

**Oneida County Board of Supervisors  
Annual Budget Meeting – November 15<sup>th</sup> 2011  
County Board Room – 9:30 am**

---

**Chairman Cushing called the meeting to order at 9:30 a.m. in the County Board Meeting Room at the Oneida County Courthouse. There was a brief moment of silence for our troops here and overseas, followed by the Pledge of Allegiance.**

**MEMBERS PRESENT:** Supervisors: Gary Baier, Greg Berard, Ted Cushing, Paul Dean, Billy Fried, David Hintz, John Hoffman, Scott Holewinski, Jack Martinson, Matt Matteson, Bob Metropulos, David O'Melia, Sonny Paszak, Carol Pederson, Thomas Rudolph, James Sharon, Denny Thompson, Michael Timmons, Romelle Vandervest, Peter Wolk and John R. Young.

**# OF MEMBERS PRESENT: 21  
SUPERVISORS EXCUSED: 0**

**OTHERS PRESENT:** Marge Sorenson, Finance Director; Mary Bartelt, County Clerk; Melodie Gauthier, Chief Deputy Clerk; Ken Kortenhof, Emergency Management Director; Dianne Jacobson, Department on Aging Director; Linda Conlon, Public Health Director; John Bilogan, Forestry Director; Jeff Hoffman, Sheriff; Kris Ostermann, Treasurer; Mike Romportl, Land Info. Director; Karl Jennrich, Planning and Zoning Director; Erica Brewster, Ginger Terzinski, Saydee Terzinski, Naomi Zwiers, Kim Swisher, Doug Evers, Dennis O'Brian

**Announcements by Chair, Correspondence and Communications**

Sign Attendance Form at the Podium.

Please Use Microphones When Speaking.

Special County Board Meeting Scheduled for **Wed. Dec. 14, 2011.**

Chairman is resigning as Administrative Coordinator pursuant to Attorney General Opinion issued October 27, 2011.

**MOTION: O'Melia/Vandervest to accept the resignation of Chairman Cushing as Administrative Coordinator pursuant to Attorney General Opinion issued October 27, 2011. All "aye" on voice vote, motion carries.**

**Accept the minutes of the October 18<sup>th</sup>, 2011 Regular County Board Meeting.**

**MOTION: Hoffman/Matteson to accept the minutes of October 27, 2011 Regular Meeting.** Supervisor Rudolph corrected Page 2; line 1 striking the word "committee" and adding the word "Board".

**All "aye" on voice vote, motion carries.**

**Commence public hearing on the Oneida County 2012 proposed budget. Accept/consider comments and/or correspondence from the public and take whatever action is deemed necessary. Close public hearing and continue with agenda items.**

**Public on Annual Budget Only:**

Supervisor Thompson introduced Doug Evers – Town of Cassian. Mr. Evers came before the Board to discuss taxes on small business and the community in general. He states he is opposed to the County raising taxes 8% and feels the Community can not handle more taxes at this time of low employment and high foreclosures. He would like to see the Board decrease and not increase taxes for Oneida County.

Kim Swisher, Naomi Zwiers, Saydee Terzinski, Ginger Terzinski and Erica Brewster all discussed U. W. Extension and 4-H program stating the youth needs the 4-H program and would like the

Board to reconsider any elimination of this program. Discussed were also some of the programs and opportunities the 4-H youth act upon for the community.

Supervisor Rudolph introduced Erica Brewster, Family Living Agent with U. W. Extension who discussed U.W. Extension support staff, Oneida County fair, and the move from the Airport to the Courthouse which will help streamline the U.W. Extension budget for the following year. Ms. Brewster thanked the Board for their support of the U. W. Extension programs and asked them for continued support.

**Annual Meeting Issues:**

Fix compensation for County Board Members pursuant to Ordinance Section 1.01(4):

*"The County Board shall, at its annual meeting by a 2/3 vote of the members entitled to a seat, fix the compensation of the Board members to be next elected"*

Sorenson briefly went over the Schedule of Substantial Changes to the Gross Tax Levy for 2012 and the Oneida County's 2012 Annual Budget Summary stating:

Gross Expenses	\$47,043,446
Gross Revenues	\$31,585,682
Tax Levy	\$15,457,764
Increase in Tax Levy	\$393,853 or 2.6%
Decrease in equalized value	5.1%
Equalized Value Increase in Tax Rate	\$.16/\$1000
Increase in Tax Rate %	7.8%
Below the 2012 Levy Limits	\$500

**MOTION:** Holewinski/Thompson to reduce County Board per-diems \$5.00 across the board, saving approximately \$10,000 for 2012 and approximately \$13,500 for 2013, to take affect for the next cycle of County Board members after April 2012 election.

**ROLL CALL VOTE (2/3 vote needed):** 14 Ayes 7 Nays – Matteson, Hoffman, Rudolph, Dean, Martinson, Sharon, and Metropulos.

**MOTION-** Carries

**MOTION:** Holewinski/Martinson to combine the two account clerk positions (Department on Aging with Public Health) to make one position and add \$51,890 to the vacancy review.

Jacobson- Director of DOA, and Colons – Health Director both came in front of the County Board to discuss motion.

**ROLL CALL VOTE:** 7 Ayes, 14 Nays- Young, Dean, Matteson, Berard, Sharon, Pederson, Hoffman, Vandervest, Rudolph, Paszak, Wolk, O'Melia, Metropulos and Martinson.

**MOTION -** Fails

**MOTION:** Baier/Thompson to reduce the cost of living increases by freezing (Wage and Fringe) by \$250,000 exempting a freeze on any steps.

**ROLL CALL VOTE:** 5 Ayes, 15 Nays – Rudolph, Pederson, O'Melia, Berard, Young, Martinson, Timmons, Holewinski, Vandervest, Dean, Metropulos, Matteson, Paszak, Hintz, and Cushing, 1 Abstain – Sharon

**MOTION:** Fails

**MOTION:** Baier/Berard to reduce (\$82,000) \$12,000 (Maintenance) from the Townline Park for maintenance and reduce \$70,000 from the bathrooms/infrastructure and the boat landing to reduce the levy.

**ROLL CALL VOTE:** 21 Ayes, 0 Nays

Bilogan discussed this motion with the County Board stating they would need some monies for the teardown of the restrooms, He also stated due to the milfoil in the lake, there is not much fishing or swimming. More discussion took place.

**MOTION:** Rudolph/ no second to amend the motion and send it back to the Committee. Can not send this back to the committee/ ruled out of order.

**MOTION:** Baier/Berard to amend the first motion to change the proposed total amount of \$82,000 to \$70,000.

**ROLL CALL VOTE ON AMENDED MOTION:** 20 Ayes, 1 Nay – Rudolph.

**MOTION-** Carries.

BREAK FOR LUNCH 12:20 pm TO 1:30 pm.

CHAIRMAN CUSHING CALLED FOR THE COUNTY BOARD ANNUAL BUDGET MEETING TO RECONVINE AT 1:30 pm.

Supervisor Pederson and Timmons – excused 1:30 pm.

**MOTION:** Holewinski/Paszak to apply \$10,000 from Program Income from the Senior Nutrition Program/administration cost (Department on Aging) to the levy.

