

Tuesday, June 23, 2020
9:00 a.m.

**DOOR COUNTY BOARD
OF SUPERVISORS**

*Door County Government Center
County Board Room (C101), 1st floor
421 Nebraska Street, Sturgeon Bay, WI*

AGENDA

1. Call Meeting to Order
2. Pledge of Allegiance to the Flag
3. Roll Call by County Clerk
4. Presentation of Agenda
5. Correspondence
 - Unassigned Fund Balance
 - Email – Mr. Robert Sijgers re: Mill Pond
 - Email – Mr. Don Freix re: Notice of Circumstances and Claim
 - Email – Rick & Patty Nelson re: Non-Partisan Redistricting
6. Public Comment
7. Supervisors Response
8. Approval of Minutes of the May 26, 2020 County Board Meeting
9. County Administrator
 - Monthly Report
 - COVID-19:
 - Matters Under Consideration
 - Public Health / Emergency Management Update
 - Roles and Responsibilities of County Board Members
10. Pending Business/Updates
 - Resolution 2020-19; Declaration of State of Emergency
 - Evaluation Process Review for County Administrator
11. Resolutions
 - 2020-51 Statement of Project Intentions for Door County Cherryland Airport
 - 2020-52 Disposition of 442 Michigan Street Property (P.I.N. 281-10-85262502)
 - 2020-53 Approval of United States Forest Service Cooperative Weed Management Area Grant for Invasive Species Education & Control
 - 2020-54 Approval of Arts Midwest (NEA Big Read) Grant to the Door County Library
 - 2020-55 To Conduct Countywide Advisory Referendum on Creation of Nonpartisan Procedure for the Preparation of Legislative and Congressional Redistricting Plans and Maps
12. Ordinances
 - Report Chapter 14 Text Amendments
 - 2020-07 Chapter 14 Text Amendments
13. Special Reports
 - 2020 Census
 - Presentation / Overview: Library, Miller Art Museum, Historical Museum, Archives – 442 Michigan Street, 56 N 4th Ave.
14. New Business
15. Oral Committee Reports
16. Review Committee Minutes
17. Review Vouchers, Claims and Bills
18. Announcements
 - Next Regular County Board Meeting – July 28, 2020 – 9:00 a.m.
19. Meeting Per Diem Code
20. Adjourn

To mitigate the impact of COVID-19 this meeting will be conducted by teleconference or video conference. Members of the public may join the meeting remotely or in-person in the Peninsula Room (C121) 1st Floor Government Center (*please note public in-person has limited capacity and is on a first come, first served basis*).

To attend the meeting via computer:

Go to:

<https://doorcounty.webex.com/doorcounty/onstage/g.php?MTID=e1a4e48a7296f2e32bf7565979b17ea4>

Enter the password: June23cb2020

To connect via phone:

Call 1-408-418-9388

Access Code: 146 435 5463

In compliance with the Americans with Disabilities Act, persons needing assistance to participate in this meeting, should contact the Office of the County Clerk (920) 746-2200. Notification 48 hours prior to meeting will enable the County to make reasonable arrangements to ensure accessibility to that meeting

Deviation from the order shown may occur.

Posted _____, 2020 by _____

DOOR COUNTY
UNASSIGNED FUND BALANCE (located within the General Fund)
As of May 31, 2020

The following information on the General Fund is being provided to the Door County Board of Supervisors pursuant to Rule 19:

Unassigned Fund Balance--General Fund as of 12/31/2019 Unaudited
\$ 15,634,828.24

2020 Approved Changes to Unassigned Fund Balance:

Transfer from Unassigned Fund Balance included in 2020 Budget - for Jail Door CIP Project	(130,000.00)
Transfer from Unassigned Fund Balance included in 2020 Budget - for Human Services Reserve	(792,538.00)
Transfer of Non-Budgeted Funds - 56 N 4th Ave Building 2019 Property Tax Bill - Resolution 2020-____	(18,004.00)
Transfer of Non-Budgeted Funds - Email Archival Solution - Resolution 2020-33	(23,416.67)
	(963,958.67)

Available Unassigned Fund Balance 5/31/2020 **\$ 14,670,869.57** Unaudited

Steve Wipperfurth, Finance Director

	<u>As of 12/31/2017</u>	<u>As of 12/31/2018</u>	<u>As of 12/31/2019</u>	<u>As of 5/31/2020</u>
Unassigned Fund Balance	\$ 14,841,408.21	\$ 16,996,928.24	\$ 15,634,828.24	\$ 14,670,869.57

Unassigned Fund Balance is designed to serve as a measure of the fund's financial resources available for appropriation and has a direct impact on bond ratings and borrowing power of the county.

Current Unassigned Fund Balance	\$ 14,670,869.57
General Fund Budgeted Expenditures - 2020	\$ 33,688,152.00
All Other Budgeted Funds Requiring Tax Levy - 2020	\$ 27,199,151.00

The County's current unassigned fund balance of \$ 14,670,869.57 represents approximately **24.09512%** of its governmental funds budgeted expenditures. This level of funding is above the 12%-15% reserve funding levels set forth in Resolution 72-03 adopted August 26, 2003.

From the policy: 12% is the base per County Board Policy at which point the County would never want to let the unassigned fund balance reserved for working capital go below.

Note:	
The amount above (below) the upper limit of 15% which, if above, could be a consideration for unforeseen expenditures	\$ 5,537,774.12
15% Upper Limit would equate to an unassigned fund balance of	\$ 9,133,095.45
12% Lower Limit would equate to an unassigned fund balance of	\$ 7,306,476.36

LAU, JILL

From: Robert Sijgers <rob.sijgers@gmail.com>
Sent: Friday, May 29, 2020 9:30 AM
To: Lienau, David; Lundahl, Megan; Norton, Nissa; Heim Peter, Alexis; Vogel, Dale; Virlee, Richard 'Biz'; Gauger, Elizabeth; Enigl, David; Chomeau, Vinni; Bultman, Bob; Englebert, David; Gunnlaugsson, Joel; Thayse, Todd; Englebert, Roy; Counard, Kara; Robillard, Nancy; Kohout, Susan; Tauscher, Erin; Austad, Daniel; Vlies Wotachek, Laura; Fisher, Kenneth; County Clerk; County Administrator
Cc: Robert Sijgers
Subject: Forestville Millpond Drawdown
Attachments: 200528 DC rain.jpeg; 200528 DC ethics.pdf

Millpond update and additional information

Dear Supervisors,

In addition to my comments in writing (as I could only hear Board members, but had no opportunity to speak during the public comment period) I would like to comment further about additional Millpond issues that were mentioned and other related business before this meeting.

During several Board meetings certain supervisors and Mr. Pabich have stated that there is a lot of misinformation about the Millpond. Yes and one wonders where a lot of this is coming from.

When the drawdown process started on November 1, 2019, Mr. Spritka (Facilities & Parks Director) announced on public television that it would take between 30 to 60 days to draw down. Quite a margin for an estimate and a process the County had been working on for about a year once the drawdown decision was made. (local residents observed in the past and warned the County about big and rapid water level swings during runoff periods)

The Millpond report states that 92% of the Millpond is under 3' (36") of depth. The Parks & Facilities drawdown plan calls for a drawdown rate "**not to exceed 3"/day**". So if we take this County information, that translates for the 30 days to a drawdown rate of 1.2"/day and for the 60 days 0.6"/day. Based on Mr. Spritka's statement, a very cautious drawdown rate one would say.

However the reality is not even close! Since the start, records show the 3"/day was exceeded repeatedly and hit one time, 24"/day - **8 times the "not to exceed" limit**.

During the first 60 days it overflowed **twice** and filled up very rapidly again after low level periods, with fill up rates exceeding **1"/hr.**, as happened last week.

High drawdown rates cause excessive sediment transfer going down the Ahnapee River with water going through the sluice gate turning black. County officials told the public and Kewaunee County officials they would minimize the sediment transfer.

Yesterday's modest rainfall of 1.7" caused another overflow this morning with 2" going over the dam at 6:30 AM. When rain started at around Noon yesterday, the level was 28" **below** the top of the Dam, a **30" increase during about 18 hrs.**

Mr. Pabich mentioned during this week's Board Meeting in response to a question of a supervisor about the Millpond that with the "dry" period coming, it would be better. Our interpretation of "dry" might differ, but the attachment shows that is unlikely.

People opposing the drawdown have been on the receiving end of accusations and derogatory remarks e.g. agitators, naysayers, whiners and unbecoming remarks about our Village Official Lora

Jorgensen during a Door County presentation (almost 3 months **after** the drawdown decision) to the Kewaunee County Land & Water Committee by the then Vice Chairman of the DC Board.

I would like to refer to the Door County webpage under the heading “**Core Values of Door County Government**”, easy to find - just before the “Welcome to Door County” page.

In addition I would like to point to “**Ethical Principles**” (page 19 and 20) in the Agenda packet of this week’s Tuesday Board meeting. For your convenience I included this as another attachment.

Again, please reconsider this ill conceived plan that after almost 7 months now, is **way off Plan** and with an astonishing lack of monitoring against the Plan.

We recorded the 6th overflow **this morning** since the start on November 1 - the **second overflow in about a week**.

Thank you for your attention to this matter.

Let us work together on a Ahnapee Watershed Management Plan in a way that our beautiful recreational area can be enjoyed by everybody, is this not why we have Parks?

Robert Sijgers, for Friends Of the Forestville Dam, Inc.

LAU, JILL

From: FreixCompany 2012 <draftdepot04@yahoo.com>
Sent: Wednesday, June 10, 2020 11:42 AM
To: Lienau, David; LAU, JILL
Cc: Englebert, David; Thayse, Todd; Englebert, Roy; Counard, Kara; Robillard, Nancy; Kohout, Susan; Tauscher, Erin; Austad, Daniel; Vlies Wotachek, Laura; Fisher, Kenneth; Lundahl, Megan; Norton, Nissa; Heim Peter, Alexis; Vogel, Dale; Virlee, Richard 'Biz'; Gauger, Elizabeth; Enigl, David; Chomeau, Vinni; Bultman, Bob; Gunnlaugsson, Joel
Subject: Correspondence to the County Board -Notice of Circumstances and Claim - Question

Good Morning People,

I'm guessing several committee chair Supervisors have been made aware of the May 15, 2020 Notice of Circumstances - Notice of Claims received by the County and reported on briefly in the Door County Daily News about two weeks ago.

My question is how many of you have been made fully aware of this letter to the County that seeks damages for loss of use and enjoyment and for adverse economic impacts through County decisions about the Forestville Millpond and the Ahnapee River?

How many of you will be asked to potentially act on any decisions regarding these county constituents whose interests you were elected to represent, now announcing a potential for making claims against the county, as Supervisors feel you've been adequately informed of the circumstances and the problems prior County Board actions approved of and initiated?

Thoughts for today, this is sent to be included in the public correspondence in the information packet for the June regular County Board meeting. As public commenting is severely restricted and has been stricken from the recorded minutes of county meetings, I await to see who might reply to these email.

Peace and Resolve

Donald Freix
PO Box 396
Fish Creek, WI 54212

920 868 9513

From: rick.nelson1199@gmail.com <rick.nelson1199@gmail.com>
Sent: Wednesday, June 17, 2020 1:32 PM
To: Chomeau, Vinni
Cc: nelson.patty@comcast.net
Subject: Gerrymandering

Hi Vinni,

We are writing today to let you know that we both are in favor of the Fair Maps referendum and eliminating gerrymandering in Wisconsin.

The current gerrymandering system is a tainted, political approach to preparing legislative and congressional district plans and maps. Instead, it should be fair and representative of the voters' will. The best thing this country can do to sustain our democratic system is let each voter know that our electoral system is fair and that their vote counts. The Fair Maps referendum will do just that.

A 2019 Marquette University poll revealed the 72% of Wisconsin voters want a non-partisan procedure for redrawing the post census district boundaries -- YET THE GERRYMANDERED STATE LEGISLATURE REFUSES TO ACT. So the people of the state want a fair system to create districts. We just need to take the needed steps to make it happen.

As our county supervisor, we hope you will take our opinion into account when you vote on the Fair Maps referendum later this month.

Respectfully,

Rick and Patty Nelson
8363 Islandview Rd
Fish Creek, WI 54212

MINUTES
Tuesday, May 26, 2020

**DOOR COUNTY BOARD
 OF SUPERVISORS**

*Door County Government Center
 County Board Room (C101), 1st floor
 421 Nebraska Street, Sturgeon Bay, WI*

Call Meeting to Order

The meeting was called to order at 10:00 a.m. by County Board Chairman David Lienau at the Door County Government Center County Board Room.

Chairman 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 physically present – Daniel Austad, Bob Bultman, Kara Counard, David Englebert, Roy Englebert, David Enigl, Ken Fisher, Elizabeth Gauger, Joel Gunnlaugsson, Alexis Heim Peter, Susan Kohout, David Lienau, Megan Lundahl, Nancy Robillard, Erin Tauscher, Todd Thayse, Richard Virlee, Dale Vogel, and Laura Vlies Wotachek. 3 County Board Members appeared virtually - Vinni Chomeau, and Nissa Norton.

Presentation of Agenda

Motion by Lundahl, seconded by Heim Peter to approve the agenda. Motion carried by voice vote.

Correspondence

- Unassigned Fund Balance

Public Comment

The following persons commented:

- Marybeth Mattson
- Christine Reid
- Robert Sijgers via email

Supervisors Response

N/A.

Approval of Minutes of the April 21, 2020 County Board Organizational Meeting and the May 14, 2020 Special County Board Meeting

Motion by R. Englebert, seconded by Robillard to approve the minutes of the April 21, 2020 County Board Organizational Meeting and the May 14, 2020 Special County Board Meeting. Motion carried by voice vote.

**County Administrator
 Monthly Report**

The report was included in the meeting packet and was reviewed. Specific items discussed/explained included Cana Island, capital projects, Mill Pond project (request to send all past reports and handouts, etc. to new Board Members).

COVID-19:

Matters Under Consideration

Administrator Pabich explained County Board Chairman Lienau and himself have authorized up to \$10,000 for the purchase of N95 masks; anticipating possible reimbursement.

Administration is looking to bring sustainability and balance to Public Health. Potentially looking to bring on 2 retired part-time nurses, 1 full-time nurse intern and 1 intern to assist with call volume. Anticipated expenditures \$25,000 - \$30,000.

CC Thomas briefly reviewed a lawsuit against dozens of defendants across the State including Door County and the State of Wisconsin.

Public Health / Emergency Management Update

Public Health Officer Sue Powers reported as of this morning there are 38 confirmed cases; 18 recovered; currently no hospitalizations; 1,020 negative tests; 163 pending tests. Anticipating numbers to increase following the weekend. Public Health staff continue to work 7 days per week. Hoping to increase staff capacity soon. Follow-ups and contact tracing are complicated and extensive and has increased extensively. Public Health staff is focusing on COVID and WIC; all other programs are on hold. Staff is beginning to discuss how to ease back into regular/normal work. Many questions have arisen from the safely reopen guide. Communications between nursing home and elderly homes continue.

Emergency Management Director Dan Kane presented a brief update. The emergency Operations Center will begin to phase down to 1 meeting per week. Kane updated the Board that a “toaster oven” has been obtained to sanitize N95 masks. The unit is ready to go and can sanitize about 50 masks at a time. A request to establish a National Guard testing site in Door County was put in to the State; this is a joint effort between Door County and Kewaunee County.

Discussion: Face Masks

Administrator Pabich explained all county employees are required to wear face masks when interacting with public or other employees in county buildings.

Supervisors have been asked to put an ordinance in place countywide requiring people to wear face masks in public. Questions that arose from the request was enforcement, and supply. CC Thomas noted what is out there now is recommendations and suggestions which is the best way to go about this; there would be significant difficulties in enacting a countywide ordinance requiring mask wearing in public places. Sue Powers noted Public Health encourages wearing cloth face masks. Supervisor Kohout offered many suggestions to help educate the public on the importance of wearing masks. EM Director Dan Kane reported Destination Door County created a link on their website with information related to safely reopening businesses.

Pending Business/Updates

Assessment of Resolution No. 2020-19 Ratification Alteration Modification or Repeal of March 16, 2020 Proclamation Declaring a State of Emergency

Administrator Pabich reviewed and clarified operations. The authority of the Public Health Officer, is independent of the County’s Emergency Declaration. Likewise, the County can establish an Emergency Declaration outside of a Public Health order. The Emergency Declaration on the books now allows the County to operate and monitor costs related to COVID-19 with anticipation of reimbursement for those costs down the road, and allows the County Administrator and County Board Chair to make decisions related to authorizing unbudgeted expenses. At this time there haven’t been any significant expenses. County Administrator Pabich recommends continuing the Emergency Declaration at this time. Concerns expressed related to language on lines 39 and 40 related to suspension of the meetings of the subunits of the Door County Board. CC Thomas noted there could be an amendment to allow the resumption of the subunit meetings. Further concerns were expressed related to lines 42-46 related to virtual meetings. CC Thomas suggested that language remain in place until such time as the County can allow members of the public and county board supervisors to enter the building and attend in person.

Motion by Vlies Wotachek, seconded by Norton to amend Resolution 2020-19 to allow the resumption of the meetings of the sub-units of the Board of Supervisors. Motion carried by voice vote.

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

Administrator Pabich reviewed the proposed changes including the amendment of gifts, grants and donations changing to only move to the full board for approval if equal to or in excess of \$5,000. Also, the requirement for the Non-Commercial Hanger Site Lease Agreements to go before the full board was removed.

Motion by Enigl, seconded by R. Englebert to amend the Rules of Order to insert “except Non-Commercial Hanger Site Lease Agreements, *not to exceed 10 years*, may be approved by the Oversight Committee. Motion carried by voice vote.

Discussion regarding what the “annual” \$2,000 allocation (Reimbursement for Expenses (V)(A) relates to – calendar year or term year.

Motion by Vlies Wotachek, seconded by Tauscher to amend the Reimbursement for Expenses Rule (V)(A) to add the language after annually “April 1 to March 31”. Motion carried by voice vote.

Supervisor Bultman suggested a regular report to County Board if committees are accepting gifts, grants, and donations up to \$4,999; perhaps under Committee Reports on the agenda.

Discussion regarding adding additional members on the Resource Planning Committee. Land Use Services Director Mariah Goode noted the committee has consisted of 5 members since 1968; statutes do not outline the number required. RPC is appointed with the understanding that north, south, and central members are appointed as well as members not under county zoning. Questions arose regarding the duties of the Sustainability Committee. It was noted that not all committees, commissions, have duties outlined. The Sustainability Committee is a 7-member committee. It was suggested that the Administrative Committee review an update to the Rules of Order related to agenda posting and amending.

Motion by Kohout, seconded by Robillard to approve the Rules of Order and Duties of the Standing Committees as amended. Motion carried by voice vote.

The Board recessed at 11:55 a.m. and reconvened 12:08 p.m.

Resolutions

2020-42 Recognizing Supervisor John Neinas in Service to the County Board

Supervisor Fisher read the resolution aloud.

Motion by Fisher, seconded Virlee by to approve Resolution 2020-42 - Expression of thanks and appreciation for John's service to the people of Door County and best wishes for the future.

Motion carried by voice vote.

2020-43 Recognizing Supervisor Randy Halstead in Service to the County Board

Supervisor Gauger read the resolution aloud.

Motion by Gauger, seconded Enigl by to approve Resolution 2020-43 - Expression of thanks and appreciation for Randy's service to the people of Door County and best wishes for the future.

Motion carried by voice vote.

2020-44 Recognizing Supervisor Jon Koch in Service to the County Board

Supervisor Counard read the resolution aloud.

Motion by Counard, seconded by Robillard to approve Resolution 2020-44 - Expression of thanks and appreciation for Jon's service to the people of Door County and best wishes for the future.

Motion carried by voice vote.

2020-45 Recognizing Supervisor Helen Bacon in Service to the County Board

Supervisor Tauscher read the resolution aloud.

Motion by Tauscher, seconded Bultman by to approve Resolution 2020-45 - Expression of thanks and appreciation for Helen's service to the people of Door County and best wishes for the future.

Motion carried by voice vote.

2020-46 Recognizing Supervisor Linda Wait in Service to the County Board

Supervisor Vogel read the resolution aloud.

Motion by Vogel, seconded R. Englebert by to approve Resolution 2020-46 - Expression of thanks and appreciation for Linda's service to the people of Door County and best wishes for the future.

Motion carried by voice vote.

2020-47 Approval of Gift, Grant and/or Donation to the Door County Sheriff's Office

Motion by Gunnlaugsson, seconded by Vlies Wotachek to approve Resolution 2020-47 – Authorization for the Door County Sheriff's Department to accept the Pathways – Pre-Booking Diversion Program Grant in the amount of \$87,000.

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

2020-48 Extension of Land Lease Agreement [Murphy Park – Frontier Communications]

Motion by Austad, seconded by Kohout to approve Resolution 2020-48 – Approval of the extension of the Land Lease Agreement with Frontier Communications.

CC Thomas reviewed the history of the lease. The lease has been in place since 1985. A small portion of property is leased where Frontier has equipment located. There is minimal impact to the park.

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

2020-49 Door County Parks and Open Space Plan 2020-2025

Motion by Austad, seconded by Heim Peter to approve Resolution 2020-49 – Adoption of the Door County Parks Open Space Plan 2020-2025.

Burke Pinney was introduced as the new Parks Manager.

It was suggested maps of the parks be included in the plan in the future.

Motion carried by voice vote.

2020-50 Status of the 2020 Door County Fair

Motion by Kohout, seconded by Vlies Wotachek to approve Resolution 2020-50 – Acknowledgement and affirmation of the Door County Fair Officers to cancel the Door County Fair scheduled for Wednesday, July 29 through Sunday, August 2, 2020.

Administrator Pabich reviewed the discussions held that led to this conclusion. A press release will be forthcoming announcing the cancelation. There is hope that some sort of virtual exhibitor fair can be held.

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

Ordinances**Report McNulty Denial Recommendation**

Motion by Enigl, seconded by Fisher to approve the Denial Recommendation.

Motion carried by voice vote.

Report Chambers Island Rezoning

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

Motion carried by voice vote.

2020-05 Chambers Island Rezoning

Motion by Enigl, seconded by Fisher to approve Ordinance 2020-05 – The ordinance ordains an amendment to the detailed zoning map of the Town of Gibraltar to rezone 0.508 acres of a 4.24-acre parcel from Recreational Commercial (RC) to Light Industrial (LI). The 0.508-acre is a portion of Tax Parcel #014-17-0101A.

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

2020-06 Chapter 38, Door County Code: Emergency Declaration by County Board and Authority & Duties of Local Health Officer

Motion by Kohout, seconded by Norton to approve Ordinance 2020-06.

CC Thomas explained the ordinance is designed to address the uncertainty that resulted from the Supreme Court's decision in Wisconsin Legislature vs. Palm. It does four things: it recognizes the emergency powers of the County Board under State Statutes; it recognizes the duties and authority of the Local Health Officer under State Statutes (to note the emergency powers of the County Board and the duties and authority of the Local Health Officer are completely separate and distinct things); the ordinance creates civil enforcement remedies vs criminal sanctions; and it provides the County Board with the ability to review and acknowledge an order from the Local Health Officer and affirm the application of the ordinance to that Local Health Officer's rule. The ordinance pertains to the current COVID-19 issue and a variety of circumstances in the future. Review and discussion regarding the forfeiture amount. Chairman Lienau noted the ordinance was researched and drafted by CC Thomas and is entirely the County's own ordinance. Thomas worked with WCA, WCA Counsel, and the Attorney General's Office.

Motion by Enigl, seconded by Kohout to amend language in the ordinance under I.A.2 to replace the word "or" with the word "and" (the County Administrator *and* the County Board Chairperson will exercise by proclamation). Amendment motion carried by voice vote.

Discussion continued related to citation issuance, issues/events/situations/orders the ordinance covers, and examples of when and how the ordinance process would apply.

CC Thomas explained the ordinance doesn't give the Public Health Officer any more authority than they already have by State Statute. Public Health Officer Powers noted the ordinance is a backup to the Local Health Officers power.

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

Special Reports

Door County Housing Authority Annual Report 2019

2019 Department Annual Reports

Reviewed.

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 – June 23, 2020 – 9:00 a.m.
- WCA Annual Conference – September 20-22, 2020 – Wisconsin Dells

Meeting Per Diem Code

526.

Adjourn

Motion by Fisher, seconded by Enigl to adjourn. Motion carried. Time 1:26 p.m.

Recorded by County Clerk Jill M. Lau.



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

MEMORANDUM

TO: County Board of Supervisors
FROM: Ken Pabich, County Administrator
DATE: June 23, 2020
RE: Monthly Report

The monthly reports provide an overview of *significant* operational or capital projects for the organization that are above the ordinary day to day operations of the organization.

Operational Projects

Millpond Project:

- What: The County is drawing down the Millpond to compact the sediment over a two-year period.
- Status: Valve is wide open and water levels are coming down with the dry weather.

