

**Notice of Regular Meeting
Oneida County Board of Supervisors
May 15, 2012– 9:30 a.m.
Oneida County Courthouse
County Board Meeting Room 2nd Floor**

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, Scott Holewinski, Jim Intrepidi, Bob Martini, Jack Martinson, Bob Metropulos, Bob Mott, Sonny Paszak, Carol Pederson, Thomas Rudolph, Jerry Shidell, Candy Sorensen, Jack Sorensen, Denny Thompson, Michael Timmons and Romelle Vandervest.

OF MEMBERS PRESENT: 21

SUPERVISORS EXCUSED: 0

STUDENT REPRESENTATIVES PRESENT: 3 – Jayla Paulson, Justin Bant and Miranda Zeller.

OTHERS PRESENT: Mary Bartelt, County Clerk; Melodie Gauthier, Deputy County Clerk; Brian Desmond, Corporation Counsel; Jim Winkler, U. W. Extension and Mike Romportl, Land Information.

ANNOUNCEMENTS BY CHAIR, CORRESPONDENCE AND COMMUNICATIONS

Sign Attendance Form at the Podium.

Please Use Microphones When Speaking.

2012 County Official Workshop – May 17, 2012 – Northwood’s Banquet Center

Chairman Cushing also noted, there will be a Special meeting at Nicolet College in their Auditorium May 29, 2012 at 9:30 a.m. regarding the Lake Nokomis Lake District.

ACCEPT THE MINUTES OF THE APRIL 17, 2012 ORGANIZATIONAL MEETING

Rudolph – states there should be 21 Ayes, not 20 on the Election of County Board Chair.

MOTION/SECOND: Pederson/Vandervest to accept the April 17, 2012 Organizational Meeting minutes as amended. All “aye” on voice vote, motion carries.

REPORTS/ PRESENTATIONS

Amended Report on Lake Nokomis Lake District (Dated 5-4-2012)

Desmond gave a brief update on the revised Lake Nokomis District Report. States there will be questions and answers at the May 29th meeting.

Update from Forestry, Land and Outdoor Recreation – Mining Issues

Supervisor Baier states the committee will continue to move along with issues and also the Lac du Flambeau Counsel would like to be considered as a voting member on the committee.

Desmond stated that there are a lot of hurdles to go from exploration to mining and that it is quite a process with the standards and permits to even move forward.

More discussion took place.

MOTION/SECOND: Metropulos /C. Sorensen to waive the rules that limits the number of times Supervisor Mott may speak on the mining issues. (Rules state that a member may not speak more than three times on an issue.)

(5.10 Rules of discussion and debate may be suspended.) Parliamentary Procedure/Larry E. Larmer. The decision to suspend rules is by unanimous consent or a 2/3 vote of those voting to pass this motion.

ROLL CALL VOTE: 13 Ayes, 7 Nays, 1 Absent Pederson.

STUDENT REPRESENTATIVES: 2 Ayes, 1 Nay - Zeller

MOTION FAILS.

Oneida County Teen Court Demonstration (This item was taken out of order (1st item)).

(PANEL)-Melissa Sheth, Spokesperson; Megan Thornton, Recorder; Blake Jensen, Escort. Amber Sheth, Youth Offender and Jim Winkler, Accompanying Adult.

Teen Court skit - regarding underage possession of alcohol. Following the Teen Court skit the Panel held a Question and answer session for the County Board members.

(Teen Active in Government) TAG Member recognition –Jim Winkler

Supervisor Rudolph gave certificates - Justin Bant, Senior- Lakeland Union High School; Miranda Zeller, Junior- Lakeland Union High; Jayla Paulson, Sophomore- Rhinelander High School; and Eric Snyder, Junior- Rhinelander Northwoods Secondary Charter School-(not present).

Supervisor Gary Baier – excused 10:50 a.m.

PUBLIC COMMENT - None

CONSIDERATION OF RESOLUTIONS & ORDINANCES

RESOLUTION #043-2012

Resolution offered by the Land Records Committee.