**ROLL CALL VOTE:** 18 Ayes, 1 Nay – Dean, 2 Absent – Pederson and Timmons

**MOTION** – Carries.

**MOTION:** Holewinski/ O’Melia to reduce mileage to .45 cents a mile from .55 cents with a savings of \$25,000 in 2012, exempting the Department on Aging volunteer drivers which receive the federal rate.

**ROLL CALL VOTE:** 16 Ayes, 3 Nays – Young Martinson and Rudolph, 2 Absent – Pederson and Timmons.

**MOTION** – Carries.

**MOTION:** Holewinski /Baier to reduce the AIS Coordinator to a 50% position and combine this position with Vilas County to make 1 AIS Coordinator position for both counties. A savings of \$20,723.

**ROLL CALL VOTE:** 5 Ayes, 14 Nays – Hoffman, Young, Rudolph, Berard, O’Melia, Paszak, Wolk, Dean, Metropulos, Hintz, Vandervest, Matteson, Martinson and Cushing, 2 Absent – Timmons and Pederson.

**MOTION** – Fails.

**MOTION:** Holewinski/Baier to eliminate the Planning and Zoning Permit Specialist position. A saving of \$62,852.

**ROLL CALL VOTE:** 14 Ayes, 5 Nays - Metropulos, Young, Rudolph, Dean and Matteson. 2 Absent – Pederson and Timmons

**MOTION** – Carries.

**MOTION:** Holewinski/Thompson to eliminate the Zoning Tech. Position in March of 2012 and create an LTE position for 600 hrs.

**ROLL CALL VOTE:** 18 Ayes, 1 Nay – Dean, 2 Absent – Timmons and Pederson

**MOTION** – Carries.

**MOTION:** Holewinski/ O’Melia to apply \$174,000 from the Forestry, Land and Recreation Land Purchase Account along with \$70,000 for Townline Lake, which is reserved every year. \$244,000 will be applied to the tax levy, eliminating the county reserve fund for land purchasing. This in turn will increase the budgeted revenues by \$60,000.

Sorenson stated that 10% of that fund must be kept in that fund for all the townships.

**ROLL CALL VOTE:** 17 Ayes, 2 Nays – Young and Rudolph, 2 Absent – Timmons and Pederson.

**MOTION:** Fried/ Baier to restore \$10,000 to the Sheriff’s budget for the Minocqua dispatch, an increase prisoner of revenue \$10,000.

**ROLL CALL VOTE:** 10 Ayes, 9 Nays – Young, Rudolph, Berard, O’Melia, Paszak, Thompson, Dean, Metropulos and Matteson. 2 Absent- Pederson and Timmons.

**MOTION:** Metropulos/ Baier to accept the County Board Annual Budget as presented. Motion ruled out of order. Waiting on Finance Director to return with figures on the changes.

**REPORTS**

Treasurer’s Annual Report

**MOTION:** Hoffman/Martinson to accept the Treasurer’s Annual Report. All “aye” on voice vote, motion carries.

**PRESENTATIONS** - None

**UNFINISHED BUSINESS** - None

**PUBLIC COMMENT** - None

**CONSIDERATION OF RESOLUTIONS & ORDINANCES**

**RESOLUTION # 70-2011**

Resolution offered by Supervisors of the Finance Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**NOW, THEREFORE, BE IT RESOLVED THAT** the following Oneida County checks, being one year old or more, shall be written off the outstanding check record and shall be credited to the accounts of Oneida County by the Oneida County Treasurer with the exception that unclaimed wages outstanding longer than one year shall be reported and remitted pursuant to the State of Wisconsin’s Unclaimed Property law, Chapter 177.

<u>Check Number</u>	<u>Date</u>	<u>Check Amount</u>	<u>Name</u>
245319	10/08/09	1.68	Runnerstrom, Robert
246219	10/29/09	99.68	Howard Young Medical Ctr, Inc
246251	10/29/09	52.50	Tosi, Meghann
246252	10/29/09	16.32	Smart, Ashley M
246330	10/30/09	30.00	Bowman, Chelsey
246339	10/30/09	1.75	Flory, Bridger
246341	10/30/09	2.75	Hoehn, Hans
246348	10/30/09	3.00	May, Kiersten
246349	10/30/09	2.00	Padgett, Ellen
246358	10/30/09	3.00	Skinner, Ravyn
246361	10/30/09	3.00	Von Oepen, Molly
246886	11/12/09	164.02	Sommers, Roberta
252030	04/09/10	36.54	Thunder Lake Protection & Reha
252841	04/29/10	490.00	AHMSI
253115	05/06/10	45.00	Krug, Elizabeth

253303	05/13/10	500.00	Schoepke, Donald
253771	05/27/10	15.36	Mc Laughlin, James E
254054	06/03/10	.72	Eades, Tammy
254251	06/10/10	10.00	Dumpprope, Mary
254775	06/24/10	12.96	Patterson, Carol
256467	08/12/10	335.24	De Walt, Louaina
256589	08/12/10	12.48	Lafferty, Irene
257017	08/26/10	69.66	Carlson, Frank D
257651	09/16/10	16.20	Zamber, Jennifer M
257685	09/16/10	285.11	Probst, Lynn
257784	09/16/10	100.00	Dalton, Virginia & UW Madison

Approved by the Finance Committee this 10th day of October 2011.  
Offered and passage moved by Supervisors: Cushing, Young, Wolk, Hoffman and Hintz.

**MOTION: Vandervest/Martinson to waive the reading of Resolution #70-2011. All “aye” on voice vote, motion carries.**

**MOTION: Cushing/Hintz to amended Resolution #70-2011 by removing line #58 “Seconded by:”**

**ROLL CALL VOTE: 19 Ayes, 0 Nays, 2 Absent – Timmons and Pederson**

Supervisor Fried - Excused

**ROLL CALL VOTE ON AMENDED RESOLUTION #70-2011: 18 Ayes, 0 Nays, 3 Absent- Fried, Pederson and Timmons.**

**RESOLUTION #70-2011 - ADOPTED**

**RESOLUTION #71-2011**

Resolution offered by Supervisors of the Finance Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, the governing body of each county is required by secs. 34.05 and 59.61, Wis. Stats. to designate, by resolution, one or more public depositories, organized and doing business under Wisconsin or U.S. laws and located in Wisconsin; and

**WHEREAS**, one or more county depositories is required to be designated as a “working bank” under sec. 59.61, Wis. Stats., and Associated Bank North located at 8 West Davenport Street in the City of Rhinelander, Wisconsin has been so designated; and

**WHEREAS**, every federal or state credit union, state bank, federal or state savings and loan association, savings and trust company and mutual savings bank and every national bank, located in this State which complies in all respects as to public deposits with Chapter 34, Wis. Stats. and which will accept payments made by the State under sec. 16.412, Wis. Stats., may be designated as a public depository and may receive and hold public deposits; and

**WHEREAS**, all those banks, credit unions, savings and loan associations, trust companies and mutual savings banks which are state and federally chartered and are located in the State of Wisconsin, are qualified to be a public depository of County funds not immediately needed which funds may be invested in time deposits by the Investment Officer under the authority granted by secs. 59.61, 59.62, Wis. Stats., and sec. 1.13 of the Oneida County General Code.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that it hereby designates all those banks, credit unions, savings and loan associations, trust companies and mutual savings banks chartered under state and U.S. laws and located in the State of Wisconsin, and the Local Government Investment Pool as County depositories under secs. 59.61 and 34.05, Wis. Stats.