Special Studies:

- The Sheriff is completing an operational study of the department to look for short- and long-term operation efficiencies. Status: In progress. The plan is expected to be discussed in August with the Public Safety Committee.
- The Treasurer's office is having an operational study completed to ensure transition to the tax collection software. Status: In progress. The plan is expected to be completed in July.

Capital Projects:

- Washington Island Government Facility:
 - What: We were requested by the Town to find a new location for our Emergency Services (ES) operations. We have also defined a need to have a basic office setup for other departments. We are considering two options: (1) New Construction or (2) Conversion of an existing facility.
 - Status: In progress. The Administrator is working on costs for the acquisition of the property options.
- Sheriff – Storage Building:
 - What: Evidence storage building for vehicles. The building does not have any heat or plumbing.
 - Status: Under construction.
- 442 Michigan St. (White House):
 - What: The white house has been used for storage of Archive material. The goal is to determine what to do with the house as we move archives out of it. It was determined that it cannot be relocated.
 - Status: To be discuss at County Board on June 23rd.
- 56 N 4th Ave. (former Younkers Building):
 - What: We are interested in determining the best long-term use for the building. We know it will house the Archives; however, we want to determine the most cost-effective way to use the rest of the building.
 - Status:
 - We have an architectural firm working with the County to develop layout options. We did conduct public input meetings and some of those comments have been incorporated by the Architect.

- To be discussed at County Board on June 23rd.
- It was requested that we provide a summary of expenses to date.

54N 4th Ave - Old Younkers Building			
	2019 Expense	Adopted 2020 Budget	2020 Expense
Heat- Gas	\$ 1,886.18	\$ 18,500.00	\$ 2,070.77
Utilities	\$ 4,318.91	\$ 15,500.00	\$ 928.85
R&M Building	\$ 35,802.18	\$ 6,500.00	\$ 9,339.70
Service Contract	\$ 1,214.40	\$ 4,000.00	\$ 649.90
R&M Equipment	\$ 14,962.11	\$ 5,500.00	\$ 454.37
Building Cost (Purchase Price)	\$ 503,751.13		
Taxes	\$ 18,003.89		
	\$ 579,938.80	\$ 50,000.00	\$ 13,443.59
Total Cost Spent thru 4/10/2020			\$ 593,382.39

- John Miles Park Entrance:
 - What: A new entrance gate was approved in the 2020 CIP plan for John Miles Park.
 - Status: Not started.
- Government Center and Justice Center LED Lighting Conversion:
 - What: CIP Funds were planned to upgrade the lighting at the Justice Center and Government Center.
 - Status: Justice Center is done except for the Jail. Government Center is in progress.
- Airport Maintenance Building:
 - What: A new maintenance facility is needed to replace the existing facility (it is literally rotting).
 - Status: Has been moved back until 2022. We are hoping to obtain federal funding for the new building.
- Justice Center & Government Center Meeting Room Upgrades:
 - What: Both the Justice Center and Government Center were approved to have technology upgrades to the primary meeting rooms.
 - Status: Justice Center is 60% complete and remaining work is in progress. Additional funds will be needed for the Government Center and will be budgeted as part of the 2021 budget.
- Library Boiler:
 - What: New boiler for library which is funded 50/50 between the City and the County.
 - Status: Scheduled for late June installation.



Limits of County Board Administrative Authority

*Prepared by Alan Probst and Philip J. Freeburg, J.D.,
University of Wisconsin-Extension Local Government Center
August 2012*

This Fact Sheet is part of a series of publications produced by the UW-Extension's Local Government Center. More information about a variety of topics can be found on our website, <http://lgc.uwex.edu>.

Introduction

Conflicts over administrative roles of county boards, on the one hand, and county officers, administrators and executives, on the other, are not uncommon. County administrative duties under Wisconsin law are never so clear as to explicitly say to the Board “Thou shall not micro-manage.” However, a review of the statutes, their history, subsequent court decisions and attorney general opinions and resulting practices show there are limits on a county board’s authority to act in the day-to-day administration of county government.

Prior to 1960, Wisconsin county boards carried out both the legislative and executive (supervisory) functions in the county. In 1960, state statutes were amended to permit the creation of a separate, elected position of county executive, thereby setting the precedent for the separation of powers in Wisconsin counties. In a 1979 opinion, the Wisconsin Attorney General described the ensuing years after that as “a significant evolution...in the law relating to county administrative practice in Wisconsin.”¹ The “significant evolution” continued with the creation of the County Administrator position and culminating in the requirement to have an Administrative Coordinator no later than 1987 if the county had neither a County Executive nor County Administrator.² The clear progression is a diminishing of county board administrative functions, and greater specification of administrative authority in one of the three county administrative position options.

The statutes delineate the duties of those holding these primary administrative positions.

¹68 Wis. Op. Att’y Gen. 92 (1979) (OAG 32- 79).

² 1985 Act 29 s.1164

County Executive

Wis. Stat. § 59.17(1)(a) states “each county with a population of 500,000 or more, a county executive *shall* be elected for a 4-year term.” In addition, Wis. Stat. § 59.17(1)(b) provides that “Counties with a population of less than 500,000 *may* by resolution of the board or by petition and referendum create the office of county executive or abolish it by petition and referendum.”

The county executive’s duties include:

- Serve as “chief executive officer” for county
- Coordination and direction of all administrative and management functions of the county government not otherwise vested by law in other elected officers.
- Appoint and supervise of department heads subject to county board confirmation, unless confirmation is waived or there exists a civil service system.
- Appoint members to boards and commissions, where statutes give this authority to county board or its chairperson, subject to board confirmation.
- Submit the annual budget
- Annually communicate to the Board on the condition of the county.
- Veto authority
 - May veto ordinances and resolutions
 - May veto appropriation in whole or part
 - County board can override with 2/3 vote ³

In the case of the county executive, the authority to appoint and supervise employees is categorically reserved for the county executive and excludes county board supervisors. Thus, the county boards of supervisors have no authority to supervise at all, much less to micro-manage.

County Administrator

Wis. Stat. § 59.18(1) states, “Counties having a population of less than 500,000 may by resolution of the board or by petition and referendum create the office of county administrator”

County administrators have the following authority:

- Serve as “chief administrative officer” for county
- Coordinate all administrative and management functions of the county government
- Appoint and supervise department heads subject to county board confirmation, unless confirmation waived or the county is under a civil service system.
- Appoint members to boards and commissions, where statutes give this authority to county board or its chairperson, subject to board confirmation
- Annually communicate to the Board on the condition of the county.
- Submit the annual budget ⁴

³ Wis. Stat. §59.17(2)

⁴ Wis. Stat. §59.18(2)

Again, as with the county executive, the statutes grant supervisory authority to the county administrator and any individual county board supervisor attempting to supervise or give direction to staff is operating outside his or her authority. Elections make a county executive answer to the public, and the county administrator serves at the pleasure of the county board.

A 2010 formal Wisconsin Attorney General's Opinion reinforces the authority of the county executive and county administrator when clarifying the limitations on county board authority stating:

In my opinion, a county board in a county with a county administrator or a county executive cannot reassign the power of appointment that is statutorily granted to a county executive or county administrator in cases where the statutes provide that appointments to a particular board or commission are to be made by...the county administrator or county executive.⁵

Administrative Coordinator

The authority of the administrative coordinator is less explicit and sometimes invites more questions as to whether there is room for board supervision of staff than the other two forms of county government.

Nonetheless, the intent of the statute is apparent. Wis. Stat. § 59.19 states: “The administrative coordinator *shall* be responsible for coordinating *all administrative and management* functions of the county government not otherwise vested by law in boards or commissions, or in other elected officers.” (*Emphasis added*)

The terms “all administrative and management functions” show the intent of the statute is making the administrative coordinator responsible for ensuring that the day-to-day functions of the county are performed. In those cases where an elected officer, board or commission is vested with the authority, those cases are designated in the statutes.

The history of these administrative positions in the statutes demonstrate movement away from the earlier county board model in which the board jointly functioned with legislative and central executive duties to a more efficient model vesting executive functions in an executive, administrator or administrative coordinator. The statute must be given effect, and practically it can have no other intent than separation of day to day county administration from the county board. The separation of administrative authority from county board supervisor authority is underscored in a 2011 Attorney General Opinion that determined the positions of county supervisor and county administrative coordinator was incompatible.⁶

An analogy to illustrate the functions of the county administrative function is to look at cities and villages. A county executive functions like a city mayor, and a county administrator and

⁵Opinion of Wis. Att’y Gen. to Dennis Kenealy, Ozaukee County Corp. Counsel, OAG 1-10, ¶3, (January 28, 2010).

⁶Opinion of Wis. Att’y Gen. to Bradley Lawrence, Price County Corp. Counsel, OAG 1-11 (October 27, 2011).

administrative coordinator function like a city or village administrator, except unlike the municipal administrator, a county administrator has appointment and hiring authority granted by statute.

The “other elected officers” referred to in the statutes means the constitutional officers, such as the sheriff or county clerk. Note that no statute grants duties to individual supervisors other than to act collectively through the board. The term “supervisor” is not descriptive of that office’s duties, but a historical term. Retention of the historic term “supervisor” may be misleading, but not when read in conjunction with the statutes establishing the county executive, administrator and administrative coordinator.

Constitutional and Statutory Officers

Constitutional officers have their own duties, responsibilities, and authority described in the statutes. They are as follows:

Sheriff	59.26-59.33	(jail, law enforcement)
Coroner (or Medical Examiner)	59.34	(medical examiner)
Clerk of Court	59.40	(court records)
Register of Deeds	59.43	(record real estate and vital statistic documents)
Clerk	59.23	(board & other records)
Treasurer	59.25	(collect & disperse funds)
District Attorney	978.05	(criminal prosecutor)
Surveyor	59.45	(certain land surveys)

Because these officers are elected, just as the members of the County Board of Supervisors are, with statutes defining their office’s authority, the Board has no supervisory authority or legitimate authority to micro-manage the affairs of the departments under those officers. Straightforwardly, “thou shall not micro-manage” is the clear intent of the statutes.

Furthermore, a great deal of case law supports the authority of the Constitutional Officers in their positions. Court decisions involving disputes between constitutional officers and county boards have established the limitations on the board to encroach on the duties of county constitutional officers. Some examples of case law limiting the powers of County Board Supervisors include:

Beal v. Supervisors of St. Croix County, 13 Wis 500 (1861), forbidding the county board from revoking county officer powers that were conferred by statute.

Schultz v. Milwaukee County, 250 Wis 18, 26 NW2d 260(1947), and *State ex rel. Conway v. Elvod*, 70 Wis 2d 448, 234 NW2d 354(1975), limiting the board’s ability to change salaries.

Maier v. Racine County, 1 Wis 2d 384, 84 NW2d 76(1957), holding county boards have only such powers as are conferred upon them by statute, expressly or by clear implication.

Schuette v. Van De Hey, 205 Wis 2d 475, 556 NW2d 127 (Ct App. 1996), approving of the Attorney General Opinion at 68 Wis. Op. Att’y Gen. 92 (1979) (OAG 32- 79), stating the governmental concept that the county board’s function is primarily as a policy making and legislative and the county executive is administrator and manager.

County Board Authority

Chair. Wis. Stat. § 56.12 of the statutes provides for the County Board Chairperson to administer oaths, countersign ordinances, and preside over meetings. When directed by ordinance, the Chairperson also transacts necessary board business with local and county officers, expedites business, and ensures all laws are enforced.

Board. Wis. Stat. § 59.51(1) gives the board authority to exercise organizational or administrative powers subject only to the Constitution and any enactment of the Legislature which grants those powers to the County Executive or the County Administrator, or “...[a]ny enactment of statewide concern and which uniformly affects every county.” The last phrase is significant because the statute specifically references county executive and administrator powers as limiting board administrative authority. It does not mention the administrative coordinator, because Wis. Stat. § 59.51 was enacted in 1975, and Wis. Stat. § 59.19, creating the administrative coordinator went into effect afterwards in 1985. Thus the requirement that all counties have one of the three types of administrative positions is an enactment affecting counties uniformly statewide, and a further limit to county board administrative authority granted under §59.51(1). These statute statutes have diminished, if not eliminated entirely, county board daily administrative authority.

The *Schuette* case, cited above, clarified the respective roles by stating boards are policy makers and executives or administrators are managers. It may sometimes be a challenge to distinguish policy making and administrative authority. As an example, one Attorney General’s Opinion states the decision to enter into a public works contract is policy, but the administration of the contract terms is a manager function.⁷ It is the contrast between means and ends. Policy determines the ends to be achieved and administration the means to achieve the policy ends. In business, it is the difference between the roles of the corporate board to set policy and the chief executive officer to manage the affairs of the business. You do not see a bank’s directors overseeing the bank tellers. A vivid example is the Green Bay Packers. It is a corporation with a board of directors that sets policy, but the board does not draft the players and certainly the board is not on the sidelines during the game calling the plays. Play calling is clearly not policy making, but administrative and management duties. These divided duties are true, be it Packer football, business or county governance.

⁷80 Wis. Op Att’y Gen. 49 (1991).

Summary

County Board authority is only that granted by the legislature in statutes.⁸ Reviewing the pertinent statutes, case law, Attorney General opinions, with the Constitution of the State of Wisconsin, it is evident that supervisors' administrative authority (i.e. the authority to "micro-manage") does not exist and the essence of all applicable legislation is to limit and outright prohibit board members from becoming directly involved with supervision of county employees. The title "Supervisor" is, in fact, a misnomer in that it does not confer the right to actually supervise. The modern County Board has evolved into a legislative and policy setting body.

Acknowledgment

Thanks to reviewer Andrew Phillips, J. D.

⁸*Jackson County v. State*, 2006 WI 96 ¶16, 293 Wis. 2d 497, 717 N.W. 2d 713.

Resolution No. 2020-19



DOOR COUNTY

RATIFICATION, ALTERATION, MODIFICATION OR REPEAL OF MARCH 16, 2020 PROCLAMATION DECLARING A STATE OF EMERGENCY

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		
GUNNLAUGSON	X		
HALSTEAD	X		
HEIM PETER	X		
KOCH	X		
KOHOUT	X		
LIENAU	X		
LUNDAHL	X		
NEINAS	X		
NORTON	X		
ROBILLARD	X		
SCHULTZ	X		
VIRLEE	X		
VLIES WOTACHEK	X		

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st Norton Defeated

2nd Lundahl

Yes: 20 No: 0 Exc: 1

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: If the County shuts down, Employees receiving Supplemental Paid Leave bank the estimated cost would be \$760,000.00. There are no additional County funds needed to cover this cost. 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 17th day of March, 2020 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**, On March 16, 2020, Door County Board Chairman David Lienau and Door County
4 Administrator Ken Pabich by proclamation declared that a state of emergency exists in Door County
5 because of the COVID-19 pandemic consistent with *Section 323.14(4)(a), Wisconsin Statutes*; and

6
7 **WHEREAS**, Pursuant to *Section 323.14(4)(a), Wisconsin Statutes* the proclamation is
8 "...subject to ratification, alteration, modification or repeal by the County Board as soon thereafter as
9 the Board can meet, but the subsequent action taken by the governing body shall not affect the prior
10 validity of the proclamation...".

11
12 **WHEREAS**, On March 16, 2020, Door County Board Chairperson David Lienau and Door
13 County Administrator Ken Pabich additionally issued administrative orders that appear necessary
14 and expedient for the health, safety, protection, and welfare of persons and property within Door
15 County; and

16
17 **WHEREAS**, It is deemed appropriate and necessary to provide Door County Board
18 Chairperson David Lienau and Door County Administrator Ken Pabich the general authority to order,
19 subject to ratification if practicable, whatever is necessary and expedient for the health, safety,
20 protection, and welfare of persons and property within Door County in the emergency; and

21
22 **WHEREAS**, The County Board and its subunits could be prevented from meeting physically, by
23 reason of the COVID-19 pandemic, and may need to do virtual meetings; and

24
25 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County Board of Supervisors hereby
26 ratifies the March 16, 2020, Proclamation Declaring a State of Emergency in Door County, (attached
27 hereto and incorporated herein by reference) by Door County Board Chairman David Lienau and
28 Door County Administrator Ken Pabich.

29
30 **BE IT FURTHER RESOLVED**, That the Door County Board of Supervisors hereby ratifies the
31 March 16, 2020, Administrative Orders (attached hereto and incorporated herein by reference)
32 issued Door County Board Chairman David Lienau and Door County Administrator Ken Pabich.

33
34 **BE IT FURTHER RESOLVED**, That the Door County Board of Supervisors hereby vests Door
35 County Board Chairperson and Door County Administrator with the general authority to order,
36 subject to ratification if practicable, whatever is necessary and expedient for the health, safety,
37 protection, and welfare of persons and property within Door County in the emergency.

38
39 **BE IT FURTHER RESOLVED**, That meetings of subunits of the Door County Board are hereby
40 suspended until further notice.

41
42 **BE IT FURTHER RESOLVED**, As the Door County Board is prevented from meeting
43 physically, by reason of the COVID-19 pandemic and related public health concerns, the County
44 Board Chairperson or designee has the authority to declare the need for and hold a virtual meeting
45 of the County Board that is reasonably accessible (i.e., accessible remotely only) and otherwise
46 consistent with Wisconsin's Open Meetings Law.

47
SUBMITTED BY:
[Signature]
Dave Lienau, Chairman
Door County Board of Supervisors

[Signature]
Ken Pabich
County Administrator

**PROCLAMATION
DECLARING A STATE OF EMERGENCY IN DOOR COUNTY**

WHEREAS, in December, 2019, a novel strain of coronavirus, since named Coronavirus Disease 2019 (abbreviated "COVID-19") was detected. COVID-19 has now spread globally, including the United States.

WHEREAS, on March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic. Pandemics happen when a new virus emerges to infect people and can spread between people sustainably. Because there is little to no pre-existing immunity against the new virus, it spreads worldwide.

WHEREAS, the United States Department of Health and Human Services has declared a public health emergency in response to COVID-19.

WHEREAS, on March 12, 2020, the State of Wisconsin declared the existence of a "public health emergency", pursuant to Section 323.02(16), Wisconsin Statutes, in response to the COVID-19 pandemic.

WHEREAS, an emergency exists within Door County as conditions have arisen by reason of the COVID-19 pandemic, which has great potential to impair transportation, food or fuel supplies, medical care, fire, health or police protection or other vital facilities or services of the County.

WHEREAS, it is necessary and expedient for purposes of public health, protection, safety and welfare within Door County that prudent and reasonable steps be taken to address the COVID -19 pandemic.

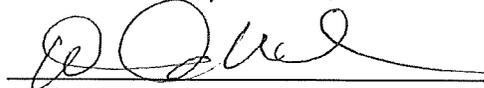
WHEREAS, declaring a state of emergency will facilitate and hasten the availability and use of resources by Door County to address COVID -19 pandemic.

WHEREAS, the period of the emergency shall be limited by to the time during which the emergency conditions exist or are likely to exist; and

WHEREAS, because of such emergency conditions, the Door County Board of Supervisors is unable to meet with promptness; and

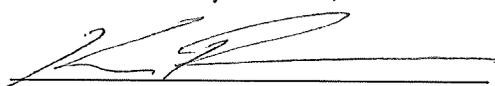
NOW, THEREFORE, pursuant to Chapter 323, Wisconsin Statutes and Section 5.08, Door County Code, the Chairperson of the Door County Board of Supervisors and Door County Administrator do each hereby concur and declare that a state of emergency exists in Door County.

Dated this 16th day of March, 2020



David Lienau
DOOR COUNTY BOARD CHAIRPERSON

Dated this 16th day of March, 2020



Ken Pabich
COUNTY ADMINISTRATOR

Sections 323.14(4)(a) & (b), Wisconsin Statutes:

- (a) *"If, because of the emergency conditions, the governing body of the local unit of government is unable to meet promptly, the chief executive officer or acting chief executive officer of any local unit of government shall exercise by proclamation all of the powers conferred upon the governing body under par. (a) or s. 323.11 that appear necessary and expedient. The proclamation shall be subject to ratification, alteration, modification, or repeal by the governing body as soon as that body can meet, but the subsequent action taken by the governing body shall not affect the prior validity of the proclamation."*
- (b) *The emergency power of the governing body conferred under s. 323.11 includes the general authority to order, by ordinance or resolution, whatever is necessary and expedient for the health, safety, protection, and welfare of persons and property within the local unit of government in the emergency and includes the power to bar, restrict, or remove all unnecessary traffic, both vehicular and pedestrian, from the highways, notwithstanding any provision of chs. 341 to 349.*



County of Door HUMAN RESOURCES

County Government Center
421 Nebraska Street
Sturgeon Bay, WI 54235

Fax: 920/746-2538
PH: 920/746-2305

To: David Lienau, Board Chairman
Administrative Committee

From: Kelly A. Hendee, Human Resources Director

Date: February 12, 2020

Re: County Administrator Evaluation Process

Kelly 2/15/2020

Background:

In 2015, the County adopted the International Cities/County Management Association (ICMA) evaluation format for the County Administrator. This is the same format that other Northeast Counties have adopted and tailored to suit their needs.

The process of distributing and collecting evaluations is conducted through the Human Resources Department, then turned over to the County Board Chairman for review. The Administrative Committee would review and discuss the evaluations and take a summary to County Board.

As part of the evaluation process, they are currently sent to Outside Constituents, Department Heads, and County Board Supervisors. Evaluations are distributed in August of each year, based on the hiring date of the current Administrator. Increases are not tied to the outcome of the evaluations but follow the compensation outlined in the County Administrator's contract.

Attached for your review are the three sets of evaluation questions. The 2019 review had the following response rate:

- 15 - Department heads completed one, including 1 Elected Official. (8 Elected Officials; 2 DH did not complete one)
- 3 - Outside Constituencies (out of 3)
- 16 - County Board Supervisors completed one (5 CB Supervisors did not complete one)

Recommendations:

Based on the comments provided by the County Board, I would recommend the following for your consideration:

1. The review participants/raters are valid and do not need to be changed. It is a widely accepted process developed by ICMA and the feedback has been successfully used in our process.
2. If the questions are modified, deleted or added, AND goals identified for the upcoming review period, it can be done by the Administrative Committee in June or July of each year.

3. To help automate the process and add more confidentiality, the questions should be added to our standard online platform called NeoGov. For those that do not want to complete the evaluation online, a paper version could be completed.
4. For conducting the actual review, there are two options:
 - a. Status quo: Human Resources would automate the evaluations on NeoGov and could assist the County Board Chair in compiling the desired reports. The reports could be provided to the Administrative Committee and then at County Board.

Fiscal Impact: None
 - b. Remove Human Resources Director from the process: Human Resources Director would only setup the questions, but then Carlson Dettman would be responsible to compile the desired results to the County Board Chair. It would still go to Administrative and County Board. (Consultant would also enter in the paper copies submitted.)

Fiscal Impact: \$200 per hour or \$1,500 per day. This number could be managed once we have specific desired reports defined.

PLEASE SEND ORIGINAL SIGNED PERFORMANCE EVALUATION TO HUMAN RESOURCES

The Administrative Committee has established the procedures for evaluating the County Administrator. The survey that follows is meant to inform and guide the Committee in their discussions as it pertains to the County Administrator's performance.

This evaluation is meant to be developmental in nature. As such, please provide as much explanation or insight into each of your ratings so that the Committee and Board are able to discuss recommendations that lead to future goals and improvements.

You are asked to complete this evaluation no later than **4:30 p.m. on August 2, 2019**. There may be several follow-up e-mails or calls to those who have not responded as we approach the deadline for submission.

Following the close of the survey, the County Board Chair and Committee will review the summary information for discussion with the full County Board.

If there are any questions about the survey itself, please contact County Board Chair David Lienau. If there are technical questions (e.g. connectivity, etc.) please contact Kelly Hendee [khendee@co.door.wi.us].

Thank you for your assistance in this matter

Rating System:

There are 29 questions to be rated for a total of 145 possible points. To determine your final rating, take the total points and divide by 29. This will provide the rating score to determine either a: meets requirements; above requirements; or substantially above requirements as listed below.

1. **Not Effective** – Performance is unacceptable, substantial improvement is necessary to meet job requirements
2. **Needs Improvement** – Work is fairly acceptable in most respects but does not fully execute all job functions to expectation
3. **Solid Performance** – Consistently effective and competent. Work requires minimal supervision, guidance, and checking
4. **Highly Effective** – Significantly and consistently performs at a level above that expected of a competent employee
5. **Exceptional** – Extraordinary performance, most work is characterized by significant accomplishments **beyond job requirements**

Rater Information:

1. First Name

2. Last Name

Individual Ratings:

Please rate the following based upon YOUR direct observations over the last year. Separate evaluation documents have been sent to the leaders of the County's towns, cities, and villages; neighboring counties; state/local officials; vendors and professionals with whom the Administrator works; and the County's department heads.

If you have not observed a particular aspect of the Administrator's performance, please indicate by selecting "N/A".