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

WHEREAS, Oneida County acquired land through tax foreclosures in the 1930's & 40's and when sold, reserved ownership of strips of land being 100' on each side of the centerline of the highway that crosses the NW $\frac{1}{4}$ –SW $\frac{1}{4}$ of Section 29 and the NE $\frac{1}{4}$ –SE $\frac{1}{4}$ of Section 30, all in Township 38 North, Range 11 East, now known as Branham Rd in Town of Three Lakes; and

WHEREAS, a difference of opinion between landowners in the NW $\frac{1}{4}$ -SW $\frac{1}{4}$, the SW $\frac{1}{4}$ -NW $\frac{1}{4}$ of Section 29 and the NE $\frac{1}{4}$ -SE $\frac{1}{4}$, the SE $\frac{1}{4}$ -NE $\frac{1}{4}$ of Section 30, the County and the Town has developed as to the terminus, location and access rights of and across said road; and

WHEREAS, the parties have been presented with an agreement that proposes in part that the County deed to the Town a 66' right-of-way and turnaround for the north stub of Branham RD, and any excess lands adjoining Branham Rd in the NW $\frac{1}{4}$ -SW $\frac{1}{4}$ and NE $\frac{1}{4}$ -SE $\frac{1}{4}$ be deeded to the adjoining landowners subject to easements where necessary to ensure access for all parties; and

WHEREAS, Resolution # 28-2012 authorized the Land Records Committee to negotiate and help facilitate an agreement that would be in the best interest of the County, and the fee to convey the lands was waived by the County, except for the recording fees of the recorded documents relative to such agreement; and

WHEREAS, such agreement has now been tentatively agreed upon by all parties and the County will issue deeds and easements to the parties indicated below upon conditions being met in the agreement; and

WHEREAS, the County will accept a quit claim deed from the owners of the NW¼-SW¼ and NE¼ -SE¼ covering the area of the road to be deeded to the Town.

NOW, THEREFORE, BE IT RESOLVED, that the Oneida County Board of Supervisors hereby approves the conveyances listed below and authorizes the County Clerk, upon receipt of the deed recording fee, to prepare and/or sign the necessary documents as follows:

The following description is to be used for:

A) Quit Claim Deed from James M. Martin Trust and Elizabeth A. Martin Trust and Three Lakes Preserve, LLC, a Wisconsin Limited Liability Company to Oneida County.

B) Easement from Oneida County to properties owned by Jean M. Eiden Trust, Gary Glock, James Glock, Ronald Glock, David R. Schmidt, James M. Martin Trust and Elizabeth A. Martin Trust and Three Lakes Preserve, LLC, a Wisconsin Limited Liability Company

C) Quit Claim Deed from Oneida County to Town of Three Lakes. The following language to be added to the description to the Town; “The foregoing property is to be reserved for use as a Town Road in the Town of Three Lakes and this deed shall constitute a dedication for that purpose in accordance with Section 66.1024 Wis. Stats.”

A parcel of land being a part of the Northwest ¼ of the Southwest ¼ of Section 29 and the Northeast ¼ of the Southeast ¼ of Section 30 and all in Township 38 North, Range 11 East, Town of Three Lakes, Oneida County, Wisconsin, and being more particularly described as follows:

Commencing at the ¼ corner common to Sections 29 & 30 and being marked by an Oneida Co. aluminum cap monument and being the Place of Beginning; thence S87° 32'48"E and along the East-West ¼ line of Section 29 a distance of 66.00 feet to a point, thence S2°40'35"W a distance of 66.00 feet to a point, thence N87°32'48"W a distance of 33.01 feet to a point, thence S2°40'35"W a distance of 720.72 feet to a point, thence S7°01'07"W a distance of 121.36 feet to a point, thence S2°24'53"E a distance of 103.58 feet to a point, thence S2°40'35"W a distance of 209.67 feet to a point on the Northerly right-of-way line of a Town Road, thence along said right-of-way line N86°33'29"W a distance of 33.00 feet to a point, thence N87°40'59"W a distance of 33.00 feet to a point, thence leaving said right-of-way line N2°40'35"E a distance of 206.50 feet to a point, thence N2°24'53"W a distance of 106.09 feet to a point, thence N7°01'07"E a distance of 124.31 feet to a point, thence N2°40'35"E a distance of 718.73 feet to a point, thence N86°11'31"W a distance of 33.00 feet to a point, thence N2°40'35"E a distance of 66.01 feet to a point on the East-West ¼ line of Section 30, thence S86°11'31"E and along the East-West ¼ line a distance of 66.01 feet to the ¼ corner common to Sections 29 & 30 and being the Place of Beginning.

Subject to easements, restrictions and reservations of record.

Subject to an easement described in Document # _____ (insert after recording of Item B above).

The following description to be used in a quit claim deed conveyance from Oneida County to Three Lakes Preserve, LLC, a Wisconsin Limited Liability Company.

