

A General Meeting of the Ashland County Board of Supervisors was held on Thursday, February 13, 2014. Chairman Pete Russo called the meeting to order at 9:02 a.m. A moment of personal prayer was held followed by the Pledge of Allegiance.

### PETITION FOR MEETING

We, the undersigned, being a majority of the members of the Board of Supervisors, Ashland County, Wisconsin do hereby petition that a General Meeting of the Board be called at 9:00 a.m., Thursday, February 13, 2014, the said meeting to be held for the purpose of transacting business as a Board of Supervisors of the said Ashland County.

Dated at the City of Ashland, Wisconsin, this 13th day of February, 2014.

|         |                    |                     |
|---------|--------------------|---------------------|
| Signed: | Mike Starck        | Helen Croteau       |
|         | Jim Oakley         | Charles Ortman      |
|         | Ken Lindquist      | Frank Kempf         |
|         | Matt McKenzie      | Rick Korpela        |
|         | Richard Pufall     | Norm Couture        |
|         | Donna Williamson   | Maxine Kleinsteiber |
|         | Clarence Campbell  | Gary Kabasa         |
|         | George Mika        | Jerry Teague        |
|         | Robert Blaszkowski | Joyce Kabasa        |

Roll Call: Present: Blaszkowski, MacKenzie, Teague, Oakley, Campbell, J. Kabasa, G. Kabasa, Ortman, Williamson, Pufall, Croteau, Starck, Couture, Korpela, Mika, Lindquist, Russo, Kempf, Kleinsteiber. 19

Absent: 0

Excused: Kubley, Mertig. 2

### MINUTES JANUARY 16, 2014 COUNTY BOARD MEETING

Motion was made by Donna Williamson and seconded by Jerry Teague to approve the minutes of the January 16, 2014 County Board Meeting as printed. Motion carried with Bob Blaszkowski in opposition.

### MEMORANDUM OF AGREEMENT BETWEEN ASHLAND COUNTY AND THE BAD RIVER BAND OF LAKE SUPERIOR TRIBE OF CHIPPEWA INDIANS – WISCONSIN GAMING COMPACT

#### MEMORANDUM OF AGREEMENT

This MEMORANDUM OF AGREEMENT (“Agreement”) is entered into this day of \_\_\_\_\_, by and between the Bad River Band of Lake Superior Tribe of Chippewa Indians, a federally recognized Tribe, and the County of Ashland, pursuant to section XXXII.A(5) of the Tribe’s Gaming Compact of 1991, as amended.

**AUTHORITY.** As set forth in the Bad River Band of Lake Superior Tribe of Chippewa Indians and State of Wisconsin Gaming Compact of 1991, and amendments thereto, pursuant to section XXXII.A(5) of said Compact, beginning in 2007, the first One Hundred Thousand Dollars (\$100,000.00) of the annual amount required to be paid by the section entitled “Payments to the State” shall be retained by the Tribe and paid directly to Ashland County if the Tribe and County have entered into a written memorandum of agreement regarding the use of said funds. If the Tribe and County have not reached such an agreement, this amount shall be paid to the State.

**TERMS AND CONDITIONS.** The parties to this Agreement shall adhere to the terms and conditions set forth below:

1. The Bad River Tribal Council agrees to pay to the County of Ashland four equal quarterly payments (March 31<sup>st</sup>, June 30<sup>th</sup>, September 30<sup>th</sup>, December 31<sup>st</sup>) in the amount of twenty-five

thousand dollars (\$25,000.00) each for a total of one hundred thousand dollars (\$100,000.00) for local programs, services and departments as set forth in this Memorandum of Agreement.

2. The Bad River Tribal Council and the County of Ashland Board of Supervisors, or their appropriate designees, agree to convene on at least an annual basis, prior to the beginning of the calendar year, to allocate the money for the following calendar year.
3. The Bad River Tribal Council and the County of Ashland board of Supervisors, or their appropriate designees, shall meet on a semi-annual basis to discuss, inform and update each governing body on the status and use of said funds.
4. Both representative governing bodies acknowledge that this Agreement will be filed with the Wisconsin Department of Administration, Division of Gaming, on an annual basis for approval and compliance with the Bad River Band's Gaming Compact.
5. The terms of this MOU shall not amend or alter the terms of the Gaming Compact entered between the Bad River Tribe and the State of Wisconsin. The Gaming Compact of 1991 and subsequent amendments govern the terms of this MOU.