3. Keeps Board informed of County activities, progress, projects and problems.

Observations, Examples and Comments:

4. Is receptive to Board members' ideas and suggestions

Observations, Examples and Comments:

5. Makes sound recommendations for Board action

Observations, Examples and Comments:

6. Identifies problems, secures necessary information, analyzes solutions and presents options to the County Board.

Observations, Examples and Comments:

- 7. Monitors, reviews and keeps the County Board fully informed of any federal and state administrative, legislative and judicial developments that may affect or impact the County.

Observations, Examples and Comments:

- 8. Makes regular reports to the Board, keeping the Board advised as to the financial condition of the County and its future financial needs.

Observations, Examples and Comments:

- 9. Recommends such matters to the Board for its consideration as deemed necessary or advisable for administration and coordination of County functions.

Observations, Examples and Comments:

- 10. Provides adequate information and time to review background materials prior to making decisions.

Observations, Examples and Comments:

- 11. Maintains a respectful relationship with the County Board and responds appropriately at Board and committee meetings.

Observations, Examples and Comments:

12. Provides appropriate policies and procedures necessary to implement the Budget.

Observations, Examples and Comments:

13. Regularly attends committee and Board meetings as required or necessary.

Observations, Examples and Comments:

14. Projects professional demeanor.

Observations, Examples and Comments:

15. Displays common sense and good judgment in business transactions.

Observations, Examples and Comments:

16. Recommended appropriate adjustments after a compensation program review of all County positions.

Observations, Examples and Comments:

17. Progressive in attitude and action, and maintains an open mind to receiving constructive criticism and advice.

Observations, Examples and Comments:

18. Works effectively to present the County as a good place to work in order to recruit and retain quality employees.

Observations, Examples and Comments:

19. Understands and enforces County policies, laws and ordinances.

Observations, Examples and Comments:

20. Represents the county effectively at state legislative meetings or hearings, or engage in lobbying efforts, on behalf of the County.

Observations, Examples and Comments:

21. Maintains a good rapport with area municipal, business, and community leaders.

Observations, Examples and Comments:

22. Uses an effective process with the Board to implement the strategic plan.

Observations, Examples and Comments:

23. Evaluates, on a continuing basis, the levels of service provided by County Departments and recommends the establishment and/or modification of policies, procedures, or operating standards.

Observations, Examples and Comments:

24. Takes the initiative to propose to the County Board such actions as will contribute to the efficiency, productivity, and overall improvement of County operations.

Observations, Examples and Comments:

25. Executes the adopted budget, insuring that expenditures of County funds are in compliance with the Board's intent and/or direction.

Observations, Examples and Comments:

26. Coordinates' the preparation of architectural plans for County buildings and their construction, and allocates space to County departments and agencies.

Observations, Examples and Comments:

27. Initiates contact with other state and local governmental agencies, to recognize policy shifts, resolve developing conflicts, and to identify opportunities for cooperation.

Observations, Examples and Comments:

28. Invites other local units of government to cooperate with the County through the establishment of task forces, conference committees, and other similar arrangements.

Observations, Examples and Comments:

29. Maintains effective community relations, ensuring timely investigation and response to citizen complaints and inquiries.

Observations, Examples and Comments:

30. Maintains awareness of community feelings on current issues and anticipates impact of management decisions.

Observations, Examples and Comments:

31. Resolves, or demonstrates the ability to resolve, conflicts inherent in municipal government.

Observations, Examples and Comments:

Overall Rating:

Rating System:

There were 29 questions to be rated for a total of 145 possible points. To determine your final rating, take the total points and divide by 29. This will provide the rating score to determine either a meets requirements; above requirements; or substantially above requirements as listed on page 1.

Additional Feedback

32. What impressed you the most about the Administrator’s performance (positively or negatively) this past year?

33. What should be the priorities for the Administrator over the next year?

34. Do you have any additional comments regarding the Administrator that pertain to this evaluation, or suggestions for improvement for the operation of the County or add to the Administrator’s effectiveness?

PLEASE SEND ORIGINAL SIGNED PERFORMANCE EVALUATION TO HUMAN RESOURCES
DEPARTMENT, C/O KELLY HENDEE, 421 NEBRASKA STREET, STURGEON BAY, WI 54235
OR EMAIL TO khendee@co.door.wi.us

The Administrative Committee has established the procedures for evaluating the County Administrator. The survey that follows is meant to inform and guide the Committee in their discussions as it pertains to the County Administrator's performance.

This evaluation is meant to be developmental in nature. As such, please provide as much explanation or insight into each of your ratings so that the Committee and Board are able to discuss recommendations that lead to future goals and improvements.

You are asked to complete this evaluation no later than **4:30 p.m. on August 2, 2019**. There may be several follow-up e-mails to those who have not responded as we approach the deadline for submission.

Following the close of the survey, the County Board Chair and Committee will review the summary information for discussion with the full County Board.

If there are any questions about the survey itself, please contact County Board Chair David Lienau (district20@co.door.wi.us). If there are technical questions (e.g. connectivity, etc.) please contact Kelly Hendee [khendee@co.door.wi.us].

Thank you for your assistance in this matter

Rating System:

There are 17 questions to be rated for a total of 85 possible points. To determine your final rating, take the total points and divide by 17. This will provide the rating score to determine either a meets requirements; above requirements; or substantially above requirements as listed below.

1. **Not Effective** – Performance is unacceptable, substantial improvement is necessary to meet job requirements
2. **Needs Improvement** – Work is fairly acceptable in most respects but does not fully execute all job functions to expectation
3. **Solid Performance** – Consistently effective and competent. Work requires minimal supervision, guidance, and checking
4. **Highly Effective** – Significantly and consistently performs at a level above that expected of a competent employee
5. **Exceptional** – Extraordinary performance, most work is characterized by significant accomplishments **beyond job requirements**

Name: _____

Date _____

Rater Information:

1. First Name

2. Last Name

Individual Ratings:

Please rate the following based upon **YOUR** direct observations over the last year. Separate evaluation documents have been sent to the leaders of the County's towns, cities, and villages; neighboring counties; state/local officials; vendors and professionals with whom the Administrator works; and the County Board of Supervisors.

If you have not observed a particular aspect of the Administrator's performance, please indicate by selecting "N/A".

3. Keeps me informed of County activities, progress, projects and problems as they pertain to your department.

Observations, Examples and Comments:

4. Is receptive to my ideas and suggestions.

Observations, Examples and Comments:

5. Makes sound recommendations for action.

Observations, Examples and Comments:

6. Encourages staff development and provides guidance and direction as necessary.

Observations, Examples and Comments:

7. Keeps me informed on external developments that may affect or impact operations.

Observations, Examples and Comments:

8. Involves my department in appropriate decision-making.

Observations, Examples and Comments:

9. Gives me responsibility and delegates effectively.

Observations, Examples and Comments:

10. Is readily accessible to me for consultation, and I value his advice.

Observations, Examples and Comments:

11. Utilizes my department's input and/or solicits information required for reports, studies, research, etc.

Observations, Examples and Comments:

12. Provides effective team leadership.

Observations, Examples and Comments:

13. Helps my department to implement changes effectively.

Observations, Examples and Comments:

14. Provides timely feedback to me on the performance or concerns regarding my department.

Observations, Examples and Comments:

15. Provided appropriate policies and procedures necessary to implement the Budget.

Observations, Examples and Comments:

16. Discusses my department's role in implementing the County's strategic plan and works with me to develop related goals and objectives for my department

Observations, Examples and Comments:

17. Conducted an effective and meaningful formal review of my performance.

Observations, Examples and Comments:

18. Has worked with me to establish standards for evaluating the service provided by my department.

Observations, Examples and Comments:

19. Maintains and provides information on availability of funds and procedures to apply for federal and state grant programs and assists in the application and procurement.

Observations, Examples and Comments:

Overall Rating:

Rating System:

There were 17 questions to be rated for a total of 85 possible points. To determine your final rating, take the total points and divide by 17. This will provide the rating score to determine either a meets requirements; above requirements; or substantially above requirements as listed on page 1.

Additional Feedback

20. How has the Administrator helped you in the past year to be a better Department Head?

21. What specific actions could the Administrator take in the coming year to help you be an even better Department Head?

PLEASE SEND PERFORMANCE EVALUATION TO:
HUMAN RESOURCES DEPARTMENT, C/O KELLY HENDEE, 421 NEBRASKA STREET, STURGEON BAY, WI 54235
OR EMAIL TO khendee@co.door.wi.us

The Door County Administrative Committee is conducting its annual evaluation of the County Administrator, Ken Pabich. This is for the timeframe of August 1, 2018 through July 31, 2019. You have been asked to participate because the Administrative Committee is interested in receiving feedback from a diverse group of his professional contacts. The Door County Board of Supervisors and Department Heads will also be conducting separate surveys.

This survey that follows is meant to inform and guide the Administrative Committee in their discussions as it pertains to the County Administrator's performance.

This evaluation is meant to be developmental in nature. As such, we ask for your insight in each of the areas listed below so that the Committee and Board are able to discuss recommendations that lead to future goals and improvements.

You are asked to complete this evaluation no later than **4:30 p.m. on August 2, 2019**. There may be several follow-up e-mails to those who have not responded as we approach the deadline for submission.

Following the close of the survey, the County Board Chair and Committee will review the summary information for discussion with the full County Board.

If there are any questions about the survey itself, please contact County Board Chair David Lienau (district20@co.door.wi.us) If there are technical questions (e.g. connectivity, etc.) please contact Kelly Hendee [khendee@co.door.wi.us].

Thank you for your assistance in this matter

Rater Information:

1. First Name 2. Last Name

3. Company/Entity:

4. May our County Board Chair contact you for any follow-up questions?

Yes No

5. If yes, what is your telephone number?

Evaluation Feedback:

- 6. Please summarize the nature of your business or community service relationship between your organization, you, and the Door County Administrator.

- 7. Do you feel our Administrator has developed good rapport with you, and functions as a good ambassador for Door County?

Yes No

Please explain

- 8. Please explain the level of confidence that you have in the County Administrator's ability to represent the County's interests to you and deliver on commitments?

- 9. Please describe any specific action(s) our Administrator could take that would result in an improved relationship between your organization and Door County?



DOOR COUNTY

Resolution No. 2020-51

**STATEMENT OF PROJECT INTENTIONS FOR
DOOR COUNTY CHERRYLAND AIRPORT**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BULTMAN			
CHOMEAU			
COUNARD			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GAUGER			
GUNNLAUGSSON			
HEIM PETER			
KOHOUT			
LIENAU			
LUNDAHL			
NORTON			
ROBILLARD			
TAUSCHER			
THAYSE			
VIRLEE			
VLIES WOTACHEK			
VOGEL			

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 **WHEREAS**, Wisconsin Statutes require a Statement of Project
 5 Intentions from airport owners contemplating federal and/or state aid
 6 within the next six years; and

7 **WHEREAS**, This Six Year Statement of Project Intentions is
 8 used by the Department of Transportation, Bureau of Aeronautics,
 9 for planning and budgeting purposes and is not a petition for federal
 10 and/or state aid.

11 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County
 12 Board of Supervisors hereby contemplates requesting federal and/or
 13 state aid for the projects listed on the attached schedule of airport
 14 improvements.

SUBMITTED BY: HIGHWAY & AIRPORT COMMITTEE

BOARD ACTION
 Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st _____ Defeated

2nd _____

No: _____ Yes: _____ Exc: _____

 Roy Englebert, Chairperson

 Joel Gunnlaugsson

 David Englebert

 Laura Vlies Wotachek

 Ken Fisher

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 23rd day of June, 2020 by the Door County Board of Supervisors.

 Jill M. Lau
 County Clerk, Door County

STATEMENT OF PROJECT INTENTIONS FOR Door County Cherryland (SUE) AIRPORT

Fiscal Year	Description of Improvement	Size of Improvement	Estimated Cost (if known)	Anticipated Petition Date
2020				
2021	1.Request funding from BOA for Snow removal Equipment Building Design, demolition and build new facility. (In contact with OMNI on construction and procedures Along with BOA)			
2022	1.Design and re-construct hanger #59 to convert back to an airplane storage Hanger.			
2023	1. Update airport layout plan. 2. Seal coat taxiway B&C along with ramp area south of G.			
2024	1. Runway markings re-stripe and paint. 2. Develop Access to north Hangers off Parking lot for entry other than on taxiway for FAA regulations.			
2025	1. Rehab taxi lane 1,2,3, and A01DC10 (North tie down area). 2. Replace Existing security Fence/wildlife.			

For 2026 & later, please attach additional pages.

EXAMPLE DESCRIPTIONS OF IMPROVEMENTS:

Reconstruct runway, replace runway lighting, construct runway extension, construct or expand apron, develop hangar area, construct terminal building, acquire land, clear runway approaches, develop auto parking, prepare master plan, purchase snow removal equipment. List the size of the improvement in acres, square yards, length, width, or as appropriate.



DOOR COUNTY

**Resolution No. 2020-52
DISPOSITION OF 442 MICHIGAN STREET PROPERTY
(P.I.N. 281-10-85262502)**

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BULTMAN			
CHOMEAU			
COUNARD			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GAUGER			
GUNNLAUGSSON			
HEIM PETER			
KOHOUT			
LIENAU			
LUNDAHL			
NORTON			
ROBILLARD			
TAUSCHER			
THAYSE			
VIRLEE			
VLIES WOTACHEK			
VOGEL			

BOARD ACTION
Vote Required: Two-Thirds of the Members-Elect

Motion to Approve Adopted

1st _____ Defeated

2nd _____

Yes: _____ No: _____ Exc: _____

Reviewed by: _____, Corp. Counsel

Reviewed by: _____, Administrator

FISCAL IMPACT: The fiscal impact is a decrease of up to \$20,000 to the Contingency Expense Account, which would leave an available balance of \$461,870.49 in this account.
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 June, 2020 by the Door County Board of Supervisors.

Jill M. Lau
County Clerk, Door County

1 **WHEREAS**, Resolution No. 2019-39 authorized disposition, including the
2 sale/transfer or razing, of the structures located on P.I.N. 281-10-85262502...442
3 Michigan Street, Sturgeon Bay , WI ; *and*

4
5 **WHEREAS**, Potential dispositions were explored and, aside from razing the
6 structures, deemed neither feasible nor practicable (e.g., the Health and Human
7 Services Department considered use of the buildings and found them not suitable for
8 their Department’s needs); *and*

9
10 **WHEREAS**, Razing of the structures located on the subject parcel (hereinafter
11 “Project”) was competitively bid, responsive bids were timely received from three
12 contractors (See Attached) and B.E.S.T. Enterprises LLC. with a base bid of \$
13 16,477.50, is considered the lowest responsible bidder; *and*

14
15 **WHEREAS**, In addition, an abatement estimate in the amount of \$2,826.00 has
16 been received; *and*

17
18 **WHEREAS**, The Facilities and Parks Committee is recommending that this Project
19 proceed and, as funds were not appropriated in the 2020 budget for this purpose, has
20 referred the matter to the Finance Committee for funding not to exceed \$20,000; *and*

21
22 **WHEREAS**, The Project serves a public purpose, and it is deemed to be
23 advantageous to the County to proceed with the Project; *and*

24
25 **WHEREAS**, The Finance Committee, at its June 15, 2020 meeting, recommended
26 the transfer of up to \$20,000 from the Contingency Expense Account, Account
27 #100.06.1161.59103, to the Facilities & Parks Capital Outlay Expense Account,
28 Account #100.37.1120.69901 for the Project.

29
30 **NOW, THEREFORE, BE IT RESOLVED**, by the Door County Board of
31 Supervisors, that the Project is hereby authorized to proceed.

32
33 **BE IT FURTHER RESOLVED**, by the Door County Board of Supervisors, that the
34 Facilities and Parks Director (or their designee), subject to the general oversight of the
35 Facilities and Parks Committee, is authorized to see the Project through to completion.

**SUBMITTED BY:
Facilities & Parks Committee**

_____ Dan Austad, Chairperson

_____ Susan Kohout

_____ Alexis Heim Peter

_____ Nancy Robillard

_____ Roy Englebert

_____ Dave Enigl

_____ Ken Fisher



DOOR COUNTY

Resolution No. 2019-39

Back-Up Information
to Resolution 2020-52

**DISPOSITION OF IMPROVEMENTS TO LAND
(P.I.N. 281-10-85262502)**

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		
VLIES WOTACHEK		X	
WAIT	X		

BOARD ACTION
Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted Defeated

1st Austad Defeated

2nd Fisher

Yes: 19 No: 2 Exc: 0

Reviewed by: [Signature], Corp. Counsel

Reviewed by: [Signature], Administrator

FISCAL IMPACT: The fiscal impact is unknown at this time until the outcome of the competitive RFP or IFB is determined. 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 28th day of May, 2019 by the Door County Board of Supervisors.

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

1 **WHEREAS**, P.I.N. 281-10-85262502...442 Michigan Street,
2 Sturgeon Bay, Wisconsin ("subject property") ... was acquired by Door
3 County in 2008 as authorized by Resolution No. 2008-47; and

4
5 **WHEREAS**, The structures (i.e. house and garage) situated on the
6 subject property are no longer necessary for the County's use and are
7 deemed surplus; and

8
9 **WHEREAS**, In order of preference, disposition of these structures
10 is authorized, by a competitive (RFP or IFB) process, as follows:
11 • Sale or transfer ... and move the structures (as a whole or after
12 dismantled) from the subject property, then clean-up and
13 restore the site; or
14 • Raze each structure, remove and dispose of all debris, and
15 restore the site.

16
17 **NOW, THEREFORE, BE IT RESOLVED**, That the Door County
18 Board of Supervisors does hereby determine that the structures
19 (i.e. house and garage) situated on the subject property are surplus
20 and authorizes disposition of the same as described above.

21
22 **BE IT FURTHER RESOLVED**, That the Facilities and Parks
23 Director, subject to the oversight of the Door County Facilities and
24 Parks Committee, is authorized to proceed with and carry out
25 disposition of the surplus property in accordance with this resolution.

SUBMITTED BY: FACILITIES & PARKS COMMITTEE

[Signature] [Signature]
Dan Austad, Chairperson Richard Virlee

[Signature] [Signature]
Randy Halstead Helen Bacon

[Signature] [Signature]
Susan Kohout Ken Fisher

[Signature]
Roy Englebert



DOOR COUNTY

Resolution No. 2020-53

**APPROVAL OF UNITED STATES FOREST SERVICE
COOPERATIVE WEED MANAGEMENT AREA GRANT FOR
INVASIVE SPECIES EDUCATION AND CONTROL**

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BULTMAN			
CHOMEAU			
COUNARD			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GAUGER			
GUNNLAUGSSON			
HEIM PETER			
KOHOUT			
LIENAU			
LUNDAHL			
NORTON			
ROBILLARD			
TAUSCHER			
THAYSE			
VIRLEE			
VLIES WOTACHEK			
VOGEL			

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st _____ Defeated

2nd _____

Yes: _____ No: _____ Exc: _____

Reviewed by: _____, Corp. Counsel

Reviewed by: _____, Administrator

FISCAL IMPACT: Any required match will be in the form of funds already included in SWCD's operating budget and DCIST donations, per lines 23-25 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 23rd day of June, 2020 by the Door County Board of Supervisors.

Jill M. Lau
County Clerk, Door County

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

1 **WHEREAS**, Section 59.52(19) Wis. Stats. empowers the County Board to accept
2 donations, gifts, or grants of money for any public governmental purpose within the
3 powers of the County; and

4
5 **WHEREAS**, Resolution 75-84 entitled "Gifts, Grants & Donations to the County
6 of Door" requires approval of the Door County Board of Supervisors, for acceptance
7 of all donations, gifts, and grants whether in the form of money, or personal or real
8 property; and

9
10 **WHEREAS**, Rule of Order # 38, entitled 'Donations, Gifts or Grants', authorized
11 an oversight committee to accept donations, gifts or grants; requires County Board
12 be provided notice of any donation, gift or grant in excess of \$4,999.00 prior to
13 acceptance; and requires that an itemized report of all donations, gifts or grants shall
14 be submitted to the county board on an annual basis; and

15
16 **WHEREAS**, The United States Forest Service (USFS) has awarded Door County
17 Soil & Water Conservation Department (SWCD) the Great Lakes Restoration Initiative
18 (GLRI) Cooperative Weed Management Area (CWMA) grant of \$40,000.00. The
19 purpose of said grant is to focus on high priority and early detection invasive species
20 through education, outreach, and control efforts within high susceptible areas in the
21 County; and

22
23 **WHEREAS**, No new budget funds are being requested. The 20% or \$10,000 in
24 match monies will be provided by SWCD's operating budget and DCIST donation
25 dollars; and

26
27 **WHEREAS**, The Land Conservation Committee has voted to accept the aforesaid
28 donation.

29
30 **NOW THEREFORE, BE IT RESOLVED**, That the Door County Board of
31 Supervisors does hereby accept the GLRI USFS CWMA in the amount of \$40,000 for
32 the above stated purpose.

33
34 **BE IT FURTHER RESOLVED**, That the aforesaid grant shall be administered by
35 the Soil & Water Conservation Department subject to oversight by the Land
36 Conservation Committee.

37

**SUBMITTED BY:
LAND CONSERVATION COMMITTEE**

Ken Fisher, Chair

Todd Thayse

Bob Bultman

Mike Vandenhouten

Vinni Chomeau

Richard Virlee

Roy Englebert



DOOR COUNTY

Resolution No. 2020-54

APPROVAL OF ARTS MIDWEST (NEA BIG READ) GRANT TO THE DOOR COUNTY LIBRARY

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BULTMAN			
CHOMEAU			
COUNARD			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GAUGER			
GUNNLAUGSSON			
HEIM PETER			
KOHOUT			
LIENAU			
LUNDAHL			
NORTON			
ROBILLARD			
TAUSCHER			
THAYSE			
VIRLEE			
VLIES WOTACHEK			
VOGEL			

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st _____ Defeated

2nd _____

Yes: _____ No: _____ Exc: _____

Reviewed by: _____, Corp. Counsel

Reviewed by: _____, Administrator

FISCAL IMPACT: Any required match will be in the form of funds already included in Library's 2020 operating budget and in-kind contributions, per lines 20-23 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 23rd day of June, 2020 by the Door County Board of Supervisors.

 Jill M. Lau
 County Clerk, Door County

1 **WHEREAS**, *Section 59.52(19) Wisconsin Statutes* empowers the County
 2 Board to accept donations, gifts, or grants of money for any public governmental
 3 purpose within the powers of the County.

4
 5 **WHEREAS**, *Resolution 75-84 and Rule of Order #38* govern acceptance
 6 donations, gifts or grants;

7
 8 **WHEREAS**, Arts Midwest, on behalf of the National Endowment for the Arts
 9 (“NEA”), has proffered an NEA Big Read 2020-2021 Grant in the amount of fifteen
 10 thousand dollars (\$15,000) to the Door County Library; and

11
 12 **WHEREAS**, The Door County Library Board, at its June 15, 2020 meeting,
 13 recommended acceptance of the NEA Big Read 2020-2021 Grant; and

14
 15 **WHEREAS**, The NEA Big Read Grant supports community-wide reading
 16 programs, each designed around a single book, that aim to promote active reading
 17 and thinking ... and thereby serves a public governmental purpose within the
 18 powers of Door County; and

19
 20 **WHEREAS**, The NEA Big Read 2020-2021 Grant must be matched on a 1-to
 21 1 basis with non-federal funds, and a total of \$15,000 in qualifying matching funds
 22 will be provided by Library’s operating budget and in-kind contributions. No new
 23 budget funds are being requested.

24
 25 **NOW THEREFORE, BE IT RESOLVED**, That the Door County Board of
 26 Supervisors does hereby accept the NEA Big Read 2020-2021 Grant as described
 27 above.

28
 29 **BE IT FURTHER RESOLVED**, That the NEA Big Read 2020-2021 Grant will
 30 be administered by the Library Director, subject to the Library Board’s general
 31 oversight.

SUBMITTED BY: LIBRARY BOARD

Robert Dickson, President
 Bridget Bowers
 Mary Jackson
 Helen Bacon
 David Hayes

 Megan Lundahl

 Nissa Norton



Resolution No. 2020-55

TO CONDUCT COUNTYWIDE ADVISORY REFERENDUM ON CREATION OF NONPARTISAN PROCEDURE FOR THE PREPARATION OF LEGISLATIVE AND CONGRESSIONAL REDISTRICTING PLANS AND MAPS

DOOR COUNTY

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BULTMAN			
CHOMEAU			
COUNARD			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GAUGER			
GUNNLAUGSSON			
HEIM PETER			
KOHOUT			
LIENAU			
LUNDAHL			
NORTON			
ROBILLARD			
TAUSCHER			
THAYSE			
VIRLEE			
VLIES WOTACHEK			
VOGEL			

BOARD ACTION

Vote Required: Majority Vote of a Quorum

Motion to Approve Adopted

1st _____ Defeated

2nd _____

No: _____ Yes: _____ Exc: _____

Reviewed by: _____, Corp. Counsel

Reviewed by: _____, Administrator

FISCAL IMPACT: There will be minimal cost to add the referendum to the County's ballot. There are unknown additional costs involved related to advertising and educating the Public associated with this referendum. Any additional funds that maybe needed will come from the Contingency Expense Account; current balance is \$471,865.49. 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 June, 2020 by the Door County Board of Supervisors.

