

**\*Amended - Notice of Regular Meeting  
Oneida County Board of Supervisors  
August 20, 2013 – 9:30 a.m.  
Oneida County Courthouse  
County Board Meeting Room 2<sup>nd</sup> Floor**

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**CALL TO ORDER:**

There will be 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, Billy Fried, David Hintz, Scott Holewinski, Jim Intrepidi, Bob Martini, Jack Martinson, Bob Metropulos, Bob Mott, Greg Oettinger, Sonny Paszak, Carol Pederson, Tom Rudolph, Jerry Shidell, Candy Sorensen Jack Sorensen, Denny Thompson, Michael Timmons and Romelle Vandervest.

**# OF MEMBERS PRESENT:** 21

**OTHERS PRESENT:** Mary Bartelt, County Clerk; Melodie Gauthier, Chief Deputy Clerk; Brian Desmond, Corporation Counsel; Karl Jennrich, Planning and Zoning; Lisa Charbarneau, LRES; Paul Spencer Jr., Social Services and Lu Ann Brunette, Buildings & Grounds.

**Announcements by Chair, Correspondence and Communications**

**Sign Attendance Form at the Podium.**

**Please Use Microphones When Speaking.**

**Chairman Cushing asked that a motion be made to take agenda items out of order.**

**Motion/Second:** Vandervest/ Paszak to take items on the Agenda out of order.

**Roll Call Vote:** 21 Ayes, 0 Nays, 0 Absent (2/3 vote needed)

**Motion** – passes.

**Chairman Cushing announced there is a Special Meeting September 3, 2013 @ 9:30 a.m. to review the 2013 budget and discuss items for 2014 Budget.**

**ACCEPT THE MINUTES OF THE JUNE 18<sup>TH</sup>, 2013 REGULAR MEETING**

**Motion/Second:** Baier/Timmons to accept the minutes of June 18<sup>th</sup> 2013, Regular Meeting.

**Corrections, additions or deletions:** Rudolph - page 5, add a Roll Call Vote on the Amended Resolution # 45-2013: 21- Ayes, 0 – Nays – 0 – Absent.

**REPORTS/ PRESENTATIONS:**

**County Tourism Update**

Kim Baltus, Minocqua Area Chamber of Commerce, presented an update on tourism to the County Board stating in 2012 there was just under \$186 million spent by travelers in Oneida County. Tourism generates approximately \$19 million in state and local taxes annually. Approximately 184 thousand jobs are supported by tourism in Wisconsin and tourism is growing approximately 15% faster than the nation's economy. Tourism also potentially brings in new residents to the area. Ms. Baltus stated there were 35,581 visits to the Minocqua Area Chamber of Commerce website.

**2012 Public Health Department Annual Report**

**Motion/Second:** Martinson/C.Sorensen to accept the 2012 Public Health Department Annual Report as presented. 20 Ayes, 0 Nays, 1 Abstain – Shidell, 0 Absent, motion carries.

**2012 Veterans' Service Office Annual Report**

**Motion/Second:** Vandervest/Pederson to accept the Veteran's 2012 Annual Report as presented. 20 Ayes, 0 Nays, 1 Abstain – Shidell, 0 Absent, motion carries.

It is anticipated the Oneida County Board will conduct a public hearing on the Oneida County Comprehensive Plan. Anyone having an interest may attend and be heard.

**Public Hearing:**

**Oneida County Comprehensive Plan**

Karl Jennrich states a memo regarding the Oneida County Planning & Zoning Department went out on August 1, 2013 stating August 20, 2013 the Oneida County Board of Supervisors will be holding a public hearing regarding the adoption of a Comprehensive Plan for Oneida County.

Supervisor Baier stated all 21 towns participated and that he felt the County is now ready to move forward.

**Public Speakers:**

Dick Dvorak – Pelican Lake – Chairman Town of Schoepke. – Supports Plan.

Mr. Jay Verholtz –Feels the map (2-3) Rare Species - endangered species, should be excluded. – Supports Plan.

Dennis Schoeneck – Town of Enterprise - Supports Plan.

Bill Liebert – Town of Newbold – Rejects Plan.

Dave Schatzley - Town of Lynne – Agrees that maps are not accurate. - Supports Plan.

**Motion/Second: Rudolph / J.Sorensen** to close public hearing on the Comprehensive Plan. All “Aye” on voice vote, motion carries.

**Resolution # 54 -2013 / General Code OA**

Resolution offered by the Comprehensive Planning Oversight Committee.

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

**WHEREAS**, Section 66.1001 (4), Wisconsin Statutes, establishes the required procedure for a local government to adopt a Comprehensive Plan, and Section 66.1001 (2) identifies the required elements of a Comprehensive Plan; and

**WHEREAS**, the Comprehensive Planning Oversight Committee has the authority to recommend that the county Board of supervisors adopt a “Comprehensive Plan” under Section 66.1001 (4)(b); and

**WHEREAS**, the Comprehensive Planning Oversight Committee has prepared the attached County Comprehensive Plan document, containing all maps and other descriptive materials, to be the Comprehensive Plan for Oneida County under Section 66.1001, Wisconsin Statutes.