**ALLOCATION OF MONIES.** For calendar year 2014, the total appropriation from the Bad River Band to Ashland County in the amount of \$100,000.00 will be allocated as follows:

1. Twenty-five thousand dollars (\$25,000.00) for funding to the Mashkisibi Boys and Girls Club for youth programs and initiatives.
2. Twenty-five thousand dollars (\$25,000.00) to the Ashland County Sheriff's Department to help fund a full time Domestic Violence Program Coordinator that will assist both tribal members and non-tribal members within the limits of Ashland County.
3. Forty-five thousand dollars (\$45,000.00) to be used to increase law enforcement patrols of the Bad River Reservation, in particular the Birch Hill area. The additional patrols will be agreed upon by the Bad River Chief of Police and the Ashland County Sheriff. In addition, if the additional patrols or special investigations are supplied by the Ashland County Sheriff's Department, the County can bill for these services up to but not to exceed \$15,000.00 per year.
4. Five thousand dollars (\$5,000.00) towards the construction of a recreational trail between Odanah, WI and Ashland, WI.

**DISPUTE RESOLUTION.** The parties agree to the following procedures for the resolution of any dispute which may arise out of this Agreement or breach of this Agreement:

1. **Negotiation.** If any dispute arises with respect to this Agreement or the breach thereof, the parties shall first seek to resolve the dispute through informal settlement negotiations. Written notice of any dispute specifying in detail the factual basis for any alleged non-compliance must be given to the other party and/or the interpretation of the provision of the Compact proposed by the party providing notice. Both parties shall participate in good faith negotiations to resolve the dispute and within ten (10) days following delivery of the written notice of dispute, representatives of both governing body shall meet at a neutral site, or other mutually agreed upon location, to resolve the dispute. If resolution is not reached after on negotiation session, either party may serve on the other written demand for mediation.
2. **Mediation.** Within seven (7) days of service of the notice of demand for mediation the parties shall appoint a mediator. If the parties are unable to agree on a mediator, each party shall select a mediator and the two shall select a third mediator who shall conduct the mediation. The parties shall attempt to agree upon the number of mediation sessions to be scheduled, but no less than two mediation sessions shall be scheduled. After at least two mediation sessions have occurred, either party may notify the other that mediation has failed and the party shall schedule a final mediation no later than ten (10) days after notification of failure of mediation, unless parties agree to another mutually acceptable date. The cost of mediation shall be borne equally to each party.

This Agreement shall remain in effect for a period of one calendar year and shall only be extended beyond the terms of the Agreement upon the written approval of both parties.

Both the Bad River Tribe and the County of Ashland respectively represent that the following signatories are authorized to enter into this Agreement, and the signatories below hereby agree to the terms of this contract:

\_\_\_\_\_  
Michael Wiggins, Jr.  
Tribal Chairman  
Bad River Band of the Lake Superior  
Tribe of Chippewa Indians

\_\_\_\_\_  
Pete Russo  
Chairperson  
County of Ashland, Board of Supervisors

Dated this \_\_\_\_ day of \_\_\_\_\_, 2014.

Motion was made by Dick Pufall and seconded by Helen Croteau to approve the Memorandum of Agreement.

Roll Call: Yes: Blaszkowski, MacKenzie, Teague, Oakley,  
Campbell, J. Kabasa, G. Kabasa, Ortman,  
Williamson, Pufall, Croteau, Starck, Couture,  
Korpela, Mika, Lindquist, Russo, Kempf,  
Kleinsteiber. 19

No: 0

Absent: Kubley, Mertig. 2

**MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE TOWN OF  
LAPOINTE AND ASHLAND COUNTY REGARDING INVESTIGATION,  
ENFORCEMENT AND PROSECUTION RELATED TO ZONING IN THE  
SHORELAND AREA ON MADELINE ISLAND**

**MEMORANDUM OF UNDERSTANDING**

**By and Between the Town of La Pointe and Ashland County  
Regarding  
Investigation, Enforcement and Prosecution Related to Zoning in the Shoreland Area  
On Madeline Island**

This Memorandum, between the Town of La Pointe and Ashland County, establishes financial responsibility for investigation, enforcement, prosecution and administrative action related to Ashland County Shoreland Zoning on Madeline Island.

The Town of La Pointe agrees to accept financial responsibility for Ashland County taking up prosecution of Edward Kale relating to his violations of the Ashland County Shoreland Zoning Ordinance.

The Town of La Pointe agrees to accept financial responsibility for all activities related to the development, publication of notices, hearings, Special County Board Meetings, and establishment of a shoreland permitting moratorium on Madeline Island/Town of La Pointe.