Jill M. Lau
County Clerk, Door County

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

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WHEREAS, The Door County Board of Supervisors on March 25, 2014 passed Resolution No. 2014-05 calling for nonpartisan legislative congressional redistricting maps; and

WHEREAS, The Legislative Committee of the Door County Board of Supervisors on June 17, 2019 reaffirmed the County's position on the Redistricting Resolution by unanimously calling for resending the original resolution to Legislators; and

WHEREAS, Pursuant to Article IV, Section 3 of the Wisconsin Constitution, the Wisconsin Legislature is directed to redistrict state legislative districts "according to the number of inhabitants" at its next session following the decennial federal census. The legislature also reapportions congressional districts at the same interval pursuant to federal law; and

WHEREAS, The practice of redistricting by the majority party stifles political participation and competition, discourages collaboration and compromise, ensures continued control by the party in power, and lacks the fairness necessary to our democratic process, by undermining the principle of one-person-one vote; and

WHEREAS, The current procedure allows the legislature of the majority party to prepare redistricting plans and maps that may result in unfair partisan plans and maps, allowing the legislature to choose its voters rather than voters choosing their representatives, which is commonly called gerrymandering.

NOW, THEREFORE, BE IT RESOLVED, That the Door County Board of Supervisors, does hereby approve that the following question to be placed on the November 3, 2020 ballot as an advisory referendum question:

Question: Should the Wisconsin legislature create a nonpartisan procedure for the preparation of legislative and congressional district plans and maps?
YES _____ NO _____

BE IT FURTHER RESOLVED, That this resolution and the referendum shall be filed with the Door County Clerk no later than 70 days prior to the November 3, 2020 election at which time it will appear on the ballot.

BE IT FURTHER RESOLVED, That the Door County Clerk is directed to send results of the referendum to the Governor of the State of Wisconsin, the Wisconsin Counties Association, and to Door County's Legislative Representatives.

SUBMITTED BY: LEGISLATIVE COMMITTEE

_____ Bob Bultman, Chairperson	_____ Kara Counard
_____ Alexis Heim Peter	_____ Erin Tauscher
_____ Vinni Chomeau	

LEGAL ISSUES



The County Referendum Process

An In-Depth Primer

—Andrew T. Phillips and A.J. Peterman, von Briesen & Roper, s.c.

Counties possess general administrative authority to conduct a countywide referendum under Wis. Stat. § 59.52(25). A county board may choose to hold a referendum for either advisory purposes, or to ratify or validate a resolution adopted, or ordinance enacted, by the board that is contingent upon approval in the referendum. For example, a referendum is required to ratify a resolution by the board to increase a county’s operating levy.

A county referendum must be held in accordance with the general elections requirements outlined in Wis. Stat. Chs. 5 to 12. In addition to the general election law requirements, the county must generally take the steps outlined below in order to hold a county referendum.

First, the county board must pass a resolution or seek to enact an ordinance containing the question that is to be submitted to a vote of the electors of the county. The question may be advisory and seek the electors’ opinions. Or, the question may be used to

ratify or validate a resolution or ordinance passed by the board.¹

After the resolution passes, the board must either:

- a. Call a special referendum for the purpose of submitting the resolution to the electors of the county for approval or rejection;² or
- b. Specify that the referendum will be held at the next succeeding spring primary or election, partisan primary, or general election. However, the referendum cannot be held at an election that takes place less than 70 days after the adoption of the resolution.

The board must then file the question with the county clerk no later than 70 days prior to the election the question will appear on the ballot (or with such other official or agency that may be responsible for preparing the ballots for the election).³

Then, all required election notices must be published in substantially the same form as prescribed by the Wisconsin Elections Commission (“WEC”).⁴

For a referendum held during a normally held election, the county clerk must publish types A and C notices.

A “type A notice” is a notice of election, and must be published on the 4th Tuesday before an election.⁵ Then, a “type C notice” must be published on the Monday before the election when the referendum is to be held.⁶

The type C notice must contain the date of the referendum, the entire text of the question and the proposed enactment (if any), and any explanatory statement of the effect of either a “yes” or “no” vote. The explanatory statement must be prepared by the county’s corporation counsel.

For a special referendum, the county clerk must file the types A and C notices in the same manner as a standard election. Additionally, the county clerk must file a “type B notice” on the day before the special referendum.

The type B notice contains the relevant portion of voting instructions to electors for the referendum, and specifies the date of the election. If the county uses an electronic voting system, the notice must also include a true, actual-size copy of the ballot containing the question to be voted on, in the form it will appear on the official ballot.

Moreover, when a special county referendum is called, the municipal clerk of each municipality that is wholly or partly contained within the county must also publish type D and E notices of the special referendum.⁷ The “type D notice” must be published on the Monday before the special referendum, and the “type E notice” must be published on the 4th Tuesday before the special referendum.⁸

The electors of the county then vote on the question at either the election or special referendum.

In addition to the general process required to hold a county referendum, further requirements some-

times apply in order to ratify certain county board resolutions and ordinances. For example, if a county board wishes to increase the county’s operating levy, the board must put the resolution to a referendum for ratification by the electors of the county. The steps that follow must be taken in addition to the general referendum process when conducting a referendum to ratify this type of resolution.

The resolution adopted by the board must specify either the operating levy rate, or the operating levy, that the board wishes to impose. It must also include a specified number of years or an indefinite period.⁹ The question submitted for the referendum must meet the following criteria:

- a. If the resolution specifies the operating levy rate, the question must be provided as follows:

“Under state law, the operating levy rate for the County of [____], for the tax to be imposed for the year [insert applicable year], is limited to [\$____] per \$1,000 of equalized value. Shall County of [____] be allowed to exceed this rate limit for [insert number of years or state “an indefinite period”] by [\$____] per \$1,000 of equalized value that results in an operating levy rate of [\$____] per \$1,000 of equalized value?”

- b. If the resolution specifies the operating levy amount, the question must be provided as follows:

“Under state law, the operating levy rate for the County of [____], for the tax to be imposed for the year [insert applicable year], is limited to [\$____] per \$1,000 of equalized value. Notwithstanding the operating levy rate limit, shall the County of [____] be allowed to levy an amount not to exceed [\$____] for operating purposes for the year [insert applicable year], which may increase the operating levy rate for [a specified number of years or state “an indefinite period”]? This would allow a [____]% increase above the levy of \$[insert preceding year operating levy] for the year [insert preceding year].”

Along with the types A, B, and C notices, the county clerk must also publish types D and E notices for the referendum.¹⁰ A “type D notice” must be pub-

LEGAL ISSUES

lished on the day preceding the election or special referendum. It must state the hours the polls will be open and the locations of the polling places, or contain a brief statement indicating how polling information may be obtained.

A “type E notice” must be published on the 4th Tuesday before the election or special referendum.¹¹ It must state the qualifications for absentee voting; the procedures for obtaining an absentee ballot in the case of registered and unregistered voters; the places and the deadlines for application and return of application, including any alternate site; and, the office hours when an elector may cast an absentee ballot in the municipal clerk’s office or at an alternate site.

Once the referendum is complete, the county clerk must certify the results to the Wisconsin Department of Revenue within 14 days after the referendum.¹²

It is also important that the correct form of ballot is used when holding a referendum. For either a special referendum, or a referendum held in conjunction with another election, the referendum must be presented on a separate ballot, and be sub-

stantially in the form of the standard referendum ballot form provided by WEC.¹³ However, more than one referendum question may appear on the same ballot. The ballot must also present a concise statement describing each question in accordance with the resolution requiring the referendum. The statement must be drafted by the county’s corporation counsel. Finally, different colors must also be used to distinguish ballots for county offices and referendum ballots.

Andy Phillips has dedicated his career to assisting local governments, school districts and businesses with their most challenging legal problems. Andy brings innovative solutions to the organizational, operational and personnel problems facing local governments and has been a leader in creating consortiums efficiently in areas such as Medicaid programming, human services and long term care. Andy serves as General Counsel for the Wisconsin Counties Association, a position which he has held for the past decade.

*A.J. Peterman is a member of the Commercial and Business Litigation Section. His practice focuses on complex business litigation and appeals in federal and state courts. He has experience representing clients in shareholder disputes, class actions, business torts, constitutional law, administrative law, contract disputes and land use and zoning matters. He also has notable appellate experience, including as a co-author of an amicus brief filed on behalf of the Wisconsin Counties Association to the United States Supreme Court in *Murr v. Wisconsin*.*

Endnotes

- 1 Wis. Stat. § 59.52(25)
- 2 See Wis. Stat. § 8.55
- 3 Wis. Stat. § 8.37
- 4 The forms published by the WEC are available at: <http://elections.wi.gov/clerks/notices>
- 5 Wis. Stat. §§ 10.06(2)(f) and 10.06(2)(L)
- 6 Wis. Stat. §§ 10.06(g) and 10.06 (m)
- 7 Wis. Stat. § 8.55(3)
- 8 Wis. Stat. § 10.06(3)
- 9 See Wis. Stat. § 59.605(3)
- 10 Wis. Stat. § 59.605(3)
- 11 Wis. Stat. § 10.01(2).
- 12 Wis. Stat. § 59.605(3)(a)4.
- 13 The published ballot forms are available at: <http://elections.wi.gov/forms/ballots>.

LEADING *the* CHARGE

DISCOUNTED
RATES FOR LOCAL
GOVERNMENT
EMPLOYEES!

APRIL 23–24

IN THE W.R. DAVIES STUDENT CENTER
AT THE UNIVERSITY OF WISCONSIN–EAU CLAIRE

Join the Wisconsin Academy and partners for a two-day local government summit to learn about practical resources and explore emerging issues in local energy planning and resilience in Wisconsin communities.

DAY ONE

12:00-1:00pm: Registration & Refreshments

1:00-1:25pm: Welcome

1:30-3:00pm: Workshop 1 (select one)

- What is Resiliency & How Can We Integrate It into Our Communities?
- How to Implement & Measure Energy Efficiency

3:00-3:15pm: Break

3:15-4:45pm: Workshop 2 (select one)

- Transportation: Fleet Efficiency & Electric Vehicles
- Workforce Development

4:45-5:00pm: Closing Remarks

5:00-6:30pm: Reception
(with live music and refreshments)

DAY TWO

7:45-8:30am: Registration & Breakfast

8:30-9:00am: Welcome

9:00-9:50am: Advanced Energy Goals
& How Communities Are Leading the Charge

9:50-10:05am: Break

10:05-10:55am: Solar Energy Financing

10:55-11:45am: Energy Systems of the Future

11:45am: Lunch

12:30-1:15pm: Keynote

1:15-1:30pm: Closing Remarks

Questions? Contact Wisconsin Academy Initiatives director Chelsea Chandler at 608-263-1692 x20 or e-mail cchandler@wisconsinacademy.org



wisconsin academy
of sciences arts & letters

Information and registration at
wisconsinacademy.org/Charge2018

Leading the Charge: A Local Government Summit on Energy & Resilience is held with the support of Wisconsin Academy donors, members, and the following sponsors and partners:



**REPORT TO THE DOOR COUNTY BOARD OF SUPERVISORS:
TEXT AMENDMENTS TO THE DOOR COUNTY COMPREHENSIVE ZONING ORDINANCE**

1 This report is submitted pursuant to Section 59.69(5)(e), Wisconsin Statutes.
2

3 **REQUESTED:**
4

5 The Resource Planning Committee petitions to amend the Door County Comprehensive Zoning Ordinance with regard
6 to communication tower regulations.
7

8 **EXPLANATION:**
9

10 The amendments pertain to Chapter 14, Communications Support Structures and Related Facilities. The amendments
11 will do the following: remove the regulatory exemption for individual towers serving one property and instead exempt
12 all towers 50 feet or less in height and all state-defined small wireless facilities; allow neighbors to waive setbacks;
13 clarify how to show FCC and FAA compliance or non-applicability; allow out-of-state licensing for tower engineers;
14 allow for alternatives besides letters of credit or performance bonds to ensure obsolete towers are removed; and
15 renumber two existing sections.
16

17 **HEARING AND NOTICE:**
18

19 The Resource Planning Committee held a public hearing concerning this petition on June 4, 2020 at the Door County
20 Government Center, Sturgeon Bay, WI. Notice of the public hearing, notice to all county board supervisors, and notice
21 to all town clerks has been given in accordance with Chapter 59.69, Wisconsin Statutes. Proof of the giving of such
22 notice is available upon request from the Land Use Services Department.
23

24 **RECOMMENDATION:**
25

26 The Resource Planning Committee hereby recommends approval of the zoning amendment petition and the enactment
27 of Amendatory Zoning Ordinance No. 2020-07.
28

RESOURCE PLANNING COMMITTEE

David Enigl, Chair

Kenneth Fisher

Roy Englebert

Vinni Chomeau

Richard Virlee



AMENDATORY ZONING ORDINANCE 2020 – 07 AMENDMENT TO THE TEXT OF THE DOOR COUNTY COMPREHENSIVE ZONING ORDINANCE

ROLL CALL Board Members	Aye	Nay	Exc.
AUSTAD			
BULTMAN			
CHOMEAU			
COUNARD			
D. ENGLEBERT			
R. ENGLEBERT			
ENIGL			
FISHER			
GAUGER			
GUNNLAUGSSON			
HEIM-PETER			
KOHOUT			
LIENAU			
LUNDAHL			
NORTON			
ROBILLARD			
TAUSCHER			
THAYSE			
VIRLEE			
VLIES WOTACHEK			
VOGEL			

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 Exhibit A, 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
 10

**SUBMITTED BY:
Resource Planning Committee**

David Enigl, Chair	Vinni Chomeau
Kenneth Fisher	Richard Virlee
Roy Englebert	

BOARD ACTION

Vote Required: Majority Roll Call Vote of a Quorum

Motion to Approve Adopted

1st _____ Defeated

2nd _____

Yes: _____ No: _____ Exc: _____

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 23rd day of June, 2020 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: 6/23/20

Exhibit A: Ord. 2020-07**CHAPTER 14****COMMUNICATIONS SUPPORT STRUCTURES AND RELATED FACILITIES**

(Created: 29 Sept. 2015; Ord. No. 2015-10; Effective 9 Nov. 2015)

14.01 Mobile Tower Siting

14.02 Radio Broadcast Service Facilities

~~14.03 Other Communications Services Support Structures and Related Facilities~~~~14.04 Broadband Network Projects – Pursuant to §196.504, Wis. Stats. (Added: 23 May 2017; Ord. No. 2017-03)~~

14.03 Broadband Network Projects – Pursuant to §196.504, Wis. Stats. (Added: 23 May 2017; Ord. No. 2017-03) (Renumbered:)

14.04 Other Communications Services Support Structures and Related Facilities (Renumbered:)

14.01 Mobile Tower Siting

(1) Authority. Section 14.01 is adopted pursuant to §§59.03, 59.54, 59.69, and 66.0404, Wis. Stats.

(2) Applicability. Section 14.01 applies in the unincorporated areas of Door County (“County”) as provided under §66.0404(5), Wis. Stats.

(3) Authority Cited. All references to the Wisconsin Statutes and Administrative Code in this Chapter are to the statutes and code in effect as of the date this ordinance is enacted or as the statutes and code are subsequently amended or revised.

(4) Exemptions. The following are exempt from all provisions of this Chapter except Sections 14.01(18)(c), (d), and (e):

- (a) Portable or mobile structures and facilities (i.e., those in existence for not more than one year) for temporary mobile services or temporary services providing public information coverage of news events or of an emergency. One extension, of one year or less, may be available upon prior written request, and demonstration of need, to the Resource Planning Committee.
- (b) Public safety communications support structures and related facilities owned and operated by federal, state, county, or other local units of governments.
- (c) Support structures, including mobile service support structures, destroyed or partially destroyed by an event that directly and exclusively results from the

occurrence of natural causes (e.g., earthquakes, fire, flood, storm, tornado, and violent wind), explosion, terrorism, vandalism, or similar calamity that was not caused by, and could not have been prevented by the exercise of foresight or caution of the mobile service support structure owner or property owner, may be replaced with a mobile service support structure of the same type and heights without a permit, but only upon prior written notice to and with approval of the Land Use Services Department.

- (d) ~~Structures for r~~Residential satellite dishes, residential television antennas, or other antennas that are used privately, provided that the antenna use constitutes ancillary or secondary use, not primary use, of the property.
- (e) ~~Support structures 50 feet or less in height.~~
- (f) ~~Any wireless facility (§66.0414(1)(z), Wis. Stats.) located outside a right-of-way (§66.0414(1)(t), Wis. Stats.) meeting the definition of a small wireless facility (§66.0414(1)(u), Wis. Stats).~~
- (g) ~~Small wireless facilities permissibly located in rights-of-way (§66.0414(2)(e), Wis. Stats.) provided the following height requirements are met, as applicable.~~
 1. ~~The height of a utility pole installed, or modified, in a right-of-way may not exceed the greater of:~~
 - a. ~~A height that is ten percent (10%) taller than the tallest existing utility pole as of July 12, 2019, that is located within five hundred (500) feet of the new or modified utility pole in the same right-of-way.~~
 - b. ~~Fifty (50) feet above ground level.~~
 2. ~~The height of a small wireless facility installed, or modified, in a right-of-way may not exceed the greater of:~~
 - a. ~~A height that is ten percent (10%) taller than the existing utility pole or wireless support structure on which the small wireless facility is located.~~
 - b. ~~Fifty (50) feet above ground level.~~
 3. ~~A wireless provider may construct, modify, and maintain a utility pole, wireless support structure, or small wireless facility along, across, upon, and under a right-of-way that exceeds the height limits in this section (i.e., s. 14.01(4)(g)), if the wireless provider complies with height limits under the Door County Comprehensive Zoning Ordinance.~~
~~(§66.0414(2)(e)2., Wis. Stats.)~~

(h) Antenna facilities, but only to the extent set forth in §59.69(4d)(a) – (c), Wis. Stats.

(i) Amateur radio antennas, but only to the extent set forth in §59.69(4f)(a) – (b), Wis. Stats., that are owned and/or operated by a federally licensed amateur radio operator, provided that the antenna use constitutes ancillary or secondary use, not primary use, of the property.

(5) Purpose. The purposes of Section 14.01 include regulation, subject to the provisions and limitations of §66.0404, Wis. Stats., of the following activities:

(a) The siting and construction of mobile service support structures and mobile service facilities.

(b) With regard to a class 1 collocation, the installation of mobile service facilities on existing support structures that require substantial modification.

(c) Class 2 collocation.

(6) Intent. These regulations are intended to accomplish, to the greatest degree possible, the following:

(a) Provide a uniform and comprehensive set of standards for the siting, construction, and modification of support structures and related facilities, including mobile service support structures and mobile service facilities.

(b) Minimize adverse effects of support structures and related facilities, including mobile service support structures and mobile service facilities, through siting standards.

(c) Consistent with the Federal Telecommunications Act of 1996, maintain and ensure a broad range of mobile services and high quality mobile service infrastructure in order to serve the community and Door County's police, fire, and emergency response network.

(d) Promote and protect public health, safety, and general welfare.

(e) Not prohibit, or have the effect of prohibiting, the provision of mobile services.

(f) Not unreasonably discriminate among providers of functionally equivalent services.

(g) Preserve the authority of Door County over decisions regarding the siting, construction, and modification of support structures and related facilities, including mobile service support structures and mobile service facilities.

(7) Compliance. No support structure (e.g., communications tower) or related facility, including no mobile service support structure or mobile service facility, shall be sited, constructed, or modified except in full compliance with this Chapter.

(8) Abrogation. It is not intended by the creation of this Chapter to repeal, abrogate, annul, impair, or interfere with any existing ordinance.

(9) Interpretation. The provisions of this Chapter and all other provisions of the Zoning Ordinance shall be harmonized to give full force and effect to each wherever possible. In the event of an irreconcilable conflict, this Chapter controls with regard to the regulation of support structures and related facilities.

(10) Severability. The provisions of this Chapter shall be interpreted, when possible, to sustain their legality and enforceability as a whole. In the event any provision of this Chapter shall be held, in whole or in part, illegal or unenforceable by a court of competent jurisdiction, neither the validity of the remaining part of such provision, nor the validity of any other provision of this Chapter, shall be in any way affected thereby.

(11) Warning and Disclaimer of Liability. This Chapter shall not create a duty or liability on the part of, or a cause of action against Door County, its officers, or employees thereof, for any damages that may result from administration of or reliance on this Chapter.

(12) Definitions.

(a) Antenna: Communications equipment that transmits and receives electromagnetic radio signals and is used in the provision of mobile services.

(b) Applicant: The owner(s) or lessee(s) of the land upon which the structure and facilities are proposed to be located.

(c) Class 1 collocation: The placement of a new mobile service facility on an existing support structure such that the owner of the facility does not need to construct a free standing support structure for the facility but does need to engage in substantial modification.

(d) Class 2 collocation: The placement of a new mobile service facility on an existing support structure such that the owner of the facility does not need to construct a free standing support structure for the facility or engage in substantial modification.

(e) Collocation: A class 1 or class 2 collocation or both.

(f) Critical Public Safety Communications Corridor: The area within an existing line-of-site communications path that is used by public safety entities for critical safety-of-life communications.

(g) Equipment Compound: An area surrounding or adjacent to the base of an existing support structure within which is located the related mobile service facilities.

(h) Existing Structure: A support structure that exists at the time a request for permission to place any type of mobile service facility on or near the support structure is filed with a political subdivision.

(i) Mobile Service: The meaning given in 47 USC 153 (33).

(j) Mobile Service Facility: All equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and associated equipment necessary to provide mobile service to a discrete geographic area that are placed on or around a support structure, but does not include the underlying support structure.

(k) Mobile Service Provider: Any person who provides mobile service, including a person that builds and operates mobile service support structures or facilities, whether or not licensed by the Federal Communications Commission.

(l) Mobile Service Support Structure: An existing or new structure that supports or can support a mobile service facility, including a mobile service support structure, utility pole, water tower, building, or other structure.

(m) Permit: A permit issued hereunder which authorizes any of the following by an applicant: a Class 1 collocation; a Class 2 collocation; or construction of a support structure, including a mobile service support structure.

(n) Operator: The person who owns or operates a support structure or related facilities.

(o) Search Ring: A shape drawn on a map to indicate the general area within which a mobile service support structure should be located to meet radio frequency engineering requirements, taking into account other factors including topography and the demographics of the service area.

(p) Substantial Modification: The modification of a support structure (e.g., mobile service support structure), including the mounting of an antenna on such a structure, that does any of the following:

1. For structures with an overall height of 200 feet or less, increases the overall height of the structure by more than 20 feet.
2. For structures with an overall height of more than 200 feet, increases the overall height of the structure by 10 percent or more.

3. Measured at the level of the appurtenance added to the structure as a result of the modification, increases the width of the support structure by 20 feet or more, unless a larger area is necessary for co-location.

4. Increases the square footage of an existing equipment compound to a total area of more than 2,500 square feet.

(q) Support Structure: An existing or new structure that supports or can support a mobile service facility, including a mobile service support structure, utility pole, water tower, building, or other structure.

(r) Utility Pole: A structure owned or operated by an alternative telecommunications utility, as defined in §196.01(1d), Wis. Stats.; public utility, as defined in §196.01(5), Wis. Stats.; telecommunications utility, as defined in §196.01(10), Wis. Stats.; political subdivision; or cooperative association organized under Ch. 185, Wis. Stats.; and that is designed specifically for and used to carry lines, cables, or wires for telecommunications service, as defined in §182.017(1g)(cq), Wis. Stats.; for video service, as defined in §66.0420(2)(y), Wis. Stats.; for electricity; or to provide light.

(13) Application and Permit.

(a) Permit Required. A permit is required hereunder, subject to the provisions and limitations of §66.0404, Wis. Stats., for any of the following activities:

1. The siting and construction of mobile service support structures and mobile service facilities;
2. With regard to a class 1 collocation, the installation of mobile service facilities on existing support structures that require substantial modification; and
3. A class 2 collocation.

(b) Provided all requirements of this Chapter are met, a permit to engage in the activities described in Section 14.01(13)(a)1. – 3., above, shall be issued to the applicant.

(14) Application Process.

(a) Prior to engaging in any siting, construction, or modification activity described in Section 14.01(13), above, the applicant must complete the application process and obtain a permit as set forth herein.