For purposes of enumeration, the financial institutions named below have made a specific request to be named an Oneida County depository and are so designated by way of this resolution:

Associated Bank NA, 8 W Davenport St., Rhinelander, WI 54501

Associated Bank, Minocqua Branch, 8751 Highway 51N & 70W, Minocqua, WI 54548

BMO Harris Bank, N.A., 7 N Brown St., Rhinelander, WI 54501

Citizens Bank, 5597 Highway 10E, Stevens Point, WI 54481

CoVantage Credit Union, 502 W Pioneer St., Crandon, WI 54520-0365  
First National Bank of Eagle River, 400 East Wall St., Eagle River 54521  
First National Bank of Eagle River, 1811 Superior St. Three Lakes, WI 54562  
First National Bank of Eagle River, 240 Hwy 70 W, St. Germain, WI 54558  
M&I Marshall & Ilsley Trust Company, 500 Third St., Wausau, WI 54402-0209  
Mid-Wisconsin Bank, 2170 Lincoln St., Rhinelander, WI 54501-0619  
Northwoods National Bank, 1255 Lincoln St., Rhinelander, WI 54501  
Park City Credit Union, 151 S. Courtney St., Rhinelander, WI 54501  
Peoples State Bank, 8 E Anderson St., Rhinelander, WI 54501  
Tomahawk Community Bank, SSB, 15 East Washington Ave, Tomahawk, WI 54487  
Ripco Credit Union, 121 Sutliff Ave., Rhinelander, WI 54501  
River Valley Bank, 8590 Hwy 51 N, Minocqua, WI 54548  
US Bank, N.A., 9670 Hwy 70 W, Minocqua, WI 54548

This resolution shall be effective for the term of one year, beginning November 9, 2010.

Approved by the Finance Committee this 11th day of October 2010.

Offered and passage moved by: Supervisors Cushing, Hoffman, Young, Hintz and Wolk.

**MOTION: O'Melia/Vandervest to waive the reading of Resolution #71-2011. All "aye" on voice vote, motion carries.**

**MOTION: Cushing/O'Melia to amend Resolution #71-2011 by removing line #72 "Seconded by:"**

**ROLL CALL VOTE: 18 Ayes, 0 Nays, 3 Absent – Pederson, Timmons and Fried**

**ROLL CALL VOTE ON AMENDED RESOLUTION: 18 Ayes, 0 Nays, 3 Absent – Pederson, Timmons and Fried.**

**RESOLUTION #71-2011 - ADOPTED**

#### **RESOLUTION #72-2011**

Resolution offered by Supervisors of the Finance Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, pursuant to sec. 59.62(1)(2), Wis. Stats., the Oneida County Board may delegate to any officer or employee any authority assigned by law to the Board to invest County funds. Further, if the Board delegates authority under this section, the Board shall periodically review the exercise of the delegated authority by the officer or employee.

**WHEREAS**, pursuant to Oneida County Code 1.13(6)(a), the Oneida County Board has delegated this authority to the Oneida County Auditor/Finance Director with the restriction that the County Board shall review the County Auditor/Finance Director's exercise of this authority annually at the November meeting of the Board.

**WHEREAS**, the Oneida County Board hereby confirms that they have reviewed their delegation of the authority to invest County funds.

**NOW, THEREFORE, BE IT RESOLVED** that the Oneida County Board affirms that the authority assigned by law to the Board to invest County funds is hereby delegated to the Oneida County Auditor/Finance Director.

Approved by the Finance Committee this 10th day of October 2011.

Offered and passage moved by: Cushing, Hintz, Hoffman, Wolk and Young.

**MOTION: O'Melia/ Martinson to amend Resolution #72-2011 by removing line #42 "Seconded by:"**

**ROLL CALL VOTE ON MOTION: 18 Ayes, 0 Nays, 3 Absent – Pederson, Timmons and Fried.**

**ROLL CALL ON AMENDED RESOLUTION: 18 Ayes, 0 Nays, 3 Absent – Pederson, Timmons and Fried**

**RESOLUTION #72-2011 – Adopted.**

**RESOLUTION #73-2011**

Resolution offered by Finance and Insurance Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, Oneida County's study of The Human Service Center recommended evaluating the benefit of contracting out the operation of Koinonia Residential Treatment Center (the Property) instead of continuing to directly operate the facility at the direction of the Human Services Board; and

**WHEREAS**, The Human Service Center was approached by Options Counseling Services LLC to operate Koinonia under a Purchase of Service Contract, and

**WHEREAS**, the Board of the Human Service Center carefully studied the merits and disadvantages of contracting services as opposed to continuing to operate the facility directly and determined that the quality of services could be improved and costs contained through contracting; and

**WHEREAS**, such operational decisions have been delegated by the Oneida County Board since 1974 to the Board of the Human Service Center; and

**WHEREAS**, the only issue now under consideration is permission for The Human Service Center to sub-lease the Property under the terms and condition for sub-lease contained in the lease between Oneida County and The Human Service Center.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors approves the sub-lease of the Property by the Human Service Center because the Human Service Board believes that this is an efficient and cost effective way to provide quality human services for the tri-county area; and

**BE IT FURTHER RESOLVED**, that the County Board Chairman and the County Clerk shall execute the documents required to properly, and legally, sub-lease the Property.

Approved by the Finance and Insurance Committee this 9<sup>th</sup> day of November, 2011.

Offered and passage moved by: Cushing, Hoffman, Hintz, Wolk and Young.

Supervisor O'Melia stated there is an error on line 11 the word "approchjed" should have the "]" removed to read "approached".

No motion taken.

**ROLL CALL VOTE ON RESOLUTION #73-2011: 18 Ayes, 0 Nays 3 Absent - Pederson, Timmons and Fried**

**RESOLUTION #73-2011 – Adopted**

**RESOLUTION #74-2011**

Resolution offered by Finance and Insurance Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, Oneida County owns the property and building located at 1991 Winnebago Street, Rhinelander (the "Property") which has been operated as the Koinonia AODA facility by The Human Service Center; and

**WHEREAS**, there has not been a formal lease arrangement between The Human Service Center and Oneida County for the Property; and

**WHEREAS**, the Human Service Center seeks to privatize the provision of services that they currently provide at Koinonia on the Property; and

**WHEREAS**, in order to complete this effort to privatize the services at Koinonia the Human Service Center needs to sublease the Property; and

**WHEREAS**, Oneida County and The Human Service Center need to enter the attached lease in order to execute a proper, legally binding sub-lease of the Property.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that the attached lease is approved to be entered into for the Koinonia facility.

**BE IT FURTHER RESOLVED**, that the County Board Chairman and County Clerk shall have the authority to sign the attached lease.

Approved by the Finance and Insurance Committee this 9<sup>th</sup> day of November, 2011.  
Offered and passage moved by: Cushing, Hoffman, Hintz, Wolk and Young.