The Town of La Pointe further agrees to accept financial responsibility for all activities related to the development and institution/addition of a supplemental district/overlay, to the Ashland County Zoning Ordinance for shoreland zoning on Madeline Island/Town of La Pointe.

The Town of La Pointe finally agrees to accept financial responsibility for the administration, investigation, enforcement and prosecution of violations of the supplemental district/overlay for Madeline Island/Town of La Pointe.

This agreement will be reviewed annually and will terminate upon mutual agreement or WI Stat. amendment that obviates necessity of overlay/supplemental district – allows restoration of shoreland zoning authority to the Town of La Pointe.

Approved by the Town Board of the Town of La Pointe on February 11, 2014.

Town of La Pointe

Ashland County

*Greg Nelson*, Board Chair  
2/11/2014

*Pete Russo*, Board Chair  
2/13/2014

Motion was made by Mike Starck and seconded by Donna Williamson to approve the Memorandum of Understanding. A discussion followed.

Roll Call: Yes: Blaszkowski, MacKenzie, Teague, Oakley,  
Campbell, J. Kabasa, G. Kabasa, Ortman,  
Williamson, Pufall, Croteau, Starck, Couture,  
Korpela, Mika, Lindquist, Russo, Kempf,  
Kleinsteiber. 19

No: 0

Absent: Kubley, Mertig. 2

**RESOLUTION - R02-2014-1145**

**RESOLUTION TO APPROVE A REVOLVING LOAN FUND APPLICATION FROM CHEQUAMEGON FOOD CO-OP, INC.**

**WHEREAS**, Chequamegon Food Co-op, Inc., located in the City of Ashland, Ashland County, Wisconsin, has made an application for a loan from the Ashland County Revolving Loan Fund (RLF); and

**WHEREAS**, the loan application has been completed and Chequamegon Food Co-op, Inc., meets all the necessary loan criteria to qualify for a loan under the Ashland County RLF; and

**WHEREAS**, the Ashland County Loan Review Committee has reviewed the loan application and determined that Chequamegon Food Co-op, Inc. is eligible for a \$100,000.00 loan; and

**WHEREAS**, this resolution is being brought forward for approval by Pete Russo, County Board Chair, and Matt MacKenzie, Finance Committee Chair; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Ashland County Board does hereby approve a \$100,000 loan at 6 percent annual interest, amortized over 10 years, secured by a shared second position with the City of Ashland on the Chequamegon Food Co-op, Inc. 700 Main Street West property, a shared second position with the City of Ashland on a General Business Security Agreement, and a shared pro-rata position with the City of Ashland on the sale of the 215 Chapple Avenue property.

**BE IT FURTHER RESOLVED THAT**, the Ashland County Board of Supervisors does hereby grant the Ashland County Chairperson the authority to sign all documents necessary to close the loan and that the Ashland County Corporate Counsel approve all legal documents to secure this loan.

Dated at the City of Ashland, Wisconsin, this 13<sup>th</sup> day of February, 2014.

Signed: Mike Starck                      Helen Croteau  
Charles Ortman                      Ken Lindquist  
Frank Kempf                          Matt McKenzie

|                     |                    |
|---------------------|--------------------|
| Rick Korpela        | Richard Pufall     |
| Norm Couture        | Donna Williamson   |
| Maxine Kleinsteiber | Clarence Campbell  |
| Gary Kabasa         | George Mika        |
| Jerry Teague        | Robert Blaszkowski |
| Joyce Kabasa        |                    |

Motion was made by Dick Pufall and seconded by Helen Croteau to adopt the resolution.

Roll Call: Yes: Blaszkowski, MacKenzie, Teague, Campbell, J. Kabasa, G. Kabasa, Ortman, Williamson, Pufall, Croteau, Starck, Couture, Korpela, Mika, Lindquist, Russo, Kempf, Kleinsteiber. 18

No: 0

Abstain: Oakley. 1

Absent: Kubley, Mertig. 2

#### **RESOLUTION - R02-2014-1146**

#### **A RESOLUTION TO AUTHORIZE THE BORROWING OF \$12,000 TO PURCHASE A VEHICLE FOR USE BY THE LAND AND WATER CONSERVATION DEPARTMENT**

**WHEREAS**, the Land and Water Conservation Department presently operates 2 vehicles to support all activities of the Department including the Wildlife Damage Abatement and Claims Program, the Lake Superior Grazing Network, the Aquatic Invasive Species Program, and implementing the Soil and Water Resource Management Plan; and

