON		X	
BULTMAN		X	
CHOMEAU		X	
D. ENGLEBERT		X	
R. ENGLEBERT		X	
ENIGL	X		
FISHER	X		
GUNNLAUGSSON		X	
HALSTEAD		X	
KOCH		X	
KOHOUT		X	
LJENAU		X	
LUNDAHL		X	
NEINAS	X		
NORTON		X	
ROBILLARD		X	
SCHULTZ	X		
VIRLEE		X	
VLIES WOTACHEK		X	
WAIT		X	

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted

1st: Robillard Defeated

Yes: 4 No: 11 Exc:

Reviewed by: [Signature] Corp. Counsel
Reviewed by: [Signature] Administrator

FISCAL IMPACT: The fiscal impact is negligible for the first year. The savings will be the result of a reduced WRS Employer Contribution rate.

STW

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of September, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

1 **WHEREAS**, Participating employers are responsible for classification of all
2 participating employees, including those employees classified as protective
3 occupation participants determined in accordance with §§ 40.06 (1)(d) and 40.02
4 (48), Wis. Stats.

5
6 **WHEREAS**, § 40.02(48), Wis. Stats. lists specific positions that typically
7 qualify as protective occupation participants, and jailer is not among the positions
8 listed.

9
10 **WHEREAS**, The standard an employer must use in determining whether an
11 employee should be classified and reported as a WRS protective occupation
12 participant is set forth in § 40.02(48)(a), Wis. Stats. An employer may not classify
13 an employee as a protective occupation participant without first making a
14 determination that their principle duties:

- Involve active law enforcement;
- Require frequent exposure to a high degree of danger or peril; and
- Require a high degree of physical conditioning.

15
16
17
18
19
20 The Wisconsin Department of Employee Trust Funds ("ETF") Board and reviewing
21 courts have: a) interpreted: "principal duties" to require that 51% or more of the
22 employee's time be spent in active law enforcement; b) interpreted "active law
23 enforcement" as being actively, currently and directly involved in detecting and
24 preventing crime, and enforcing laws or ordinances of the participating employer;
25 and c) consistently classified jailers as 'general' and not 'protective occupation'
26 participants for WRS purposes.

27
28 **WHEREAS**, the Corporation Counsel, Human Resources Director and County
29 Administrator have opined that no Door County Security Deputy, Security Sergeant,
30 Court Security/Transport Deputy or Jail Lieutenant meets the requirements for
31 being considered a protective occupation participant.

32
33 **WHEREAS**, After consideration of the foregoing, it has been determined that
34 the proper classification of each Door County Security Deputy, Security Sergeant,
35 Court Security/Transport Deputy, and Jail Lieutenant is that of 'general' and not
36 'protective occupation' participant for WRS Purposes.

37
38 **NOW, THEREFORE, BE IT RESOLVED**, By the Door County Board of
39 Supervisors that the proper classification of each Door County Security Deputy,
40 Security Sergeant, ~~Court Security/Transport Deputy~~, and ~~Jail Lieutenant~~ is that of
41 'general' and not 'protective occupation' participant for WRS Purposes and that the
42 Wisconsin DETF will be notified of the same consistent with § 40.06(1)(d), Wis.
43 Stats.

SUBMITTED BY: ADMINISTRATIVE COMMITTEE

[Signature] David Lienau, Chair
[Signature] Susan Kohout
[Signature] Ken Fisher
[Signature] John Neinas
[Signature] Dan Austad
[Signature] Nancy Robillard
[Signature] Joel Gunnlaugsson



DOOR COUNTY

Resolution No. 2018-69

**RIGHT OF FIRST REFUSAL
[SE1/4-SW1/4-SECTION 1-TOWNSHIP 27 NORTH- RANGE 25 EAST]**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON		X	
BULTMAN	X		
CHOMEAU		X	
D. ENGLEBERT	X		
R. ENGLEBERT		X	
ENGL	X		
FISHER	X		
GUNNARSSON		X	
HALSTEAD		X	
KOCH	X		
KOHOOT		X	
LIENAU	X		
LUNDHL	X		
NEINAS	X		
NORTON		X	
ROBILLARD	X		
SCHULTZ	X		
WIRLEE	X		
VLIES WOTACHEK	X		
WAIT		X	
	13	8	

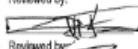
BOARD ACTION
Vote Required: Two-Thirds of Entire Membership

Motion to Approve Adopted

1st Fisher Defeated

2nd R. Englebert

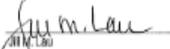
Yes: 13 No: 8 Exc: 0

Reviewed by:  Corp. Counsel

Reviewed by:  Administrator

FISCAL IMPACT: Should Door County exercise its right of first refusal and purchase subject property for \$25,000, the available balance in the Contingency Expense account would decrease from \$240,773.61 to \$215,773.61. MEJ

Certification:
I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 27th day of September, 2018 by the Door County Board of Supervisors.


Jill M. Lau
County Clerk, Door County

1 **WHEREAS**, The County of Door ("County") by virtue of a Warranty Deed
2 (Doc# 608342, V. 740, P. 207) possesses a Right of First Refusal (Doc#
3 408138, V. 317, P. 423) as to real property commonly known as 6502 Emerald
4 Drive, Town of Nasewaupée, Door County, Wisconsin (the "Property") and
5 other related rights (collectively, the "Rights"); *and*

6 **WHEREAS**, The County has the first right of refusal to purchase the
7 Property proposed for sale; *and*

8 **WHEREAS**, The current owner of the Property, Joseph L. Giraud
9 ("Seller"), wishes to sell the Property to Andrew J. & Falon L. Charles
10 ("Buyer"); *and*

11 **WHEREAS**, Seller may not sell the Property to Buyer without first offering
12 said Property to Door County upon the same terms and conditions; *and*

13 **WHEREAS**, Seller has offered to sell the Property to County, and County
14 must exercise its Rights (i.e., meet the terms of the Buyer's offer) or waive and
15 release its Rights; *and*

16 **WHEREAS**, The County Board has determined that it is in the best
17 interests of the County to exercise / ~~waive, release and relinquish~~ its Rights.

18 **NOW, THEREFORE, BE IT RESOLVED** That the Door County Board of
19 Supervisors does hereby exercise / ~~waive, release and relinquish~~ its right of
20 first refusal to purchase the Property.

21 **BE IT FURTHER RESOLVED** That, as funds have not been separately
22 appropriated for this purpose in 2018, up to \$25,000 may be transferred from
23 the Contingency Expense account for the purpose of purchasing the Property.

24 **BE IT FURTHER RESOLVED** That the Door County Clerk be, and is
25 hereby, authorized to execute any documents, subject to review and approval
26 by Corporation Counsel, necessary to carry out the purpose and intent of this
27 resolution.

SUBMITTED BY:



David Lienau, Chairman
Door County Board of Supervisors



DOOR COUNTY

Resolution No. 2018-70

**§48.09, Wis. Stats. Designation
(Applicable to §48.977, Wis. Stats. Guardianships)**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
BULTMAN			
CHOMEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNNAUGSSON			
HALSTEAD			
KOCH			
KOHOUT			
LIENAU			
LUNDAHL			
NEINAS			
NORTON			
ROBILLARD			
SCHULTZ			
VIRLEE			
VLIES WOTACHEK			
WAIT			

Roll Call

1 **WHEREAS**, Pursuant to §48.09, Wis. Stats., the district attorney
2 represents the interest of the public in any matter arising under §48.977,
3 Wis. Stats.; and
4
5 **WHEREAS**, The county board may transfer this responsibility and
6 authority to the corporation counsel as provided in §48.09, Wis. Stats.; and
7
8 **WHEREAS**, It is deemed appropriate to designate the corporation
9 counsel as the person to represent the interests of the public in
10 proceedings arising under §48.977, Wis. Stats.
11
12 **NOW, THEREFORE, BE IT RESOLVED**, By the Door County Board
13 of Supervisors that the corporation counsel is designated as the person
14 responsible to represent the interests of the public in proceedings arising
15 under §48.977, Wis. Stats.
16
17 **BE IT FURTHER RESOLVED**, That this designation shall be effective
18 on September 1, 2019, consistent with §48.09, Wis. Stats.
19
20 **BE IT FURTHER RESOLVED**, That the Wisconsin Department of
21 Administration shall be notified of this change not later than January 1,
22 2019.

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st Kohout Defeated

2nd Bacon

Yes: _____ No: _____ Exc: _____

Reviewed by:
James Robillard Asst. Corp. Counsel
 Reviewed by:
[Signature] Administrator

FISCAL IMPACT: There is no additional fiscal implication with the adoption of this resolution. STW

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 21st day of October, 2018 by the Door County Board of Supervisors.

Jill M. Lau
 Jill M. Lau
 County Clerk, Door County

SUBMITTED BY: ADMINISTRATIVE COMMITTEE

 David Lienau, Chairman

[Signature] *[Signature]*
 Ken Fisher John Neinas

[Signature] *[Signature]*
 Dan Austad Nancy Robillard

[Signature]
 Joel Gunnlaugsson



DOOR COUNTY

Resolution No. 2018-71

**Transfer of Non-Budgeted Funds
(Cana Island Restoration Phase III) Per § 65.90, Wis. Stats.**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Abs	May	Exc.
AUSTAD	✓		
BACON	✓		
BULTMAN	✓		
CHOMEAU	✓		
D. ENGLEBERT		✓	
R. ENGLEBERT	✓		
ENIGL	✓		
FISHER	✓		
GUNNLAUGSSON	✓		
HALSTEAD	✓		
KOCH	✓		
KOHOUT	✓		
LITENAU			✓
LUNDAHL	✓		
NEINAS	✓		
NORTON	✓		
ROBILLARD	✓		
SCHULTZ	✓		
VIRLEE	✓		
VILIES WOTACHEK			✓
WAIT	✓		

BOARD ACTION

Vote Required: Two Thirds of Entire Membership

Motion to Approve: Adopted Deleted

1st: Susan Htz Deleted:

2nd: Virlee

Yes: 10 No: 1 Exc: 0

Reviewed by: Kathy Schultz, Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: Since this is not a loan (no interest will be charged), the \$150,000.00 will be considered as an advance to the Cana Island Restoration Fund. If approved, the available balance in the Unassigned Fund Balance will be \$13,265,664.86 after this advance. STW

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 23rd day of October, 2018 by the Door County Board of Supervisors.