**ROLL CALL VOTE: 18 Ayes, 0 Nays, 3 Absent - Pederson, Timmons and Fried**  
**RESOLUTION #74-2011 – Adopted**

**RESOLUTION # 75-2011**

Resolution offered by the Labor Relations Employee Services Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, Resolution #16-99 created a full time Deputy Register of Deeds I due to increased workload, and

**WHEREAS**, the Register of Deeds has reviewed the current workload of the department and does recommend the reduction of the full time position to a 75% part time position, and

**WHEREAS**, the Labor Relations Employee Services Committee has reviewed the request and does recommend that the full time position be reduced to part time at 75% in the Register of Deeds Office.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that the full time position of Deputy Register of Deeds I is hereby reduced to a 75% part time position in the Register of Deeds Office, effective

**BE IT FURTHER RESOLVED**, by the Oneida County Board of Supervisors that by adoption of this resolution it shall be deemed that an amendment has been made to the County budget for fiscal year 2011 as set forth in the fiscal impact statement which is attached hereto and made a part hereof.

Approved by Labor Relations Employee Services Committee this 19<sup>th</sup> day of October, 2011.  
Offered and passage moved by: Young, Dean, Paszak and Cushing.

**MOTION: Young/ Rudolph to amend line #19 to read after the word effective “upon County Board approval, passage and publication.”**

**ROLL CALL VOTE: 18 Ayes, 0 Nays, 3- Absent -Pederson, Timmons and Fried**

**ROLL CALL VOTE ON AMENDED RESOLUTION #75-2011: 18 Ayes, 0 Nays, 3 Absent -**

**Pederson, Timmons and Fried**

**RESOLUTION #75-2011 – Adopted.**

**RESOLUTION # 76-2011**

Resolution offered by the Labor Relations Employee Services Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, the Forestry Director, ITS Director, Finance Director and Human Resources Director have reviewed the Account Technician position in the Forestry Department and does recommend that the position be reclassified to an Account Clerk III, and be moved from a Grade Level 8 to a Grade Level 7 on the Courthouse Union pay schedule, and

**WHEREAS**, the Labor Relations Employee Services Committee has reviewed the request and does recommend that the current Account Technician position in the Forestry Department be reclassified to an Account Clerk III and placed at Grade Level 7 on the Courthouse Union pay schedule.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that the Account Technician position in the Forestry Department be reclassified to an Account Clerk III, being moved from Grade Level 8 to Grade Level 7 of the Courthouse Union pay schedule.

**BE IT FURTHER RESOLVED**, by the Oneida County Board of Supervisors that by adoption of this resolution it shall be deemed that an amendment has been made to the County budget for fiscal year 2012 as set forth in the fiscal impact statement which is attached hereto and made a part hereof.

Approved by the Labor Relations Employee Services Committee this 9<sup>th</sup> day of November, 2011.  
Offered and passage moved by: Young, Holewinski, Cushing, Paszak and Dean.

**ONEIDA COUNTY  
FISCAL IMPACT  
Re-class Account Technician to Account Clerk III**

**Annual Cost**

**Account Clerk III  
Grade 7, Step 1- Courthouse Union Contract  
2011 Wages Rates, 2011 Health Insurance Rates**

Wages	29,870
Social Security	2,285
Retirement	1,762
Health Ins-Maximum	22,079
Life Ins-Estimated	36
Income Continuation Ins	75
Workers Comp	60

**56,167**

**Wages and Fringes of Grade 8 Step 1**

Wages	31,253
Social Security	2,391
Retirement	1,844
Health Ins-Maximum	22,079
Life Ins-Estimated	36
Income Continuation Ins	80
Workers Comp	63

**57,746**

Cost Savings of Reclassification	(1,579)
Revenue Source: Tax Levy	
Note: Incumbent budgeted cost for 2012	56,070

**MOTION:** Vandervest/Rudolph to waive the reading of Resolution # 76-2011. All “aye” on voice vote, motion carries.

**ROLL CALL VOTE:** 18 Ayes, 0 Nays, 3 Absent -Pederson, Timmons and Fried

**RESOLUTION #76-2011 – Adopted.**

**RESOLUTION # 77-2011**

Resolution offered by the Labor Relations Employee Services Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, the Board of Supervisors of Oneida County, Wisconsin has ratified resolution #77-2010, resolution #81-2005, resolution #91-2006, resolution #87-2007, resolution #97-2008 and resolution #101-09 which renewed the community policing Deputy Sheriff position for calendar year 2006, 2007, 2008, 2009, 2010 and 2011; and

**WHEREAS**, the Sheriff did apply for a new fifty thousand dollar (\$50,000.00) State of Wisconsin Community Policing grant, the 2012 award is anticipated to be thirty-three thousand two hundred eighty-six dollars (\$33,286.00), to be applied to this Deputy Sheriff position for fiscal year 2012; and

**WHEREAS**, the Law Enforcement and Judiciary and Labor Relations and Employee Services Committees are in support of continuing the Community Policing Deputy Sheriff position

provided the 2012 amount of thirty-three thousand two hundred eighty-six dollars (\$33,286.00), in grant monies are available to be applied to the cost of the position; and

**WHEREAS**, should the Community Policing Grant be awarded at an amount other than thirty-three thousand two hundred eighty-six dollars (\$33,286.00), the Sheriff's Department will notify the Law Enforcement, Finance and LRES Committees for further consideration.

**WHEREAS**, the Labor Relations and Employee Services Committee has reviewed the position and has approved the increase in tax levy as shown by the fiscal impact statement attached

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that the Community Policing Deputy Sheriff position is hereby renewed for fiscal year 2012, contingent upon the Sheriff's department being awarded Wisconsin Community Policing grant monies in the amount of thirty-three thousand two hundred eighty-six dollars (\$33,286.00), to be applied toward the cost of the position for 2012. The remaining cost of sixteen thousand, seven hundred, and fourteen dollars (\$16,714) is reflected in the proposed Sheriff Department budget for 2012. This position will be reviewed on an annual basis by the Labor Relations Employee Services Committee. If funding for the position decreases, the position will decrease accordingly.

**BE IT FURTHER RESOLVED**, by the Oneida County Board of Supervisors that by adoption of this resolution it shall be deemed that an amendment has been made to the County budget for fiscal year 2012 as set forth in the fiscal impact statement which is attached hereto and made a part hereof.

Approved by the Labor Relations Employee Services Committee this 9<sup>th</sup> day of November, 2011.  
Offered and passage moved by Supervisors: Young, Holewinski, Cushing, Dean and Paszak.

**ONEIDA COUNTY  
FISCAL IMPACT  
NORTHWEST COMMUNITY POLICING OFFICER**

**2011 Wage Rates, 2011 Health Insurance Rates**

<b>Patrolman</b>	<b>Annual Cost</b>
<b>Wages</b>	<b>45,923</b>
<b>Social Security</b>	<b>3,513</b>
<b>Retirement-er</b>	<b>5,465</b>
<b>Retirement-ee</b>	<b>2,709</b>
<b>Health Ins-Incumbent</b>	<b>21,747</b>
<b>Life Insurance</b>	<b>123</b>
<b>Workers Comp</b>	<b>997</b>
<b>Income Continuation Ins.</b>	<b>117</b>
<b>VEBA</b>	<b><u>2,210</u></b>
<b>Estimated Cost</b>	<b>82,804</b>
<b>Revenue Source:</b>	
<b>State Aid-NW Comm. Policing Grant</b>	<b><u>33,286</u></b>
<b>Tax Levy</b>	<b>49,518</b>
<b>Tax Levy in 2011 Budget</b>	<b><u>32,804</u></b>
<b>Increase in 2012 Tax Levy</b>	<b>16,714</b>

**MOTION:** Holewinski/Rudolph to waive the reading of Resolution # 77-2011. All "aye" on voice vote, motion carries.

**MOTION:** O'Melia/Vandervest to amend and strike Labor Relations Employee Services Committee from line #39 and add Law Enforcement and Judiciary Committee.  
**ROLL CALL VOTE:** 18 Ayes, 0 Nays, 3 Absent – Pederson, Timmons, and Fried.  
**ROLL CALL VOTE ON AMENDED RESOLUTION:** 18 Ayes, 0 Nays, 3 Absent – Pederson, Timmons, and Fried.  
**RESOLUTION #77-2011** – Adopted.