**WHEREAS**, the activities of the department are independently conducted by as many as 7 employees during the summer months; and

**WHEREAS**, the Department frequently has the need for a four-wheel drive truck that will seat 3 or more people; and

**WHEREAS**, a suitable truck has become available from the Ashland County Forestry Department that would otherwise be traded in for replacement; and

**WHEREAS**, the Ashland County Land Conservation Committee recommended pursuing a loan to purchase another vehicle at their meeting on January 24, 2014; and

**WHEREAS**, vehicle rent is currently collected from the Wildlife Damage Abatement and Claims Program to offset the monthly payments of one of the current vehicles; and

**WHEREAS**, fees collected from grant projects administered by the Department will cover the monthly payments of the additional vehicle;

**NOW THEREFORE BE IT RESOLVED**, that the Ashland County Board of Supervisors go on record to borrow \$12,000 from Northern State Bank to purchase from the Ashland County Forestry Department a 2010 Chevrolet Silverado quad cab pick-up truck with 66,000 miles for use by the employees of the Land and Water Conservation Department.

**BE IT FURTHER RESOLVED**, that the County Board Chair, County Treasurer, and County Clerk be authorized to sign the appropriate paperwork to process the loan through Northern State Bank.

Dated at the City of Ashland, Wisconsin this 13<sup>th</sup> day of February, 2014.

|         |               |                |
|---------|---------------|----------------|
| Signed: | Jim Oakley    | Mike Starck    |
|         | Helen Croteau | Charles Ortman |

|                    |                     |
|--------------------|---------------------|
| Ken Lindquist      | Frank Kempf         |
| Matt McKenzie      | Rick Korpela        |
| Richard Pufall     | Norm Couture        |
| Donna Williamson   | Maxine Kleinsteiber |
| Clarence Campbell  | Gary Kabasa         |
| George Mika        | Jerry Teague        |
| Robert Blaszkowski | Joyce Kabasa        |

Motion was made by Ken Lindquist and seconded by Joyce Kabasa to adopt the resolution.

Roll Call: Yes: Blaszkowski, MacKenzie, Teague, Oakley, Campbell, J. Kabasa, G. Kabasa, Ortman, Williamson, Pufall, Croteau, Starck, Couture, Korpela, Mika, Lindquist, Russo, Kempf, Kleinsteiber. 19

No: 0

Absent: Kubley, Mertig. 2

#### **RESOLUTION - R02-2014-1147**

#### **A RESOLUTION AUTHORIZING THE SALE OF COUNTY OWNED LANDS TO THE STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES (DNR)**

**WHEREAS**, Ashland County presently owns the following property located on Madeline Island, in the Township of La Pointe, Ashland County, Wisconsin:

*The W1/2 of the NW ¼ of the SE ¼, ALL south of Big Bay Road in Section 14 Township 50 North, Range 3 West, Town of LaPointe, Ashland County, Wisconsin.*

Subject to any restrictions, agreements or easements of record.

**WHEREAS**, the property is located within the boundaries of Big Bay State Park; and

**WHEREAS**, the DNR has expressed an interest in the property to expand the boundaries of Big Bay State Park; and

**WHEREAS**, the DNR has tendered an offer to purchase the property for the amount of the appraised value, \$43,200.00, to Ashland County; and

**WHEREAS**, as part of the offer to purchase, the DNR will also pay for the cost of the title policy, real estate transfer fee, draft the warranty deed and pay for recording the deed; and

**WHEREAS**, the Ashland County Zoning and Land Committee and the Town of La Pointe Planning Commission agree that the Big Bay State Park would benefit and utilize the property; and

**WHEREAS**, the Ashland County Zoning and Land Committee met and recommended on February 6, 2014 the sale be approved by the Ashland County Board; and

**NOW, THEREFORE BE IT RESOLVED**, that the Ashland County Board of Supervisors hereby accepts the DNR offer to purchase and authorizes the County Clerk and County Board Chair to sign all documents to complete the sale of the above County owned lands.

Dated at the City of Ashland, Wisconsin, this 13th day of February, 2014.

|         |                |                |
|---------|----------------|----------------|
| Signed: | Mike Starck    | Helen Croteau  |
|         | Jim Oakley     | Charles Ortman |
|         | Ken Lindquist  | Frank Kempf    |
|         | Matt McKenzie  | Rick Korpela   |
|         | Richard Pufall | Norm Couture   |

Donna Williamson      Maxine Kleinsteiber  
Clarence Campbell      Gary Kabasa  
George Mika              Robert Blaszkowski  
Joyce Kabasa

Motion was made by Mike Starck and seconded by Joyce Kabasa to adopt the resolution. A discussion followed.