A part of those lands retained by Oneida County as described in Volume 64 Page 434 of Deeds, being located in the Northeast ¼ of the Southeast ¼ of Section 30, Township 38 North, Range 11 East, Town of Three Lakes, Oneida County, Wisconsin, described as follows:

All those lands that lie westerly of the following described line:

Commencing at the ¼ corner common to Sections 29 & 30 and being marked by an Oneida Co. aluminum cap monument; thence N86°11'31"W and along the East-West ¼ line a distance of 66.01' to a point, said point being the Point of Beginning of said line, thence S2°40'35"W a distance of 66.01' to a point, thence S86°11'31"E a distance of 33.00' to a point, thence S2°40'35"W a distance of 718.73' to a point, thence S7°01'07"W a distance of 124.31' to a point, thence S2°24'53"E a distance of 106.09' to a point, thence S2°40'35"W a distance of 206.50' to a point 33' north of the existing centerline of the east – west section of Branham RD and the terminus of said line.

And also, all those lands that lie northerly of the following described line:

The Point of Beginning being the terminus of the above described line, thence N87° 40' 59"W 386.79' to a point, thence N89° 17' 23"W 333.98' to a point, thence S79° 06' 50"W 62.85' to a point, thence S57° 12' 16"W 11.60' to an iron pipe on the south line of the Northeast ¼ - Southeast ¼ of said section and the terminus of said line. Said line being approximately 33' northerly of the existing centerline of the east-west section of Branham Rd.

The above described lands to be attached to the Grantees lands associated with parcel identification number TL 776.

Subject to easements of record and any utilities in place.

The following description to be used in a quit claim deed conveyance from Oneida County to James M. Martin Trust and Elizabeth A. Martin Trust.

A part of those lands retained by Oneida County as described in Volume 58 Page 22 of Deeds, being located in the Northwest ¼ of the Southwest ¼ of Section 29 Township 38 North, Range 11 East, Town of Three Lakes, Oneida County, Wisconsin, described as follows:

All those lands that lie easterly of the following described line:

Commencing at the ¼ corner common to Sections 29 & 30 and being marked by an Oneida Co. aluminum cap monument thence S87° 32'48"E and along the East-West ¼ line of Section 29 a distance of 66.00' to a point, said point marking the Point of Beginning of said line, thence S2°40'35"W a distance of 66.00' to a point, thence N87°32'48"W a distance of 33.01' to a point, thence S2°40'35"W a distance of 720.72' to a point, thence S7°01'07"W a distance of 121.36' to a point, thence S2°24'53"E a distance of 103.58' to a point, thence S2°40'35"W a distance of 209.67' to a point 33' north of the existing centerline of the east – west section of Branham Rd and the terminus of said line.

And also, all those lands that lie northerly of the following described line:

The Point of Beginning of said line being the terminus of the above described line, thence S 86° 33' 29"E a distance of 1288.85 to a point on the east line of the Northwest ¼ - Southwest ¼ of said section, said point being approximately 33' north of the existing centerline of the east-west section of Branham Rd and the terminus of said line.

The above described lands to be attached to the Grantees lands associated with parcel identification number TL 757.

Subject to easements of record and utilities in place.

Approved by the Land Records Committee this 8th day of April, 2012.

Offered and passage moved by: Denny Thompson, Paul Dean, Michael Timmons, Sonny Paszak and Jim Intrepidi.

MOTION/SECOND: Vandervest/ Berard to waive the reading of Resolution #43-2012. All "Aye" on voice vote, motion carries.

ROLL CALL VOTE: 18 Ayes, 0 Nays, 3 Absent- Baier, C. Sorensen, J. Sorensen

STUDENT REPRESENTATIVES: 3 Ayes

RESOLUTION #043-2012 - Adopted.

RESOLUTION #044-2012

Resolution offered by Land Records Committee.

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

WHEREAS, Oneida County retained a 100 foot strip of land on each side of the center line of existing roads crossing Government Lot 4 of Section 3, Township 38 North, Range 7 East, as recorded in Volume 64 of Deeds, Page 392, Document Number 112332, together with timber rights on said land, recorded in the Register of Deeds on January 28th, 1942; and

WHEREAS, a request has been made to Oneida County, from Edmund J Coffen Revocable Trust Dated December 14th, 2005, asking that a portion of the 100 foot strip of land adjacent to their property in Government Lot 4 of Section 3, Township 38 North, Range 7 East, be conveyed to them, as they are the present owners of the aforementioned adjacent land and they have paid the \$500.00 administrative fee to process this request; and,

WHEREAS, the Town of Lake Tomahawk has been notified of this request, which adjoins Rainbow RD.