**NOW, THEREFORE, BE IT RESOLVED**, that the Comprehensive Plan Oversight Committee of Oneida county hereby recommends adoption of the attached Comprehensive Plan as the County’s Comprehensive Plan under section 66.1001(4), Wisconsin Statutes; and

**BE IT FURTHER RESOLVED**, that the Oneida Clerk certifies a copy of the attached Comprehensive Plan to the County Board of Supervisors for official adoption; and

**BE IT FURTHER RESOLVED**, that the Comprehensive Plan Oversight Committee hereby recommends that, following a public hearing, and revisions to the Comprehensive Plan as needed, the County Board of Supervisors adopt an Ordinance to constitute official approval of the Oneida County Comprehensive Plan as the County’s Comprehensive Plan under section 66.1001, Wisconsin Statutes.

Approved by the Comprehensive Planning Oversight Committee this 9<sup>th</sup> day of July, 2013.

Offered and passage moved by Supervisors: Baier, Metropulos, Rudolph, Holewinski, Timmons, Fried and committee members, Lee and Pelletier.

Karl Jennrich talked about the rare and endangered species and states the maps are “rough and crude”. Jennrich states the **presences** of the maps are informational and shows approximately where the species are and no way prevents development **activities**. Jennrich states he rejects the recommendation to remove the maps from the Comprehensive Plan.

Supervisor Baier stated this is a living document and can be changed and amended. All of the town’s plans are different, they were written by the towns. Towns annually should go through their plans and make any modifications or changes at that time.

Further discussion took place among the Supervisors.

**Motion/no second: Rudolph** move to approve Resolution # 54 and close any debate.

Brian Desmond: Larmers 5.8.4. (The motion to close debate (“previous question”) is out of order as long as any member who has not yet spoken on the issue is seeking recognition.

**Motion/no second: Rudolph** to withdraw motion to close debate.

**Motion/Second: Baier/Martinson** to remove map (2-3) –Rare Species - Endangered Species, and paragraph two (Element 2/Natural Resources) page 26, in regard to the map.

**Roll call on motion:** 19 Ayes, 2 Nays- Rudolph and Martini, 0 Absent.

**Motion to remove map (2-3) and paragraph:** passes

**Roll call vote on amended Resolution #54-2013/General Code OA:** 20 Ayes, 1 Nay- Shidell, 0 Absent.

**Amended Resolution #54-2013/General Code OA** – enacted.

County Clerk, Mary Bartelt, read the Roll Call Vote for the amended minutes for June 18, 2013, p. 5, Resolution #45-2013, (Corrections, additions or deletions) a motion/second to accept the addition was made.

**Motion/Second:** Rudolph/Hintz to approve amended minutes for June 18, 2013, p. 5, by adding the Roll Call for the Amended Resolution # 45-2013: as “21- Ayes, 0 – Nays – 0 – Absent” All “aye” on voice vote, motion carries.

### **2012 Audit Report Presentation**

Dave Maccoux, Schenck and Associates, presented the 2012 Audit Report stating the County is strong financially and is in excellent condition. **General** Fund balances for 2011 was \$20,612,762 and for 2012 was \$20,249,831.

**Motion/Second:** Shidell/Hintz to accept the 2012 audit report as presented. All ayes on voice vote, motion carries.

### **Public Comment on Resolution #52-2013 (Impervious surfaces)**

Kathy Knoll -Sugar Camp- Rejects Resolution #52-2013

Jean Roach -Pelican Lake -Rejects Resolution #52-2013

John Knutson - Crescent Lk.-Rejects Resolution #52-2013

Karl Fate- Crescent - Rejects Resolution #52-2013

Bill Leibert - Newbold - Supports Resolution #52-2013

Jay Verholtz- Arbor Vitae - Supports Resolution #52-2013

Connie Anderson –Crescent - Rejects Resolution #52-2013

Robert Farris - Sugar Camp - Supports Resolution #52-2013

Supervisor Mott read a letter from Lora J Regni and Theodore Simon who reject Resolution #52-2013.

Vandervest - excused -11:30 a.m.

Supervisor Cushing – excused- 11:50 a.m., David Hintz proceeds to ask if there were anymore public comments.) Supervisor Cushing – returns at 11:54 a.m.

Further discussion on Resolution #52-2013 took place with the County Board members.

### **Resolution # 52 - 2013**

Resolution offered by the Supervisors of the Planning and Development Committee.

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

**WHEREAS**, Wis. Stats. Section 59.692 requires counties to adopt Zoning and Subdivision regulations for the protection of all shorelands in unincorporated areas, and,

**WHEREAS**, the Wisconsin Department of Natural Resources (WDNR) has the responsibility under 281.31 of Wisconsin Statutes to promulgate rules which requires adherence to specific standards and criteria for Navigable Water Protection Regulations under the Shoreland Management Program as outlined in NR 115 of the Wisconsin Administrative Code; and

**WHEREAS**, the Wisconsin Department of Natural Resources will be holding public hearings throughout the State on revisions to Ch. NR 115, Wisconsin's Shoreland Protection Program; and

**WHEREAS**, NR 115 and proposed revisions to NR 115 regulate impervious surfaces; and

**WHEREAS**, impervious surfaces are defined as: “means an area that releases as runoff all or a majority of precipitation that falls on it “Impervious surface” excludes frozen soil but includes rooftops, sidewalks, driveways, parking lots, and streets unless specifically designed, constructed and maintained to be pervious.”; and

**WHEREAS**, in order to regulate impervious surfaces property owners will be required to determine their lot size and amount of existing impervious surfaces; and

**WHEREAS**, this requirement of determining impervious surfaces will place an undo hardship on property owners; and

**WHEREAS**, and this requirement regarding calculating impervious surfaces will place additional workload and costs on the Planning and Zoning Department to administer.