(b) The application shall be in writing, on the prescribed form, and shall contain all of the information set forth below, as applicable:

All Applications: New, Class I Collocations, or Class II Collocations

1. Name, business address, email address (optional), phone number, and original duly authorized (and notarized) signature of each applicant or a duly authorized signatory.
2. Name, business address, email address (optional), and phone number of the contact individual for each applicant.
3. Name, business address, email address (optional), and phone number of each known operator if different than the applicant.
4. Name, business address, email address (optional), and phone number of the contact individual for each known operator.
5. Federal Communications Commission license and registration numbers.
6. Site plan showing location of the proposed or affected mobile service support structure and mobile service related facility.

Applications for New or Class I Collocations

7. A sworn statement attesting that the applicant verified with the Door County Technology Services Department that the proposed support structure and related facilities will not be located within any critical public safety communications corridor. (Amended: 26 March 2019; Ord. No. 2019-03)
8. Plans indicating security measures (i.e., access, fencing, lighting, signage, etc.).
9. Proof of comprehensive general liability insurance coverage. The policy shall be furnished by an insurer authorized to do business in Wisconsin, include coverage for bodily injury liability, property damage, and personal injury, with no less than a one million dollar (\$1,000,000) limit per occurrence, with a three million dollar (\$3,000,000) aggregate. Coverage must be written on an "occurrence" basis, shall cover all risks incident to any activity of the applicant under any permit issued hereunder, and must be maintained without lapse in coverage until all permitted structures and related facilities cease operation.
10. A copy of the deed, evidencing current ownership of the real property, and, if applicable, the property lease agreement. The lease agreement shall not discourage or prevent collocation of other providers.
11. Proof of compliance with ~~or exemption from~~ Federal Communications Commission ("FCC") rules ~~for environmental review, including a letter stating that an Environmental Assessment ("EA") is not required, a Finding of No Significant Impact ("FONSI"), or other written assurance that appropriate measures are or will be taken to protect environmental and historic resources.~~

12. ~~Written statement from applicant that notice to the~~ ~~Proof that the~~ Federal Aviation Administration (“FAA”) ~~is not required~~ or proof that the FAA was notified and a ~~final written~~ determination of 'no hazard' to air navigation from the FAA.

13. A report prepared by ~~an licensed~~ engineer ~~licensed by the State of Wisconsin~~ certifying the structural design of the mobile service support structure.

14. Affidavit of Notification indicating that all operators and owners of airports located within five (5) miles of the proposed site have been notified via certified mail.

(c) If the application is to substantially modify an existing support structure, the application shall also include a construction plan which describes the proposed modifications to the support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment associated with the proposed modifications.

(d) If the application is to construct a new mobile service support structure, the application shall also include:

1. A construction plan which describes the proposed mobile service support structure and the equipment and network components, including antennas, transmitters, receivers, base stations, power supplies, cabling, and related equipment to be placed on or around the new mobile service support structure; and

2. An explanation as to why the applicant chose the proposed location and why the applicant did not choose collocation, including a sworn statement from an individual who has responsibility over the placement of the mobile service support structure attesting that collocation within the applicant’s search ring: would not result in the same mobile service functionality, coverage and capacity; is technically infeasible; or is economically burdensome to the mobile service provider.

(e) All applications must be accompanied by the requisite non-refundable permit fee, consistent with §66.0404(4)(d)1. – 2., Wis. Stats., and as established by the Door County Board of Supervisors.

(f) The Door County Land Use Services Department (“Land Use Services Department”) may, in the exercise of its discretion, engage the services of third-party consultants to assist with review of the application and permit. If a third-party consultant is engaged, the applicant shall pay, subject to §66.0404(4)(f), Wis. Stats., the actual, necessary, and direct cost (sans travel expenses) of the third-party consultant.

(g) The permit fee requirements do not apply to support structures and facilities wholly owned and operated by, or for the sole use or benefit of the state, the county, or a municipality.

(15) Application Review and Permit Grant.

(a) The Land Use Services Department will determine whether or not an application is complete. To be deemed complete, an application must contain all the information required by this Chapter, be properly executed, and be accompanied by the requisite fee and payment of (or agreement to pay) any applicable charges.

(b) If the Land Use Services Department does not deem an application to be complete, the Land Use Services Department shall notify the applicant in writing within ten (10) days (within five (5) days for a class 2 collocation) of receiving the application, that the application is not complete. The written notification shall specify in detail the required information that was incomplete. An applicant may resubmit an application as often as necessary until it is complete.

(c) Within ninety (90) days (within forty-five (45) days for a class 2 collocation) after the application is determined complete under Section 14.01(15)(a), supra, the Land Use Services Department shall complete all of the following or the applicant may consider the application approved, except that the applicant and the Land Use Services Department may agree in writing to an extension of the ninety (90) day (forty-five (45) day for a class 2 collocation) period:

1. Review the application to determine whether it complies with all applicable aspects of (subject to the limitations of §66.0404, Wis. Stats.) the county zoning ordinance.
2. Make a final decision whether to approve or disapprove the application.
3. Notify the applicant in writing of its final decision.
4. If the application is approved, and all fees and charges paid, issue the applicant the relevant permit.
5. Any denial (i.e., disapproval) of an application will be in writing and supported by substantial evidence in a written record.

(d) The Land Use Services Department may disapprove an application if an applicant refuses to evaluate the feasibility of collocation within the applicant's search ring and provide the sworn statement described in Section 14.01(14)(d)2., above.

(16) Permit Transferability.

(a) Permits are valid only for the person or persons listed on the permit.

(b) Permits may only be transferred if: the real property is sold or the lease is transferred; the requisite permit transfer form (available from the Land Use Services Department) is complete (to the satisfaction of the Land Use Services

Department), fully executed and notarized; and the transferee meets all the requirements of this Chapter and the permit.

(17) Structural, Design, and Environmental Standards.

(a) All new mobile service support structures, existing support structures, and mobile service facilities shall be designed as set forth below:

1. Mobile service support structures and mobile service facilities, to the degree feasible and practicable, shall be non-reflective in color.
2. Mobile service facilities shall be designed and operated in accordance with all applicable codes regarding fire prevention.
3. The perimeter of the equipment compound shall be located within 50 feet of the associated support structure, as measured from the center of the support structure.
4. Buildings located within the equipment compound shall not exceed twenty-six (26) feet in height, measured from the original grade at the base of the facility to the top of the facility.

(18) Setbacks/Fall Zone/Critical Public Safety Communications Corridor/Wetlands.

(a) The setback or fall zone requirement for mobile service support structures is the height of the structure (e.g., tower) ~~plus ten percent (10%)~~. Upon request, an owner of an adjacent property or road may relax or waive the setback or fall zone requirement by written agreement. A waiver by an adjacent owner is an encumbrance on the real property, runs with the land until the tower is decommissioned, and shall be recorded in the Door County Register of Deeds office.

(b) If an applicant provides Door County with an engineering certification showing that a mobile service support structure, or an existing structure, is designed to collapse within a smaller area than the setback or fall zone area required above, that setback or fall zone requirement does not apply to such a structure unless Door County provides the applicant with substantial evidence that the engineering certification is flawed.

(c) All mobile service support structures and mobile service facilities shall meet the required shoreland setbacks. A lesser setback from the ordinary high-water mark shall be allowed only if the applicant demonstrates that there is no feasible alternative location outside of the shoreland setback area and best management practices to infiltrate or otherwise control storm water runoff from the structure are employed.

(d) No mobile service support structures or mobile service facilities shall be located within any designated critical public safety communications corridor. The

burden is on the applicant to demonstrate that the project will avoid interference to critical public safety communications. The objectives here are to: promote robust and reliable, and prevent or mitigate interference to, public safety communications (e.g., law enforcement, emergency medical, and fire) systems that provide critical safety-of-life communications services. This requirement reflects the minimum practical regulations that are necessary to accomplish that public health and safety objective.

(e) No mobile service support structure or mobile service facility shall be permitted in wetlands.

(19) Site Development.

(a) Noise and Traffic.

Mobile service support structures or mobile service facilities shall be constructed and operated in such a manner as to minimize the amount of disruption caused to nearby properties. To that end, the following measures shall be implemented for mobile service support structures or facilities.

1. Noise-producing activities (e.g., construction) shall take place only on weekdays (Monday through Friday, non-holiday) between the hours of 6:00 a.m. and 6:00 p.m., except in times of emergency repair; and
2. Emergency power systems (e.g., backup generators and backup batteries), if present, shall be operated only during power outages, for testing, and maintenance purposes.

(b) Security and Signage.

1. Mobile service support structures and mobile service facilities shall be reasonably protected against unauthorized access.
2. Signs must be prominently displayed within the equipment compound prohibiting entry without authorization, warning of the dangers from electrical equipment and unauthorized climbing of the support structure (e.g., tower), and identifying the owner and telephone number for contact in case of emergency. No sign shall be larger than six (6) square feet.

(c) Driveways and Access.

1. Access to mobile service sites shall be by an all-weather gravel or paved driveway. No driveway, unless required under 3., below, shall have a width greater than fifteen (15) feet. Driveways must have a turnaround of the minimum size necessary to accommodate and provide maneuverability for service and emergency vehicles.
2. All mobile service sites shall use existing access points and roads whenever possible. Sites that abut two (2) or more public roads shall gain access from the lowest-class road regardless of driveway length. The road classification hierarchy, in order from highest to lowest, shall be as follows:

federal, state, county, town. The applicant shall seek and obtain approval for access from the entity having jurisdiction over the road.

3. The permitting, location, design, and construction of access driveways shall conform to any applicable requirements established by the town.

(20) Ceased Operation, Removal, and Financial Assurance for Removal.

(a) Restoration Requirement.

1. Any mobile service support structure or mobile service facility that has not been operated for a continuous period of twelve (12) months shall be considered to have ceased operation. Within six (6) months of the mobile services permit holder being notified that a mobile service support structure or related facility is considered to have ceased operation, the property shall be restored as herein required:

- a. All mobile service support structures and mobile service facilities shall be removed from the property. If there are two or more users of a single mobile service support structure, then this provision shall not become effective until all operations of the mobile service support structure cease.
- b. All building(s), supporting equipment, and foundations shall be removed to a depth of five (5) feet below the ground surface or, if the distance to bedrock is less than five (5) feet, to bedrock. All excavated areas shall be filled in with unconsolidated soil material, of which the top four (4) or more inches shall be screened topsoil. The excavated areas shall be made level with the surrounding ground surface and shall be seeded or planted with native vegetation.
- c. A document showing the existence of any subsurface structure remaining below grade shall be recorded with the Door County Register of Deeds. Such recording shall accurately set forth the location and describe the remaining structure.
- d. Any hazardous material, either in containers or spilled upon or in the ground, shall be removed and disposed of in a manner prescribed by applicable state and federal law.

2. If removal to the satisfaction of the Land Use Services Department does not occur within six (6) months, the Zoning Administrator may order restoration **by utilizing enforcing the established restoration agreement as described under s. 14.01(20)(a)3. below** or **utilizing the financial assurance as provided under subsection 3.g., below**, and salvage said mobile service support structure or facility.

3. ~~Subject to §66.0404(4)(i), Wis. Stats., a~~As a condition of the issuance and validity of a permit, the applicant/permit holder shall **either record an**

agreement in the Door County Register of Deeds that assures compliance with s. 14.01.20(a)1.a.– d. of this chapter or file and maintain a financial assurance, subject to §66.0404(4)(i), Wis. Stats., with the Land Use Services Department. The financial assurance:

- a. Shall be by an irrevocable letter of credit or performance bond.
- b. Shall equal as closely as possible the cost to Door County of hiring a contractor to complete restoration as set forth in Section 14.01(20)(a)1. a. – d., above. This amount will initially be based on a written estimate of a qualified remover of said types of structures, or twenty thousand dollars (\$20,000), whichever is less, to guarantee that the mobile service support structure will be removed when no longer in use. The amount of financial assurance shall be reviewed periodically by the Land Use Services Department to assure it equals outstanding restoration costs.
- c. May be adjusted when required by the Land Use Services Department. The Land Use Services Department may notify the permit holder in writing that adjustment is necessary and the reasons for it (e.g., based upon prevailing or projected interest or inflation rates, or the latest cost estimates for restoration).
- d. Shall be payable to Door County.
- e. May not be cancelled by the surety or other holder or issuer except after not less than a ninety (90) day notice to the Land Use Services Department in writing by registered or certified mail. Not less than thirty (30) days prior to the expiration of the ninety (90) day notice of cancellation, the permit holder shall deliver to the Land Use Services Department a replacement proof of financial assurance. In the absence of this replacement financial assurance, operation of the mobile service facility shall cease until the time it is delivered and in effect.
- f. Shall be released only upon the Land Use Services Department's certification of successful completion of necessary restoration measures. The permit holder must notify the Land Use Services Department, by filing a notice of completion, that restoration is complete. The Land Use Services Department will inspect the site that was the subject of the notice of completion to determine if restoration has been carried out in accordance with Section 14.01(20)(a)1. a. – d., above. Within sixty (60) days after the notice of completion is filed, the Land Use Services Department will issue a written determination that: it is not possible to assess whether restoration is complete due to weather conditions, soil conditions, or other relevant factors;

restoration is not complete; restoration is complete in part; or restoration is fully complete.

- g. Shall be forfeited if restoration is not completed as required by Section 14.01(20) (a)1. a. – d., above.

4. The permit holder may change financial assurance. This may not be done more than once a year unless required by and adjustment imposed pursuant to Section 14.01(20)(a)3.c., above. The permit holder shall give the Land Use Services Department at least sixty (60) days' notice prior to changing financial assurance and may not actually change financial assurance without the prior written approval of the Land Use Services Department.

5. Any person who obtains a permit from the Land Use Services Department for two (2) or more sites may elect, at the time the second or subsequent permit is approved, to post a single financial assurance in lieu of separate financial assurance instruments for each site. When an applicant/permit holder elects to post a single financial assurance in lieu of separate financial assurances for each site, no financial assurances previously posted on individual sites shall be released until the new financial assurance has been accepted by the Land Use Services Department.

6. The financial assurance requirements do not apply to support structures and facilities wholly owned and operated by, or for the sole benefit or use of, the state, county or a municipality.

7. This financial assurance requirement is deemed competitively neutral, nondiscriminatory, and commensurate with the historical record for surety requirements for other facilities and structures in the County of Door which fall into disuse.

(21) Administration, Appeal, and Enforcement.

(a) Administration.

The Land Use Services Department is empowered and responsible to administer this Chapter, issue permits as appropriate under this Chapter, and perform all other duties within the scope of this Chapter. All duties shall be the responsibility of a Zoning Administrator, except as otherwise specified.

(b) Appeals.

A party who is aggrieved by the final decision of the County to approve or disapprove an application hereunder may only pursue the remedy set forth in §66.0404(2)(f), Wis. Stats., or §66.0404(3)(d), Wis. Stats.

(c) Violations. It shall be unlawful to site, construct, install, reconstruct, improve, extend, enlarge, relocate, or convert any support structure or related facility in violation of the provisions of this Chapter. It shall also be unlawful to fail to obtain a permit.

(d) Enforcement, Penalties, and Remedies for Violation.

Door County may enforce this Chapter by any lawful enforcement method deemed appropriate and necessary, including the following:

1. Issuance of a citation under §66.0113, Wis. Stats., and Ch. 35, §35.01, Door County Code.
2. Filing a summons and complaint, seeking injunctive relief, monetary penalties, and any other remedy allowed by law.
3. A monetary penalty of not less than one hundred and fifty dollars (\$150) per day and not more than five hundred dollars (\$500) per day for each offense. Each day of continued violation constitutes a separate offense.
4. Allowable assessments, costs, fees, penalties, and surcharges.

(e) Nonexclusivity.

1. Enactment of this Chapter does not preclude the County from enacting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter.
2. The issuance of a citation or filing of a summons and complaint hereunder shall not preclude the County or any other person or entity from proceeding under any other law, ordinance, regulation or order or by any other enforcement method to enforce any law, ordinance, regulation or order.

14.02 Radio Broadcast Service Facilities

(1) Authority. Section 14.02 is adopted pursuant to §§59.03, 59.54, and 66.0406, Wis. Stats.

(2) Applicability. Section 14.02 applies in the unincorporated areas of Door County ("County").

(3) Purpose. The purpose of Section 14.02 is to regulate the placement, construction, or modification of radio broadcast service facilities, subject to the provisions and limitations of §66.0406, Wis. Stats.

(4) Intent. Section 14.02 is intended to accomplish, to the greatest degree possible, the following:

- (a) Promote and protect public health, safety, and general welfare.
- (b) Minimize or eliminate the adverse public health or safety effects of the siting and construction of radio broadcast service facilities, through the minimum practical regulations that are necessary to accomplish these objectives.

- (c) Reasonably accommodate radio broadcast services.
 - (d) Not prohibit, or have the effect of prohibiting, the provision of radio broadcast services.
- (5) Application and Permit.
- (a) A permit is required for radio broadcast service facilities.
 - (b) The application process, fee and charges, application review, permit grant, and permit transferability, for radio broadcast service facilities shall be the same as set forth in Sections 14.01(13) – (16), above.
- (6) Denial of Placement, Construction, or Modification of Radio Broadcast Service Facilities.
- (a) If the Land Use Services Department denies a request by any person to place, construct, or modify radio broadcast service facilities, the denial may be based only on public health or safety concerns.
 - (b) The Land Use Services Department must provide the requester with: a written denial of the requester's request; and substantial written evidence which supports the reasons for the Land Use Services Department's action.
- (7) Structural, Design, and Environmental Standards; Setbacks, Fall Zone, Critical Public Safety Communications Corridor, Wetlands; Site Development and Ceased Operation, Removal, and Financial Assurance for Removal.
- (a) The foregoing are, subject to the limitations set forth in §66.0406(2)(a) – (b), Wis. Stats., as set forth in Sections 14.01(17) – (20), above.
- (8) Administration, Appeal, and Enforcement.
- (a) The foregoing are as set forth in Section 14.01(21), above.
- (9) Definitions.
- (a) To the extent that there are no irreconcilable conflicts, the definitions for this section include those set forth in Section 14.01(12).
 - (b) Where the language in Section 14.01 refers to mobile service support structures or mobile service facilities said language shall be interpreted in regard to administration of Section 14.02 as referring to radio broadcast services or radio broadcast service facilities.
 - (c) Radio Broadcast Services: The regular provision of a commercial or noncommercial service involving the transmission, emission, or reception of radio waves for the transmission of sound or images in which the transmissions are intended for direct reception by the public.

(d) Radio Broadcast Service Facilities: The commercial or noncommercial facilities, including antennas and antenna support structures, intended for the provision of radio broadcast services.

14.0414.03 Broadband Network Projects – Pursuant to §196.504, Wis. Stats.

(Added: 23 May 2017; Ord. No. 2017-03) (Renumbered:)

(1) Authority. This section is enacted consistent with §§ 59.03, 59.54, 59.69 & 196.504, Wis. Stats.

(2) Applicability. This section applies in the unincorporated areas of Door County.

(3) Purposes. The purposes of this section are:

(a) To ensure that Door County may be certified as a *Broadband Forward! Community* under §196.504(4), Wis. Stats.

(b) To encourage the development of broadband infrastructure in underserved areas of Door County; and

(c) To effect the timely and efficient: review and approval of applications, issuance of permits, and resolution of related issues related to broadband network projects.

This section shall at all times be construed consistent with the aforementioned purposes.

(4) Interpretation. If ambiguities or conflicts exist between the provisions of this section and §§14.01, - 14.0~~32~~, and 14.04 ~~above~~, an attempt should be made to reconcile and give effect to all provisions if reasonably practicable. If not, then the provisions of this section control.

(5) Definitions. To the extent there are no irreconcilable conflicts, the definitions in this section shall be as set forth in §196.504(4), Wis. Stats., §§14.01, -14.0~~32~~, and 14.04, Door County Comprehensive Zoning Ordinance, and as follows:

(a) “Applicant” means a person applying for a permit for a broadband network project.

(b) “Broadband Network Project” means the construction or deployment of wireline or wireless communications facilities to provide broadband communications services in underserved areas of Door County.

(c) “Permit” means any local permit, license, certificate, approval, registration, or similar form of approval required by policy, administrative rule, regulation, ordinance, or resolution with respect to a broadband network project.

(d) “Written” or “in writing” means information that is inscribed on a tangible medium or that is stored in an electronic or other intangible medium and is retrievable in perceivable form.

(6) Point of Contact. The single point of contact for all matters related to a broadband network project, including receipt of a broadband network project application, is the:

Door County Land Use Services Department
 Door County Government Center
 421 Nebraska Street
 Sturgeon Bay, WI 54235
 PH: 920.746.2323
 FAX: 920.746.2387
 Email: mgoode@co.door.wi.us
 Website: <http://map.co.door.wi.us/planning/>
<https://www.co.door.wi.gov/164/Land-Use-Services>

(7) Electronic Submission. All forms, applications, and documentation related to a broadband network project may be filed and signed by electronic, or any other means authorized by the Public Service Commission of Wisconsin.

(8) Application and Permit.

(a) A permit is required for broadband network projects.

(b) The application process, fee and charges, application review, permit grant, and permit transferability shall be, to the extent such does not conflict with §196.504, Wis. Stats., consistent with §§14.01(13) – (16), above.

(9) Structural, Design, and Environmental Standards; Setbacks, Fall Zone, Critical Public Safety Communications Corridor, Wetlands; Site Development and Ceased Operations, Removal, and Financial Assurance for Removal

(a) The foregoing are as set forth in §14.01(17) – 14.01(20), above.

(b) Subject to the limitations set forth in §§66.0404 & 196.504(4), Wis. Stats.

(10) Completeness Review of Applications.

(a) The Door County Land Use Services Department (“Land Use Services Department”) will determine whether an application is complete and notify the applicant about the determination in writing within ten (10) days of receiving the application.

(b) If the Land Use Services Department does not believe that an application is complete, the written notification under (10)(a) above will specify in detail the required information that is incomplete.

(c) If the Land Use Services Department does not make the written notification required under (10)(a) above, the application will be deemed to be complete.

(d) An applicant may resubmit an application as often as necessary until the application is complete.

(11) Approval or Denial of Complete Applications.

(a) Within sixty (60) days of receiving an application that is complete, the Land Use Services Department will approve or deny the application and provide the applicant written notification of the approval or denial.

(b) If the Land Use Services Department denies an application, it will include in the written notification under (11)(a) above evidence that the denial is not arbitrary and capricious.

(c) An application is considered approved and any required permit is to be issued if the Land Use Services Department does not provide the written notification under (11)(a) above.

(12) Fees.

(a) Fees, to review an application, issue a permit or perform any other activity related to a broadband network project, will be as established by the Door County Board of Supervisors.

(b) Any fees imposed shall be reasonabley consistent with §196.504(5)(i), Wis. Stats.

(c) An application fee that exceeds one hundred dollars (\$100) is unreasonable.

(13) Administration, Appeal, and Enforcement. Administration, appeal and enforcement shall, to the extent there are no irreconcilable conflicts, be as set forth in §§14.01(21) above.

(14) Initial Applicability. This section first applies to applications received for broadband network projects on or after the effective date of this ordinance.

14.03 14.04 Other Communications Services Support Structures and Related Facilities (Renumbered:)

- (1) Authority. Section 14.034 is adopted consistent with §§59.03, 59.54, and 59.69, Wis. Stats., and, to the extent it is applicable, the Federal Telecommunications Act of 1996.
- (2) Applicability. Section 14.034 applies in the unincorporated areas of Door County (“County”).
- (3) Purpose. The purpose of Section 14.034 is to regulate the placement, construction, or modification of wireless communications services support structures and related facilities except those described in §§66.0404 and 66.0406, Wis. Stats.
- (4) Intent. Section 14.034 is intended to accomplish, to the greatest degree possible, the following:
 - (a) Preserve Door County’s authority over zoning and land use decisions for other communications services support structures and related facilities.
 - (b) Promote and protect public health, safety, and general welfare.
 - (c) Minimize or eliminate the adverse public health or safety effects of other communications services support structures and related facilities through the minimum practical regulations that are necessary to accomplish these objectives.
 - (d) Encourage collocation to the extent technologically feasible, and engage in cooperative efforts with providers to chart the potential overlap of desirable locations, in order to minimize the number of structures and facilities to be sited.
 - (e) To not unreasonably discriminate among providers of functionally equivalent services.
 - (f) To not regulate in a manner that prohibits or has the effect of prohibiting the provision of these other communications services.
- (5) Application and Permit.
 - (a) A permit is required for the placement, construction, or modification of other communications service support structures and related facilities.
 - (b) The application process, fee and charges, application review, permit grant, and permit transferability, for other communications service support structures and related facilities are consistent with that set forth in Sections 14.01(13) – (16), above.

(6) Denial of Placement, Construction, or Modification of Other Communications Service Support Structures and Related Facilities.

(a) Door County must act on applications within a reasonable period of time.

(b) Door County must make any denial of an application in writing supported by substantial evidence in a written record.

(7) Structural, Design, and Environmental Standards; Setbacks, Fall Zone, Critical Public Safety Communications Corridor, Wetlands; Site Development and Ceased Operation, Removal, and Financial Assurance for Removal.