Jill M. Lau
Jill M. Lau
Clerk, Door County

1 **WHEREAS**, Pursuant to §65.90(5)(a), Wis. Stats. and Rules of Order #19
2 the amounts of the various appropriations and the purposes for such
3 appropriations stated in a budget required may not be changed unless
4 authorized by a vote of two-thirds of the entire membership of the County
5 Board of Supervisors.

6
7 **WHEREAS**, This Project has been the subject of myriad resolutions,
8 including Resolution No. 2013-38 (adopted 05-28-2013); Resolution No. 2013-
9 39 (adopted 05-28-2013); Resolution No. 2013-59 (adopted 09-26-2013);
10 Resolution No. 2013-62 (adopted 10-22-2013); Resolution No. 2014-03
11 (adopted 01-28-2014); Resolution No. 2014-60 (adopted 06-24-2014); and
12 Resolution No. 2016-38 (adopted 05-24-2016); Resolution No. 2017-33
13 (adopted 04-18-17); Resolution No. 2017-47 (adopted 07-25-17) & Resolution
14 No. 2018-18 (adopted 03-27-2018) and

15 **WHEREAS**, Phase I and Phase II of this Project, authorized by Resolution
16 No. 2014-60 & 2016-38 and 2017-33 & 2017-47, have been completed;
17 Phase III, authorized by Resolution 2018-18, has commenced and

18
19
20 **WHEREAS**, By adoption of Resolution 2018-18, the County Board
21 authorized a transfer of up to \$365,000.00 from the Unassigned Fund Balance
22 (Account #100.33101) to the Cana Island Restoration Fund (Account
23 #213.66.49110.100) for Phase III of this Project, and

24
25 **WHEREAS**, The 12% increase in construction costs over the summer
26 were not anticipated, and the estimated budget is more than Resolution 2018-
27 18 approved, and

28
29 **WHEREAS**, It is recommended that an additional \$150,000 be transferred
30 from the Unassigned Fund Balance (Account #100.33101) to the Cana Island
31 Restoration Fund (Account #213.66.49110.100) to cover the shortfall for
32 Phase III of this Project.

33
34 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board of
35 Supervisors does hereby approve the transfer of an additional \$150,000.00
36 from the Unassigned Fund Balance (Account #100.33101) to the Cana Island
37 Restoration Fund (Account #213.66.49110.100) for Phase III.

SUBMITTED BY: FINANCE COMMITTEE

Kathy Schultz Kathy Schultz, Chair
Nancy Robillard Nancy Robillard
David Englebert David Englebert
Richard Virlee Richard Virlee
David Enig David Enig
Laura Vilies Wotachek Laura Vilies Wotachek
Susan Kohout Susan Kohout



DOOR COUNTY

Resolution No. 2018-72

**TRANSFER OF NON-BUDGETED FUNDS
DECISION & ORDER DOOR COUNTY CASE # 2016-GF-3**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Ago	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH	X		
KOHOUT	X		
LIENAU			X
LUNDHL	X		
MEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
Virlee	X		
VILES WOTACHEK			X
WAIT	X		

BOARD ACTION

Vote Required: Two Thirds of Entire Membership

Motion to Approve Adopted Deleted

1st: Schultz Deleted

2nd: Enigl

Yes: 19 No: 0 Exc: 0

Reviewed by: James Becking Asst. Corp. Counsel

Reviewed by: [Signature] Administrator

FISCAL IMPACT: The subject parcel sold for \$54,100 in 2016. After taxes, interest, penalties and costs County netted \$38,000 from the sale. After payment of the \$25,000 authorized here, County will still net \$13,000. Approval of this resolution would cause the available balance in the Contingency Expense account to decrease from \$240,773.61 to \$215,773.61. MEJ

Certification:
I, JIM M. LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 23rd day of October, 2018 by the Door County Board of Supervisors.

[Signature]
JIM M. LAU
County Clerk, Door County

1 **WHEREAS**, In accordance with § 65.90(5)(a), Wis. Stats. and Rules of Order
2 #19, the amounts of the various appropriations and the purposes for such
3 appropriations stated in a budget may not be changed unless authorized by a vote of
4 two-thirds of the entire membership of the County Board of Supervisors.
5

6 **WHEREAS**, On May 2, 2018, a Motion to Reopen Judgment as to PIN 014-01-
7 15302714B2 was filed in Door County Case # 2016-GF-00, a § 75.521, Wis. Stats.
8 proceeding to foreclose tax liens by action in rem.
9

10 **WHEREAS**, A Decision on Motion to Reopen Judgment was issued by the Circuit
11 Court on September 6, 2018. The Circuit Court ordered Door County to reimburse
12 Rove twenty thousand dollars (\$20,000). It is not in Door County's interest to appeal
13 the Order for Judgment.
14

15 **WHEREAS**, This expenditure was not anticipated, and funds were not
16 appropriated for this purpose, in the 2018 Budget; and
17

18 **WHEREAS**, The Finance Committee, at its October 15, 2018, meeting,
19 recommended the transfer of up to twenty five thousand dollars (\$25,000) from the
20 Contingency Expense Account, Account #100.06.1161.59103, to the Corporation
21 Counsel Litigation Expense Account, Account # 100.14.1107.52105 for the purpose
22 of satisfying the Order for Judgment and any deductible.
23

24 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board of
25 Supervisors does hereby approve the transfer of up to \$25,000 from the Contingency
26 Expense Account, Account #100.06.1161.59103, to the Corporation Counsel
27 Litigation Expense Account, Account # 100.14.1107.52105, for the purpose of
28 satisfying the Order for Judgment and any deductible.

SUBMITTED BY: FINANCE COMMITTEE

[Signature]
Kathy Schultz, Chair

[Signature]
David Englebert

[Signature]
David Enigl

[Signature]
Susan Kohout

[Signature]
Nancy Robillard

[Signature]
Richard Virlee

[Signature]
Laura Viles Wotachek



DOOR COUNTY

Resolution No. 2018-73

AUTHORIZATION TO APPLY FOR AND ACCEPT WIS DOA WCMP GRANT [INVASIVE SPECIES OUTREACH AND EDUCATION]

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	/		
CHOMEAU	/		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH	X		
KOHOUT	X		
LIENAU			X
LUNDAHL	X		
NEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VLES WOTACHEK			X
WAIT	X		

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Deleted

1st Neinas Deleted

2nd Bultman

Yes: 19 No: 0 Exc: 2

Reviewed by: Kenneth Fisher, Corp. Counsel

Reviewed by: _____, Administrator

FISCAL IMPACT: If this resolution is adopted the Boat Launch reserve will decrease from \$321,740.33 to \$280,340.33, STW

Certification:

I, JIM LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 23rd day of October, 2018 by the Door County Board of Supervisors.

Jim M. Lau
Jim M. Lau
County Clerk, Door County

1 WHEREAS, Section 59.52(19) Wisconsin Statutes empowers the County Board to accept
2 donations, gifts, or grants of money for any public governmental purpose within the powers of the
3 County; and

4
5 WHEREAS, Resolution 75-84 entitled "Gifts, Grants & Donations to the County of Door"
6 requires approval of the Door County Board of Supervisors, for acceptance of all donations, gifts,
7 and grants whether in the form of money, or personal or real property; and

8
9 WHEREAS, Rule of Order # 38, entitled "Donations, Gifts or Grants", authorized an oversight
10 committee to accept donations, gifts or grants; requires County Board be provided notice of any
11 donation, gift or grant in excess of \$1,000 prior to acceptance; and requires that an itemized report
12 of all donations, gifts or grants shall be submitted to the County Board on an annual basis; and

13
14 WHEREAS, The Soil & Water Conservation Department intends to apply for a 2019-2020
15 Wisconsin Coastal Management Program ("WCMP") Grant through the Wisconsin Department of
16 Administration ("DOA") for invasive species outreach and education requesting a grant amount of
17 \$46,741.66 with a total project cost of \$116,854.15; and

18
19 WHEREAS, WCMP grant applications are due November 2, 2018, projects will be selected in
20 March, 2019, begin July 1, 2019, and must be completed by June 30, 2020; and

21
22 WHEREAS, WCMP grants require that a grantee "match" 60% of the total project cost, with
23 grant funds that they provide contributing 40% of the total project cost. In this instance the "match"
24 will involve in-kind contribution (SWCD staff time) and an actual expenditure, i.e., \$41,400 from the
25 Boat Launch Reserve toward the purchase of two cleaning stations (for boats, trailers, and other
26 equipment and gear). One cleaning station will be situated at George K. Pinney Park, the other at
27 Robert M. Carmody Park; and

28
29 WHEREAS, The Land Conservation Committee, Facilities and Parks Committee, and Finance
30 Committee support applying for and accepting the above described 2019-2020 WCMP Grant,
31 including the grant matching requirements.

32
33 NOW THEREFORE, BE IT RESOLVED, That the Door County Board of Supervisors does
34 hereby authorize the Soil & Water Conservation Department to apply for and accept the 2019-2020
35 WCMP Grant as described above.

36
37 BE IT FURTHER RESOLVED, That the 2019-2020 WCMP Grant will be administered by the Soil
38 & Water Conservation Department, subject to Land Conservation Committee oversight.

SUBMITTED BY:
LAND CONSERVATION COMMITTEE

Ken Fisher Ken Fisher, Chairperson
Dan Austad Dan Austad
Richard Virlee Richard Virlee
John Neinas John Neinas
Mike Vandenhouten Mike Vandenhouten
Vinni Chomeau Vinni Chomeau
Randy Halstead Randy Halstead



Resolution No. 2018-74

UPDATED PLAN FOR LAND RECORDS MODERNIZATION AND 2019 WLIP GRANTS-IN-AID TO LOCAL GOVERNMENT APPLICATION

DOOR COUNTY

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL			X
FISHER	X		
GUNNALGSSON	X		
HALSTEAD	X		
KOCH	X		
KOHOUT	X		
LIENAU	X		
LUNDAHL	X		
MEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIREE	X		
WILLES WOTACHEK	X		
WAIT	X		

BOARD ACTION

Votes Required: Majority Vote of a Quorum

Motion to Approve: Adopted Deleted

1st: Fisher 2nd: Koch

Yes: 10 No: 0 Exc: 1

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: This grant will be used for the specific project under the direction of the GIS/LIO Coordinator with no other fiscal implication. MEJ

Certification:

I, Jill Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 13th day of November 2018 by the Door County Board of Supervisors.