**RESOLUTION #78-2011**

Resolution offered by Supervisors of the Highway and Labor Relations Employee Services Committees.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, the current Oneida County Highway Commissioner, Nick Scholtes, is retiring on December 30, 2011; and

**WHEREAS**, by state statute the Oneida County Board of Supervisors has the authority to appoint a new Highway Commissioner upon the retirement of the incumbent Highway Commissioner; and

**WHEREAS**, by resolution #22-92 the Oneida County Board of Supervisors made the position of Oneida County Highway Commissioner one of indefinite appointment by the Oneida County Board of Supervisors; and

**WHEREAS**, the Highway and Labor Relations & Employee Services Committees recommends that, pursuant to Oneida County ordinance sec. 4.35, Promotions, Freeman Bennett, be promoted from the position of Patrol Superintendent to the position of Highway Commissioner at the time of the incumbent's retirement; and

**WHEREAS**, the Highway and Labor Relations & Employee Services Committees recommends that Grade level 16, Step 4, be the starting salary for Freeman Bennett upon his assumption of duties as the Oneida County Highway Commissioner.

**NOW, THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors hereby appoints Freeman Bennett to the position of Oneida County Highway Commissioner effective upon the retirement of Nick Scholtes, the incumbent Highway Commissioner, on December 30, 2011.

**BE IT FURTHER RESOLVED** that the Oneida County Board of Supervisors approves the starting salary for Freeman Bennett as the Highway Commissioner to be Grade level 16, Step 4, at the time of his assumption of duties as the Highway Commissioner.

Approved by the Highway Committee this 20<sup>th</sup> day of October 2011.

Approved by the Labor Relations Employee Services Committee this 9<sup>th</sup> day of November 2011.

Offered and passage moved by: Hoffman, Wolk, Paszak, Holewinski, Cushing, Young, and Dean.

**ONEIDA COUNTY  
 FISCAL IMPACT  
 HIGHWAY COMMISSIONER**

Grade 16, Step 4

Annual Cost

2011 Wage Rates

**Highway Commissioner**

Wages	65,636
Social Security	5,021
Retirement	3,807

Health Insurance-Incumbent	14,955
Life Insurance	161
Income Continuation Ins	140
Workers Comp	<u>2,291</u>

**\$92,010**

Revenue Source: Tax Levy (approx. 50%) and Fees for Services (approx 50%)

**MOTION: O’Melia/Vandervest to waive the reading or Resolution # 78-2011. All “aye” on voice vote, motion carries.**

**ROLL CALL VOTE: 18 Ayes, 0 Nays, 3 Absent – Pederson, Timmons, and Fried.**

**RESOLUTION #78-2011 – Adopted**

**RESOLUTION # 79-2011**

Resolution offered by Supervisors of the Highway Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, the Town of Pelican has filed a petition for County aid for the cost of installing a culvert under Section 82.08 over the Lake George Creek on Foster Lane and

**WHEREAS**, the total cost of the labor, materials, and equipment was \$32,071.28 and the County share under Section 82.08 would be 50% of the \$32,071.28 or \$16,035.64

**NOW, THEREFORE, BE IT RESOLVED**, that \$16,035.64 be paid to the Town of Pelican and the money to come from the County Bridge Aid Account.

Approved by the Highway Committee this 20<sup>th</sup> day of October 2011.

Offered and passage moved by: Hoffman, Wolk and Paszak.

**MOTION: Cushing/Vandervest to amend and strike line #40 “Seconded by “.**

**ROLL CALL VOTE: 18 Ayes, 0 Nays, 3 Absent – Pederson, Timmons, Fried**

**ROLL CALL ON AMENDED RESOLUTION: 18 Ayes, 0 Nays, 3 Absent – Pederson and Timmons and Fried**

**RESOLUTION #79-2011 – Adopted.**

**RESOLUTION #80-2011**

**GENERAL CODE OF ONEIDA COUNTY, WISCONSIN ORDINANCE AMENDMENT #**

Ordinance Amendment offered by Supervisors of the Highway Committee

**Whereas**, the Oneida County Board of Supervisors approved Resolution #63-2011 allowing for the use of ATV's on County Trunk Highways subject to regulation by the Highway Commissioner and Highway Committee; and

**Whereas**, the Oneida County Highway Committee has approved the attached policy as a means to regulate the use of County Trunk Highways as ATV trails and routes; and

**Whereas**, the Wisconsin Department of Natural Resources requires that the County Board adopt an ordinance allowing ATV's on County Trunk Highways before said County Trunk Highways can be used for trails or routes.

**NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:**

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Section 7.095 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

7.095 ATV TRAIL AND ROUTES ON COUNTY HIGHWAYS

ATV'S are allowed to be operated on County Trunk Highways as designated by the Highway Commissioner and Highway Committee. The trails and routes that are to be on County Trunk Highways shall be reviewed and approved according to the "Oneida County Highway Committee Policy for ATV Routes and Trails", or any successor policy adopted by the Highway Committee.

Approved by the Highway committee this 10<sup>th</sup> day of November, 2011.  
Offered and passage moved by: Hoffman, Wolk, Holewinski, and Paszak.

**Oneida County Highway Committee  
Policy for ATV Routes and Trails**

THIS POLICY IS FOR ALL-TERRAIN VEHICLES (ATV) ROUTES AND TRAILS ON THE COUNTY TRUNK HIGHWAY SYSTEM AND THE ADJACENT RIGHT OF WAY.

The Oneida County Highway Committee recognizes that ATV use within the County is on the increase and has been increasing despite the lack of ATV Routes on the Oneida County Trunk Highway System. An ATV route is a highway, or section of highway designated for the use of ATV's by the governmental agency having jurisdiction. A route is generally recognized as a means to connect the terminal ends of a trail when it is obstructed by a city, village, river, railroad track or other impediment. State statute 23.33 gives the Counties the authority to accommodate all-terrain vehicles on County Trunk Highways designated as routes.

Before a highway segment can be considered for designation as an ATV route, the petitioner(s) shall demonstrate to the Highway Department and Highway Committee that no other practical option as a trail exists. The single most important route consideration is the safety of all users: ATV riders, pedestrians, bicyclists, motorcyclists, automobile operators, truck operators and others.

When considering designation of ATV routes, the following criteria shall be followed:

1. Requests for ATV routes must be made by a recognized ATV Club on permit established by the Highway Department. A map of the route will accompany the permit application.
2. An evaluation of establishing a trail versus a route shall be completed and submitted to the Committee for review.
3. Requests for routes must be for one of the following:
  - a. To connect a trail to a trail or route to a route. Need must be demonstrated by attaching statements from landowners denying access for trails.
  - b. Safety issues.
  - c. To access businesses or services.
4. Accident data will be gathered for each proposed route and analyzed for any potential safety issues.
5. ADT will be reviewed for each potential route.