NOW, THEREFORE, BE IT RESOLVED, that the Oneida County Board of Supervisors hereby approves conveying the following described parcels of land, provided the Town of Lake Tomahawk does not have any objections to such conveyance, and authorizes the County Clerk, upon receipt of the recording fee and land value of \$737.50, to issue a quit claim deed to the adjoining landowner as set forth below, conveying any interest the County has in the following descriptions.

To: Edmund J Coffen Revocable Trust Dated December 14th, 2005.

A parcel of land located in Government Lot 4 of Section 3, Township 38 North, Range 7 East, town of Lake Tomahawk, Oneida County, Wisconsin shown on a survey map by McMullen & Associates, Incorporated of Minocqua, Wisconsin dated the 3rd day of May, 2012 with a job number of 212008 and more particularly described as follows:

Commencing at the north 1/4 corner of said section marked by a 6"x6" concrete monument with an Oneida County brass cap; thence along the north-south 1/4 line of said section South 0° 13' 27" East (Magnetic North based on the east-west 1/4 line of said section which bears North 88° 31' 49" West), a distance of 1850.71 feet to a 1.660" iron pipe; thence leaving said north-south 1/4 line North 38° 00' 28" West, a distance of 268.89 feet to a 1.660" iron pipe; thence North 21° 01' 55" West, a distance of 95.06 feet to a 1.050" iron pipe marking the southerly 66' right-of-way of Rainbow Road; thence crossing said road North 86° 43' 25" West, a distance of 213.35 feet to a 1.660" iron pipe marking the northerly 66' right-of-way of said road by the edge of a creek, said point being the POINT OF BEGINNING;

Thence along said 66' right-of-way along the arc of a curve to the right 43.36 feet, with a radius of 648.56 feet, and a long chord of which bears South 85° 03' 30" West, having a distance of 43.35 feet to a 1.660" iron pipe; thence continuing along said 66' right-of-way South 86° 58' 26" West, a distance of 114.09 feet to a 1.660" iron pipe; thence leaving said 66' right-of-way North 10° 57' 57" West, a distance of 67.48 feet to a point on the northerly 100' right-of-way for said road; thence along said 100' right-of-way along the arc of a curve to the right 8.67 feet, with a radius of 237.03 feet, and a long chord of which bears North 85° 55' 25" East, having a distance of 8.67 feet to a point by the edge of a Channel of water; thence continuing along said 100' right-of-way and crossing said Channel North 86° 58' 26" East, a distance of 114.74 feet to a point by the edge of said Channel; thence continuing along said 100' right-of-way along the arc of a curve to the left 36.77 feet, with a radius of 581.56 feet, and a long chord of which bears North 85° 09' 44" East, a distance of 36.77 feet to a point by the edge of said creek; thence leaving said 100' right-of-way and meandering along said creek South 8° 39' 39" East, a distance of 67.03 feet to the POINT OF BEGINNING.

Together with all the lands lying between said meander line and the center of said creek. Subject to the lands of said Channel.

Said described tract containing 9,638 Square Feet or 0.22 Acres more or less (approximately 6,700 Square Feet of this area is wetland). This area was calculated to the O.H.W.M. of said Channel and to the edge of said creek.

Said parcel to be attached to lands described in Document # 626317, Oneida County Register of Deeds.

Subject to any easements, restrictions, or rights of way of record or of use.

And,

A parcel of land located in Government Lot 4 of Section 3, Township 38 North, Range 7 East, town of Lake Tomahawk, Oneida County, Wisconsin shown on a survey map by McMullen & Associates, Incorporated of Minocqua, Wisconsin dated the 3rd day of May, 2012 with a job number of 212008 and more particularly described as follows:

Commencing at the north 1/4 corner of said section marked by a 6"x6" concrete monument with an Oneida County brass cap; thence along the north-south 1/4 line of said section South 0° 13' 27" East (Magnetic North based on the east-west 1/4 line of said section which bears North 88° 31' 49" West), a distance of 1850.71 feet to a 1.660" iron pipe; thence leaving said north-south 1/4 line North 38° 00' 28" West, a distance of 268.89 feet to a 1.660" iron pipe; thence North 21° 01' 55" West, a distance of 28.00 feet to a point on the southerly 100' right-of-way of Rainbow Road, said point being the POINT OF BEGINNING;