(a) The foregoing are consistent with that set forth in Sections 14.01(17) – (20), above.

(8) Administration, Appeal, and Enforcement.

(a) The foregoing are consistent with that set forth in Section 14.01(21), above.

(9) Definitions.

(a) To the extent that there are no irreconcilable conflicts, the definitions for this section include those set forth in Sections 14.01(12).

(b) Where the language in Section 14.01 refers to mobile service support structures or mobile service facilities said language shall be interpreted in regard to administration of Section 14.034 as referring to wireless communications services support structures and related facilities other than those described in §§66.0404 and 66.0406, Wis. Stats.

(c) Other Communications Services Support Structures: Wireless communications services support structures and related facilities except those described in §§66.0404 and 66.0406, Wis. Stats.

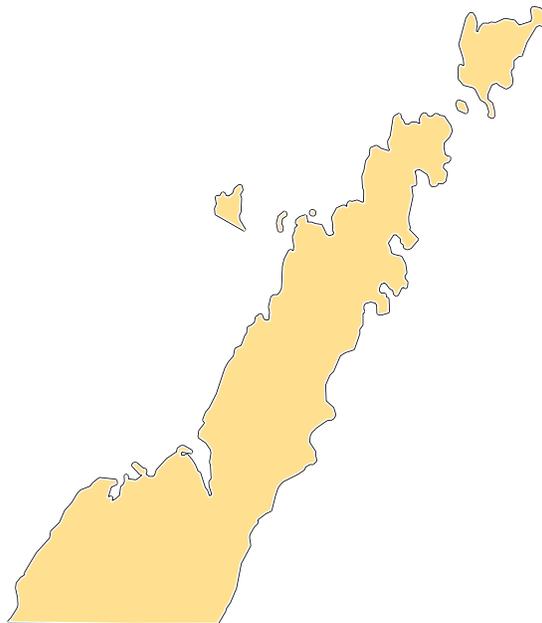
Self-Response by County

Click icon to open or close the share menu

This map features self-response rates from households that responded to the 2020 Census online, by mail, or by phone. Rates can be viewed in [rankings here](#).

Wisconsin
Self-Response
68.5%

Door
Self-Response
44.9%



© 2020 Mapbox © OpenStreetMap



Email us at responseratemap@census.gov
Responses received as of 6/16/2020.
[Click here for technical details](#)



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Door

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Congressional District

Town and Township

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DOOR COUNTY CONSOLIDATED LIBRARY SYSTEM

AGREEMENT - CITY OF STURGEON BAY

AGREEMENT made this 20th day of December, 1990 between County of Door and the City of Sturgeon Bay:

WITNESSETH

WHEREAS, the Door County library system has been called a joint system between the County of Door and the City of Sturgeon Bay since 1973. County of Door now has seven (7) satellite libraries. Wisconsin State Statutes now require that our library system be known as the Door County Consolidated Library System.

WHEREAS, the Consolidated Library Board is appointed by the Chairman of the Door County Board of Supervisors and of seven (7) members made up of two (2) Door County Board Supervisors members, two (2) City of Sturgeon Bay City Council members, one (1) Door County School Administrator or designee, one (1) member from north of the City of Sturgeon Bay and one (1) member south of the City of Sturgeon Bay.

WHEREAS, since 1973 County of Door and the City of Sturgeon Bay have shared the cost of utilities, janitorial services, insurance, maintenance and repair, and related supplies of the library building, grounds, building, equipment, and contents located at 107 S. Fourth Avenue, Sturgeon Bay, Wisconsin. County of Door and the City of Sturgeon Bay remain joint owners of the building and land at that location. Since 1973 County of Door has paid the expenses of operation including salaries of the librarians, purchase of books, furnishings, and other expenses not related to maintenance.

WHEREAS, it is the intent of the parties to execute a written agreement providing the same arrangement, as to the expense of operating the library in the City of Sturgeon Bay as has existed since 1973.

IT IS HEREBY mutually agreed as follows:

1. That the Door County library system will be known as the Door County Consolidated Library System.
2. That the Door County Consolidated Library System will be a County of Door agency.
3. That two (2) members of the Consolidated Library Board will be appointed from the membership of the City of Sturgeon Bay City Council.
4. That County of Door and the City of Sturgeon Bay retain joint ownership of the land and building housing the library in the City of Sturgeon Bay and located at 107 S. Fourth Avenue, Sturgeon Bay, Wisconsin.
5. That County of Door will provide the salaries of the librarians, purchase of books, equipment, furnishings, and supplies and other expenses not related to maintenance of the library in the City of Sturgeon Bay.
6. That the City of Sturgeon Bay will share equally with County of Door the cost of utilities, janitorial services, insurance, maintenance repair, and related supplies for the grounds, building, its contents, and equipment located at the library in the City of Sturgeon Bay.
7. That the consolidated library system will operate in compliance with any lawful statutory or administrative

requirements of the State of Wisconsin or its agencies.

8. That the parties agree to work cooperatively to further improve public library service for the residents, guests and visitors of Door County.

9. 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,

DOOR COUNTY

CITY OF STURGEON BAY

By,

By,

Lyle R. Hill
Lyle R. Hill, Chairman
County Board of Supervisors

Norbert D. Schachtner
Norbert D. Schachtner, Mayor

Nancy Bemmann
Nancy Bemmann
County Clerk/Admin. Coordinator

Paul C. Bellin
Paul C. Bellin
City Clerk/Treasurer

I certify that on 12-20-90
I served the within document, by mail, postage
prepaid, pursuant to rule 801.14(2) Wis. rules
of Civil Procedure.

DOOR CO. CORPORATE COUNSEL

By: Marie A. Larson

To: City of Sturgeon Bay
Door County Library
Nancy Bemmann

Original on File with Corporation Counsel

RESOLUTION NO. 30-73

A RESOLUTION CONCERNING THE DISTRIBUTION OF COSTS AND MAINTENANCE OF A PROPOSED DOOR COUNTY LIBRARY BUILDING AND THE METHOD OF IT'S OPERATION.

TO THE DOOR COUNTY BOARD OF SUPERVISORS:

WHEREAS, consideration is being given to the construction of a proposed Door County Library Building on a site opposite the County Court House in the City of Sturgeon Bay, to house both the Door County Library Headquarters and the Sturgeon Bay Branch of the Door County Library System,

AND WHEREAS, an evaluation of the plans for the said building indicated that space and use will be almost evenly distributed between the said Door County Library Headquarters and the said Sturgeon Bay Branch of the Door County Library System,

THEREFORE, BE IT RESOLVED, that at such time as the said building is constructed, the costs of the said building, including the architectural fees and contingencies, be shared equally by the City of Sturgeon Bay and the County of Door, after the deduction from the total costs of the said building any federal aids, foundation grants, or funds raised for the construction of the said building by the Friends of the Library;

BE IT FURTHER RESOLVED that the bids for the said Door County Library Building shall be subject to review of the Property Committee and the County Board before final approval.

BE IT FURTHER RESOLVED, that at such time as the said Door County Library Building is constructed, it's operation shall be placed under the jurisdiction of the Door County Library Board and that the cost of the utilities, janitorial services, and all the necessary maintenance and repairs of the said building shall be shared by the said City of Sturgeon Bay and the said County of Door, equally.

S/ Lloyd A. Olson
Chm., Property Committee

S/ Clifford Celorix

S/ George Emerson

CERTIFICATION

I, Norman Stegmann, County Clerk of the County of Door, Wisconsin, do hereby certify that the foregoing is a correct copy of a resolution introduced at a meeting of the Door County Board of Supervisors, adopted by a majority vote and recorded in the minutes of the said meeting, on the 19 day of June, 1973.

Dated this 19 day of June, 19 73.

RESOLUTION NO. 71-73

JOINT LIBRARY BOARD AGREEMENT BETWEEN THE COUNTY OF DOOR AND THE CITY OF STURGEON BAY.

WHEREAS, there presently exists a Door County Library Board, which is a municipal library board pursuant to Wisconsin Statutes 43.54 and which has control over the Door County Library System; and further that there exists a Sturgeon Bay Library Board which is not a statutory library board pursuant to Wisconsin Statutes 43.54, but which is an advisory board; and,

WHEREAS, by Resolution 50-73, the Door County Board of Supervisors has agreed to participate in the funding of a new Door County Library building, pursuant to the terms and conditions of the said resolution, and that one of the said conditions is that there shall be a county library board composed of seven members, consisting of two members appointed from the Door County Board of Supervisors and two members appointed from the Sturgeon Bay City Council and three members at large; and,

WHEREAS, in order to accomplish the above membership condition it is necessary to form a joint library board, pursuant to Wisconsin Statutes 43.56 between the County of Door and City of Sturgeon Bay; and,

WHEREAS, it has been agreed that the cost of maintenance of the new Door County Library building will be equally shared by the said municipalities and further that the ownership of the new Door County Library building will be joint ownership between the said municipalities, therefore it is desirable that a joint library board be created for the management of the new Door County Library.

NOW, THEREFORE, BE IT RESOLVED, that the Door County Board, duly assembled this 18th day of December, 1973, pursuant to the authority vested in said Board by Wisconsin Statutes 43.56 and 66.30, establishes a joint library board as follows:

I. CREATION

The Board hereby agrees to the creation of a joint library board pursuant to Wisconsin Statutes 43.56 and that, upon

approval of the City of Sturgeon Bay, the joint library board shall be created and established between the County of Door and the City of Sturgeon Bay and that the said board shall be called "The Door County Library Board." The present Door County Library Board shall be abolished effective January 1, 1974 and the new joint Door County Library Board shall be established effective January 1, 1974.

II. POWERS

That the said Door County Library Board shall have the powers vested in the previous Door County Library Board, which shall include the control of the Door County Library System and which shall include all of those powers given to library boards in Wisconsin Statutes Chapter 43 and other statutes, not enumerated herein.

III. MEMBERSHIP

The said Door County Library Board shall have seven members. Two of the members shall be from the City of Sturgeon Bay City Council and shall be appointed by the Mayor of the City of Sturgeon Bay, upon approval by a majority of the City Council. The first terms of office of the City Council library board members shall be staggered, such that City Council member no. 1 shall serve for a two year term and City Council member no. 2 shall serve for a three year term. Thereafter, both City Council members shall serve for a term of three years.

Two of the said members shall be from the Door County Board of Supervisors and shall be appointed by the Chairman of the said Board, upon approval by a majority of the Door County Board of Supervisors. The first terms of office of the Door County Board library board members shall be staggered, such that County Board member no. 1 shall serve for a two year term and County Board member no. 2 shall serve for a three year term. Thereafter, both County Board members shall serve for a term of three years.

Three of the members shall be appointed at large, by the Chairman of the Door County Board of Supervisors, upon approval by a majority of the Door County Board. Of the three members at

large, member at large no. 1 shall be appointed from north of the northerly corporate limits of the City of Sturgeon Bay, member at large no. 2 shall be appointed from within the corporate limits of the City of Sturgeon Bay, and member at large no. 3 shall be appointed from south of the southerly corporate limits of the City of Sturgeon Bay. The first terms of office of the three members at large shall be staggered, such that member at large no. 1 shall serve for one year, member at large no. 2 shall serve for two years and member at large no. 3 shall serve for three years. Thereafter, all members at large shall serve for terms of three years.

IV. OWNERSHIP

It is hereby understood and agreed that the ownership of the new Door County Library building shall be joint ownership between the City of Sturgeon Bay and the County of Door, such that each municipality shall own an undivided one-half in the said building and property.

V. OPERATION

It is understood that the costs of maintenance, including janitors expenses, insurance and anything relating to the maintenance of the said building, and contents shall be divided equally between the said municipalities. It is understood that all other expenses of operation including salaries of the librarians, the purchase of books, and other expenses not related to maintenance, shall be borne by the County of Door alone.

PROPOSED BY:

S/ Herbert Peterson
Herbert Peterson, Chairman
Door County Board of Supervisor

CERTIFICATION:

I, Norman Stegmann, 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, 1973, by the Door County Board of Supervisors

Dated this 18 day of December, 1973.

Norman Stegmann
Norman Stegmann
County Clerk
Door County, Wisconsin

RESOLUTION NO. 50-73

DOOR COUNTY PARTICIPATION IN FUNDING NEW DOOR COUNTY LIBRARY BUILDING

WHEREAS, pursuant to the adoption of Resolution No. 30-73, the Sturgeon Bay Library Board has proceeded to advertise for and receive bids for the construction of a new library building on the site in Sturgeon Bay opposite the County Courthouse to house the Door County Library headquarters and the Sturgeon Bay branch of the Door County Library; and,

WHEREAS, bids were reviewed and approved by the County Library Board and the Property Committee for the County Board and totaled \$596,428.00, including \$545,345.00 for general construction, \$30,630.00 for architect's fees, contingencies at 1% for \$5,453.00, and shelving at \$15,000.00; and,

WHEREAS, the Friends of the Door County Libraries, a duly incorporated non-profit organization has committed \$200,000.00 in voluntary contributions toward the cost of construction of this building, leaving a balance of \$396,428.00 to be provided from public funds; and,

WHEREAS, the Common Council of Sturgeon Bay by formal action on August 7, 1973, has assumed responsibility for \$198,214.00 of the construction costs; and,

WHEREAS, this action by the Common Council of Sturgeon Bay is conditional upon the Door County Board's assuming responsibility for \$198,214.00 as its share of the construction costs.

NOW, THEREFORE, BE IT RESOLVED, that the County Board approve the construction and funding of the said library building; and,

BE IT FURTHER RESOLVED, that the County Board assumes responsibility for an amount not to exceed \$198,214.00 as its share of construction costs to be paid at such time and in such proportions as the County share bears to the total construction contract and its terms regarding payments thereunder; and,

BE IT FURTHER RESOLVED, that the above County Board approval and authorization for the expenditure of funds in the construction of a new Door County Library is conditional upon the establishment of a new County Library Board composed of seven board members, consisting of two members appointed from the Door County Board of Supervisors and two members appointed from the Sturgeon Bay City Council and three members at large.

Dated this 14th day of August, 1973

PROPOSED BY: PROPERTY COMMITTEE

S/ Lloyd A. Olson
Lloyd Olson, Chairman

S/ Clifford Delorit
Clifford Delorit

S/ George T. Evenson
George Evenson

CERTIFICATION:

RESOLUTION NO. 71-73

JOINT LIBRARY BOARD AGREEMENT BETWEEN THE COUNTY OF DOOR AND THE CITY OF STURGEON BAY.

WHEREAS, there presently exists a Door County Library Board, which is a municipal library board pursuant to Wisconsin Statutes 43.54 and which has control over the Door County Library System; and further that there exists a Sturgeon Bay Library Board which is not a statutory library board pursuant to Wisconsin Statutes 43.54, but which is an advisory board; and,

WHEREAS, by Resolution 50-73, the Door County Board of Supervisors has agreed to participate in the funding of a new Door County Library building, pursuant to the terms and conditions of the said resolution, and that one of the said conditions is that there shall be a county library board composed of seven members, consisting of two members appointed from the Door County Board of Supervisors and two members appointed from the Sturgeon Bay City Council and three members at large; and,

WHEREAS, in order to accomplish the above membership condition, it is necessary to form a joint library board, pursuant to Wisconsin Statutes 43.56 between the County of Door and City of Sturgeon Bay; and,

WHEREAS, it has been agreed that the cost of maintenance of the new Door County Library building will be equally shared by the said municipalities and further that the ownership of the new Door County Library building will be joint ownership between the said municipalities, therefore it is desirable that a joint library board be created for the management of the new Door County Library.

NOW, THEREFORE, BE IT RESOLVED, that the Door County Board, duly assembled this 18th day of December, 1973, pursuant to the authority vested in said Board by Wisconsin Statutes 43.56 and 66.30, establishes a joint library board as follows:

I. CREATION

The Board hereby agrees to the creation of a joint library board pursuant to Wisconsin Statutes 43.56 and that, upon

approval of the City of Sturgeon Bay, the joint library board shall be created and established between the County of Door and the City of Sturgeon Bay and that the said board shall be called "The Door County Library Board." The present Door County Library Board shall be abolished effective January 1, 1974 and the new joint Door County Library Board shall be established effective January 1, 1974.

II. POWERS

That the said Door County Library Board shall have the powers vested in the previous Door County Library Board, which shall include the control of the Door County Library System and which shall include all of those powers given to library boards in Wisconsin Statutes Chapter 43 and other statutes, not enumerated herein.

III. MEMBERSHIP

The said Door County Library Board shall have seven members. Two of the members shall be from the City of Sturgeon Bay City Council and shall be appointed by the Mayor of the City of Sturgeon Bay, upon approval by a majority of the City Council. The first terms of office of the City Council library board members shall be staggered, such that City Council member no. 1 shall serve for a two year term and City Council member no. 2 shall serve for a three year term. Thereafter, both City Council members shall serve for a term of three years.

Two of the said members shall be from the Door County Board of Supervisors and shall be appointed by the Chairman of the said Board, upon approval by a majority of the Door County Board of Supervisors. The first terms of office of the Door County Board library board members shall be staggered, such that County Board member no. 1 shall serve for a two year term and County Board member no. 2 shall serve for a three year term. Thereafter, both County Board members shall serve for a term of three years.

Three of the members shall be appointed at large, by the Chairman of the Door County Board of Supervisors, upon approval by a majority of the Door County Board. Of the three members at

large, member at large no. 1 shall be appointed from north of the northerly corporate limits of the City of Sturgeon Bay, member at large no. 2 shall be appointed from within the corporate limits of the City of Sturgeon Bay, and member at large no. 3 shall be appointed from south of the southerly corporate limits of the City of Sturgeon Bay. The first terms of office of the three members at large shall be staggered, such that member at large no. 1 shall serve for one year, member at large no. 2 shall serve for two years and member at large no. 3 shall serve for three years. Thereafter, all members at large shall serve for terms of three years.

IV. OWNERSHIP

It is hereby understood and agreed that the ownership of the new Door County Library building shall be joint ownership between the City of Sturgeon Bay and the County of Door, such that each municipality shall own an undivided one-half in the said building and property.

V. OPERATION

It is understood that the costs of maintenance, including janitors expenses, insurance and anything relating to the maintenance of the said building and contents shall be divided equally between the said municipalities. It is understood that all other expenses of operation including salaries of the librarians, the purchase of books, and other expenses not related to maintenance, shall be borne by the County of Door alone.

PROPOSED BY:

S/ Herbert Peterson
Herbert Peterson, Chairman
Door County Board of Supervisors

CERTIFICATION:

I, Norman Stegmann, 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, 1973, by the Door County Board of Supervisors.

Dated this 18 day of December, 1973.

Norman Stegmann
Norman Stegmann
County Clerk
Door County, Wisconsin

DOCUMENT NO

371782

Vol. 258 PAGE 255

371782

This indenture, Made this 7th day of January, A. D. 1977, between CITY OF STURGEON BAY, a municipal Corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, located at Sturgeon Bay Wisconsin, party of the first part, and COUNTY OF DOOR

REGISTER'S OFFICE DOOR COUNTY, WIS. Received for Record the 18 day of January A. D. 1977 at 9:00 o'clock A. M. and recorded in Vol. 258 of RECORDS Page 255 By [Signature] Reg. Dep.

part Y of the second part. Witnesseth That the said party of the first part for and in consideration of the sum of \$1.00 & other good & valuable consideration to it paid by the said part Y of the second part the receipt whereof is hereby confessed and acknowledged, has given, granted, bargained, sold, remised, released, and quit-claimed, and by these presents does give, grant, bargain, sell, remise, release and quit-claim unto the said part Y of the second part, and to its heirs, and assigns forever the following described real estate, situated in the County of Door State of Wisconsin, to-wit:

RETURN TO Clerk [Signature]

An undivided one-half (1/2) of the following described tract:

A tract of land in the City of Sturgeon Bay, Door County, Wisconsin, more particularly described as follows:

Lots One (1), Two (2), Three (3) and Four (4), Block Twelve (12), according to the Assessor's Map of the City of Sturgeon Bay, Door County, Wisconsin.

FEE # 77.25(a) EXEMPT

(IF NECESSARY, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same together with all and singular the appurtenances and privileges thereunto belonging or in any wise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part either in law or equity, either in possession or expectancy of, to the only proper use, benefit and behoof of the said part Y of the second part, its heirs and assigns FOREVER.

In Witness Whereof, the said CITY OF STURGEON BAY party of the first part, has caused these presents to be signed by Orville S. Austad, its Mayor, and countersigned by Francis J. LeRoy, its Clerk-Treasurer, at Sturgeon Bay Wisconsin, and its corporate seal to be hereunto affixed, this 7th day of January, A. D. 1977.

SIGNED AND SEALED IN PRESENCE OF

[Signature: James M. Wardle]

CITY OF STURGEON BAY Orville S. Austad Mayor Francis J. LeRoy Clerk-Treasurer

STATE OF WISCONSIN Door County Personally came before me this Orville S. Austad, Mayor and Francis J. LeRoy, Clerk of the above named Corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary of said Corporation, and acknowledged that they executed the foregoing instrument as such officers of the deed of said Corporation, by its authority.

THIS INSTRUMENT WAS DRAFTED BY Sven V. Kirkegaard, Atty

NOTARY PUBLIC

Notary Public Door County Wis My commission (expires) 12-31-1975

(Section 39.31 (1) of the Wisconsin Statutes provides that all instruments to be recorded shall have plainly printed or typewritten thereon the names of the grantors, grantees, witnesses and notary. Section 39.31(2) similarly requires that the name of the person who drafted the instrument, which drafted such instrument shall be printed, typewritten, stamped or written thereon in a legible manner.)

QUIT CLAIM Deed - By Corporation

STATE OF WISCONSIN FORM No. 13

Wisconsin Legal Blank Company Milwaukee, Wisconsin 53202

MEMORANDUM OF UNDERSTANDING

DOOR COUNTY LIBRARY BOARD/MILLER ART CENTER ALLIANCE

PART I--HISTORICAL

WHEREAS, the nature of all things is change and
WHEREAS, the Door County Library Board (DCLB) finds that they deal with boards and committees which have periodic change of membership and
WHEREAS, records and historical data covering the development of the relationship between the Miller Art Center (MAC) and the Door County Library are scattered among many organizations
THEREFORE, it is prudent to consolidate all information into one verified document for future reference. To this end, efforts were made to find all records and minutes concerning this period, place them into chronological order, assemble all agreements and other pertinent information and develop a memorandum of understanding. This document has been read and approved by parties involved during the formation and development of the association of the Door County Library, its Board and the Miller Art Center. This Memo of Understanding will be used as the official resource for the Library Board in its dealings with the Miller Art Center. All documents referenced have been placed in the appendix in full for additional referral and verification.

In 1964 the Sturgeon Bay Library Board approved \$500 in their 1965 budget to investigate possibilities for expansion of the Sturgeon Bay Library. The Door County Library System was housed in the basement of that building at 354 Michigan Street. The Door County Library Board requested a \$300 budget item for the same purpose but the request was denied by an 18-3 vote of the County Board (minutes-Door County Library Board 10-30-64).

In 1966 the Sturgeon Bay Women's Club organized a Friends of the Library group, headed by Rod Bohn, to gain community support and publicize the need for a "wraparound" addition to the Carnegie library building at 354 Michigan Street. (Miller Art Center 10 year history booklet)

In 1967 the STLB requested a federal grant to build a new building. The grant was turned down when local matching funds were unavailable. (MAC 10 year history)

In September 1970 Gerhard and Ruth Miller transferred to the Sturgeon Bay Library Board the ownership of the Third Avenue building which housed Zoerb's Paint Store. Proceeds from the sale of this building (\$54,822.58) would be used to fund an art gallery with two conditions attached--(1) the art gallery was to be incorporated into a new library buildings and (2) a five year deadline was set for its construction. (MAC 10 year history)

The DCLB appointed a committee to work with a similar city committee to develop plans for the new library to include housing for the Door County Library System headquarters. (DCLB minutes 10-12-70)

The Friends of the Library group reactivated on 10-20-70 as a legal non-profit organization FRIENDS OF THE DOOR COUNTY LIBRARIES with Hervey Hauser, president. Members voted to sponsor a fund raising drive but it did not pick up momentum until 1972 when building plans were completed. In addition to the Miller donation 800 individuals and 40 organizations contributed \$208,448.61 by October 1973. (MAC 10 year history & DCLB minutes 10-12-70)

The Sturgeon Bay City Council (May 16, 1973) and the Door County Board (June 19, 1973 resolution 30-73) passed resolutions concerning distribution of costs and maintenance for the proposed library. "Costs of the building to be constructed, including architectural fees and contingencies will be shared equally by city and county after deduction from total cost any federal aids, foundation grants or funds raised by Friends of the Library."

"After construction, operation shall be placed under jurisdiction of the Door County Library Board and cost of utilities, janitorial services and all necessary maintenance and repairs shall be shared equally by the City of Sturgeon Bay and the County of Door.