The County, as the unit of government that designates the routes, is responsible by statute to post the proper route signs. Route signing must be clearly understandable to everyone. As the maintaining authority of the highways designated as routes, the Highway Department shall furnish, install, and maintain the proper signs. Costs of the signs, installation and maintenance shall be charged to the requesting ATV Club. The requesting ATV Club must provide a \$500 deposit per route upon approval of an ATV route request. This money will be deposited into an account for the ATV Club, which will be credited with the initial deposit, and charged as work is performed for ATV route sign purchase, installation and maintenance. The club may assist the department in the installation of signs under the direction of department staff to help defer costs of installation.

All maintenance costs that arise to the highways due to ATV traffic shall be charged to the requesting ATV Club. The club will be charged if maintenance work is necessary due to ATV damage.

When an ATV Club's account balance falls below \$50, a letter will be sent to the Club requesting a deposit of more funds. If that request is not honored, the ATV route will be automatically shut down, and any money remaining in the account will be used to remove the signs.

Following due consideration of the economic and recreational value to connect trail opportunities and weighted against public dangers, public health, liability aspects, terrain involved, traffic density, and history of automobile traffic; the Oneida County Highway Committee authorizes the Highway Commissioner, with Highway Committee review and approval, to establish the ATV Routes as deemed necessary and reasonable on the County Trunk Highway System. The Oneida County Highway Department shall retain the sole authority for closure or termination of any ATV Route on the County Trunk Highway System, at any time, for any reason.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2011 by the Oneida County Highway Committee.

\_\_\_\_\_  
John Hoffman Chair

\_\_\_\_\_  
Scott Holewinski

\_\_\_\_\_  
Peter Wolk

\_\_\_\_\_  
Sonny Paszak

\_\_\_\_\_  
Jim Sharon

**Application to Designate an ATV Route  
on the Oneida County Trunk Highway System**

ATV Route on CTH: \_\_\_\_\_

Starting at (be specific): \_\_\_\_\_

Ending at (be specific): \_\_\_\_\_

State why the CTH segment described above should be designated as an ATV Route:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**IMPORTANT: Please attach statements from landowners denying access for trails, if lack of access is a reason for requesting route designation.**

Application Submitted by: \_\_\_\_\_

Recognized ATV Club Affiliation: \_\_\_\_\_

**For Highway Department Use:**

Comments/restrictions applying to this application: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Approved/Denied by Oneida County Highway Committee:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Dated: \_\_\_\_\_

**MOTION: to waive the reading of Resolution #80-2011. All "aye" on voice vote, motion carries.**

**ROLL CALL VOTE: 18 Ayes, 0 Nays, 3 Absent – Pederson, Timmons and Fried  
RESOLUTION #80-2011 – Enacted.**

**RESOLUTION #81 – 2011**

Resolution offered by Supervisors of the Land Records Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, Oneida County is the owner of the building and property located at 111 E. Davenport St, (former WPS building) Rhinelander, WI; and

**WHEREAS**, Resolution 69-2010 directed that the building be placed up for sale; and

**WHEREAS**, Oneida County is also the owner of the building and property located at 1103 Thayer ST, (Department on Aging Building) and it is anticipated that the Buildings and Grounds Committee will be presenting a resolution to sell that building upon vacating it; and

**WHEREAS**, in order to provide more flexibility to the County in marketing the buildings, the Land Records Committee recommends that they be authorized to solicit offers including but not limited to, purchase with conventional financing, land contract, lease/purchase option, long term lease, Buyer Agency agreements, single party listing listings or other reasonable proposals; and,

**WHEREAS**, Any offer or proposal would be subject to full County Board approval.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that the Land Records Committee is authorized to pursue the various options stated above to market the above mentioned properties.

Approved by the Land Records Committee this 8thday of November, 2011.

Offered and passage moved by: Supervisors Baier, O'Melia, Thompson, Wolk, and Paszak.

Supervisor Pederson returns at 3:27pm

**ROLL CALL VOTE: 19 Ayes, 0 Nays, 2- Absent – Timmons and Fried**

**RESOLUTION #81-2011 – Adopted.**

**RESOLUTION #82-2011 / REZONE PETITION #8-2011**

Resolution offered by the Planning and Zoning Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, the Planning & Zoning Committee, having considered Petition #8-2011, (copy attached) which was filed October 7, 2011, to amend the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, and having given notice thereof as provided by law and having held a public hearing thereon November 2, 2011 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

To rezone land from District #02, Single Family Residential to District #05 Recreational on property described as that part of Gov't Lot 1, Section 29, T37N, R9E, south of County Hwy W, north of N. Birchwood Dr. and west of Short Rd., Town of Pine Lake.

The Pine Lake Town Board authored the Petition. In 2003 Pine Lake adopted a Comprehensive Land Use Plan. In 2007 the Town of Pine Lake rezoned parcels to be consistent with their adopted Land Use Plan. The parcels that are subject to the Rezone Petition were intended to be zoned Recreational in 2007. This Rezone Petition is a correction.

All affected and neighboring property owners were notified. No one appeared at the Public Hearing in opposition. The Planning and Zoning Committee has reviewed the general standards as specified in 9.86 F of the Oneida County Zoning and Shoreland Protection Ordinance and concluded that the standards have been met. The Planning and Zoning Committee recommends passage.

**NOW THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:** Petition #8-2011:

Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict with this ordinance shall be and are hereby repealed as far as any conflict exists.

Section 2: The ordinance shall take effect the day after passage and publication as required by law.

Section 3: If any claims, provisions, or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

Section 4: Rezone Petition #8-2011 is hereby adopted amending the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, by changing the zoning district classification from District #02, Single Family Residential to District #05 Recreational on property described as follows:

That part of Gov't Lot 1, Section 29, T37N, R9E, south of County Hwy W, north of N. Birchwood Dr. and west of Short Rd., Town of Pine Lake.

The County Clerk shall, within seven (7) days after adoption of Rezone Petition #8-2011 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Pine Lake Town Clerk.

Approved by the Planning and Zoning Committee this 2nd day of November, 2011.

Offered and passage moved by: Holewinski, Hintz, Fried, Baier and Timmons.

**MOTION: Thompson/Martinson to waive the reading of Resolution #82-2011. All "aye" on voice vote, motion carries.**

**ROLL CALL VOTE: 19 Ayes, 0 Nays, 2- Absent – Timmons and Fried**

**RESOLUTION #82-2011/ REZONE PETITION #8-2011 – Adopted.**

**RESOLUTION #83-2011 - GENERAL CODE OF ONEIDA COUNTY, WISCONSIN - ORDINANCE AMENDMENT #**

Ordinance Amendment offered by Supervisors of the Law Enforcement and Judiciary Committee  
**Whereas**, 2011 Wisconsin Act 35 has amended state law to allow the concealed carry of weapons; and

**Whereas**, 2011 Wisconsin Act 35 bans the carrying of "weapons" (as defined below) in the Courthouse building and Sheriff Office; and

**Whereas**, Oneida County owns a multitude of buildings where concealed carry will be allowed under 2011 Wisconsin Act 35: and

**Whereas**, Sections 943.13(1m)(c)(4) and 175.60 Wis. Stats., permit local governments that are owners, occupiers, or otherwise in control of buildings, to prohibit the carrying of firearms and concealed weapons in or on such buildings; and,

**Whereas**, should the County ban the carry of "weapons" from all County buildings the County will be required, by law, to post signs at all entrances indicating the ban on weapons in the County owned buildings; and

**Whereas**, 2011 Wisconsin Act 35 provides immunity to those governmental entities that choose not to ban concealed carry of weapons in their buildings; and

**Whereas**, adoption of this ordinance abrogates the immunity afforded by law, however, even with immunity the County may still be liable for injuries/deaths in County buildings if concealed carry is allowed under the legal theories of foreseeable harm and failure to warn or protect individuals; and

**Whereas**, the County, in exercise of its police powers, believes it reasonable to ban all weapons, whether carried in an open or concealed fashion, from all County Buildings; and

**Whereas**, violation of this ordinance is to be enforced by a citation for violation of County Code section 10.943.13 or by a referral to the District Attorney for as a misdemeanor violation of Wis. Stat. s. 943.13.

**NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:**

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect the day after passage and publication as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Section 10.07 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

**10.07 ~~RESERVED.~~ CONCEALED CARRY OF WEAPONS PROHIBITED.**

**(1) PREAMBLE**

This policy was prompted, in significant part, by 2011 Wisconsin Act 35. It is intended to preserve and promote public protection and safety, public peace and good, and workplace safety and health.

**(2) DEFINITIONS.**

- A. “Law Enforcement Officer” means a Wisconsin law enforcement officer, as defined in Section 175.46(1)(g) Wisconsin Statutes or a federal law enforcement officer, as defined in Section 175.40(7)(a)1 Wisconsin Statutes.
- B. “Licensee” means an individual holding a valid license to carry a concealed weapon under Section 175.60 Wisconsin Statutes or an out-of-state licensee per Section 175.60(1)(f) 1.-2. Wisconsin Statutes.
- C. “Motor Vehicle” means a vehicle which is self-propelled, including but not limited to a passenger car, truck, and van, bus, taxi, commercial motor vehicle, motorcycle, moped, motor bicycle, snowmobile, and all-terrain vehicle.
- D. “Placard” means a small card or plaque.
- E. “Sign” means a sign that states a restriction imposed hereunder and that is at least 5 inches by 7 inches.
- F. “Special Event” means an event that is open to the public, is for a duration of not more than three (3) weeks, and either has designated entrances to and from the event that is locked when the event is closed or requires an admission.
- G. “Weapon” includes, without limitation, any firearm (including a handgun), an electric weapon (as defined in Section 941.295(1c)(a) Wisconsin Statutes), a knife (except a pocket knife with a blade less than 2.5 inches), a switchblade (as defined in Section 941.24(1) Wisconsin Statutes), a billy club, oleoresin capsicum (OC) spray devices (also known as pepper spray or pepper mace), Metallic knuckles,

nunchaku, shuriken, cestus, manrikigusari, or any device designed or used as a weapon and capable of producing great bodily harm or death.

(3) PROHIBITIONS

A. No person may, while carrying or possessing a weapon, enter or remain in any part of a building that is owned, occupied, or controlled by the \_\_\_\_\_ County

1. This prohibition does not apply to:

(a) Certified law enforcement officers, entitled to carry a weapon, while acting in their official capacity and with lawful authority.

(b) A person who leases residential or business premises in the building.

(c) A person if a firearm is in a vehicle driven or parked in the \_\_\_\_\_ parking facility, or to any part of the building used as a parking facility.

(d) A judge who is a licensee, a district attorney or assistant district attorney who is a licensee, or any other licensee given written permission by a judge to carry a concealed weapon in a courthouse or courtroom.

B. Organizers of any "special event" may prohibit any persons carrying or possessing a weapon from entering or remaining at the "special event".

1. This prohibition does not apply to:

(a) Certified law enforcement officers, entitled to carry a weapon, while acting in their official capacity and with lawful authority.

(b) If the firearm is in a vehicle driven or parked in the \_\_\_\_\_ parking facility, or to any part of the special event grounds or building used as a parking facility.

(4) NOTICE

A. For purposes of (3) PROHIBITIONS A. above:

1. A sign will be posted that is located in a prominent place near all of the entrances to any building to which the restrictions apply, where any individual entering the building can be reasonably expected to see the sign.

2. Suggested language for a sign:

*"PURSUANT TO WISCONSIN STATE STATUTE WEAPONS ARE PROHIBITED IN THIS FACILITY."*

B. For purposes of (3) PROHIBITIONS B. above:

1. A sign will be posted that is located in a prominent place near all of the entrances to the special event, such that any individual attending the special event can be reasonably expected to see the sign.

2. Suggested language for a sign:

*"NO PERSON MAY ATTEND THIS INSERT NAME OF SPECIAL EVENT*

WHILE CARRYING OR POSSESSING A FIREARM OR OTHER WEAPON“

(5) MISCELLANEOUS PROVISIONS

- A. This policy is intended to be consistent with, and cannot supersede, state law/ or federal law.
- B. If any provision or clause of this policy or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this policy that can be given effect without the invalid provision or application, and to this end the provisions of this policy are severable.
- C. Reference to the Wisconsin Statutes herein include as such statutes now exist or are hereafter amended.

(6) PENALTIES FOR VIOLATION

- A. If applicable, referral to law enforcement or the district attorney for prosecution under Wisconsin Statutes, including Section 943.13 Wisconsin Statutes; and/or
- B. If applicable, a County Citation for violation of Code Section 10.943.13 if a firearm is carried on a premise where the owner has posted that the carrying of firearms is prohibited.
- C. If applicable, a County Citation for a Violation of Code Section 10.07 for carrying any Weapon in a County Building.

**25.04 PENALTY PROVISIONS.**

**TABLE INSET:**

<u>10.07(3) A</u>	<u>Carrying Weapon in County Building</u>	<u>150.00</u>	<u>312.00</u>
<u>10.07(3) B</u>	<u>Carrying weapon at Special event</u>	<u>150.00</u>	<u>312.00</u>

[Remainder of section 25.04 is to remain unchanged

Approved by the Law Enforcement and Judiciary Committee this 2<sup>nd</sup> day of November, 2011.  
Offered and passage moved by: O’Melia, Fried, Young and Dean.

**MOTION:** Vandervest/ Berard to waive the reading of Resolution #83-2011. All “aye” on voice vote, motion carries.

**ROLL CALL VOTE:** 18 Ayes, 1 Nays - Holewinski, 2- Absent – Timmons and Fried  
**RESOLUTION #83-2011/ GENERAL CODE OF ONEIDA COUNTY, WISCONSIN - ORDINANCE AMENDMENT** - Enacted.

**RESOLUTION # 84 -2011 / GENERAL CODE OF ONEIDA COUNTY, WISCONSIN**

Ordinance Amendment offered by the Resolutions & Ordinances/ Legislative Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, it is deemed expedient and necessary that the General Code of the County of Oneida, Wisconsin be brought up-to-date; and

**WHEREAS**, resolutions and ordinances adopted through August 16, 2011 and changes necessitated by changes in State law have been incorporated into the General Code by the Revisor, which has provided Oneida County with corrected printed revisions, pursuant to Statute 25.08 of the General Code of Oneida County, Wisconsin; and

**WHEREAS**, a copy of such amended General Code of Oneida County, Wisconsin, has been on file and open for public inspection in the office of the County clerk for not less than two weeks, as required by Statute 66.035, Wis. Stats., and notice thereof has been provided by publication on October 1, 2011 in the Northwood's River News;

**NOW, THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:**

Section 1. The Code of Ordinances in book form entitled: General Code of Oneida County, Wisconsin, as amended through August 16, 2011 shall be and hereby is adopted as the general ordinances in and for the County of Oneida, Wisconsin.