Thence along said 100' right-of-way the following bearings and distances: South 71° 19' 49" West, a distance of 67.88 feet to a point; along the arc of a curve to the right 213.39 feet, with a radius of 781.56 feet, and a long chord of which bears South 79° 09' 07" West, having a distance of 212.73 feet to a point; South 86° 58' 26" West, a distance of 114.74 feet; along the arc of a curve to the left 49.16 feet, with a radius of 37.03 feet, and a long chord of which bears South 48° 56' 14" West, having a distance of 45.63 feet to a point; South 10° 54' 04" West, a distance of 59.61 feet to a point; along the arc of a curve to the right 193.55 feet, with a radius of 630.91 feet, and a long chord of which bears South 19° 41' 23" West, having a distance of 192.79 feet to a point; South 28° 28' 41" West, a distance of 52.43 feet to a point; along the arc of a curve to the right 133.20 feet, with a radius of 713.27 feet, and a long chord of which bears South 33° 49' 40"

West, having a distance of 133.00 feet to a point; South 39° 10' 41" West, a distance of 77.24 feet to a point; along the arc of a curve to the left 14.22 feet, with a radius of 1636.61 feet, and a long chord of which bears South 38° 55' 44" West, having a distance of 14.22 feet to a point; thence leaving said 100' right-of-way North 88° 31' 49" West, a distance of 83.19 feet to the southerly 66' right-of-way of Rainbow Road marked by a 1.660" iron pipe; thence along said 66' right-of-way the following course: along the arc of a curve to the right 65.12 feet, with a radius of 1703.61 feet, and a long chord of which bears North 38° 04' 58" East, having a distance of 65.11 feet to a 1.660" iron pipe; North 39° 10' 41" East, a distance of 77.24 feet to a 1.660" iron pipe; along the arc of a curve to the left 120.68 feet, with a radius of 646.27 feet, and a long chord of which bears North 33° 49' 40" East, having a distance of 120.51 feet to a 1.660" iron pipe; North 28° 28' 41" East, a distance of 52.43 feet to a 1.660" iron pipe; along the arc of a curve to the left 173.00 feet, with a radius of 563.91 feet, and a long chord of which bears North 19° 41' 23" East, a distance of 172.32 feet to a 1.660" iron pipe; North 10° 54' 04" East, a distance of 59.61 feet to a 1.660" iron pipe; along the arc of a curve to the right 138.12 feet, with a radius of 104.03 feet, and a long chord of which bears North 48° 56' 14" East, a distance of 128.19 feet to a 1.660" iron pipe; **North** 86° 58' 26" East, a distance of 114.74 feet to a 1.660" iron pipe; along the arc of a curve to the left 195.10 feet, with a radius of 714.56 feet, and a long chord of which bears North 79° 09' 07" East, a distance of 194.49 feet to a 1.660" iron pipe; North 71° 19' 49" East, a distance of 65.12 feet to a 1.660" iron pipe; thence leaving said 66' right-of-way South 21° 01' 55" East, a distance of 67.06 feet to the POINT OF BEGINNING.

Said described tract containing 68,184 Square Feet or 1.57 Acres more or less (approximately 36,850 Square Feet of this area is wetland).
Said parcel to be attached to lands described in Document # 626318, Oneida County Register of Deeds.
Subject to any easements, restrictions, or rights of way of record or of use.

Approved by the Land Records Committee this 8th day of May, 2012.
Offered and passage moved by: Denny Thompson, Paul Dean, Jim Intrepidi, Sonny Paszak and Michael Timmons.

MOTION/SECOND: Vandervest /Shidell to waive the reading of Resolution #44-2012. All "aye" on voice vote, motion carries.

ROLL CALL VOTE: 19 Ayes, 0 Nays, 2- Absent- Baier, C. Sorensen

STUDENT REPRESENTATIVES: 3 Ayes

RESOLUTION #44-2012 - Adopted.

RESOLUTION #045-2012

Resolution offered by Supervisor Bob Martini.
Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, pursuant to resolution #42-2012 the Oneida County Board Supervisors adopted a Code of Conduct for all Supervisors to abide by; and
WHEREAS, many County Board Supervisors wanted a "conflict of interest" clause added to the Code of Conduct; and
WHEREAS, Corporation Counsel was instructed to draft the conflict of interest language for the Code of Ethics; and
WHEREAS, Corporation Counsel proposes that the following language be added to the Code of Ethics:

Conflict of Interest.

County board members are bound by several state statutes ,codes, and case law that prohibit conflicts of interest or the appearance of conflicts of interest in the exercise of their duties as County Board Supervisors

(a) Receipt of Gifts, Gratuities, and Preferential Treatment Prohibited. An official shall not solicit or accept anything of value whether in the form of a gift, service, loan or promise from any person which may impair independence of judgment or action in the performance of official duties. Nor shall an official or employee accept from any person or organization, directly or indirectly, preferential treatment or any thing of value without full payment, if it could reasonably be expected to influence a vote, a contract, or could reasonably be considered as a reward for any governmental action or inaction.