December 18, 1973 Door County resolution #71-73 "it has been agreed that the cost of maintenance will be equally shared and the ownership will be joint ownership between the County of Door and City of Sturgeon Bay. Each shall own an undivided half of the building.

It is understood that--costs of maintenance, including janitor's expenses, insurance, and anything relating to maintenance of said building and contents shall be divided equally.

--all other expenses, including salaries of librarians, purchase of books and other expenses not related to maintenance shall be Door County's alone.

At the July 1, 1974 meeting of the Door County & Sturgeon Bay Library Boards a Fine Art Board was established to set policies and supervise operation of the Art Gallery, such policies and plans to be approved by the Library Board. Members appointed were Kenneth Gordon, Richard Conlon, Ruth Miller, James Ingwersen and Al Quinlan, terms beginning July 1, 1974. It was further approved that additional members could be added during the year, if it was found necessary. At the August 5, 1974 meeting three additional members were approved James Brown, Clifford Delorit and Mrs Edward Brandriff. Gerhard Miller had asked Roger Lyons to act as curator of the art gallery and his name was also presented for membership on the committee. (DCLB minutes 7-1-74 & 8-5-74)

The Fine Arts Committee set their short term objectives as

- 1-to raise money for programs connected with the gallery
- 2-to find personnel to act as guides for gallery
- 3-to search for ideas to make this a worthwhile gallery
- 4-to establish a permanent collection
- 5-to sponsor from 4 to 6 cultural events each year

Long term objectives were:

- 1-to act as an educational force in the community
- 2-to further the understanding of art in our lives
- 3-to enlighten the general public (DCLB minutes 8-5-74)

August 14, 1974 County Resolution #50-73 Participation in funding for new library--Total \$596,428.00 divided as \$200,000 (\$54,822.58 Miller gift & \$145,177.42 in other contributions) from Friends of the Library, \$198,214 from City of Sturgeon Bay and \$198,214 from County of Door. No federal or state funding was used. Approval of funding was contingent on establishment of a Library Board which would have seven members--2 from Sturgeon Bay City Council, 2 from the Door County Board and 3 at large members.

October 2, 1974 a budget for the 1975 operation of the art gallery worked out by the Fine Arts Committee was presented to the Library Board. As this was a new project and the library budget was much increased for 1975 it was the consensus of opinion that each budget should be presented individually. (DCLB minutes 10-2-74)

A total of \$1,037.65 has been received by the Friends of the Libraries for art acquisition. Motion was approved to set up a third account to handle art acquisition funding. (DCLB minutes 11-7-74)

Considerable discussion centered around the official name of the art wing, indications are that it will be the Art Center and be treated as another unit of service of the Door County Library, i.e. the bookmobile or any of the individual unit libraries. (DCLB minutes 11-7-74)

At the November 15, 1974 DCLB meeting discussion showed that at the County Board budget meeting the library budget was approved but the art center budget was not. Later in the day the County Board brought the issue back to the floor and allowed the art center budget but eliminated \$11,000 for the bookmobile from the library budget.

Copies of proposed operation guidelines, worked out by representatives of the Friends, Library Board and Art Center were distributed and discussed. (DCLB minutes 11-15-74)

At a special meeting of the Library Board on December 12, 1974 the official name approved for the art center was Miller Art Center. (DCLB minutes 12-12-1974)

The need for a committee to select pictures for the permanent art collection was discussed. It was felt that membership should consist of chairman of the Fine Arts Committee, member of the Library Board, and a community-at-large member. Pictures are to be selected as monies become available through the Friends Art Acquisition fund. (DCLB minutes 2-11-75) At the following meeting a correction to the minutes stated that the committee to select pictures for the permanent art collection shall not be limited to just three members. A list of names for the committee made up by Mrs Ruth Miller was presented. Names submitted included: Murray Schlintz, Frank Pechman, Richard Conlon, Arthur Zuehlke, Gerhard Miller and Leonard Robb. Terms of office were discussed and a three year term was decided upon with re-appointment possible. Terms for the first committee were as follows: 1 year-Murray Schlintz & Richard Conlon; 2 year-Frank Pechman & Leonard Robb; 3 year-Gerhard Miller & Art Zuehlke. (DCLB minutes 3-5-1975)

Statement of purpose of the permanent collection and guidelines as to its composition by the Art Acquisition Committee.

To organize a Committee for acquisition, whose work will be to develop a permanent collection of fine art work, either through such gifts or purchased with permanent art collection funds, that will be exhibited in the Miller Art Center at least once each year and will also be available for loan to galleries where it can promote interest in Door County in general and in the Library and Art Center in particular. (Fine Arts Committee statement 4-11-1975 & DCLB minutes 4-2-75)

DCLB minutes 10-9-75 A recommendation that Roger Lyons be responsible to the Library Board for the operation of the Art Center and hanging of shows with volunteer help for a one year period; that the Fine Arts Committee not be reappointed by the Library Board instead becoming a committee of the Friends of Libraries group starting January 1976, giving them more freedom to raise money, make sales, etc. than was possible under the jurisdiction of the Library Board, was approved unanimously.

It was decided to have utility bills come to the library rather than the county and copies of expenditures through the courthouse maintenance department be sent to the library and that billings for one half of these and any other maintenance costs be sent to the city, probably on a quarterly basis beginning January 1976. (DCLB minutes 10-9-75)

It was reported that the County Board cut the item covering the art center from the 1976 library budget. Further discussions with the county finance committee were called for. Possibilities of obtaining financing by grants was presented with Wisconsin Arts Board mentioned. (DCLB minutes 11-10-75)

Other methods of financing the art center were followed up and the Friends agreed to loan money to finance Roger Lyons help until grant applications were approved and they also sent out letters to selected groups asking for help to bridge the gap. (DCLB minutes 12-8-75)

At the January meeting of DCLB the contract with Roger Lyons & Associates Paint Box Galleries of Sister Bay listing services to the Miller Art Center for 1976 was approved. A grant of \$2,500 from the Wisconsin Arts Board for the Miller Art Center operations was announced and a motion was passed to place the funds in a separate account. It was also decided that rental fees received from loan exhibits owned by the MAC should be deposited in the same account. A letter from Malcolm Vail indicated his intention of presenting the MAC with a concert grand piano and the board accepted the gift. (DCLB minutes 1-12-76)

\$750 raised in a special fund drive by the Friends was turned over to the Library Board for placement in the art center operations fund. Clarification by the Board on the status of the Art Acquisition Committee and the Art Acquisition Fund was requested. Board president, Mrs Klapatch explained that the Art Acquisition Board was appointed by the Library Board in March 1975, since it was felt that the Library Board was a much more on-going board than the Friends might become at some time in the future. So far the funds have been given to the Friends by various donors, and are being held in a segregated fund by them. The Library Board indicated it was willing and able to handle the funds if the Friends so desired. (DCLB minutes 2-9-76)

At the following meeting Richard Conlon reported checking and savings accounts had been set up at the Bank of Sturgeon Bay to handle art center operation expenditures. The Friends group had decided to retain the art acquisition monies donated to them, rather than turning the fund over to the Library Board. (DCLB minutes 3-10-76)

The budget for the MAC for 1977 was presented to the Library Board for consideration. The Board cut the budget from \$1200 to \$600 before including it in the 1977 Library budget. (DCLB minutes 9-28-76)

Copies of the service agreement between the MAC and Paint Box Galleries were accepted and approved for 1979. (DCLB minutes 2-14-79)

Friends of the Door County Libraries raised \$12,000 during 1982 & 1983 to complete the basement interior for use as additional meeting and storage area. (MAC 10 year history)

In June 1983 the Ruth Morton Miller Mezzanine was unveiled and presented to the people of Door County, debt free, to be used for the display of the permanent art collection. Funds for the \$86,000 remodeling costs were raised from private sources, foundation grants and major corporations. The Fine Arts Committee decided to focus the permanent collection on examples of Wisconsin art. (MAC 10 year history)

In 1984 to more fully reflect the scope of the volunteer activities, the Friends of the Door County Libraries changed its name to Friends of the Door County Libraries and Miller Art Center. In November 1984 in concern for the long range security and work of the MAC Ruth and Gerhard Miller made a \$50,000 contribution used to found the Miller Art Center Foundation, Incorporated. This is a nonstock, not for profit corporation to guarantee the long term commitment to excellence at the Miller Art Center. With that in mind, application was made under Section 501 (c) (3) of the Internal Revenue Code and their determination letter was issued on November 3, 1986, declaring contributions deductible from November 31, 1984 onward.

ARTICLES OF INCORPORATION

Executed by the undersigned for the purpose of forming a Wisconsin corporation under the Wisconsin Nonstock Corporation Law, Chapter 181 of the Wisconsin statutes.

Article 1--Name - The name of the corporation is Miller Art Center Foundation, Inc.

Article 2--Existence - The period of existence shall be perpetual.

Article 3--Purpose - The corporation is organized exclusively for charitable, educational and cultural purposes, Its primary purpose shall be to improve, expand and promote the permanent collection and the work of the Miller Art Center, including the award of a grant or other compensation to persons employed to further this purpose. The corporation shall not use any part of its net earnings, income, gains, profits, funds or property for the general maintenance or repair of the Miller Art Center facility at the Door County Library or for any other purpose which is the normal responsibility of the County of Door or its Library Board. (MAC Foundation, Inc. brochure)

Until September 21, 1988 the Friends of the Door County Libraries and the Miller Art Center referred to in this document were a single organization of volunteers working for both the MAC and the libraries, raising funds, donating labor and encouragement to both entities. The size of the organization and the focus of the various members indicated that a separation into two distinct groups, Friends of the Door County Libraries and the Miller Art Center Volunteers would benefit both groups. Better focus on programs, ease of handling financial matters and more efficient operation of each organization were cited as advantages.

Ruth Miller moved that two separate non-profit organizations be formed, one to support the Library and one to support the Miller Art Center. Seconded by Frank Pechman. Discussion followed with views both pro and con. It was pointed out that separate memberships would be required for each organization. A written ballot was taken, and the vote was favorable for the motion (23 to 4). The results of the vote will be brought to the Door County Library Board. (Letter 9-21-1988 from Friends of the Door County Libraries and Miller Art Center signed by Helen Van Akkeren, Secretary)

THEREFORE, we resolve that this Memo of Understanding is the verified, written account of the background and formation of the Miller Art Center and it's alliance with the Door County Library. It provides documentation of agreements and past practices showing the Miller Art Center has been considered an additional unit of service of the Door County Library system as are the bookmobile or the individual unit libraries.

DECEMBER 15, 1994

WE THE UNDERSIGNED, HAVING PARTICIPATED IN THE FORMATION AND DEVELOPMENT OF THE MILLER ART CENTER OR HAVING BEEN A MEMBER OF ONE OF THE BOARDS OR COMMITTEES INVOLVED, DECLARE THAT WE HAVE READ THE CHRONICLE OF EVENTS INVOLVED IN THE AFFILIATION OF THE DOOR COUNTY LIBRARY BOARD/MILLER ART CENTER AND APPROVE THIS MEMO OF UNDERSTANDING AS THE OFFICIAL RECORD OF EVENTS OF THAT TIME.

Gerhard F. Miller

Gerhard Miller

Ruth W. Miller

Ruth Miller

Richard Conlon

Richard Conlon

James Ingwersen

Mary Brandriff

Lynn Klapatch

Jane Greene

Jane Greene

Roger Lyons Dec 16/94

Roger Lyons

Lorraine Mengert

Lorraine Mengert

Grace McCormick

Grace McCormick

Eunice Schlintz

Tom Herlache

Tom Herlache

Harvey Malzahn

Bill Parsons

Bill Parsons

Jeanne Desotelle

Jeanne Desotelle

Colleen Crocker MacMillin

Colleen Crocker MacMillin

Bonnie Oehlert Smith

Bonnie Oehlert Smith

**PURCHASE OF SERVICE
AGREEMENT**

MILLER ART MUSEUM FOUNDATION - DOOR COUNTY LIBRARY

I. PARTIES AND CONTRACT PERIOD

Recognizing the long term relationship of the Miller Art Museum and the Door County Library, we renew this annual agreement to purchase curatorial service. Therefore, this Contract is between Door County Library Board, whose business address is 107 South Fourth Avenue, Sturgeon Bay, WI, hereinafter referred to as Purchaser, and Miller Art Museum Foundation, Inc. whose business address is 107 S. 4th Avenue, Sturgeon Bay, WI, hereinafter referred to as Provider. This Contract is to be effective for the period of *January 1, 2020 through December 31, 2020.*

II. SERVICES TO BE PROVIDED

The Miller Art Museum Foundation shall provide curatorial service. Such Curator of Exhibitions and Collections shall be responsible for the planning, coordinating, installing, and disposition of changing exhibits, including catalogues and publicity. It shall also be responsible for the acquisition, documentation, and conservation of the Miller Art Museum Permanent Collection. The Curator will attend meetings when requested and maintain a limited period of office hours for consultation.

The Miller Art Museum will operate according to approved museum standards.

The Door County Library Board and the Library Director shall approve action of the Curator in the areas covered by this agreement.

Duties referenced by attachment to this document of Curator Job Description.

III. PAYMENT FOR SERVICES

For the services described in Part II, above, the Miller Art Museum Foundation shall be paid a total of \$11,734.00 in twelve equal installments of \$977.83 per month. This payment to underwrite the cost of curatorial services.

IV. OPERATING EXPENSES

The Curator, as agent of the Provider, shall follow established procedures for requests of expenditures.

V. REPORTS

A representative from the Miller Art Museum will present reports of Museum activities to the Door County Library Board at the monthly Library Board meetings.

VI. EQUAL OPPORTUNITY

The Provider shall agree to follow County Policy #140.0 - Equal Opportunity. (See attached.)

VII. CONTRACT REVISIONS / OR TERMINATIONS

Revisions of this Contract must be agreed to by Purchaser and Provider by an addendum signed by the authorized representatives of both parties.

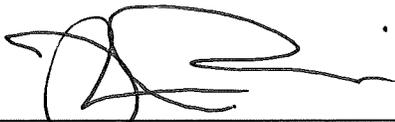
VIII. RESOLUTION OF DISPUTES

Disputes will be resolved by using a mediator agreed upon by the parties prior to going to court.

IX. SIGNATURES

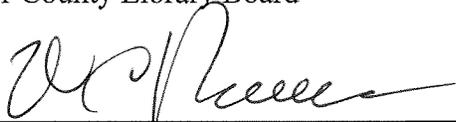
A. This Contract is agreed upon and approved by the authorized representatives of Door County Library Board and Miller Art Museum Foundation as indicated below.

B. This Contract becomes null and void if the time between the Purchaser's authorized representative signature and the Provider's authorized representative signature on this Contract exceeds sixty days.



Door County Library Board

1/20/2020
Date



Miller Art Museum Foundation

1/22/2020
Date

Please find attached concepts, cost breakdown for the first concept with some cost variations that we requested, and the most recent, signed Miller contract.

Disclaimer for the concepts:

An exploratory study for possible renovation was done by HGA and funded by the Library Foundation and Miller Art Museum. Three visionary concepts were presented, none of which are considered feasible as presented. The study is currently on hold.

Tina

Tina Kakuske, MLIS
Director
Door County Library
107 S. 4th Ave.
Sturgeon Bay, WI 54235
920-746-7115 w
920-495-2565 c
doorcountylibrary.org

Concept 1



Concept 2



Concept 3





333 East Erie Street 414.278.8200
Milwaukee, WI 53202 HGA.COM

Sturgeon Bay Library - Miller Art Museum

Scope & Cost Reduction Options

January 24, 2019

		<u>OPTION 1</u>	<u>OPTION 1A</u>	<u>OPTION 1B</u>
SF New		24,005	12,002	19,860
SF Reno		32,371	32,371	32,371
\$/SF New	\$307	\$7,369,535		
\$/SF Reno	\$179	\$5,794,409		\$5,794,409
\$/SF Reno	\$125		\$4,046,375	

<u>Miller Art Museum</u>				
		<u>Basement + 1</u>	<u>1 STORY</u>	<u>1 STORY</u>
SF Addition		8,288	4,145	4,145
\$/SF	\$307	\$307	\$307	\$307
\$/Addition		\$2,544,416	\$1,272,515	\$1,272,515

*45 % glass

<u>Library Addition</u>				
		<u>2 Story</u>	<u>1 Story</u>	<u>2 Story</u>
SF Addition		15,715	7,857	15,715
\$/SF	\$307	\$307	\$307	\$307
\$/Addition		\$4,824,505	\$2,412,099	\$4,824,505

Total SF		56,376	44,373	52,231
Total Construction Cost		\$13,163,330	\$7,730,989	\$11,891,429
Soft Cost (30%)		\$3,948,999	\$2,319,297	\$3,567,429
Total Project - Low Range		\$17,112,329	\$10,050,286	\$15,458,858
15%				
Total Project - High Range		\$19,679,178	\$11,557,829	\$17,777,686



GROTH

**DESIGN
GROUP**

N58 W6181 Columbia Road
P.O. Box 332
Cedarburg, Wisconsin
Ph: 262-377-8001
Fx: 262-377-8003

**Expansion and Improvement
Master Plan Study**

**Door County
Historical Museum**

Sturgeon Bay, Wisconsin

**Project No. 10.039
April 5, 2011**



GROTH
DESIGN
GROUP

Expansion and Improvement Master Plan Study Door County Historical Museum Sturgeon Bay, Wisconsin

April 5, 2011

OVERVIEW

The purpose of this study was to develop a conceptual master plan that addresses the program needs of the Door County Historical Museum as well as determine future expansion potential. Meetings held with the Visioning Work Group and museum staff identified the program needs and their priority. Meetings were also held with city and county officials to verify code and ordinance requirements as well as understand the expectations for the future operation of the facility.

PROGRAM & PRIORITIES

The following are the program needs and considerations that were identified by the Visioning Work Group in their order of priority:

- 1) Archives Space.
- 2) Multipurpose Room.
- 3) Office Space.
- 4) Workshop.
- 5) Gift Shop.
- 6) Exhibit Space.
- 7) Exterior to have "Door County Look".
- 8) Existing building to remain intact.
- 9) Future expansion potential.

Other considerations included accessible toilet rooms, parking needs, security systems, artifact storage, increased technology capability and as many energy efficient features as practical.

BUILDING DATA

Existing Building

- Main Level – 6844 SF
- Lower Level & Basement – 4356 SF

New Additions

- Main Level – 7744 SF
- Basement – 2900 SF

Total Facility

- Main Level – 14,588 SF
- Lower Level & Basement – 7256 SF

CONTENTS

The information that was obtained and developed to comprise the contents of this study is as follows:

Building Program

The written description of the prioritized space needs.

Ordinance, Code & Conditions Summary

The summary of the state and local code requirements for constructing the proposed expansion project on the current museum site.

Concept Plans & Exterior Perspectives

The final conceptual floor plan layouts and exterior design images that show the proposed expansion in relation to the existing museum and site.

Conceptual Budget Summary

The anticipated construction and related costs for the proposed expansion project.

CONCLUSION

In the attempt to identify and address all of the issues associated with the proposed expansion project, two issues remain. The confirmation of the exact amount and depth of bedrock will need to be performed using subsurface geotechnical investigations prior to construction. Historical data indicates bedrock is prevalent across the site and very near the surface. The other issue is the determination of the method for managing storm water runoff from the site that will be acceptable to the City of Sturgeon Bay. Methods ranging from the installation of rain gardens to underground storage systems were discussed. For the purpose of this study, the Visioning Work Group decided that the final resolution for both of these issues would be determined at the time the project would proceed into construction.

Door County Historical Museum

Master Plan Study
Sturgeon Bay, Wisconsin
Project No. 10.039

GROTH DESIGN GROUP

Cedarburg, Wisconsin
04/05/11



BUILDING PROGRAM

PRIORITY	SPACE	QTY	SQ. FT. PER ROOM	SQUARE FOOTAGE	IMMEDIATE NEED	LOWER PRIORITY	COMMENTS/NOTES
1	Archives Space		1,200	1,200	x		Humidity control system not essential. Provide adequate air conditioning system that can maintain steady 65 degree temperature. System should be designed with ability to add humidity control and be expanded.
2	Multipurpose Room	1	1,000	1,000	x		Accommodate 50 to 60 people standing or seated in chairs. Consider folding walls. Used for fund raisers, meetings, presentations, etc. Locate adjacent to entry. Raised platform not necessary. Room to have provisions for projection screen and sound system. If any displays, locate around perimeter of room.
2	Small Kitchen	1	100	100	x		Provide cupboards with single compartment sink and counter large enough to accommodate coffee pots, crock pots, microwave, etc. Also provide space for smaller full size refrigerator.
3	Office	1	120	120	x		Large enough for one work station. Locate adjacent to control desk. Provide shelves for reference books.
4	Workshop	1	500	500	x		Serves as a holding area and storage for cleaning/maintenance supplies and equipment. Provide utility sink and space for a workbench and work table.
5	Gift Shop	1	300	300	x		Provide shelving near control desk for sale of Door County items instead of separate room. Building design should include space for constructing a separate room in the future. Space could be used for exhibits in the meantime.
6	Exhibit Space	1	700	700		x	Additional exhibit space would be nice but not a high priority.

Door County Historical Museum

Master Plan Study
 Sturgeon Bay, Wisconsin
 Project No. 10.039

GROTH DESIGN GROUP

Cedarburg, Wisconsin
 04/05/11



BUILDING PROGRAM

PRIORITY	SPACE	QTY	SQ. FT. PER ROOM	SQUARE FOOTAGE	IMMEDIATE NEED	LOWER PRIORITY	COMMENTS/NOTES
7	Men's Toilet Room	1	125	125	x		Provide ADA accessible toilet room.
7	Women's Toilet Room	1	200	200	x		Provide ADA accessible toilet room.
	Mechanical Space	1	200	200	x		
	IT Closet	1	60	60	x		Provide dedicated space for fiber optic and other technology equipment serving the facility.
	Artifact Storage	1	500	500		x	Current artifact storage in basement adequate for the time being.
	Archives Research Room	1	900	900		x	
	Entry	1	250	250	x		
TOTAL NET SQUARE FOOTAGE				6,155			

Door County Historical Museum

Master Plan Study
 Sturgeon Bay, Wisconsin
 Project No. 10.039

GROTH DESIGN GROUP

Cedarburg, Wisconsin
 04/05/11



BUILDING PROGRAM

PRIORITY	SPACE	QTY	SQ. FT. PER ROOM	SQUARE FOOTAGE	IMMEDIATE NEED	LOWER PRIORITY	COMMENTS/NOTES
	BUILDING MULTIPLIER 25%			1,540			
	TOTAL BUILDING SQUARE FOOTAGE			7,695			

GENERAL COMMENTS

1. Address concern for providing supervision of all display areas from control desk.
2. Consider relocating or revamping the Theater. Check if there are any ADA issues because people in wheelchairs have difficulty turning the corner into the Theater.
3. Entry needs to be impressive, whether existing main entry is maintained or a new main entrance is provided.
4. Need to provide one entry for ease of controlling access and security.
5. Consider making the existing south entrance the new main entry because it is at grade level and would be on an accessible route from potential parking area.
6. Due to grade change, investigate feasibility of entering on the east at the upper display level.
7. HVAC system is digitally controlled. Investigate if existing four furnace system can be combined into a one furnace system.
8. Facility is served by fiber optic. Recommend providing a separate 8'x8' closet centrally located in remodeled facility.
9. Archival storage is the emphasis for the project. Need to plan for the future and focus on digitizing information.
10. Consider digital video camera system for surveillance and security.



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ORDINANCE, CODE & CONDITIONS SUMMARY

April 5, 2011

Door County Historical Museum
Sturgeon Bay, WI

CITY ZONING ORDINANCES

Zoning: C-2 Central Business District

- Museums are a permitted use.

Minimum Lot Area: 6000 SF

Minimum Lot Width: 70'

Existing Site: 150' x 192.71' = 28,906.5 SF (0.66 acres)

Setbacks:

- Street Yard – 15'
- Side Yard – 5'
- Rear Yard – 25'

Buildable Area: 19,852.3 SF

Height Regulations:

- Maximum Building Height – 45'

Parking – Off-street parking requirements are waived in the area of the central business district that the museum is located.

Landscaping Requirements

- Landscaping plan to be submitted as part of the approval process.
- Landscaping to be used to break up parking areas, soften appearance of large walls, improve streetscape, provide pedestrian amenities, provide buffer for adjoining residential uses, and lessen amount of impervious surfaces.
- Provide screen walls matching building exterior or opaque landscaping at mechanical equipment, refuse containers and outdoor storage areas.
- Provide street trees along adjoining public rights-of-way at a rate of one tree per 50 feet.
- Provide landscaped areas at least ten feet wide along 30 percent of building's total perimeter.

Waterfront Redevelopment District

- Design review required for projects located in Waterfront District.
- Original museum parcel is located within district, but two recently acquired parcels are not.

- Alterations to the original museum are required to be submitted for approval, but development on the recently acquired parcels is not.
- Submitting expansion plans to the design board for review and approval is recommended.