**NOW, THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors strongly opposes any impervious surface requirements in the shoreland protection program NR 115 rule as currently written and request it be stricken;

**BE IT FURTHER RESOLVED**, that this resolution be submitted to Governor Walker, Senator Tiffany, Representative Rob Swearingen, Representative Mary Czaja and to Secretary Stepp, WI DNR.

Approved by the Planning and Development Committee this 6th day of August, 2013.  
Offered and passage moved by Supervisors: Holewinski, J.Sorensen, Hintz, Baier and Timmons.

**Roll Call Vote on Resolution #52-2013:** 10 Ayes, 10 Nays - Mott, Intrepidi, Rudolph, Pederson, Paszak, C.Sorensen, Hintz, Metropulos, Martini and Cushing. 1 Absent – Vandervest.  
**Resolution #52-2013** – defeated.

**Motion/Second: Mott/Pederson** to recess for 10 minutes at 1:10 p.m. All “aye” on voice vote, motion carries.

Excused –Baier, Berard, Metropulos and Oettinger at 1:10 p.m.

Reconvene from recess at 1:20 p.m.

**Motion/Second: Fried/Shidell** – move to reconsider the previous vote for Resolution # 52-2013.

Debate on the County Board floor stating this is unfair since citizens and 4 more County Board Supervisors left the meeting.

Shidell – “Is it permissible to post-poner the motion to reconsider to the next meeting?”  
Brian Desmond, Corporation Counsel, stated the reconsideration has to be decided within the same meeting.

**Roll Call Vote on Motion:** (Yes is a vote to re-vote), (No means no re-vote). 1 Aye - Shidell, 16 Nays – Berard, J.Sorensen, Rudolph, Mott, Intrepidi, Martinson, Pederson, Paszak, C.Sorensen, Thompson, Fried, Timmons, Hintz, Martini, Holewinski and Cushing. 4 Absent - Baier, Oettinger, Vandervest and Metropulos.

**Motion to reconsider the vote on Resolution #52-2013** – fails.

Paszak – excused 1:30 p.m.

**Resolution # 53 -2013/General Code OA**

Ordinance Amendment offered by the Planning and Development Committee

**WHEREAS**, the Planning & Development Committee, having considered Ordinance Amendment # 6-2013, (copy attached) which was filed June 20 , 2013 (copy attached) 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 July 8, 2013 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

**WHEREAS, members** of the public and local building contractors requested to be allowed to have flat roofed boathouses; and

**WHEREAS**, a flat roofed boathouse would have a more aesthetically pleasing view from both the lake and the property owners home; and

**WHEREAS**, with a pitched roof that is designed to handle the snow load the roof tends to cut off the view of the lake for the property owner; and

**WHEREAS**, the Planning and Development Committee held a public hearing and a majority of the public wanted a flat roofed boathouse; and

**WHEREAS**, the Planning and Development Committee has carefully studied the proposed changes after listening to comments made at the public hearing and recommends approval.

**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. Chapter 9 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

**Ordinance Amendment #6-2013** authored by the Planning and Development Committee to amend Section 9.94A, Boathouses, of the Oneida County Zoning and Shoreland Protection Ordinance as follows:

**Option A**

Option A is not being forwarded to the Oneida County Board of Supervisors.

**Option B**

A. OHWM Setbacks

2. Exceptions to the 75-foot setback from the OHWM of a navigable waterbody. See Appendices C through G for illustrative purposes only. The text in this section shall be controlling and will supersede the appendices if there are any conflicting interpretations.
- d. Boathouse. A riparian owner may construct a boathouse subject to the following restrictions:
  - (1) One boathouse is permitted in the first 100 feet of shoreline. In any additional increment of 100 feet of shoreline, a boathouse may be permitted only upon the issuance of a conditional use permit.
  - (2) The construction of a boathouse is confined to the viewing area.
  - (3) No part of any boathouse shall extend into the lake or stream beyond the OHWM.
  - (4) Any boathouse which may be permitted within the setback area shall be of one story only.
  - (5) A boathouse shall not exceed a total height of twelve (12) feet.
  - (6) A boathouse shall not be constructed on slopes 20% or greater.
  - (7) The maximum width of a boathouse parallel to the OHWM shall not exceed 20 feet. The overhang and eaves shall not exceed two feet. The maximum length of a boathouse landward and away from the OHWM shall not exceed 36 feet.
  - ~~(8) A boathouse shall have a pitched roof with a minimum pitch of 2.3 to 12.~~
  - (9) Decks, platforms, & other construction not essential for berthing of boats is prohibited.
  - (10) A boathouse shall contain no plumbing.
  - (11) A boathouse shall contain no living facilities.
  - (12) A boathouse cannot be constructed if the riparian landowner has a permanent boat shelter.
  - (13) The number of berths within a boathouse shall be subject to the provisions of section 9.98(D).
  - (14) A boathouse cannot be constructed if the riparian landowner has an existing "wet" boathouse extending over a navigable waterway.

The County Clerk shall, within seven (7) days after adoption of Rezone Petition #6-2013 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Wisconsin Department of Natural Resources.