(b) Exception. It is not a conflict of interest for an official or to receive:

- 1. An unsolicited gift or gratuity of insignificant value, or*
- 2. Anything given to him or her independent of his or her position as an official or employee.*

(c) Business Interest. An official shall not engage in any financial transaction which:

- 1. Is incompatible with the proper discharge of official duties for the benefit of the public,*
- 2. Is contrary to the provisions of this code, or*
- 3. May impair independence of judgment or action in the performance of official duties.*

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors that the language listed above at lines 16-36 is hereby adopted and made part of the Code of Ethics for County Board Supervisors.

Offered and passaged moved by: Bob Martini

Seconded by: Supervisor Rudolph

ONEIDA COUNTY BOARD CODE OF CONDUCT

I. Preamble

The citizens and businesses of Oneida County, Wisconsin, are entitled to have fair, ethical and accountable local government, which has earned the public's full confidence for integrity. In keeping with Oneida County's commitment to its citizens, the effective functioning of representative democratic government requires elected county board supervisors comply with both the letter and spirit of the laws and policies affecting the operations of government; that elected county board supervisors be independent, impartial and fair in their judgment and actions; that public office be used for the public good, not for personal gain; and that public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Oneida County Board of Supervisors has adopted this Code of Conduct for county board supervisors to assure public confidence in the integrity of local government and its effective and fair operation.

II. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, county board supervisors will work for the common good of the people of Oneida County and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims, and transactions coming before the Oneida County Board of Supervisors, boards, commissions, and committees. In addition, county board supervisors shall adhere to all statutes, ordinances and rules relating to the conduct of county business including, without limitation, Wis. Stat. § 19.59, *et seq.*

III. Comply with the Law

County board supervisors shall comply with the laws of the nation, the State of Wisconsin and the County of Oneida in the performance of their public duties. These laws include, but are not limited to: the United States and Wisconsin constitutions; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open government; and County ordinances and policies.

IV. Conduct of County Board Supervisors

The professional and personal conduct of county board supervisors must be above reproach and avoid even the appearance of impropriety. County board supervisors shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other county board supervisors, boards, commissions, and committees, the staff or public.

V. Respect for Process

County board supervisors shall perform their duties in accordance with the processes and rules of order established by the Board of Supervisors and boards, committees, and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Board of Supervisors by County staff.

VI. Conduct of Public Meetings

County board supervisors shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

VII. Decisions Based on Merit

County board supervisors shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

VIII. Communication

County board supervisors shall publicly share substantive information that is relevant to a matter under consideration by the Board of Supervisors or boards, committees and commissions, which they may have received from sources outside of the public decision-making process.

IX. Confidential Information

Unless otherwise required by law, county board supervisors shall respect the confidentiality of information concerning the property, personnel or affairs of the County. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

X. Use of Public Resources

County board supervisors shall not use public resources that are not available to the public in general, such as County staff time, equipment, supplies or facilities, for private gain or personal purposes.

XI. Representation of Private Interests

In keeping with their role as stewards of the public interest, county board supervisors shall not appear on behalf of the private interests of third parties before the Board of Supervisors or any board, committee, commission or proceeding of the County.

XII. Advocacy

County board supervisors shall represent the official policies or positions of the Board of Supervisors, boards, commissions or committees to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions or otherwise speaking without the express direction or authorization of their body, county board supervisors shall explicitly state they do not represent their body or Oneida County, nor will they allow the inference that they do.

XIII. Policy Role of County Board Supervisors

The Board of Supervisors determines the policies of the County with the advice, information and analysis provided by the public, boards, commissions, and committees, and County staff. The Board of Supervisors delegates authority for the administration of the County to County staff.

County board supervisors therefore shall not interfere with the administrative functions of the County or the professional duties of County staff; nor shall they impair the ability of staff to implement Board policy decisions.

XIV. Independence of Board and Commissions

Because of the value of the independent advice of boards, committees and commissions to the public decision-making process, county board supervisors shall refrain from using their positions to unduly influence the deliberations or outcomes of board, committee or commission proceedings.

XV. Positive Work Place Environment

County board supervisors shall support the maintenance of a positive and constructive work place environment for County employees and for citizens and businesses dealing with the County. County board supervisors shall recognize their special role in dealings with County employees and in no way create the perception of inappropriate direction to staff.