[Signature]
Jill Lau, Clerk, Door County

1 **WHEREAS**, Door County has established a land information office and
2 developed and periodically updated a county-wide plan for land records
3 modernization, consistent with § 59.72, Wis. Stats.; and

4 **WHEREAS**, § 59.52(19) Wis. Stats. empowers the County Board to
5 accept donations, gifts, or grants of money for any public governmental
6 purpose within the powers of the County; and

7 **WHEREAS**, § ADM 47.05, Wis. Adm. Code, requires that all Wisconsin
8 Land Information Program (WLIP) grant applications "... be submitted on
9 the authority of the county board on behalf of an eligible applicant..." and
10 that "... application authority be obtained by specific action of the county
11 board...""; and

12 **WHEREAS**, The Door County Land Information Council and Resource
13 Planning Committee (RPC) have reviewed and approved an updated
14 county-wide plan for land records modernization (see: Addenda A,
15 attached hereto and incorporated herein by reference as if fully set forth)
16 and the RPC has reviewed and authorized the submission of 2019 WLIP
17 Grant Applications totaling \$82,016 (see: Addenda B, attached hereto and
18 incorporated herein by reference as if fully set forth).

19 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board
20 of Supervisors does hereby: approve the updated Door County Land
21 Information Plan 2019-2021; authorize submission of the aforesaid 2019
22 WLIP Grant Applications; and accept any such grants awarded to Door
23 County, consistent with Ch. ADM 47, Wis. Adm. Code, and §§ 16.967(7),
24 59.52(19), & 59.72, Wis. Stats.

25 **BE IT FURTHER RESOLVED**, That the Door County GIS/LIO
26 Coordinator is authorized to: execute the aforesaid grant application(s);
27 execute grant agreement(s) offered; and to administer grants received, all
28 subject to oversight by the Resource Planning Committee.

29 **SUBMITTED BY:**
30 **Resource Planning Committee**

31 [Signature]
32 Ken Fisher, Chair

33 [Signature]
Vinni Chomeau

[Signature] Jon Koch

[Signature] Richard Virlee

[Signature]
David Enigl



DOOR COUNTY

Resolution No. 2018-75

**NON-COMMERCIAL HANGAR SITE LEASE AGREEMENTS:
#17 JIM KEENEN, #33 GERALD SCHRAM, #43 FRED MEYER**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL			X
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH	X		
KOHCUT	X		
LIENAU	X		
LUNDAHL	X		
NEZMAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VILES WOTACHEK	X		
WAIT	X		

1 **WHEREAS**, Rule No. 34 of the Rules of Order provides, in
2 pertinent part, that "...(a)ny contract with a term in excess of three (3)
3 years is subject to review and approval by the County Board..."; and

4 **WHEREAS**, Private and Public concerns have been reluctant to
5 construct or operate private non-commercial hangars at the Door
6 County Cherryland Airport; and

7 **WHEREAS**, The Highway & Airport Committee deems the
8 presence of non-commercial hangars at the Door County Cherryland
9 Airport to be advantageous to the Airport; and

10 **WHEREAS**, The Highway & Airport Committee believes it is
11 reasonable and necessary to offer multi-year non-commercial
12 hangar site lease agreements as an incentive to stimulate the growth
13 and development of the Door County Cherryland Airport.

14 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County
15 Board of Supervisors does hereby give approval to the Highway &
16 Airport Committee to enter into a 10 year non-commercial hangar
17 site lease agreement, with a 10 year renewal clause, for the parcel(s)
18 of land on which Building No. 17, 33 and 43 have been constructed.

BOARD ACTION

Vote Required: Majority Vote of Total Membership

Motion to Approve Adopted
1st Nenas Defeated
2nd Fisher
Yes 20 No 0 Exc: 1

Reviewed by:

[Signature] Corp. Counsel

[Signature] Administrator

FISCAL IMPACT: The fiscal impact would be the certainty of revenues for a given period of time. Lease revenues to be recorded in the year of service. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 13th day of November, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

**SUBMITTED BY:
Highway and Airport Committee**

[Signature] John Nenas, Chairperson
[Signature] Joel Gunnlaugsson
[Signature] Roy Englebert
[Signature] Randy Halstead
[Signature] Ken Fisher



DOOR COUNTY

Resolution No. 2018-76

HEALTH INSURANCE PREMIUM HOLIDAY

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	<input checked="" type="checkbox"/>		
BACON	<input checked="" type="checkbox"/>		
BULTMAN	<input checked="" type="checkbox"/>		
CHOMEAU	<input checked="" type="checkbox"/>		
D. ENGLEBERT	<input checked="" type="checkbox"/>		
R. ENGLEBERT	<input checked="" type="checkbox"/>		
ENIGL			<input checked="" type="checkbox"/>
FISHER	<input checked="" type="checkbox"/>		
GUNNLAUGSSON	<input checked="" type="checkbox"/>		
HALSTEAD	<input checked="" type="checkbox"/>		
KOCH	<input checked="" type="checkbox"/>		
KOHOUT	<input checked="" type="checkbox"/>		
LIFENAU	<input checked="" type="checkbox"/>		
LUNDHILL	<input checked="" type="checkbox"/>		
MEINAS	<input checked="" type="checkbox"/>		
NORTON	<input checked="" type="checkbox"/>		
ROBILLARD	<input checked="" type="checkbox"/>		
SCHULTZ	<input checked="" type="checkbox"/>		
VIRLEE	<input checked="" type="checkbox"/>		
VILIES WOTACHEK	<input checked="" type="checkbox"/>		
WALT	<input checked="" type="checkbox"/>		

BOARD ACTION

Vote Required: Two Thirds of Entire Membership

Motion to Approve Adopted Deleted

1st: Virlee 2nd: Koch

Yes: 20 No: 0 Exc: 1

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: If this resolution is adopted the estimated health insurance premium that would not be collected from employees and Door County departments would be approximately \$254,000 (based on the most recent pay period). The estimated total savings for the employees' health premium portion is approx. \$35,000 and the County share is approx. \$219,000. STW

Certification:

I, JIM M. LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 13th day of November, 2018 by the Door County Board of Supervisors.

[Signature]
JIM M. LAU
County Clerk, Door County

1 **WHEREAS**, Health care claims have been better than anticipated.
2 Consequently, the Risk Management & Insurance Committee is
3 recommending that there be a one-time health insurance premium holiday
4 in December, 2018. This means that there will be no health insurance
5 premium paid the last full pay period of 2018.
6

7 **WHEREAS**, The health insurance premium holiday benefits, among
8 others, all employees who participate in the County of Door Government
9 Employee Health Plan. To be specific, there will be no deduction for health
10 insurance premium the pay period beginning December 1, 2018, and
11 ending December 15, 2018.
12

13 **WHEREAS**, This (i.e., health insurance premium holiday) constitutes
14 a change in the amounts of the various appropriations and the purposes
15 for such appropriations stated in the 2018 budget, and may only be
16 authorized by a vote of two-thirds of the entire membership of the County
17 Board of Supervisors under Section 65.90(5)(a) Wisconsin Statutes and
18 Rules of Order #19.
19

20 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board
21 of Supervisors does hereby approve a one-time health insurance premium
22 holiday in December, 2018, as described above.

SUBMITTED BY: FINANCE COMMITTEE

[Signature] Kathy Schultz, Chair
[Signature] Nancy Robillard
[Signature] David Englebert
[Signature] Richard Virlee
[Signature] David Enigl
[Signature] Laura Vilies Wotachek
[Signature] Susan Kohout



DOOR COUNTY

ROLL CALL	Board Members	Aye	Nay	Exc.
AUSTAD		X		
BACON		X		
BULTMAN		X		
CHOMEAU		X		
D. ENGLEBERT		X		
R. ENGLEBERT		X		
ENGL				X
FISHER		X		
GUNN/AUGSSON		X		
HALSTEAD		X		
KOCH		X		
KOHOUT		X		
LIENAU		X		
LUNDARIL		X		
NEINAS		X		
NORTON		X		
ROBILLARD		X		
SCHULTZ		X		
VIRLEE		X		
VILIES WOTACHEK		X		
WAIT		X		

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted

1st: Vilies Wotachek

2nd: Schultz

Yes: 20 No: 0 Exc: 1

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

FISCAL IMPACT: Res. #2018- sets the expected revenue and expenditure levels for the Door County budget year 2019. The levy cannot go over the set operational tax levy limit of \$26,840,585, excluding exempt amounts. Total tax levy which includes the exempt amounts would be \$29,770,784 or an increase of 2.62% over 2018. STW

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 13th day of November, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

Resolution No. 2018-77
2019 BUDGET AND TAX LEVY

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **BE IT RESOLVED**, That the Door County Board of
 2 Supervisors, assembled this 13th day of November, 2018,
 3 does hereby approve the 2019 Door County Budget and
 4 Tax Levy as follows:

5 TOTAL EXPENSE \$76,844,618

6 LESS REVENUE \$47,073,834

7 2019 COUNTY TAX LEVY \$29,770,784

8 TAX RATE \$4.183530486

9 PER THOUSAND OF EQUALIZED VALUE

SUBMITTED BY:

[Signature]
David Lienau, Chairman
Door County Board of Supervisors



DOOR COUNTY

Resolution No. 2018-79

**PURCHASE OF TRI-AXLE TRUCK AND SNOW CONTROL EQUIPMENT
Highway Department**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL			X
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH	X		
KOCHUT	X		
LIENAU	X		
LUNDQVHL	X		
NEINAS	X		
NORTON	X		
ROBELLARD	X		
SCHULTZ	X		
VIRLEE	X		
VLIES WOTACHEK	X		
WAIT	X		

1 **WHEREAS**, The Door County Highway Committee deems it
2 necessary to purchase one (1) new Tri-Axle Trucks with dump body
3 and snow and ice control equipment for use in its Highway
4 Operations; and

5
6 **WHEREAS**, On October 8, 2018, the Highway Committee
7 reviewed bids for the purchase of the equipment with the following
8 recommendation for award,
9

Truck Country – Tri-axle Chassis -1 unit	\$98,685.00
Monroe Truck – Body and Snow Equipment	\$139,996.00

10
11
12 **WHEREAS**, Funds are available, within the Highway
13 Department's 2019 budget, to use for this purpose.