Approved by the Planning and Development Committee this 6th day of August, 2013.  
Offered and passage moved by Supervisors: Holewinski, Hintz, Baier and Timmons.

**Motion/Second: Holewinski/J. Sorenson** to table Resolution # 53-2013 to the September 17, 2013 meeting. All "aye" on voice vote, motion carries.

**Motion/Second: Martinson/J.Sorensen** to enter into closed session at 1:56 p.m.

**Roll Call Vote:** 16 Ayes, 0 Nays, 5 Absent – Vandervest, Baier, Berard, Metropulos and Oettinger.

**CLOSED SESSION:**

It is anticipated that the County Board will adjourn to closed session pursuant to section 19.85 (1)(c)(e) and (g) for the purposes of (1) considering employment, promotion, compensation or performance evaluation data of any public employee; and (2) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; 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: (1) Employee Severance Package [19.85(1) (c)&(g)]  
(2) Easement behind the DOA building. [19.85(1) (e) (g)]

Upon completion of this portion of the meeting, it is anticipated the Committee will make a motion to return to open session to consider the remainder of the meeting agenda and announce any action taken in closed session.

**Motion/Second:** J.Sorensen/Mott to return to open session at 2:02 p.m.

**Roll Call Vote:** 16 Ayes, 0 Nays, 5 Absent – Vandervest, Baier, Berard, Metropulos and Oettinger.

**Announcement of action taken in closed sessions**

Re: Topic (1) Employee Severance Package was agreed upon. Topic (2) Easement behind the DOA building: settlement with the Title Company for the easement behind the DOA Building was approved.

**CONSENT AGENDA:**

Resolution # 59-2013 -2013 offered by the Administration Committee regarding 2013 budget transfers.

**Appointments to committees, commissions and other organizations**

To reappoint Coralee Erickson to the Housing Authority Committee with a term to expire August 2018.

To reappoint William Korrer to the Human Services Board Committee with a term to expire September 2016.

To appoint Dr. Amy Slette to the Health and Aging Committee to fill the vacancy of Joanna Gudel, MD., for a term to expire in June 2015.

**Motion/Second:** Shidell/Paszak to approve the Consent Agenda as presented. All “aye” on voice vote, motion carries.

**CONSIDERATION OF RESOLUTIONS & ORDINANCES:**

**Resolution # 48-2013**

Resolution offered by the Supervisors of the Labor Relations Employee Services Committee. Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, Resolution #58-2011 placed Oneida County in a multi-county consortium to administer the Income Maintenance Program consistent with the requirements of Act 32, with the Oneida County Board of Supervisors to annually determine whether to continue participation in a consortium; and

**WHEREAS**, Resolution #91-2012 declared its intent to continue participation, for one year, in a multicounty consortium to administer the Income Maintenance Program consistent with the requirements of Act 32, and

**WHEREAS**, Resolution #91-2012 resolved that the Social Services shall have the authority to enter into subsequent contracts with the Income Maintenance Consortium without further County Board involvement absent any financial or policy changes affecting the County’s participation; and

**WHEREAS**, the Social Services/Family Care Committee recommended to the Labor Relations Employee Services Committee to create two new Economic Support Specialist positions in the Department of Social Services to be in compliance with the implementation of the Affordable Care Act in Oneida County and the IM Central Consortium of which Oneida County is a member; and

**WHEREAS**, the Labor Relations Employee Services Committee did agree that Oneida County is required to increase staffing to handle the increase in caseload and application processing due to projected funding over a two year period; and

**WHEREAS**, the two new Economic Support Specialist positions will be funded with non-county tax levy funding and will terminate upon the loss of State and Federal funding.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that Oneida County create two Economic Support Specialist positions to be in compliance with the County's participation in the IM Central Consortium.

**BE IT FURTHER RESOLVED**, that the number of Economic Support Specialist positions created or deleted can be determined by the Labor Relations Employee Services Committee without further County Board involvement absent any financial or policy changes affecting the County's participation.

A fiscal impact statement is attached hereto and made a part hereof.

Approved by the Labor Relations Employee Services Committee this 24<sup>th</sup> day of July, 2013.

Offered and passage moved by Supervisors: Cushing, Holewinski, Pederson, Paszak and Fried.

**ONEIDA COUNTY FISCAL IMPACT  
Economic Support Specialist**

**2013 Rates - 1950 Hours**

**Annual Cost**

**Economic Support Specialist**

<b>Wages</b>	<b>29,529</b>
<b>Social Security</b>	<b>2,259</b>
<b>Retirement-er</b>	<b>1,964</b>
<b>Retirement-ee</b>	<b>-</b>
<b>Health Ins-Maximum</b>	<b>23,812</b>
<b>Life Insurance-Estimated</b>	<b>80</b>
<b>Workers Comp</b>	<b>53</b>
<b>Income Continuation Ins</b>	<b>75</b>
<b>Estimated Cost</b>	<b>57,772</b>
<b>2 Positions</b>	<b>2</b>
	<b>115,543</b>

Revenue Source: State Aids

**Roll Call Vote:** 14 Ayes, 2 Nays – J.Sorensen and Shidell. 5 Absent – Vandervest, Metropulos, Oettinger, Berard and Baier.