Section 2. Any ordinance in conflict with this ordinance shall be and hereby is repealed as far as any conflict exists.

Section 3. This ordinance shall take effect the day after passage and publication as provided by law.

Approved by the Resolutions & Ordinances/Legislative Committee this 17<sup>th</sup> day of October 2011.  
Offered and passage moved by Supervisor: Cushing and Young.

**MOTION: Vandervest/Berard to waive the reading of Resolution #84-2011 / General Code of Oneida County, Wisconsin. All "aye" on voice vote, motion carries.**

**ROLL CALL VOTE: 19 Ayes, 0 Nays, 2- Absent – Timmons and Fried**

**RESOLUTION #84-2011 / GENERAL CODE OF ONEIDA COUNTY, WISCONSIN. – Adopted.**

Supervisor Sharon excused 3:50 pm

**RESOLUTION #85-2011**

Resolution offered by Mining Oversight and Local Impact Committee.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, the Mining Oversight and Local Impact Committee ("MOLIC") is currently revising and updating the mining agreements for Oneida County; and

**WHEREAS**, as part of the revision of the mining agreements MOLIC has also reviewed the Oneida County Metallic Ore Prospecting and Mining Policy ("Mining Policy"), also known as Resolution #54-87; and

**WHEREAS**, the Mining Policy is unclear as to whether the mining agreements may contain advance royalty provisions; and

**WHEREAS**, after careful consideration by MOLIC it has been determined that the Oneida County Mining Policy should be amended to expressly allow for advance royalty payments to be made part of the mining agreements (see the attached Policy for the changes); and

**WHEREAS**, MOLIC believes that having the express authority to accept advance royalty payments will aid in formulating the best financial situation for the Oneida County citizens as MOLIC develops the mining agreements.

**NOW, THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors does hereby amend the Mining Policy (consistent with the attached Mining Policy) to allow for the advance royalty payments.

Approved by the Mining Oversight and Local Impact Committee this 9th day of November, 2011.  
Offered and passage moved by Supervisor: Hintz, Rudolph, Wolk and Timmons.

**ONEIDA COUNTY METALLIC ORE PROSPECTING  
AND MINING POLICY**

It is the policy of the Oneida County Forestry & Outdoor Recreation Committee to enter into mineral prospecting and mining leases for lands in the County forest. This will be done in a competitive bid system with one mile square blocks (sections) being the size areas used for nominations and bidding. Some areas will not be offered for mining leases such as recreational areas, sensitive lands, historical sites, etc. The Committee will hold informational meetings prior to entering into any mining agreements to assess public reaction. The County will use the royalty

payment as the bid variable and the acreage payment will be fixed. This will share the risk with the mineral company and give the County the highest income from the mine if a mineable deposit is found. A royalty payment consisting of net smelter return plus net proceeds will be used in an effort to allow even low grade ore to be mined, thereby attempting to fully utilize the resource and extend the life of the mine. ~~Acreage rental and bonus money will not be accepted as advance royalty payments.~~ The County is authorized to accept advance royalty payments as part of the mining agreements. These advance royalty payments are exclusive of the acreage rental payments.

Since the mineral deposit is a non-renewable resource, portions of the income will be put in a trust fund or other use that will benefit future generations.

Based on attorney general opinions which support County ownership of mineral rights and due to lack of evidence that other mineral rights claimants exist, the County will lease the mineral rights confident that severed mineral rights, even if they should exist, can be dealt with through lease wording which would place the burden of dealing with these claimants with the mining company.

Any lease the County would enter into would prevent the mining of uranium or other fissionable metals. A mining lease would exclude sand, gravel, gas and oil. These resources would be dealt with separately.

Since environmental protection is a Department of Natural Resources responsibility, the County will work closely with that agency and the mining company to see that all guide lines and laws are adhered to. If strip mining can be done along with a mining company financed program of reforestation and re-vegetation to prevent erosion and other adverse environmental damage, then it should be allowed.

**ROLL CALL VOTE: 15 Ayes, 3 Nays - Dean, Martinson and Metropulos, 3 Absent – Timmons, Sharon and Fried.**

**RESOLUTION #85-2011 – Adopted.**

**OTHER BUSINESS:**

The County Board may consider a motion to adjourn into closed session pursuant to 19.85(1) (c) (f) & (g), Wis. Stats., to (1) consider the employment and performance evaluation of an Oneida County employee; and (2) for purposes of considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of specific charges, which, if discussed in public would likely have an adverse effect on the reputation of the person referred to in such data; and (3) for purposes of conferring with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is or is likely to become involved (Topic: Grievance Arbitration)

Supervisor Dean – Excused 4:00 pm

A roll call vote will be made to enter closed session

**MOTION: Martinson/Rudolph to enter into closed session.**

**Roll Call Vote: 17 Ayes, 0 Nays, 4 Absent – Sharon, Timmons, Dean and Fried**

**Motion carries.**

**MOTION: Vandervest/Pederson to approve the grievance settlement. All “aye” on voice vote, motion carries.**

A roll call vote will be taken to return to open session and continue with the remaining agenda items.

**MOTION: O’Melia/Martinson to return to open session at 4:15pm and continue with remaining agenda items.**

**ROLL CALL VOTE: 14 Ayes, 0 Nays, 7 Absent- Timmons, Dean Sharon, Fried, Thompson, Matteson and, Berard.**

**Appointments to Committees, Commissions and Other Organizations**

To reappoint John Vanney to Oneida County Civil Service Commission for a five-year term to expire December 2016.

To reappoint Marlene Kerkes to Oneida County Library Board for a three-year term to expire December 2014.

To reappoint Mary Schoenek to Oneida County Library Board for a three-year term to expire December 2014.

To reappoint Dianna Blicharz to Oneida County Library Board for a three-year term to expire December 2014.

Appoint Lisa Charbarneau, Human Resource Director as Oneida County Administrative Coordinator pursuant to Ordinance Section 1.10(5).

**MOTION: Martinson/Vandervest to accept Vanney to a 5 year term for the Civil Service Commission Committee and to accept Kerkes, Schoenek and Blicharz to the Library Board Committee for a 3 year term. All "aye" on voice vote, motion carries.**

**Update on 2012 Budget Summary: 4:15 pm**

Sorenson updated the County Board with a summary stating at the start of today the levy was at \$15,457,764 and it is now at \$15,002,689 under budget limits by \$575 pending a motion to apply fund balances applied to the ambulance levy. The general property tax is now a (\$61,222) or - 0.4%.

**MOTION: Cushing/Martinson to direct the general fund and other funds applied to reduce the tax levy of \$455,000, is applied to the ambulance levy. All "aye" on voice vote, motion carries.**

**Accept the 2012 Budget as Presented**

**MOTION: Metropulos /Vandervest to Accept the 2012 Annual Budget. All "aye" on voice vote, motion carries.**

**ADJOURNMENT:**

**MOTION: Rudolph/Cushing to adjourn at 4:28 pm. All "aye" on voice vote, motion carries.**