14
15 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County
16 Board of Supervisors does hereby authorize the Door County
17 Highway Committee to purchase one (1) new Truck Chassis from
18 ~~Quality Truck~~ ^{Truck Country} for a price of \$98,685.00 and the purchase of the truck
19 dump body and snow equipment from Monroe Truck for a price of
20 \$139,996.00 FOB Sturgeon Bay, WI.
21

BOARD ACTION

Vote Required: Majority Vote of Total Membership

Motion to Approve: Adopted Deleted

1st Neinas 2nd Gunnlaugsson

Yes: 20 No: 0 Exc: 1

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

FISCAL IMPACT: The Tri-Axle Truck is included in the proposed 2019 budget in the amount of \$117,000; the related Dump Box and Snow Equipment is included in the same budget in the amount of \$150,000. STW

Certification:

I, JIM LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 13th day of November, 2018 by the Door County Board of Supervisors.

[Signature]
JIM LAU
County Clerk, Door County

SUBMITTED BY: HIGHWAY COMMITTEE

[Signature] John Neinas, Chairperson
[Signature] Kenneth Fisher
[Signature] Joel Gunnlaugsson
[Signature] Roy Englebert
[Signature] Randy Halstead



DOOR COUNTY

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
BULTMAN			
CHOMEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNNLAUGSSON			
HALSTEAD			
KOCH			
KOCHOUT			
LENAU			
LINDAHL			
NEINAS			
NORTON			
ROBILLARD			
SCHULTZ			
VIRLEE			
VLEJES WOTACHEK			
WAIT			

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Austad Adopted: 12/18/18

2nd: 12/18/18 Defeated:

Year: ___ No: ___ Exc: ___

Reviewed by:

[Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: This is no fiscal impact with the adoption of this resolution. STW

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 18th day of December, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

Resolution No. 2018-80

IN RECOGNITION OF GERALD M. WORRICK

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, Gerald M. Worrick, *President and Chief*
2 *Executive Officer - Door County Medical Center* - has been
3 *President and CEO of Door County Medical Center (DCMC)* - a
4 25-bed Critical Access Hospital organization that includes multi-
5 specialty medical clinics and a 30-bed Skilled Nursing Facility -
6 since 1987; and

7
8 **WHEREAS**, During these years, Worrick has revamped the
9 birthing center, incorporated three satellite rehab centers and a
10 home health agency and constructed/acquired facility additions
11 to accommodate ancillaries, emergency, outpatient services,
12 surgical suites, a women's and children's center, and four
13 medical clinics; and

14
15 **WHEREAS**, Worrick has also overseen the development of a
16 unique rural physician/hospital organization and a combined
17 Foundation/Auxiliary fund-raising organization; and

18
19 **WHEREAS**, Most recently, he has begun the construction of
20 a new skilled nursing facility on the DCMC campus and brought
21 Robotic Surgery to our rural community in 2018; and

22
23 **WHEREAS**, Jerry Worrick's community activities include
24 serving on the Boards of the Door County Economic
25 Development Corporation, Sunshine House, Northeast
26 Wisconsin Technical College, Open Door Community Health
27 Center, Town of Sevastopol, and St. Peter & Paul Catholic
28 Church Council; He has also been a member of the Sturgeon
29 Bay Rotary and the Sevastopol Schools Board Subcommittee.

30
31 **NOW, THEREFORE, BE IT RESOLVED**, That the Door
32 County Board of Supervisors assembled in regular session this
33 18th day of December, 2018, hereby recognizes Gerald M.
34 Worrick for his service to Door County Medical Center, and the
35 residents and visitors to Door County

SUBMITTED BY:

[Signature]
David Lienau, Chairman
Door County Board of Supervisors



DOOR COUNTY

Resolution No. 2018-81

APPOINTMENT TO COMMITTEES, COMMISSIONS & BOARDS

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
BULTMAN			
CHOINEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GINNLAUGSSON			
HALSTAD			
KOCH			
KOHOUT			
LIENAU			
LUNDAHL			
NEINAS			
NORTON			
ROBILLARD			
SCHULTZ			
VIRLEE			
VLIES WOTACHEK			
WAIT			

1 **WHEREAS**, Pursuant to Section 59.18(2)(c) Wisconsin
 2 Statutes, the duties and powers of a County Administrator include
 3 appointment of "...the members of all boards and commissions
 4 where the statutes provide that such appointment shall be made by
 5 the county board or by the chairperson of the county board"; and

6
 7 **WHEREAS**, "All appointments to boards and commissions by
 8 the County Administrator shall be subject to the confirmation of the
 9 County Board" per Section 59.18(2)(c), Wisconsin Statutes; and

10
 11 **WHEREAS**, The Rules of Order confers the power to appoint
 12 the members of certain committees upon the Chairperson of the
 13 County Board, subject to the confirmation of the County Board; and

14
 15 **WHEREAS**, The appointments set forth on Exhibit A, attached
 16 hereto and incorporated herein by reference, are submitted for
 17 County Board confirmation.

18
 19 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County
 20 Board of Supervisors hereby confirms the proposed appointment to
 21 boards, commissions, and committees as set forth in Exhibits A.

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st D. Englebert

2nd Kohout

Yes: ___ No: ___ Exc: ___

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: There is no additional fiscal implication with the adoption of this resolution. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 18th, day of December, 2018 by the Door County Board of Supervisors.

[Signature]
 Jill M. Lau
 County Clerk, Door County

SUBMITTED BY:

[Signature]
 David Lienau, Chairman
 Door County Board of Supervisors

[Signature]
 Ken Pabich
 County Administrator



**County of Door
COUNTY ADMINISTRATOR**

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

Ken Pabich
County Administrator
(920) 746-2303
kpabich@co.door.wi.us

MEMORANDUM

TO: Dave Lienau, Chairman, County Board of Supervisors
FROM: Ken Pabich
County Administrator
DATE: December 12, 2018
RE: Appointments to Boards/Commissions

Subject to confirmation by the Door County Board of Supervisors, I respectfully submit the following nominations for appointment:

<u>BOARD OF HEALTH</u>	TERM BEGINS	TERM ENDS
Christa Krause	December 2018	December 2021
Mark Moeller	December 2018	December 2021
<u>HOUSING AUTHORITY (5 yr.)</u>		
Sandi Soik	December 2018	December 2023
<u>HUMAN SERVICES BOARD (3 yr.)</u>		
* Megan Lundahl	December 2018	December 2021
* Nissa Norton	December 2018	December 2021
Robert Rau	December 2018	December 2021
<u>LIBRARY BOARD (3 yr.)</u>		
Robert Dickson	December 2018	December 2021
Mary Jackson	December 2018	December 2021
<u>LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)</u>		
Derek Kumrow (Fincantieri Bay Shipbuilding) (filling vacancy)		April 2019
<i>New Member Bio: Derek Kumrow</i>		
"I spent 8 years in the military as a Combat Engineer and am currently still serving in the Army National Guard. I received my B.S in Occupational Health and Safety with an emphasis in environmental management from the University of Wisconsin-Whitewater in 2010, followed by my M.B.A in 2012. Prior to working at Fincantieri Marine Group I spent 4 years as the Environmental Health and Safety Manager at Menasha Corporation and 3 years as an Industrial Hygiene/EHS Specialist at Stanlec Consulting. I've also spent the last 4 years as a volunteer firefighter with the Village of Harrison and Town of Buchanan".		
<u>NICOLET FEDERATED LIBRARY BOARD</u>		
Miriam Erickson	December 2018	December 2021
<u>VETERANS SERVICE COMMISSION (3 yr.)</u>		
Kenneth Wendt	December 2018	December 2021
William H. Karas (filling unexpired term of John G. Schiuse)	December 2018	December 2019
<i>New Member Bio: William Karas</i>		
Mr. Karas is a United States Marine Corps veteran who served from 1973-1975. He is a recipient of the National Defense Service Medal, the Good Conduct Medal, and the Sharpshooter Badge. Mr. Karas is the commander of American Legion Post 372 in Forestville. He is retired and enjoys helping out with valet parking at the hospital.		



DOOR COUNTY

Resolution No. 2018-82

**NON-COMMERCIAL HANGAR SITE LEASE AGREEMENT
#66 KEN RAUPACH #47 JEFF ELLIS**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH	X		
KOHOUT	X		
LIENAU	X		
LUNDAHL	X		
NEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VILIES WOTACHEK	X		
WALT	X		

BOARD ACTION

Vote Required: Majority Vote of Total Membership

Motion to Approve: Adopted Defeated

1st Neinas

2nd Koch

Yes 21 No 0 Exc. 0

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: The fiscal impact would be the certainty of revenues for a given period of time. Lease revenues to be recorded in the year of service. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 18th day of December, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

1 **WHEREAS**, Rule No. 34 of the Rules of Order provides, in
2 pertinent part, that "...(a)ny contract with a term in excess of three (3)
3 years is subject to review and approval by the County Board..."; and
4

5 **WHEREAS**, Private and Public concerns have been reluctant to
6 construct or operate private non-commercial hangars at the Door
7 County Cherryland Airport; and
8

9 **WHEREAS**, The Highway & Airport Committee deems the
10 presence of non-commercial hangars at the Door County Cherryland
11 Airport to be advantageous to the Airport; and
12

13 **WHEREAS**, The Highway & Airport Committee believes it is
14 reasonable and necessary to offer multi-year non-commercial
15 hangar site lease agreements as an incentive to stimulate the growth
16 and development of the Door County Cherryland Airport.
17

18 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County
19 Board of Supervisors does hereby give approval to the Highway &
20 Airport Committee to enter into a 10 year non-commercial hangar
21 site lease agreement, with a 10 year renewal clause, for the parcel(s)
22 of land on which Building No. 66 & 47 have been constructed.