**Resolution #48-2013:** adopted.

**Resolution # 49 -2013:**

Resolution offered by the Supervisors of the Administration Committee

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

**WHEREAS**, the health department is required to implement electronic health records by 2014; and

**WHEREAS**, the current software system utilized for time tracking, grant reporting, billing and budgeting is no longer supported and out of date; and

**WHEREAS**, the new software will meet the needs for electronic health records, save on duplicative data entry and increase efficiency in the health department; and

**WHEREAS**, the new software has a cost of Forty thousand eight hundred and sixty –five dollars (\$40,865.00).

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County of Supervisors that the Health Department is authorized to spend Forty thousand eight hundred and sixty –five dollars (\$40,865.00) for electronic record management software; and

**BE IT FURTHER RESOLVED**, that the funds are to come from the General Fund.

Approved by the Administration Committee 8th day of July, 2013.  
Offered and passage moved by Supervisors: Hintz, Cushing, Shidell, Paszak and Thompson.

**Motion/Second: Hintz/Shidell** to table/postpone Resolution # 49-2013 to the November 12, 2013, Annual Budget Meeting. All "aye" on voice vote, motion carries.

**Resolution 49-2013** – postponed.

**Resolution # 50 -2013**

Resolution offered by the Supervisors of the Administration Committee  
Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, Corporation Counsel Office represents the County in a variety of civil legal matters; and

**WHEREAS**, The Oneida County Planning Office is investigating / working on two matters concerning a landowner (Skye); and

**WHEREAS**, One matter relates to a driveway owned by the landowner which was allegedly paved in violation of the Oneida County Zoning Ordinance; and

**WHEREAS**, A similar problem may exist regarding the driveway of Attorney Mike Fugle of the Corporation Counsel's Office, who lives next door to the landowner; and

**WHEREAS**, a third matter relating to possible future paving of a private road leading to the Skye driveway is also pending with the zoning office; and

**WHEREAS**, In addition to the landowner, Attorney Fugle would benefit from pavement of that private road; and

**WHEREAS**, Attorney Fugle has discussed legal issues relating to these matters with the private attorney representing the landowner; and

**WHEREAS**, the aforementioned issues create a conflict of interest to have Oneida County Corporation Counsel Office involved in the investigation or enforcement of these issues.

**WHEREAS**, County Code requires County Board authorization to hire outside counsel to act a corporation counsel; and

**WHEREAS**, the law firm that acts as Corporation Counsel for Forest County (Sommer, Olk, Schroeder and Payant of Antigo, WI) has indicated a willingness to act as Corporation Counsel for Oneida County in these matters at the rate of \$85.00/hour.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that outside counsel is approved to investigate and take necessary enforcement action regarding the issues stated above; and

**BE IT FURTHER RESOLVED** that an initial budget of \$8500.00 shall be allotted for this representation; and

**BE IT FURTHER RESOLVED** by the Oneida County Board of Supervisors that the County budget for fiscal year 2013 shall be amended to meet all projected costs with monies to come from the contingency fund.

Approved by the Administration Committee this 13<sup>th</sup> day of August, 2013.  
Offered and passage moved by Supervisors: Hintz, Shidell, Thompson and Paszak

Brian Desmond stated this Resolution would be a conflict of interest for Corporation Counsel to represent due to the fact Michael Fugle works in the Corporation Counsel Office. Desmond stated there are 3 issues that the outside counsel would be hired to assist with. Mr. Rhode's law firm from Antigo charges \$85.00 an hour and that \$8,500 will be put into Corp. line item for the outside representation.

**Roll Call Vote:** 16 Ayes, 0 Nays, 5 Absent - Metropulos, Baier, Berard, Vandervest, and Oettinger.

**Resolution # 50-2013** – adopted.

**Resolution # 51 -2013**

Resolution offered by the Supervisors of the Administration Committee.  
Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, improved broadband access is essential to Oneida County citizens in the areas of job creation, medical care, education, communication, entertainment, and other future uses, and

**WHEREAS**, significant portions of Oneida County are below average in speed, adoption, and capacity compared to the rest of Wisconsin, America, and our worldwide competitors, and

**WHEREAS**, Oneida County is prohibited by state law from being a broadband provider but can be a catalyst for improvement, and

**WHEREAS**, the cooperation among county, town, and city government with providers will be necessary for success, and,

**WHEREAS**, public and private involvement in the development of a broadband improvement plan is essential,

**NOW, THEREFORE, BE IT RESOLVED**, the Oneida County Board upon the advice of its Technology Committee, hereby endorses the conclusions of the committee and establishes as a goal that Oneida County will be home to the best broadband opportunities of any rural county in Wisconsin as measured by speed, adoption rate of its citizens, and data capacity.

The Board further resolves that the best vehicle to carry on this work is the Oneida County Economic Development Corporation (OCEDC) which has agreed to accept this responsibility.

The Board further resolves that the County Board's Administration Committee act as the conduit between the County Board and OCEDC for matters related to technology improvement in Oneida County.

Approved by the Administration Committee this 8<sup>th</sup> day of July, 2013.

Offered and passage moved by Supervisors: Hintz, Thompson and Paszak.

**Roll Call Vote:** 15 Ayes, 1 Nay – Shidell, 5 Absent - Metropulos, Baier, Berard, Vandervest, and Oettinger.

**Resolution #51-2013** – adopted.

**Resolution # 55 – 2013**

Resolution offered by Supervisor, Gary Baier.