VXI Conflict of Interest

County board members are bound by several state statutes , codes, and case law that prohibit conflicts of interest or the appearance of conflicts of interest in the exercise of their duties as County Board Supervisors

(a) Receipt of Gifts, Gratuities, and Preferential Treatment Prohibited. An official shall not solicit or accept anything of value whether in the form of a gift, service, loan or promise from any person which may impair independence of judgment or action in the performance of official duties. Nor shall an official or employee accept from any person or organization, directly or indirectly, preferential treatment or any thing of value without full payment, if it could reasonably be expected to influence a vote, a contract, or could reasonably be considered as a reward for any governmental action or inaction.

(b) Exception. It is not a conflict of interest for an official or to receive:

- 1. An unsolicited gift or gratuity of insignificant value, or*
- 2. Anything given to him or her independent of his or her position as an official or employee.*

(c) Business Interest. An official shall not engage in any financial transaction which:

- 1. Is incompatible with the proper discharge of official duties for the benefit of the public,*
- 2. Is contrary to the provisions of this code, or*
- 3. May impair independence of judgment or action in the performance of official duties.*

XVII. Implementation

As an expression of the standards of conduct for county board supervisors expected by the County, the Oneida County Supervisors Code of Conduct is intended to be self-enforcing. It becomes most effective when county board supervisors are thoroughly familiar with it and embrace its provisions.

For this reason, training on state and local ethical standards and this Code of Conduct shall be included in the regular orientations for new county board supervisors. County board supervisors entering office shall sign a statement affirming they have read and understood the Oneida County Supervisors Code of Conduct. In addition, the County Board of Supervisors shall annually review the Code of Conduct and shall consider recommendations from boards, committees and commissions to update it as necessary.

XVIII. Compliance and Enforcement

The Oneida County Supervisor Code of Conduct expresses standards of ethical conduct expected of county board supervisors. County board supervisors themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

Any county board supervisor may file a written statement regarding alleged violations of the Code of Conduct according to Oneida County's policy regarding the Dispute Resolution Committee.

The Board of Supervisors may impose sanctions on county board supervisors whose conduct does not comply with the standards set forth in the Code of Conduct, such as reprimand, formal censure, or loss of committee assignment. The remedies provided herein are not exclusive of any other remedies available by law.

A violation of this Code of Conduct shall not be considered a basis for challenging the validity of a Board of Supervisors decision.

ONEIDA COUNTY BOARD DISPUTE RESOLUTION COMMITTEE

The Oneida County Board of Supervisors has established the Board Dispute Resolution Committee to provide a mechanism for the orderly and peaceful resolution of any disputes that may arise under the Oneida County Board Code of Conduct. The Board Dispute Resolution Committee shall be formed only on an as-needed basis (as set forth below) and shall conduct itself according to the following rules.

1. Any Board Dispute Resolution Committee convened shall consist of three (3) members appointed by the County Board Chair, all of whom must be current county board supervisors, consistent with the following: one (1) member chosen by the individual that filed the written statement (other than him or herself), one (1) member chosen by the individual alleged to have violated the Code of Conduct (other than him or herself) and the County Board Chair. If the County Board Chair is involved in the alleged incident as a complaining party, accused individual or witness, the First Vice Chair shall serve. If the County Board Chair cannot serve and the First Vice Chair is involved in the alleged incident as a complaining party, accused individual or witness, the Second Vice Chair shall serve. If the County Board Chair, First Vice Chair and Second Vice Chair are all unable to serve, the third Committee member shall be chosen by random drawing.

2. Any county board supervisor having a good faith basis to believe that a fellow county board supervisor has violated the Oneida County Board Code of Conduct may file a written statement with the County Board Chair. Any written statement filed hereunder shall provide a recitation of the Code of Conduct rule alleged to have been violated and a detailed statement of all facts supporting the allegation(s), including names of any and all witnesses having information relevant to the allegation(s). All statements must be signed and dated by the complaining county board supervisor.

3. Within 10 days of receiving a written statement, the County Board Chair shall:

- a. Acknowledge receipt of the statement to the complaining county board supervisor;
- b. Provide a copy of the statement to the county board supervisor accused of having violated the Code of Conduct;
- c. Ask the complaining party for the name of the current county board supervisor that the complaining party designates for the Board Dispute Resolution Committee; and
- d. Ask the accused individual for the name of the current county board supervisor that the complaining party designates for the Board Dispute Resolution Committee.