SUBMITTED BY:
Highway and Airport Committee

[Signature] John Neinas, Chairperson [Signature] Joel Gunnlaugsson
[Signature] Roy Englebert [Signature] Randy Halstead
[Signature] Ken Fisher



DOOR COUNTY

Resolution No. 2018-83

LAND USE SERVICES DEPARTMENT FEES

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Not	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH	X		
KOHOLOT	X		
LIENAU	X		
LUNDAHL	X		
NEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VRILEE	X		
VLIES WOTACHEK	X		
WAIT	X		

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Defeated

1st Fisher 2nd Koch

Yes: 21 No: 0 Exc: 0

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: The fiscal impact of this resolution would be positive on the budget of the Land Use Services Department. The tax levy required should be reduced by any additional revenues generated by these fees. STW

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 18th day of December, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

1 **WHEREAS,** The Resource Planning Committee may establish and
 2 collect reasonable fees, such fees to be used to partially defray the expense
 3 of services provided by the Resource Planning Committee, Board of
 4 Adjustment, and the Land Use Services Department staff in administering the
 5 Door County planning, zoning, sanitation, and other land use-related programs
 6 and ordinances; and

7
 8 **WHEREAS,** Some new zoning permits and associated fees needed to
 9 be established in recent years due to state-level changes, but otherwise
 10 neither the county zoning nor the sanitation fees have been reviewed in detail
 11 or revised significantly since 2009; and

12
 13 **WHEREAS,** After careful review of Door County's practices and fees for
 14 internal inconsistencies or illogical outcomes, and review for comparison
 15 purposes of dozens of other Wisconsin counties' fees, it has been determined
 16 that some Door County fees were too high, some too low, and some in need
 17 of rearrangement or consolidation.

18
 19 **NOW, THEREFORE, BE IT RESOLVED,** That the Door County Land
 20 Use Services: Zoning and Related Application Fees and Door County Sanitary
 21 Permit Fees, both dated December 18, 2018 (attached), are hereby approved.

22
 23 **BE IT FURTHER RESOLVED,** That these new fee schedules shall
 24 become effective upon adoption and supersede and supplant those adopted
 25 via Resolutions 2009-28 and 2016-61.

26
 27 **BE IT FURTHER RESOLVED,** That the Resource Planning Committee
 28 and all county offices and departments, and towns meeting the criteria
 29 established by the Resource Planning Committee at its June 18, 2009
 30 meeting, but no other individual or agency, shall be exempt from the Zoning
 31 and Related Application Fees imposed by this resolution.

**SUBMITTED BY:
Resource Planning Committee**

[Signature]
Kenneth Fisher, Chair

[Signature]
David Enigl

[Signature]
Jon Koch

[Signature]
Richard Virlee

[Signature]
Vinni Chomeau

DOOR COUNTY LAND USE SERVICES: ZONING & RELATED APPLICATION FEES

ZONING APPLICATIONS	
Shoreland Zoning Permit (applied in addition to any other required permits/fees) Non-Waterfront Lot Project Requiring Only Shoreland Zoning Permit	100
Comprehensive Zoning Ordinance-Waterfront Lot Project Requiring Shoreland Zoning Permit and/or Comprehensive Regular Zoning Permit Fees (Projects requiring both pay one fee.)	
Footprint of Structure/Use ≤ 120 sq. ft.	100 75.00
Footprint of Structure/Use 121 - 999 sq. ft.	175
Footprint of Structure/Use 1,000 - 1,999 sq. ft.	250
Footprint of Structure/Use 2,000 - 4,999 sq. ft.	350
Footprint of Structure/Use 5,000 sq. ft. and greater	500
Miscellaneous uses and activities requiring regular zoning permit but with no establishment or conversion of structure (e.g., intensification of existing use)	150
Miscellaneous uses and activities requiring regular zoning permit but with no measurable footprint (e.g., structural alterations/repairs)	150
Filling & grading (land disturbance)	250
Sign Permit Application	100 75.00
Conservation Subdivision	150 600
Petition for Grant of Variance or Conditional Use Permit, comp. or shoreland	500 450.00
Permit revision, comprehensive or shoreland	50, if no inspection required 100, if inspection required (or difference between categories)
Permit renewal, comprehensive or shoreland	50, if no inspection required 100, if inspection required
NOTE: For any of above projects started without permit:	
<ul style="list-style-type: none"> • 1st violation: Payment of double application fee. • 2nd violation within 36 months: Payment of triple application fee. • 3rd violation within 36 months: Payment of quadruple application fee. 	
Note: Enforcement action may also be initiated for any of the above violations.	
<ul style="list-style-type: none"> • 4th violation within 36 months: Summons and complaint seeking both injunctive relief and monetary penalties. 	
Shoreland Mitigation Permit	500
Shoreland Mitigation Permit Including Storm Water Runoff Control Plan	1000
Impervious Surface Authorization (Requires Storm Water Runoff Control Plan)	1000
Combined Shoreland Mitigation Permit and Impervious Surface Authorization	1000
Modification of any of the above	500, or 1000 if storm water
Appeal	750 450.00
Zoning Ordinance Amendment Petition (Map and/or Text)	750 650.00
Door County Comprehensive Plan Amendment (Map and/or Text)	900
LAND DIVISION APPLICATIONS	
Minor Land Division or Minor Site Condominium	150 400 base fee + 25 per lot/building site
Major Land Division Preliminary Plat or Major Site Condominium	500 base fee + 25 per lot/building site
Major Land Division Final Plat or Major Site Condominium Final Review	350
NOTE: Land division re-submittals same as above fees.	
OTHER APPLICATIONS	
New Communication Tower and Associated Facilities, or Substantial Modification (including Class I Co-Location)	500
Minor Modification to Existing Communication Tower (including Class II Co-Location) and/or Broadband Network Projects	100
Wind Energy System, as defined by WI PSC	1,750
Small Wind Energy System, as defined by WI PSC	150
Floodplain Permit	100
Address sign & post and installation	75 initial, 25 replacement one-time fee-of-40
Verification of compliance with Airport Height Ordinance	50

Adopted: December 18, 2018 - Resolution No. 2018-83

DOOR COUNTY SANITARY PERMIT FEES

Attachment to Resolution #2018-83

Systems with wastewater loadings less than 3,000 gallons per day:

Conventional (Non-pressurized In-Ground)	\$300 \$350
Mound & In-Ground Pressure	\$375 \$425
At-Grade	\$375 \$425
Holding tanks	\$425 \$475
Holding tank plan review for one- and two-family residences	\$ 90
Sand Filter	\$625 \$575
Aerobic Treatment Unit	\$525 \$575
Non-Plumbing System (composting toilet)	\$225
Replacement of Septic/Dose tank only)	\$225
Reconnection of existing system	\$125
Repair	\$ 90
Transfer of plumber or owner	\$ 25

Systems with wastewater loadings greater than 3,000 gallons per day:

Conventional (non-pressurized in-ground)	\$915 \$975
Mound & In-Ground Pressure	\$915 \$975
Holding tanks:	
3,000 to 8,000 gallons per day	\$915 \$975
8,001 gallons per day and over	\$1,355 \$1450
Replacement of Septic/Dose Tank Only	\$255
Reconnection of Existing System	\$135
Repair	\$ 90
Transfer of plumber or owner	\$ 25

Additions to the fee schedule are (as of 4/21/09)

Holding tank plan review for one- and two-family residences	\$- 90
Sanitary survey requests per site	\$- 50
Plan review of mound soil absorption systems for one and two family residences (Our department is in the process of obtaining certification from the Dept. of Commerce to review plans and will notify contractors when we have been approved)	\$175
Soil on-site investigation by department staff	\$-10

-(Rev. 4/21/09) Adopted: December 18, 2018 – Resolution No. 2018-83



DOOR COUNTY

Resolution No. 2018-84
ACQUISITION OF REAL PROPERTY FOR ADDITION TO DOOR
BLUFF HEADLANDS COUNTY PARK

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNAUGSSON	X		
HALSTEAD	X		
KOOH	X		
KOHOUT	X		
LIENAU	X		
LURDAHL	X		
MEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VILES WOTACHEK	X		
WAIT	X		

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted

1st: Austad Delegated

2nd: Fisher

No: 0 Yes: 11 Exc: 0

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

FISCAL IMPACT: There will be no fiscal impact from tax levy or fund balance as explained in lines 27 through 29 of this resolution. STW

Certification:

I, JIM M. LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 18th day of December, 2018 by the Door County Board of Supervisors.

[Signature]
JIM M. LAU
County Clerk, Door County

1 **WHEREAS**, The Facilities and Parks Committee has expressed the intent to
2 acquire Door County Tax Parcel No.'s. 018-02-02322812B and 018-04-
3 35332814A, Town of Liberty Grove, County of Door, State of Wisconsin
4 [*Addendum A*] for the sum of four hundred and fifty thousand dollars and no cents
5 (\$450,000), as an addition to Door Bluff Headlands County Park; and
6

7 **WHEREAS**, The terms and conditions of County's proposed acquisition of
8 the subject real property are set forth in the *draft* Contract to Purchase Real
9 Property [*Addendum B*]; and
10

11 **WHEREAS**, Acquisition of the subject real property will be funded, if at all,
12 through donations, gifts and/or grants.
13

14 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board of
15 Supervisors does hereby express its intent to acquire Door County Tax Parcel
16 No.'s. 018-02-02322812B and 018-04-35332814A, as an addition to Door Bluff
17 Headlands County Park for the sum of four hundred and fifty thousand dollars and
18 no cents (\$450,000).
19

20 **BE IT FURTHER RESOLVED**, That the Facilities and Parks Director or
21 designee, subject to the oversight of the Facilities and Parks Committee and
22 County Administrator, is empowered to: complete, execute, and submit aid or grant
23 applications; to pursue and accept gifts or donations; negotiate; execute
24 documents; and take whatever other actions is necessary to facilitate Door
25 County's acquisition of the subject real property consistent with this resolution.
26

27 **BE IT FURTHER RESOLVED**, That the County's acquisition of the property
28 is expressly subject to and contingent upon the availability of donations, gifts
29 and/or grants sufficient to pay the full purchase price.
30

SUBMITTED BY:
Facilities & Parks Committee

[Signature] Dan Austad, Chair
[Signature] Helen Bacon
[Signature] Randy Halstead
[Signature] Roy Englebert
[Signature] Ken Fisher
[Signature] Richard Virlee
[Signature] Susan Kohout



Door County, Wisconsin
... for all seasons!