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

**WHEREAS**, currently Oneida County provides park shelters for use by the public; and

**WHEREAS**, the Oneida County Forestry Department has overseen the replacement and upgrade of the upper Shelter at Almon Park; and

**WHEREAS**, the Forestry Department proposed that electric service be installed to the shelter as part of the original design and budget; and

**WHEREAS**, Wisconsin Public Service (WPS) requires an easement for future repair work as a condition of installing new service;

**WHEREAS**, the parties have agreed to attached contract terms and budget.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors does hereby authorize the granting of an easement to WPS pursuant to the terms of the attached contract.

**BE IT FURTHER RESOLVED**, that the Oneida County Board Chairman is authorized to sign the agreement on behalf of Oneida County.

Approved by the Forestry, Land and Recreation Committee this 13<sup>th</sup> day of August , 2013.

Offered and passage moved by Supervisor Baier

Seconded by: Supervisor Shidell

**Roll Call Vote:** 15 Ayes, 0 Nays, 6 Absent – Oettinger, Vandervest, Paszak, Baier, Berard and Metropulos.

**Resolution #55-2013** - adopted

<b>56188</b>	DOCUMENT NUMBER
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UTILITY EASEMENT / CORPORATION

*PLEASE DATE*

THIS INDENTURE is made this \_\_\_\_\_ day of \_\_\_\_\_, by and between **ONEDIA COUNTY, a Wisconsin municipal corporation** ("Grantor") and **WISCONSIN PUBLIC SERVICE CORPORATION**, a Wisconsin corporation, along with its successors and assigns (collectively, "Grantee"). For One Dollar and No/100 (\$1.00) and/or for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant unto said Grantee the perpetual right, permission, authority, privilege and easement, to construct, install, operate, maintain, inspect, remove, replace or abandon in place all equipment ("Facilities") necessary or useful for the purpose of transmitting electrical energy and/or gas for light, heat and power or for such other purpose as electric energy and/or gas is now or may hereafter be used, and for communication upon, over, across, within and above and/or beneath certain "Easement Area(s)" as shown below, or on attached Exhibit "A", on land owned by said Grantor in the **Town of Pelican, County of Oneida, State of Wisconsin**, described as follows, to-wit:

Return to:  
 Wisconsin Public Service Corp.  
 Real Estate Dept.  
 P.O. Box 19001  
 Green Bay, WI 54307-9001

Parcel Identification Number (PIN)  
**PE 253**  
**PE 254**

Part of the Southwest Quarter of the Southeast Quarter (SW1/4-SE1/4) and also part of the Northwest Quarter of the Southeast Quarter (NW1/4-SE1/4) of Section 19, Township 36 North, Range 9 East, as shown on the attached Exhibit "A".

Grantor acknowledges that the measurements used in the above description or shown on the attached Exhibit "A" are approximate. Grantor agrees that the actual location of grantee's facilities as built and installed will be controlling as to the location of the easement granted.

Grantor grants to the Grantee the perpetual right, privilege and easement to enter upon the Easement Area for the purpose of constructing, installing, operating, maintaining, inspecting, removing, replacing or abandoning in place the Facilities. The Grantee shall have the right to enter on and across any of the Grantor's property outside of the Easement Area as may be reasonably necessary to gain access to the Easement Area and as may be reasonably necessary for the installation, operation, maintenance, inspection, removal or replacement of the Grantee's Facilities. Except in the event of an emergency, Grantee shall make reasonable efforts to notify the Grantor before going upon Grantor's property outside of the Easement Area.

Should Grantee's work on its Facilities require excavation, the Grantee shall restore the surface of the Easement Area to its condition prior to Grantee's work. All work performed by the Grantee pursuant to this Easement will be performed in a safe and proper workmanlike manner