Site Plan Review

- Final site plans are required to be submitted to the City of Sturgeon Bay for review.
- Staff review only.
- Scheduling a preliminary review prior to final submittal is available.

Stormwater Management Measures

- Sediment control.
- Slow down flow of stormwater leaving site.
- Achieve 40% reduction of suspended solids.
- Consider installation of rain gardens for infiltration of stormwater.
- Investigate installation of rain barrels and/or underground storage systems.
- Rain gardens/rain barrels could be promoted as both an educational and creative approach to stormwater management.
- Will be given credit for previous impervious surfaces from former house on site.
- Will need to provide more detention if piping stormwater – existing storm sewer system is overloaded.

STATE CODE REQUIREMENTS

Occupancy Classification: Assembly A-3

Construction Type: Type 5B – Wood Frame

Non-Sprinklered Building (initial allowable area + frontage increase)

- Maximum Height: 40'
- Maximum Number of Stories: 1
- Allowable Area: 7140 SF per story

Sprinklered Building (initial allowable area + frontage increase + sprinkler increase)

- Maximum Height: 60'
- Maximum Number of Stories: 2
- Allowable Area: 25,140 SF per story

Sprinklering Required If:

- Exceed 12,000 SF
- Occupant Load is 300 or more persons
- Fire area located on floor level other than level of exit discharge

GENERAL OBSERVATIONS

Overall the building appears to be very well maintained and in good condition. The following items, however, were observed and should be repaired to prevent further deterioration:

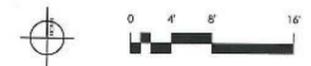
- Tuckpoint stone piers each side of main entry stair.
- Replace cracked glass block.
- Paint fascia, soffit and louvers where paint is chipped and weathered.
- Replace southeast door that is delaminating.



GROTH APRIL 5, 2011

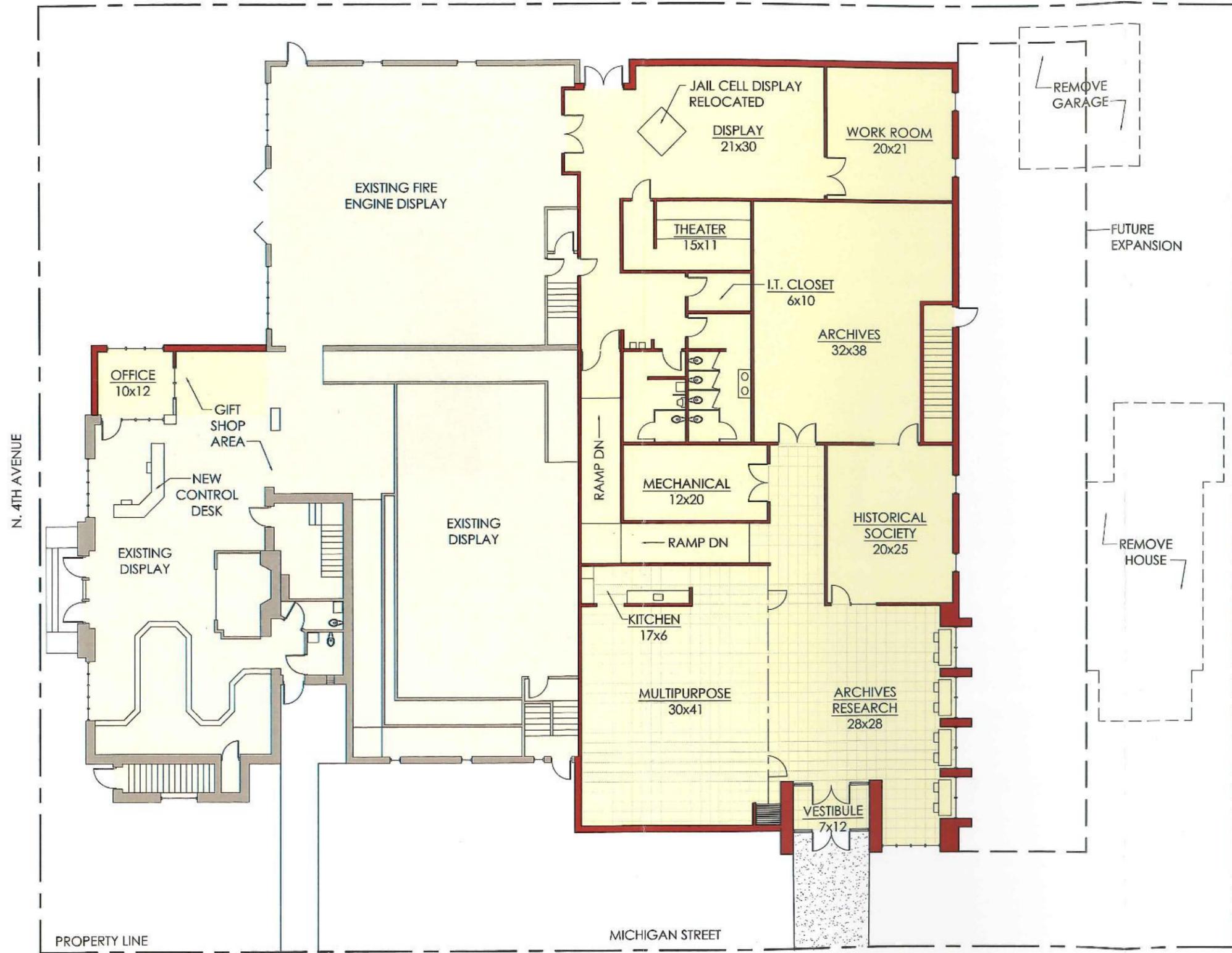
DESIGN
GROUP

BASEMENT PLAN

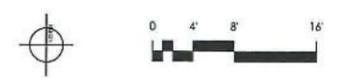


DOOR COUNTY HISTORICAL MUSEUM

STURGEON BAY, WI



FIRST FLOOR PLAN



DOOR COUNTY HISTORICAL MUSEUM



GROTH APRIL 5, 2011

DESIGN GROUP

STURGEON BAY, WI



NORTHWEST PERSPECTIVE



SOUTHWEST PERSPECTIVE



SOUTHEAST PERSPECTIVE

DOOR COUNTY HISTORICAL MUSEUM

STURGEON BAY, WI



GROTH APRIL 5, 2011

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CONCEPTUAL BUDGET SUMMARY

Expansion and Improvement Master Plan Study
Door County Historical Museum
Sturgeon Bay, Wisconsin

April 5, 2011

Construction Cost	\$1,694,943
<ul style="list-style-type: none"> • Includes \$67,520 Allowance for Bedrock Removal 	
Fees & Testing Services	\$335,975
<ul style="list-style-type: none"> • Architectural & Engineering Fees • General Contractor Fees • Civil Engineering Fees • State and Local Approval Fees • Utility Fees • Soil Borings • Asbestos & Lead Paint Testing Fees • Printing Costs 	
Furnishings & Equipment	\$32,500
Contingency	\$135,600
Storm Water Management Allowance	\$75,000
Landscape Allowance	\$5,000
Project Cost	\$2,279,018*

*Costs not included: Asbestos and Lead Paint Removal
Contaminated Soils Removal
Security System
Builder's Risk Insurance



Youunkers Building Renovation Study

Facility and Parks Meeting | May 28, 2020

PROJECT HISTORY AND PROGRESS

The County Archives The Younkers Building





HISTORICAL MUSEUM MASTERPLAN OF 2011

First Priorities

1. Archive Space
2. Multipurpose Room
5. Gift Shop



ARCHIVE GOALS

Unite collections

- 750 cubic feet today
- Anticipated growth

Preserve collections

- Temperature
- Humidity

Achieve accessibility

Accommodate researchers

Engage public

Support historical societies

BUILDING GOALS

Mixed use project

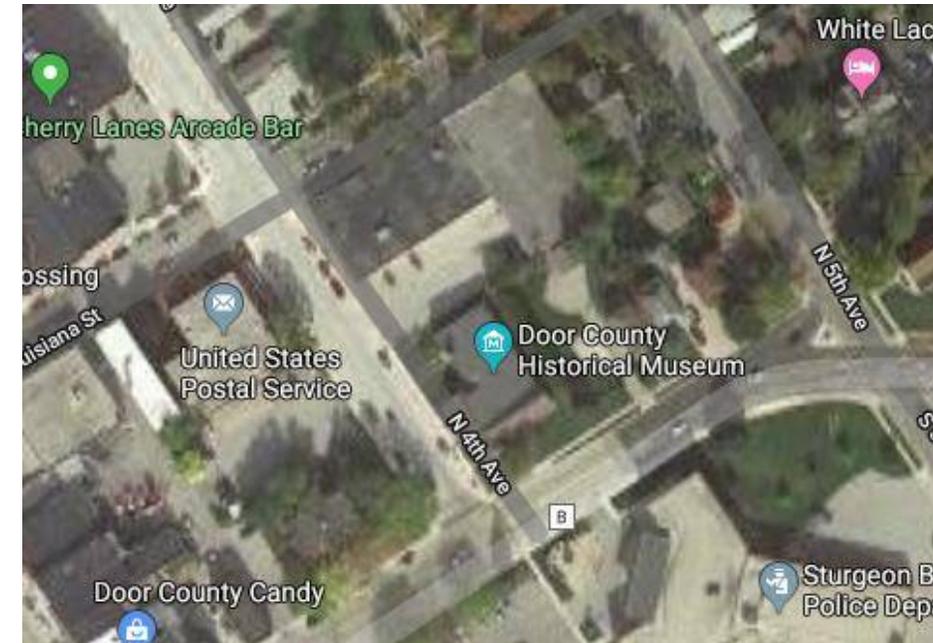
Create a community asset

Draw people to the building

Support mission of archive

Support mission of museum

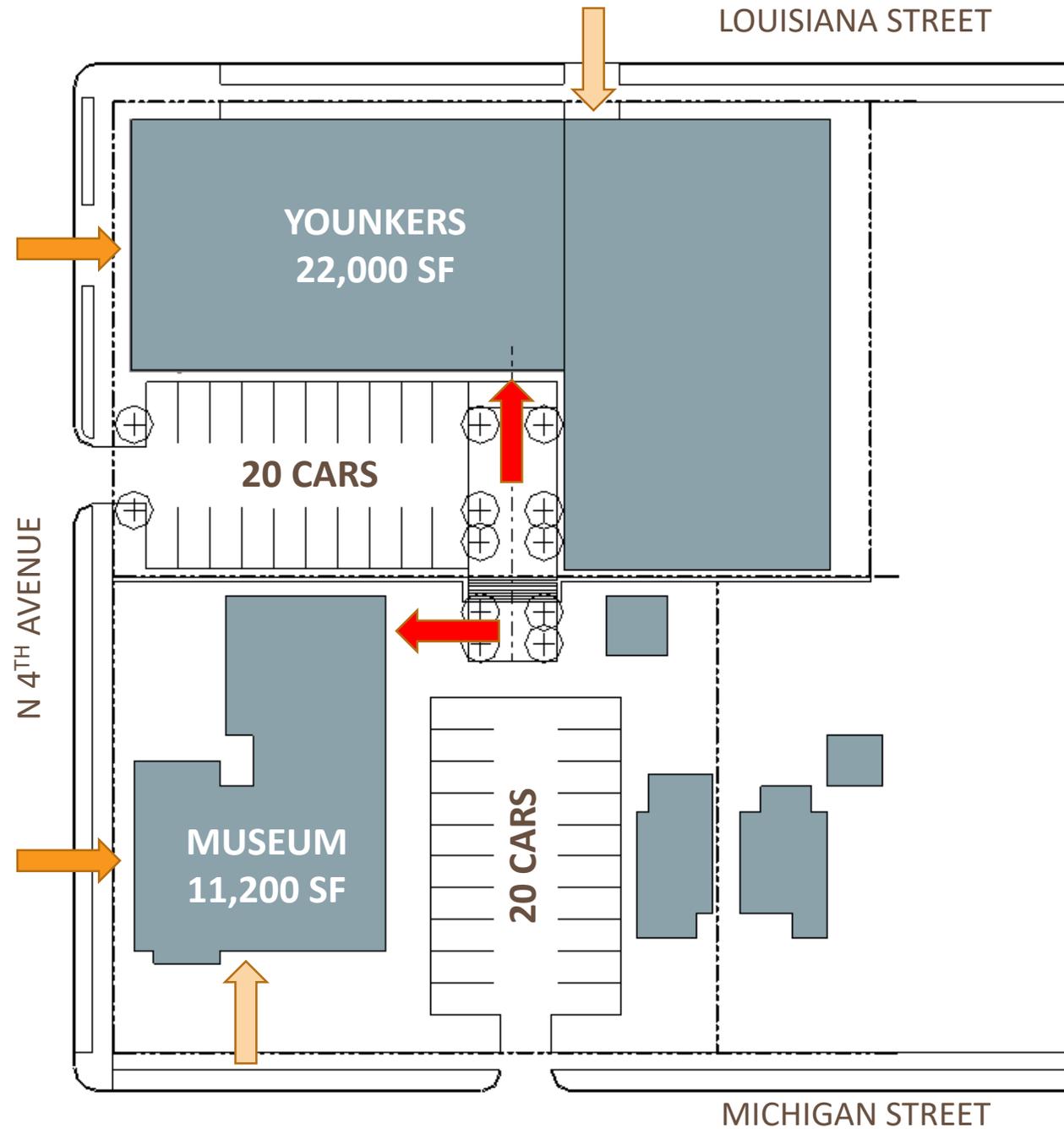
Provide income to offset costs



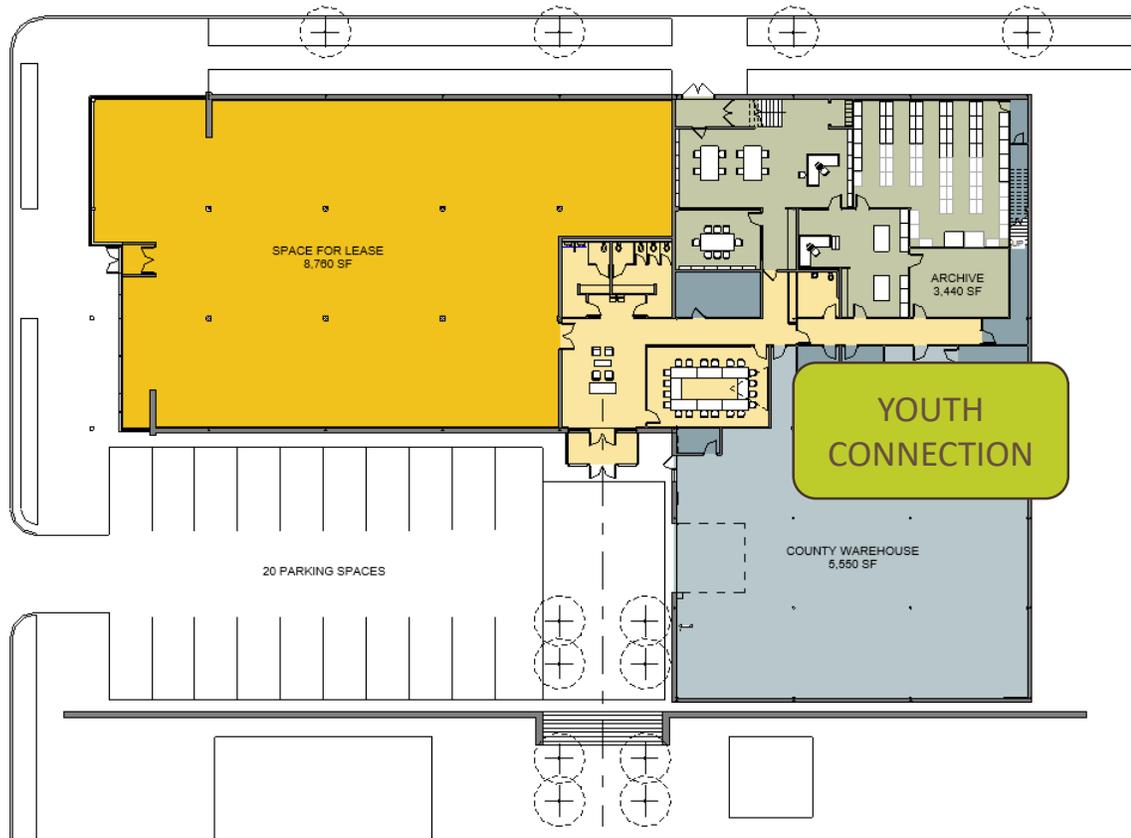
EXPLORATION OF ALTERNATIVES

Mixed-Use Potential
Building Layout Options
Building Image Options











A



B



C



A

2nd Place

6 votes for 1st
6 votes for 2nd
4 votes for 3rd



B

3rd Place

4 votes for 1st
1 votes for 2nd
11 votes for 3rd



C

1st Place

8 votes for 1st
8 votes for 2nd
0 votes for 3rd



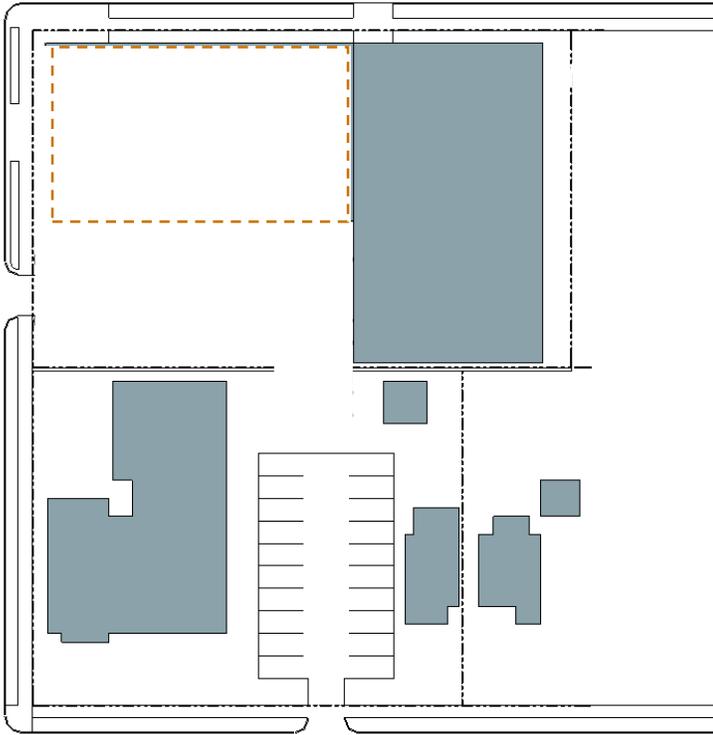
door county space for lease





PROJECT SUMMARY		FULL PROJECT	REDUCED COST
TOTAL COST:		6,066,376	5,121,909
A	CONSTRUCTION COST (See detailed breakdown)	FULL PROJECT	REDUCED COST
1	Existing Conditions	\$ 141,537	\$ 141,537
2	Divisions 3-8	\$ 1,296,611	\$ 1,291,120
3	Divisions 9-11 <i>(Includes scope corrections)</i>	\$ 578,039	\$ 578,039
4	Fire Suppression	\$ 82,633	\$ 82,633
5	Plumbing	\$ 136,763	\$ 136,763
6	HVAC	\$ 928,241	\$ 928,241
7	Electrical	\$ 686,006	\$ 686,006
8	Communications <i>(Includes scope corrections)</i>	\$ 47,758	\$ 47,758
9	Safety & Security <i>(Includes scope corrections)</i>	\$ 130,651	\$ 130,651
10	Earthwork	\$ 34,476	\$ 34,476
11	Exterior Improvements	\$ 183,668	\$ 183,668
12	Utilities	\$ 47,878	\$ 47,878
13	Archive Tenant Improvements	\$ 370,856	\$ 370,856
14	Parking Lot - Resurface Asphalt	\$ -	\$ 34,666
15	Parking Lot - Permeable Pavers, Trees, Bollards, Lights	\$ -	\$ (248,413)
16	Archive Entry Feature	\$ -	\$ (31,771)
17	North Entry Canopy	\$ -	\$ (5,491)
18	From Concord Estimate 2/20/2020	\$ 4,665,117	\$ 4,408,616

PROJECT SUMMARY		FULL PROJECT		REDUCED COST
		TOTAL COST:		5,121,909
B ADDITIONAL CONSTRUCTION COSTS			HIGH	LOW
8	Abatement		\$ 20,000	\$ 20,000
1	FFE - Archive Furnishings		\$ 113,250	\$ 53,700
4	FFE - Shared Conference Room		\$ 15,000	\$ 5,000
5	Solar Array at Roof (140-150 kilowatt system)		\$ 534,307	\$ -
6	Electrical - Pad Mounted Transformer		\$ 25,000	\$ -
7	ATT & Cable		\$ 20,635	\$ -
9	Construction Testing	none	\$ -	\$ -
10	TOTAL		\$ 728,192	\$ 78,700
C SOFT COSTS				
1	AE Design Fees (8% of A1 less Concept Design Fee)	8%	\$ 340,809	\$ 320,289
2	Site Survey (for parking improvements)	allowance	\$ 2,000	\$ 2,000
3	Geotechnical Report (for parking drainage design)	allowance	\$ 2,000	\$ 2,000
4	Plan Review Fee		\$ 1,700	\$ 1,700
6	Builder's Risk Insurance	2%	\$ 93,302	\$ 88,172
7	Owners Contingency	5%	\$ 233,256	\$ 220,431
5	Moving Allowance	by City	\$ -	\$ -
7	TOTAL		\$ 673,068	\$ 634,592



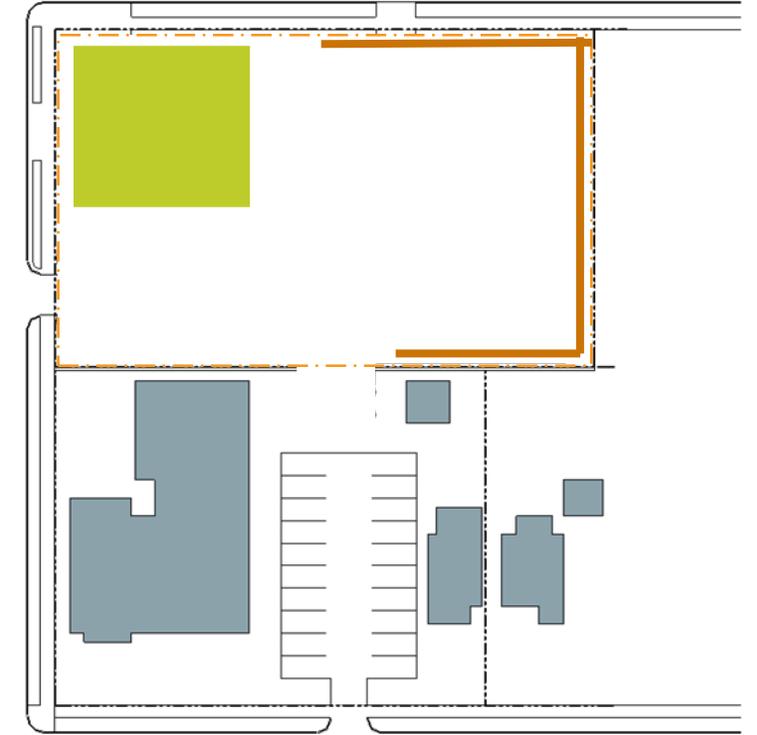
REDUCTION (\$3.51 million)

Demolish low building
Remodel high building for
Archive & Youth Connection
11,850 square feet



REPLACEMENT (\$4.66 million)

Demolish existing structure
Build replacement building
Archive & Youth Connection
10,000 square feet



REPLACEMENT (\$2.93 million)

Demolish existing structure
Build replacement building
Archive & retaining wall
5,000 square feet

DOOR COUNTY ARCHIVE

EA Project No. 193078

April 9, 2020

		RENOVATION	REDUCTION	REPLACEMENT	REPLACEMENT	
PROJECT SUMMARY		AREA IN SF	22,300	11,850	10,000	5,000
1	Demolition Cost	\$ -	\$ 104,500	\$ 223,000	\$ 223,000	
2	Structure & Enclosure	\$ -	\$ 84,000	\$ 1,250,000	\$ 625,000	
3	Interiors & Systems	\$ 4,400,000	\$ 2,370,000	\$ 2,000,000	\$ 1,000,000	
4	Sitework	\$ 266,000	\$ 400,000	\$ 500,000	\$ 600,000	
5	Construction Subtotal	\$ 4,666,000	\$ 2,958,500	\$ 3,973,000	\$ 2,448,000	
6	Additional Costs	\$ 194,000	\$ 194,000	\$ 194,000	\$ 194,000	
7	Soft Costs	\$ 673,000	\$ 357,905	\$ 489,790	\$ 291,540	
8	Total Project Cost	\$ 5,533,000	\$ 3,510,405	\$ 4,656,790	\$ 2,933,540	
9	Solar Array	\$ 534,000				
		\$ 6,067,000				

QUESTIONS?