... from the Web Map of ...
(/www.co.door.wi.gov)

Map

Printed 12/07/2018 courtesy of Door County Land Information Office



Door County can not and does not make any representation regarding the accuracy or completeness of the public data, or information reported on this map. The user of this map is responsible for determining the accuracy, completeness, or fitness for a particular purpose of this information. The Web Map is only a correlation of information areas in PDF files for each parcel map or a large area map to be used on-site.



CONTRACT TO PURCHASE REAL PROPERTY

The County of Door (hereinafter referred to as "Buyer"), a Wisconsin body corporate, and the *Jeanette W. Hidding 2002 Declaration of Trust* (hereinafter referred to as "Seller") do hereby agree as follows:

1. Seller warrants and represents that, as Trustee, she is the fee simple owner of record of Door County Parcel Numbers 0180202322812B [said parcel consisting of +/- 15.4014 acres] and 0180435332814A [said parcel consisting of +/- 57.28 acres], Town of Liberty Grove, County of Door, and State of Wisconsin (hereinafter referred to as "Premises", more particularly described in Exhibits A & B, attached hereto and incorporated herein by reference).
2. For and in consideration of the mutual covenants and subject to the terms and conditions set forth herein, the Seller agrees to sell and convey, and the Buyer agrees to purchase, the Premises.
3. The purchase price for the Premises is four hundred and fifty thousand dollars and no cents (\$450,000). Purchase price shall be paid in cash or by certified check or wire transfer on the date of closing and upon delivery and recording of the warranty deed as provided herein.
4. Subject to the Parties' review and approval of the title commitment for the Premises, Seller shall convey the Premises to Buyer by Trustee's deed free and clear of all liens and encumbrances except municipal and zoning ordinances, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants, and general taxes levied in the year of closing provided none of the foregoing prohibit present use. Seller and Buyer each agree to complete and execute the documents necessary to record the conveyance.
5. Seller and Buyer each represent and acknowledge that this is a voluntary acquisition (i.e., an "arm's length transaction") and that each acted in its own best interest in negotiating and carrying out this transaction.
6. Seller represents that the Premises are vacant and offered for sale on the open market and that there are no owner or tenant occupants involved.
7. Seller understands that Buyer is not acquiring the Premises by condemnation, and that Buyer has not exercised or threatened to exercise its power of eminent domain. Neither the Seller, nor any person or entity occupying the Premises, is entitled to any remedy afforded by Ch. 32 Wis. Stats. as to this transaction. Seller hereby releases Buyer from any and all liability under Ch. 32 Wis. Stats. as to this transaction.
8. Buyer's Board of Supervisors approval of the purchase of the Premises by adoption of a Resolution. Buyer's obligation to conclude this transaction is conditioned upon the availability of donations, gifts or grants sufficient to fully fund Buyer's acquisition of the Premises as stated in such resolution on or before March 7, 2019 ("Contingency Date").
If the foregoing condition is not satisfied prior to the Contingency Date, this Contract, at either Buyer's or Seller's option, shall terminate and be of no further force or effect
9. Taxes for the current year will be prorated through the date of the closing. Should the tax rate be undetermined as of the date of closing, the last determined tax rate shall be used for purpose of the proration.
10. Assessments, if any, for work on site actually commenced or levied prior to date of the closing attributable to acts of the Seller shall be paid by Seller.
11. Seller warrants and represents to Buyer that Seller has, aside from those mentioned elsewhere herein, no notice or knowledge without independent investigation of any:
 - a) Planned or commenced public improvements which may result in special assessments or otherwise materially affect the Premises;

- b) Federal, state or local regulation, or court order requiring repair, alteration, or correction of any existing condition;
 - c) Underground storage tanks on the Premises;
 - d) Active or abandoned well on the Premises;
 - e) Hazardous and/or toxic substance, materials, waste, or conditions on or affecting the Premises;
 - f) Risk of environmental contamination of the Premises.
 - g) Boundary or lot line disputes encroachments or encumbrances;
 - h) Zoning or land use issues impacting the Premises;
- There are no other warranties or representations made by Seller, express or implied, except as expressly provided herein.

Buyer shall have until March 1, 2019 (the "Investigation Period") to perform such investigation to determine that the Premises can be lawfully used for Buyer's Intended Use. As used herein, the term "Buyer's Intended Use" shall mean the acquisition of the Premises for the purpose of recreational uses ("Intended Use"). Buyer shall have the right to enter the Premises with its contractors or agents, at their own risk, for the purpose of conducting these studies ("Studies") for such purpose. If Buyer has not obtained such satisfactory results it may deem acceptable in its sole discretion, it may terminate this Contract on written notice to Seller delivered by the conclusion of the Investigation Period, in which event this Contract shall be deemed null and void and Buyer shall have no further obligation hereunder. Buyer will restore/repair the Premises for any change or damage occasioned by such Studies.

Buyer will save, protect, indemnify and hold Seller harmless from all adverse claims (including any mechanics' liens), causes of action, suits or other matters as a result or in consequence of Seller having granted Buyer such access. Prior to entering upon the Premises for such purpose, Buyer or its consultants/contractors will provide Seller with a certificate of insurance naming Seller as additional insured with customary coverages by insurers licensed to do business in Wisconsin, with general liability limits of not less than \$1,000,000.00. Any damage caused by Buyer's investigations shall be at its cost. The provision of this paragraph shall survive the closing or any termination of this Contract.

12. Buyer shall be provided an owner's commitment and, at closing, a policy of title insurance in the amount of the purchase price. Seller, prior to the date of closing, shall provide documentation or take action as required to remove exceptions (reasonably and ordinarily objectionable to Buyer) from the commitment (and policy when issued). Buyer shall notify Seller of any objectionable matters within ten (10) days after Buyer's receipt of such commitment.
13. Possession and occupancy of the Premises shall be given to Buyer on the date of closing.
14. Seller shall provide to Buyer a written statement from the municipality in which the Premises is located verifying the status of real estate taxes, current or planned special assessments, and other municipal charges affecting the Premises. This statement shall be provided to Buyer prior to closing at Seller's expense.
15. If the condition of, or any condition or factor affecting, the Premises significantly or materially changes prior to closing this Contract may be terminated at option of Buyer or Seller.
16. Closing shall take place not later than March 14, 2019, at a location, date and time to be mutually agreed by the Buyer and Seller.
17. Buyer has obtained such survey of the Premises as it deemed necessary. Seller shall have no obligation for a current survey.
18. The covenants and agreements herein are to be binding upon and inure to the benefit of the parties hereto, their respective heirs, representatives, successors, and assigns and shall survive the date of closing and consummation of the sale and purchase for a period of six (6) months. Seller is not responsible for the acts or omissions of third parties.

19. Seller acknowledges and understands that the Door County Corporation Counsel represents Buyer.
20. Seller acknowledges having had the opportunity to consult with an attorney of its choosing and at its expense prior to entering into this Contract.
21. Seller acknowledges having read and fully understands this Contract.
22. Buyer and Seller agree to act in good faith and use due diligence in completing the terms of this Contract.
23. This Contract constitutes the entire agreement between the parties and may not be changed except by a contract in writing and signed by the parties.

EACH PARTY HAS REVIEWED AND FULLY UNDERSTANDS THIS CONTRACT.

Accepted and agreed this _____ day of _____, 2018.

Kenneth Pabich, Door County Administrator
BUYER

Accepted and agreed this _____ day of _____, 2018.

Susan H. Maher, Trustee
Duly Authorized and Empowered to Act on the *Jeannette W. Hidding 2002 Declaration of Trust's* Behalf
SELLER

DRAFTED BY:

Grant P Thomas, Door County Corporation Counsel
421 Nebraska Street, Sturgeon Bay, WI 54235
P# 920-746-2228 FAX # 920-746-2339
State Bar Member # 1013648



Resolution No. 2018-85

TRANSFER OF POWERS AND DUTIES TO THE DOOR COUNTY DEPARTMENT OF HUMAN SERVICES PER SECTION 46.23(3)(b), WISCONSIN STATUTES

DOOR COUNTY

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members table with columns: Name, Aye, Nay, Exc. Rows include AUSTAD, BACON, BULTMAN, CHOMEAU, D. ENGLEBERT, R. ENGLEBERT, ENIGL, FISHER, GUNNLAUGSSON, HALSTEAD, KOCH, KOHOUT, LIENAU, LINDAHL, NEINAS, NORTON, ROBILARD, SCHULTZ, VIRLEE, VLES WOTACHEK, WAIT.

BOARD ACTION Vote Required: Majority Vote of a Quorum. Motion to Approve Adopted [X]. 1st: [Signature] Deleted []. 2nd: [Signature]. Yes: 21 No: 0 Exc: 0.

Reviewed by: [Signature] Corp. Counsel. Reviewed by: [Signature] Administrator. FISCAL IMPACT: There is no additional fiscal implication with the adoption of this resolution. STW

Certification: I, JIM M. LAU, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 19th day of December, 2018 by the Door County Board of Supervisors. [Signature] JIM M. LAU County Clerk, Door County

1 WHEREAS, Door County has established a single-county county department of human services under Ch. 46.23, Wis. Stats.

4 WHEREAS, Consistent with § 46.23(3)(b), Wis. Stats. the Door County Board of Supervisors may transfer the powers and duties of the following to the Door County Department of Human Services:

- > A local board of health for a local health department, as defined in § 250.01 (4) Wis Stats.
> A local health officer for a local health department, as defined in § 250.01 (4) Wis. Stats.
> A local health department, as defined in § 250.01 (4), Wis. Stats.

11 WHEREAS, Pursuant to § 251.03(1), Wis. Stats., a county human services board may act as a county board of health if the membership of the county human services board meets the qualifications specified in § 251.03, Wis. Stats., if the county human services board is authorized to act in that capacity by the county board of supervisors, and the county human services board use the word "health" in its title.

17 WHEREAS, Consistent with §§ 59.18(2) & 251.06(4), Wis. Stats., the county administrator is empowered to appoint, subject to confirmation by the county board, the county health officer.