The County Board Chair shall appoint the members of the Board Dispute Resolution Committee as soon as possible, but in no event later than 20 days after the filing of the written statement. The County Board Chair shall have the ability to appoint members to the Committee at his/her discretion in the event the timelines above are not followed.

4. The Board Dispute Resolution Committee shall convene as soon as possible after appointment, but in no event later than 30 days after the filing of the written statement. The Committee may establish rules for proceeding on the complaint including, without limitation, asking for information from individuals with knowledge of the facts and circumstances surrounding the claimed infraction.

5. As soon as practical, but not later than 60 days following the filing of the written statement, the Committee shall issue a written report with a recommendation to the County Board as to whether an infraction of the Code of Conduct occurred and, if so, the appropriate remedy under the Code of Conduct.

6. If the Committee determines that a written statement is filed in bad faith, without foundation in fact or without foundation under the Code of Conduct, the Committee may recommend that action be taken against the county board supervisor consistent with the Code of Conduct.

7. The County Board shall place the Committee's report on the agenda for the next scheduled County Board meeting.

8. At the County Board meeting at which the Committee's report is placed on the agenda, the County Board shall receive the report and consider action to be taken, if any, with respect to the report. The County Board is not bound by the Committee's recommendation.

ROLL CALL VOTE: 6 Ayes, 14 Nays, 1 Absent - Baier

STUDENT REPRESENTATIVES: 0 Ayes, 3 Nays
RESOLUTION #045-2012 - Defeated

RESOLUTION #046-2012

Resolution offered by Solid Waste & Buildings & Grounds Committee.
Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, Oneida County has purchased the former Northern Advantage Job Center in order to re-locate the Department on Aging and the Health Department; and
WHEREAS, at the current time Oneida County has not re-named the building;
and

WHEREAS, the Solid Waste & Buildings & Grounds Committee desires that the former Northern Advantage Job Center be re-named the "Oneida County Health and Aging Facility"; and

NOW, THEREFORE, BE IT RESOLVED, that the Oneida County Board of Supervisors does hereby re-name the former Northern Advantage Job Center to the "Oneida County Health and Aging Facility".

Approved by the Solid Waste & Buildings & Grounds Committee this 10th day of May, 2012.

Offered and passage moved by: William Fried, Gary Baier and Scott Holewinski.

ROLL CALL VOTE: 20 Ayes, 0 Nays, 1 Absent- Baier
STUDENT REPRESENTATIVES: 3 Ayes
RESOLUTION #046-2012 - Adopted.

It is anticipated that the County Board will enter in Closed Session (pursuant to Sec. 19.85 (1) (e) Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session. (1103 Thayer St. Department on Aging property)).

MOTION/SECOND: Rudolph/J. Sorensen to enter into closed session. Time: 11:15 a.m. (pursuant to Sec. 19.85 (1) (e) Deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session. (1103 Thayer St. Department on Aging property)).

ROLL CALL VOTE: 20 Ayes, 0 Nays, 1 Absent - Baier
STUDENT REPRESENTATIVES: 3 Ayes

Excused: Student Representative, Committee Secretary.

MOTION/SECOND: Martinson/Vandervest to return to open session at 11:34 a.m. All "aye" on voice vote, motion carries.

No motion announced.

OTHER BUSINESS:

Appointments to committees, commissions and other organizations.

Appoint John Young to replace Robert Fries on the Zoning Board of Adjustment for a term to expire July 2014.

Appoint Pat Brainard, Andy Cordova, Blaine Oborn to the Oneida County Economic Development Corporation Committee with a term to expire April 2014, and to reappoint Mark Eversman, Joe Fahrenbach, Tom Knudsen and Bill Korrer to the Oneida County Economic Development Corporation with a term to expire April 2014.

Reappoint Harland Lee to the Human Services Committee for a term to expire April 2015.

Reappoint James Voborsky to the Law Enforcement Grievance Committee for a term to expire April 2015.

Approve Jackie Cody and Marge Saari, RN, the authority to vote on Commission on Aging items while serving as citizen members on the Health & Aging Committee effective May 15, 2012.

Reappoint Joanna Gudel, M.D to serve on the Health and Aging Committee for a term to end June 2015.

Appoint Tom Rudolph to serve on the Human Service Board for a term to end April 2014.

MOTION/SECOND: Shidell/ J. Sorensen to approve all the appointments and commissions as stated above. All "aye" on voice vote, motion carries.

ADJOURNMENT:

MOTION/SECOND: Metropulos/ Paszak to adjourn at 11:35 a.m. All "aye" on voice vote, motion carries.