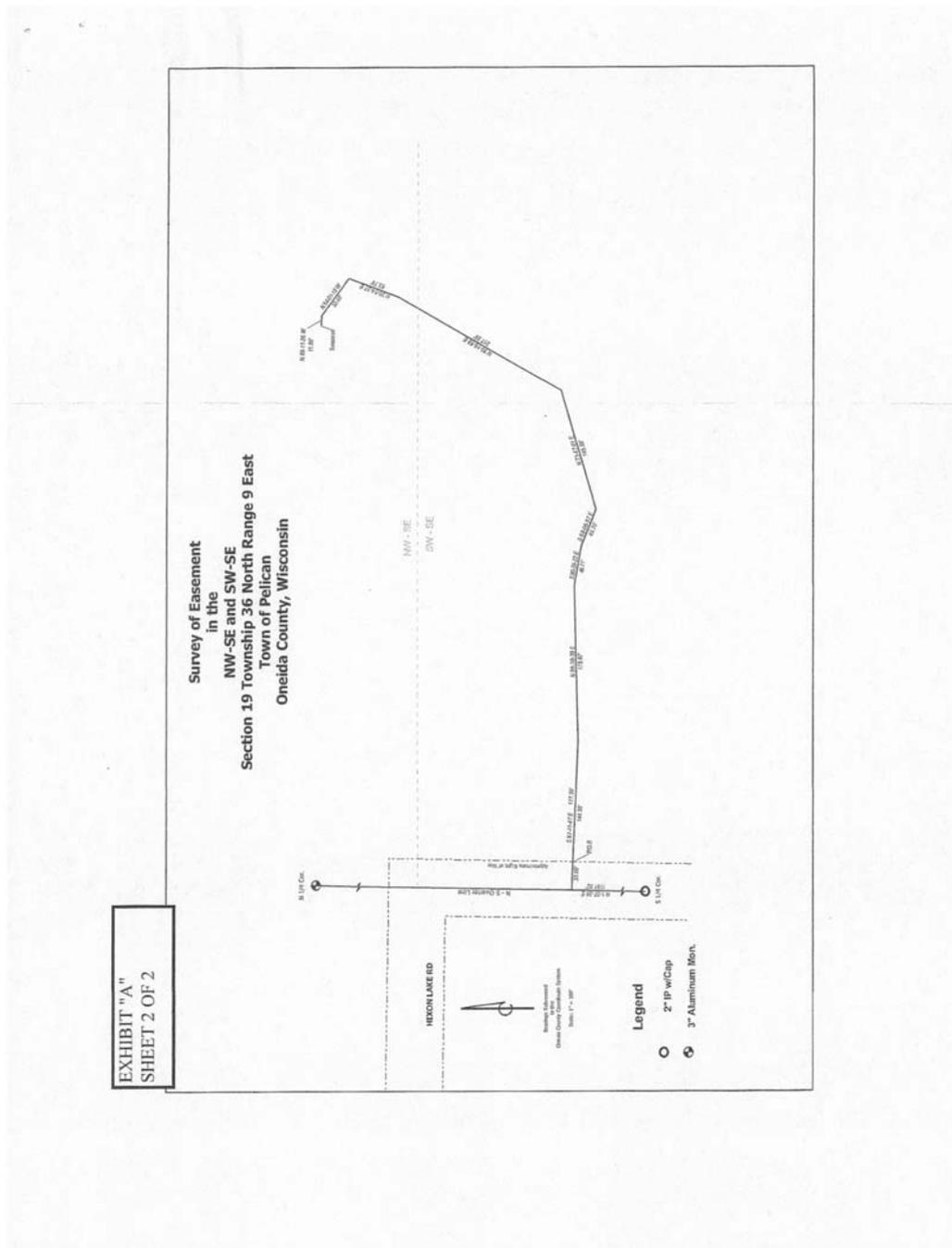
The Grantee shall have the right to control all brush and trees within the Easement Area by cutting, trimming, chemically treating and/or other means as may be reasonably necessary, within Grantee's exclusive judgment, to prevent interference with or damage to Grantee's Facilities.



Easement Description

An easement for utility purposes located in the NW ¼-SE ¼ and SW ¼ - SE ¼ of Section 19, Township 36 North, Range 9 East, Town of Pelican, Oneida County WI being 6' wide on each side of the following described line:

Commencing at the S ¼ of Section 19 a capped 2" iron pipe, thence N 1° 07' 38" E along the north-south ¼ line a distance of 1181.82' to a point, thence leaving said ¼ line S 87° 41' 47" E approximately 33' to the east right of way line of Hixon Lake RD and the point of beginning of said line, thence continuing S 87° 41' 47" E a distance of 144.56' to a point, thence N 88° 38' 39" E a distance of 179.87' to a point, thence S 80° 24' 22" E a distance of 46.71' to a point, thence S 68° 06' 57" E a distance of 46.70' to a point, thence N 73° 47' 01" E a distance of 145.66' to a point, thence N 30° 16' 59" E a distance of 217.59' to a point, thence N 20° 54' 27" E a distance of 63.79' to a point, thence N 54° 01' 18" W 53.48' to a point, thence N 88° 11' 26" W a distance of 11.86' to the terminus of said line.



**Resolution #56-2013**

Resolution offered by the Supervisors of the Labor Relations Employee Services Committee. Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, due to a current vacancy in the Building and Grounds Department, the Facilities Director, Assistant Facilities Director and Human Resources Director discussed possible changes to create efficiencies within the Department; and

**WHEREAS**, the Facilities Director, Assistant Facilities Director and Human Resources Director did meet with the Solid Waste and Building and Grounds Committee to make recommendations on changes within the Department; and

**WHEREAS**, the Solid Waste and Building and Grounds Committee did approve and recommended changes to the Maintenance Technician positions within the Building and Grounds Department to the Labor Relations Employee Services Committee; and

**WHEREAS**, Resolution #37-2013 was approved by the County Board on May 21, 2013, which established changes contingent upon the current Electronic Maintenance Technician being confirmed to the position of Radio Technician at the Sheriff's Office; and

**WHEREAS**, the Labor Relations Employee Services Committee reviewed the proposed changes to the Maintenance Technician positions in the Building and Grounds Department and recommends the changes.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors effective August 21, 2013:

1. One Electronic Maintenance Technician (Grade Level 8) and one Assistant Maintenance Technician (Grade Level 5) position will be eliminated.
2. One Maintenance Technician – Electrical shall be created at Grade Level 7 of the Courthouse Wage Schedule.
3. One Maintenance Technician – Plumbing shall be created at Grade Level 7 of the Courthouse Wage Schedule.

**BE IT FURTHER RESOLVED**, by the Oneida County Board of Supervisors that by adoption of this resolution it shall be deemed that any additional costs or savings will be maintained in the current department budget 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 7<sup>th</sup> day of August, 2013.  
Offered and passage moved by Supervisors: Paszak, Holewinski and Fried.