20 WHEREAS, The relationship between the county human services director and the county health officer derives from § 46.23(6m)(a), Wis. Stats. Consequently, if and when a county board of supervisors makes the transfer of duties authorized by § 46.23(3)(b), Wis. Stats., the county health officer is placed under the supervision of the county human services director.

25 NOW, THEREFORE, BE IT RESOLVED, By the Door County Board of Supervisors that, effective January 1, 2019, the powers and duties of the Door County Health Department and Door County Health Officer are hereby transferred to the Door County Department of Human Services pursuant to § 46.23(3)(b), Wis. Stats.

30 BE IT FURTHER RESOLVED, That, as a result of this transfer, the Door County Human Services Director will supervise and administer (what were formerly) Door County Health Department Programs ... and the Door County Health Officer is placed under the supervision of the Door County Human Services Director ... as provided in § 46.23(6m)(a), Wis. Stats.

35 BE IT FURTHER RESOLVED, That the "Door County Human Services Department" is, effective January 1, 2019, re-titled the "Door County Health and Human Services Department"

37 BE IT FINALLY RESOLVED, That the Door County Administrator is to examine and evaluate transfer of the powers and duties of the Door County Board of Health to the Door County Human Services Board under § 46.23(3)(b), Wis. Stats. and report back to the Door County Board of Supervisors with a recommendation not later than December 31, 2019.

SUBMITTED BY: ADMINISTRATIVE COMMITTEE

[Signature] David Lienau, Chairman
[Signature] Ken Fisher
[Signature] Dan Austad
[Signature] Joel Gunnlaugsson

[Signature] Susan Kohout
[Signature] John Neinas
[Signature] Nancy Robillard



DOOR COUNTY PERFORMANCE-BASED COMPENSATION SYSTEM

DOOR COUNTY

ROLL CALL	Aye	Nay	Exc.
Board Members			
AUSTAD	X		
BACON	X		
BULTMAN	X		
CHOMEAU	X		
D. ENGLEBERT	X		
R. ENGLEBERT	X		
ENIGL	X		
FISHER	X		
GUNNLAUGSSON	X		
HALSTEAD	X		
KOCH	X		
KOHOUT	X		
LIENAU	X		
LUNDRAH	X		
NEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VILIES WOTACHEK	X		
WAIT	X		

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted Defeated

1st David Lienau 2nd Nancy Robillard

Yes: 21 No: 0 Exc: 0

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: Funds have been budgeted in the Payroll Contingency Expense account for 2019 wage increases according to the terms of this Performance-Based Compensation Plan as part of the 2019 budget process, as more fully explained in the attached memo from Door County Administrator Ken Pabich. MEJ

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 18th day of December, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

1 TO THE DOOR COUNTY BOARD OF SUPERVISORS:

2
3 WHEREAS, By adoption of Resolution 2015-57 on June 23, 2015,
4 the County Board approved amendment of Door County's
5 Compensation Plan, including the creation and implementation of a
6 performance-based compensation system; and

7
8 WHEREAS, This performance-based compensation system calls
9 for annual review and approval (if and as deemed appropriate) of any
10 recommended changes to base salaries, step and performance
11 increases, and discretionary merit compensation awards; and

12
13 WHEREAS, Funds have been appropriated in the annual budget
14 for this purpose (i.e., the changes to Door County's Performance-Based
15 Compensation Plan Incentives set forth herein) as required by § 65.90,
16 Wis. Stats; and

17
18 WHEREAS, The recommended changes to Door County's
19 performance-based compensation system for 2019 are set forth in
20 Addendum A, attached hereto and incorporated herein by reference as
21 if set forth in full.

22
23 NOW, THEREFORE, BE IT RESOLVED, That the Door County
24 Board of Supervisors does hereby approve and adopt the
25 recommended changes to the performance-based compensation
26 system for 2019 as set forth in Addendum A.

SUBMITTED BY:
Administrative Committee

[Signature] David Lienau, Chairman [Signature] Susan Kohout
[Signature] Ken Fisher [Signature] John Neinas
[Signature] Dan Austad [Signature] Nancy Robillard
[Signature] Joel Gunnlaugsson



COUNTY OF DOOR

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

Ken Pabich

County Administrator
(920) 746-2303
kpabich@co.door.wi.us

TO: Administrative Committee

FROM: Ken Pabich, County Administrator
Kelly Hendee, Human Resource Director

DATE: December 11, 2018

RE: 2019 Pay for Performance and Wage Plan Aging

Background

Two aspects are reviewed each year for our compensation program – the Pay for Performance Incentive Program and our County Compensation Structure.

The Pay for Performance program is in its fourth year of implementation and continues to be a successful tool for recognizing employee performance. Each year, we review the performance incentives to ensure that the County can support the incentive package.

The Compensation Plan aging (also sometimes known as Cost of Living Adjustment, or COLA) is reviewed each year to ensure the County remains competitive with inflation, market conditions and our related comparable Counties. We have not aged the Compensation Structure since 2016. In working with our consultant, Carlson Dettmen, we have determined that aging the Compensation Structure is necessary to remain competitive.

Analysis:

Pay for Performance; we are recommending that the performance incentives for 2019 remain similar to the 2018 plan. When trending the program, we can estimate that the overall impact of the Pay for Performance incentives is between 1.8% and 2.0%. This impact is further reduced since the increase occurs on the employee's anniversary date, not as of January 1.

For the Compensation Structure aging, we look at inflation, which is commonly referred to as the Consumer Price Index (CPI). The CPI for 2018 is 2.25%. We also look at market conditions, which is a review of our hiring trends and local market wages. The final area of review is our comparable Counties that were used to establish the Compensation Structure. Carlson Dettman is retained to do this analysis and recommended an aging of 3%.

Fiscal Impact:

The implementation of both of these recommendations have been included in the 2019 adopted budget. For transparency, it is important to note the following:

1. We are currently in negotiations with both the Sheriff Deputies Association and Emergency Services represented units. Once these contracts are settled, we will determine the fiscal impact and recommend that the funds be allocated from the Payroll Contingency Reserve Account. Amounts necessary to cover these increased costs are not presently included in the 2019 adopted budget, since the amounts are unknown and are still being negotiated.

2. The total fiscal impact of the Pay for Performance incentives and the Compensation Structure aging is covered as follows:
 - a. We have budgeted approximately 75% of the impact in the budgeted amount for Payroll Contingency Expense.
 - b. The remaining 25% is covered by the budgeted payroll. Each year, we experience vacancies and new employees entering the work force which create excess funds. When reviewing a three-year trend, we are comfortable projecting that the 25% can be covered with these dollars.
3. The last question is the long-term impact on the organization. As an organization, we have stated that it is a priority to remain competitive and retain our existing employees. The County Budget Model did include the recommendations outlined above. As presented at County Board for 2019 and 2020, we show that the County can support the recommendations. Beyond 2020, we will need to look at potential cost saving measures. This is a tough balancing act; however, Administration believes it is important that the County remain competitive in the employment market.

Committee Recommendations:

We would recommend that the Administrative Committee approve the following:

1. 2019 Pay for Performance Incentives be approved as shown in the attachment;
2. The Door County Compensation Structure be aged 3% for 2019 and be implemented on the first full pay period of 2019.

These recommendations need approval of the full County Board as shown in the attached draft resolution.

2019 Pay for Performance - Incentives
(Effective January 1, 2019)

Levels of performance						Merit-Based Pay Increases			
% of market employee is earning	Neogov Calcs.	Step 1 (87.5%)	Step 2 (90%)	Step 3 (92.5%)	Step 4 (95%)	Step 5 (97.5%)	Step 6 Control Point (100%)	Mid. to Max. (101-114.99%)	(Maximum = 115%) Discretionary Merit Compensation (≥ 115%)
Exceptional (Exceptional)	4.6 - 5.0		Step Increase	Step Increase			2.50%	2.50%	2.5% of annual salary up to \$2500 max.
Highly effective (Highly effective)	4.2 - 4.5		Step Increase	Step Increase			2.25%	2.25%	2.25% of annual salary up to \$2,000 max.
Above requirements (Exceeds Perf.)	3.6 - 4.1		Step Increase	Step Increase			2.00%	2.00%	2% of annual salary up to \$1500 max.
Meets requirements: (Solid Perf.)	3.0 - 3.5		Step Increase	Step Increase			1.75%	1.75%	1.75% of annual salary up to \$1000 max.
Below requirements			Ineligible for step increase				0.00%	0.00%	0.0

2019 Door County Compensation Structure: (Effective first payroll of January 2019)

Compensation structure will be aged 3%.
 All rates in the Compensation Structure will move with aging.
 After aging, if an employees wage falls below 115%, the wage shall be brought back to the 114.99%
 After aging, if an employees wage is above 115%, they will not experience an increase to their base wage/or receive a lump sum

Implementation Guidelines:

Employee performance evaluations are completed by the employee anniversary date. Both step and merit-based increases are dependent on evaluation results at or above "meets requirements."
 Step and merit-based increases are effective on the employee anniversary date.
 Discretionary merit compensation awards are not added on to base compensation. Such awards are provided in one lump sum, and are taxable.
 After reaching Step 6 (the Control Point), an employee who is at or above "meets requirements" is eligible for annual raises, until s/he is earning 115% of market.