Roll Call: Yes:              Blaszkowski, MacKenzie, Teague, Oakley,  
Campbell, J. Kabasa, G. Kabasa, Ortman,  
Williamson, Pufall, Croteau, Starck, Couture,  
Korpela, Mika, Lindquist, Russo, Kempf,  
Kleinsteiber. 19

No:                              0

Absent:                        Kubley, Mertig. 2

**RESOLUTION - R02-2014-1148**

**A RESOLUTION AMENDING RESOLUTION R12-2011-1075 AND TO ADOPT REVISIONS TO THE PERSONNEL POLICY FOR ASHLAND COUNTY EMPLOYEES EFFECTIVE FEBRUARY 13, 2014**

**WHEREAS**, on December 15<sup>th</sup>, 2011 the Ashland County Board of Supervisors adopted resolution R12-2011-1075 approving the Personnel Policy for Ashland County Employees effective January 1, 2012; and

**WHEREAS**, at the February 7, 2014 Executive Committee meeting, the Committee approved several revisions to the Personnel Policy and recommended to forward the revisions on to the Ashland County Board of Supervisors for approval.

**NOW, THEREFORE, BE IT RESOLVED**, that the Ashland County Board does hereby amend Resolution R12-2011-1075 and hereby adopts the revisions to the Personnel Policy Handbook for Ashland County Employees effective February 13, 2014.

Dated at the City of Ashland, Wisconsin, this 13<sup>th</sup> day of February, 2014.

Signed:                      Mike Starck                      Helen Croteau  
                                     Jim Oakley                        Charles Ortman  
                                     Ken Lindquist                    Frank Kempf  
                                     Matt McKenzie                   Rick Korpela  
                                     Richard Pufall                    Norm Couture  
                                     Donna Williamson               Maxine Kleinsteiber  
                                     Clarence Campbell               Gary Kabasa  
                                     Jerry Teague                       George Mika  
                                     Joyce Kabasa

Motion was made by Dick Pufall and seconded by Mike Starck to adopt the resolution. Jeff Beirl commented on the revisions---a discussion followed.

Roll Call: Yes:              Blaszkowski, MacKenzie, Teague, Oakley,  
Campbell, J. Kabasa, G. Kabasa, Ortman,  
Williamson, Pufall, Croteau, Starck, Couture,  
Korpela, Mika, Lindquist, Russo, Kempf,  
Kleinsteiber. 19

No:                              0

Absent:                        Kubley, Mertig. 2

**DEPARTMENT REPORT**

**County Treasurer**

**REPORT OF ASHAND COUNTY TREASURER  
ASHLAND, WISCONSIN**

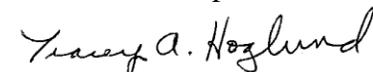
To the County Board of Supervisors, Ashland County, Wisconsin

County Treasurer's Statement of Receipts and  
Disbursements as of 03/01/2014

**COUNTY GENERAL AND HIGHWAY FUND**

|  |                       |
|--|-----------------------|
| Cash Balance on Hand as of 02/01/14        | <u>660,027.19</u>     |
| Receipts 02/01/14 through 02/28/2014       | <u>+ 3,941,145.85</u> |
| TOTAL                                      | <u>4,601,173.04</u>   |
| Disbursements                              | <u>4,044,815.22</u>   |
| CASH BALANCE ON HAND                       | <u>556,357.82</u>     |
| Total all Special Accts. Principal Amounts | <u>3,040,898.71</u>   |
| Interest on Special Accounts               | 93,259.95             |

I, Tracey A. Hoglund, Ashland County Treasurer for Ashland County, Ashland, Wisconsin, do hereby certify that the foregoing is a true and correct statement of receipts, disbursements, balances and investments with interest for the period ending 02/28/2014.



Tracey A. Hoglund, Ashland County Treasurer  
Ashland County, Wisconsin

Motion was made by Matt MacKenzie and seconded by Joyce Kabasa to approve the Treasurer's Report as presented and to place on file. Motion carried.

**MISCELLANEOUS BUSINESS**

Bob Blaszkowski distributed to the board members a copy of a blog from the Milwaukee Journal Sentinel.

There being no further business, motion was made by Joyce Kabasa and seconded by Helen Croteau to adjourn. Motion carried. County Board adjourned at 10:06 a.m.

Respectfully submitted,



Heather W. Schutte  
Ashland County Clerk