Evaluation Guidelines; Overall Score:

- 4.6 - 5.0 (Exceptional)
 - Work is consistently exemplary and flawless; extraordinary performance, with most work characterized by significant accomplishments beyond job requirements. Demonstrates significant expertise at his/her job due to in-depth knowledge and skills.
 - Significantly and consistently performs at a level above that expected of a competent employee.
 - 4.2 - 4.59 (Highly Effective)
 - Consistently meets goals and objectives and occasionally exceeds them.
 - 3.6 - 4.19 (Exceeds Performance)
 - Meets job requirements and achieves the expected results.
 - 3.0 - 3.59 (Solid Performance)
 - Work does not meet all standards of the position.
- Adopted by County Board xx-xx-xxxx



DOOR COUNTY

**Resolution No. 2018-87
REQUESTING STATE LAW CHANGE ALLOWING COUNTIES THE USE OF
THE DESIGN-BUILD CONSTRUCTION METHOD AND UPDATE THE
STATUTORY BIDDING REQUIREMENTS**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL	Board Members	Aye	Nay	Exc.
AUSTAD		✓		
BACON		✓		
BULTMAN		✓		
CHOMEAU		✓		
D. ENGBERT		✓		
R. ENGBERT		✓		
ENIGL			✓	
FISHER		✓		
GUNNADGSSON		✓		
HALSTEAD		✓		
KOCH		✓		
KOHOUT		✓		
LIEBOWITZ		✓		
LUNDHIL		✓		
NETINAS		✓		
NORTON		✓		
ROBILLARD		✓		
SCHULTZ		✓		
VIRLEE		✓		
VLIES WOTACHEK		✓		
WATT			✓	
		14	2	0

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted Deleted

1st: Austad Deleted:

2nd: Fischer

Yes: 14 No: 2 Exc: 0

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

FISCAL IMPACT: While the passage of this resolution will have some operational efficiency for Door County, there is no direct fiscal impact. STW

Certification:

I, Jill M. Law, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 18th day of December, 2018 by the Door County Board of Supervisors.

Jill M. Law
Jill M. Law
County Clerk, Door County

1 **WHEREAS**, Under Wisconsin Statutes § 59.52(29), counties are required
2 to engage in a competitive bidding process on public work construction projects
3 greater than \$25,000 and provide a Class I notice on any public work with a cost
4 between \$5,000-\$25,000; and

5
6 **WHEREAS**, These statutory limits of \$5,000 and \$25,000 have been in
7 place for decades and need to be updated; and

8
9 **WHEREAS**, The State of Wisconsin has recognized the advantages of the
10 Design-Build Method and authorizes that process to be followed for state-
11 controlled building projects and certain other entities; and

12
13 **WHEREAS**, At the current time, Wisconsin counties are not authorized to
14 use the Design-Build Method for construction projects; and

15
16 **WHEREAS**, Under the Design-Build Construction Method, counties would
17 contract with a single entity to provide both the design and the construction of a
18 public work project as opposed to having to bid those projects separately; and

19
20 **WHEREAS**, In addition to a single source of responsibility, other
21 advantages of Design-Build include enhanced creativity, guaranteed costs,
22 faster project completion, improved risk management, fewer change orders
23 and less administrative burden.

24
25 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board of
26 Supervisors hereby requests that our State Legislators introduce and support
27 legislation authorizing counties to utilize the Design-Build option.

28
29 **BE IT FURTHER RESOLVED**, That the legislature take action to update
30 the antiquated project limit in Sec. 59.52(29), Stats., from \$25,000 to \$250,000,
31 and the requirement of a Class I notice be raised for any public work to a cost
32 in excess of \$50,000.

33
34 **BE IT FURTHER RESOLVED**, That the County Board directs the County
35 Clerk to forward a copy of this resolution to our Legislators, Governor Scott
36 Walker, Governor-elect Tony Evers, the Wisconsin Counties Association, and
37 all other Wisconsin counties, to elicit support for this requested change in state
38 law.

SUBMITTED BY: FACILITIES AND PARKS COMMITTEE

Daniel Austad Daniel Austad, Chair Richard Virlee Richard Virlee

Ken Fischer Ken Fischer Randy Halstead Randy Halstead

Helen Bacon Helen Bacon Roy Engelbert Roy Engelbert

Susan Kohout Susan Kohout

What is Design-Build?

Design-build is a method of project delivery in which one entity – the design-build team – works under a single contract with the project owner to provide design and construction services. One entity, one contract, one unified flow of work from initial concept through completion – thereby re-integrating the roles of designer and constructor. Design-build is an alternative to the traditional design-bid-build project delivery method. Under the latter approach, design and construction services are split into separate entities, separate contracts, separate work. Across the country and around the world, design-build successfully delivers both horizontal and vertical construction projects with superior results – no matter what the project type.

DESIGN-BUILD CONTRACTUAL RELATIONSHIP

Traditional Project Delivery



Owner must manage two separate contracts; owner becomes middleman, settling disputes between the designer and the contractor. Designer and contractor can easily blame one another for cost overruns and other problems.

VS

Design-Build Project Delivery



Owner manages only one contract with a single point of responsibility; designer and contractor are on the same team, providing unified recommendations. Changes are addressed by design-build entity, not used as excuses.



Streamlining project delivery through a single contract between the owner and the design-build team transforms the relationship between designers and builders into an alliance, which fosters collaboration and teamwork. Unleashed from the outset of every project, an integrated team readily works to successfully complete a project faster, more cost effectively and with fewer change orders.

COMPARISON OF PROJECT DELIVERY METHODS

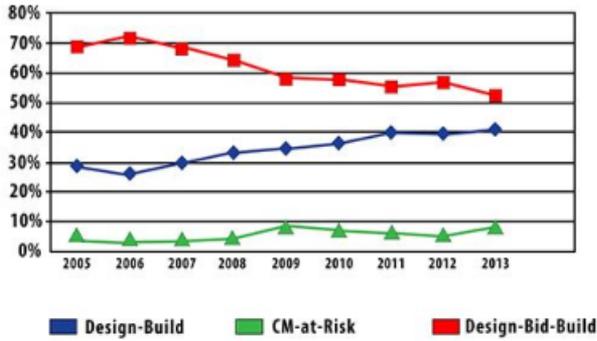
METRIC	DESIGN-BUILD VS. DESIGN-BID-BUILD	DESIGN-BUILD vs. CM@R
UNIT COST	6.1% lower	4.5% lower
CONSTRUCTION SPEED	12% faster	7% faster
DELIVERY SPEED	33.5% faster	23.5% faster
COST GROWTH	5.2% less	12.6% less
SCHEDULE GROWTH	11.4% less	2.2% less

Source: Construction Industry Institute (CII)/Penn State research comprising 351 projects ranging from 5,000 to 2.5 million square feet. The study includes varied project types and sectors.



Over the past 15 years, use of design-build has greatly accelerated in the United States, making this delivery method one of the most significant trends in design and construction today.

**Project Delivery Method Market Share
for Non-Residential Construction**



Analysis by RSMeans Market Intelligence a div. of Reed Construction Data

EXECUTIVE SUMMARY

Under § 59.52(29), Wis. Stats., county construction contracts that exceed \$25,000 must be awarded to the lowest responsible bidder using the competitive bidding process. In addition, if the estimated public work is between \$5,000 and \$25,000, the County must give a Class I notice before it contracts for such work. These dollar limits have been in place for decades and are unrealistic and need to be updated to a more current number.

Under the current practice, an architect first designs the construction project, construction designs are then let for bid and contractors submit bids to construct the project based on those design plans. There are inherent disadvantages to a competitive bidding process. Most notably are the lengthy processes and the incentive to low-ball the bid and make up the difference through change orders. Though change orders are a normal condition of any construction project, currently they have become an income generating tool. The time and effort required in negotiating change orders is significant and increases the overall cost of the project.

Another problem is performance quality. If the project is completed and has been done in either a substandard method or with substandard materials in order to meet the low ball bid, the overall project suffers and actual cost is then again increased. We need to have contractors that are willing to prepare fair and accurate proposals for the work and live up to those terms. This also includes the architects and those associated with the preparation and completion of any given project. Design Build concepts allow for that process to happen.

Many of the projects involved in these situations represent millions of dollars and have long-term effects upon counties in the term of operation and maintenance of facilities. This in turn is reflected in taxation of residents and the ability for the county to provide necessary services. We need to have a more affective process in establishing and choosing the appropriate bid for these county projects. Allowing Design Build benefits not only the County, but also the taxpayers.



DOOR COUNTY

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BACON			
BULTMAN			
CHOMEAU			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GUNILAUGSSON			
HALSTEAD			
KOCH			
KOHOUT			
LIENAU			
LUNDAHL			
NEINAS			
NORTON			
ROBILLARD			
SCHULTZ			
VIRLEE			
VALIES WOTACHEK			
WAIT			

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve: Adopted

1st Fisher Defeated

2nd Lienuau

Yes: _____ No: _____ Exc: _____

Reviewed by: [Signature] Corp. Counsel

Reviewed by: [Signature] Administrator

FISCAL IMPACT: There is no fiscal implication with the adoption of this resolution. STW

Certification:

I, Jill M. Lau, Clerk of Door County, hereby certify that the above is a true and correct copy of a resolution that was adopted on the 18th day of December, 2018 by the Door County Board of Supervisors.

[Signature]
Jill M. Lau
County Clerk, Door County

Resolution No. 2018-88

SUPPORT FOR LEGALIZATION OF MEDICAL CANNABIS

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, Existing (Wisconsin and federal) law criminalizes the
 2 possession and use of cannabis (i.e., tetrahydrocannabinols, commonly
 3 known as "THC"); and

4
 5 **WHEREAS**, As of November, 2018, the use of cannabis for medical
 6 purposes is legal in 33 states; and

7
 8 **WHEREAS**, While there is a dearth of rigorous peer-reviewed studies
 9 (clinical trials), the relative benefits and risks of medical cannabis are
 10 believed to be reasonably well understood; and

11
 12 **WHEREAS**, The Door County Board of Supervisors supports
 13 Wisconsin taking steps toward cannabis legalization for medical purposes;
 14 and

15
 16 **WHEREAS**, These steps would include the research, consideration
 17 and development of regulations and rules that will enable persons who are
 18 in demonstrated need of cannabis for specified medical purposes to obtain
 19 and use cannabis under limited circumstances and address any anticipated
 20 negative secondary effects to public health, safety, and welfare; and

21
 22 **WHEREAS**, The legalization of medical cannabis without appropriate
 23 rules and regulations could result in the creation of negative secondary
 24 effects to public health, safety and welfare.

25
 26 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board
 27 of Supervisors hereby expresses its support for Wisconsin taking steps
 28 toward cannabis legalization for medical purposes.

29
 30 **BE IT FURTHER RESOLVED**, That the Door County Clerk is directed
 31 to provide a copy of this resolution to the all Wisconsin County Clerks, the
 32 Wisconsin Counties Association, each state and federal legislator
 33 representing Door County, Governor Scott Walker, and Governor-elect
 34 Tony Evers.

SUBMITTED BY:

[Signature]
 David Lienau, Chairman
 Door County Board of Supervisors