**ONEIDA COUNTY  
FISCAL IMPACT  
ELIMINATE ELECTRONIC MAINT TECH AND ASSIST MAINT TECH  
CREATE MAINT TECH-ELECTRICAL AND MAINT TECH-PLUMBING**

<b>2013 Wage Rates</b>	<b>Annual Cost</b>	<b>Annual Cost</b>	<b>Total</b>
<b>2013 Fringe Benefit Rates</b>			
	<b>Electronic</b>	<b>Asst</b>	
<b>Eliminate</b>	<b>Maint Tech</b>	<b>Maint Tech</b>	
Wages	(31,881)	(28,591)	
Social Security	(2,439)	(2,187)	
Retirement	(2,120)	(1,901)	
Health Ins-Maximum	(23,812)	(23,812)	
Life Ins-Estimated	(110)	(90)	
Income Continuation Ins	(80)	(73)	
Workers Comp	(749)	(672)	
	(61,190)	(57,325)	(118,516)
 <b><u>Create Maint Tech-Electrical and Maint Tech-Plumbing</u></b>			
	<b>Maint Tech</b>	<b>Maint Tech</b>	
	<b>Electrical</b>	<b>Plumbing</b>	
Wages	30,471	30,471	
Social Security	2,331	2,331	
Retirement	2,026	2,026	
Health Ins-Maximum	23,812	23,812	
Life Ins-Estimated	100	100	
Income Continuation Ins	78	78	
Workers Comp	716	716	
	59,533	59,533	119,066
Increase due to change			550
<b>Revenue Source: Tax Levy</b>			

**Roll Call Vote:** 14 Ayes, 1 Nay - Shidell, 6 absent –Vandervest, Baier, Metropulos, Paszak, Berard and Oettinger.

**Resolution #56-2013** – adopted.

**Resolution #57- 2013**

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

**WHEREAS**, Oneida County purchased the site of the former Daily News Building to terminate an easement and for additional parking for the Department on Aging; and

**WHEREAS**, in order to maximize the parking for the Department on Aging the former Daily News building needs to be torn down; and

**WHEREAS**, the Solid Waste and Building and Grounds committee does not want to move forward with the concept of demolition and parking lot construction project without the knowledge and permission of the County Board; and

**WHEREAS**, there will be costs associated with demoing the building, site preparation, grading and paving and after permission is granted, the Committee will obtain firm costs for the entire project and will bring those cost back to the County Board for final approval and funding.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that the Solid Waste and Buildings and Grounds Committee shall move forward with obtaining cost for the concept of demolition of the former Daily News building and construction of a parking area.

Approved by the Solid Waste & Buildings and Grounds Committee this 19<sup>th</sup> day of August, 2013. Offered and passage moved by Supervisors: Holewinski, Fried and Oettinger

Supervisor Shidell excused for Resolution # 57-2013.

Supervisor Hintz stated line 15 the word “demoing” should be replaced with “demolishing”

**Roll Call Vote:** 14 Ayes, 0 Nays, 7 Absent – Berard, Vandervest, Metropulos, Paszak, Oettinger, Baier and Shidell.

**Resolution #57-2013**- adopted.

**Resolution #58-2013**

Resolution offered by Supervisors of the Conservation and UW-EX Education Committee. Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, Oneida County has over 1300 lakes, rivers, and streams, and contains one of the highest concentrations of natural lakes in the world, and

**WHEREAS**, the quality of these waters is being threatened by aquatic invasive species; and

**WHEREAS**, Oneida County recognizes the importance of the quality of our waters to its citizens and local economies, and

**WHEREAS**, education is one of the keys to increasing public awareness as to the adverse impacts of aquatic invasive species on the quality of our waters and our local economies; and

**WHEREAS**, Oneida County recognizes the need for a workable plan that will prevent the introduction of aquatic invasive species into new waters, and control, reduce, or eliminate aquatic invasive species already present in some bodies of water; and

**WHEREAS**, the Oneida County Land & Water Conservation Department (LWCD) will continue to increase public awareness of the aquatic invasive species problem by implementing planning and prevention activities to control and prevent the spread of aquatic invasive species at an estimated cost of \$ 62,807.00, which includes Oneida County’s 25% match and

**WHEREAS**, 75% percent of the cost of such planning and prevention activities may be paid by a grant from the Wisconsin Department of Natural Resources (WDNR), and

**WHEREAS**, the LWCD must apply for a grant through the “Aquatic Invasive Species” grant program through the WDNR to receive funding.

**NOW, THEREFORE, BE IT RESOLVED**, that the LWCD is authorized to apply for 75% funding assistance for such programming under the “Aquatic Invasive Species” Grant Program from the WDNR.

**BE IT FURTHER RESOLVED**, that the Oneida County Board of Supervisors hereby authorizes the Chairman of the Conservation and UW-EX Education Committee, to submit an application for a one-year grant to the WDNR not to exceed \$50,000 in grant funds for an aquatic invasive species education, planning, and prevention program, to sign documents and take the necessary action to undertake, direct, and complete the approved aquatic invasive species control grant.

**BE IT FURTHER RESOLVED**, that the LWCD is authorized to meet the County’s 25% share of the financial obligations of this aquatic invasive species grant, through the assignment of LWCD personnel to work on and complete the project, including timely publication of the results.

Approved by the Conservation and UW-EX Education Committee this 14th day of August, 2013.  
Offered and passage moved by Supervisors: Rudolph, Beard, Mott and Intrepidi.

**FISCAL IMPACT – AQUATIC INVASIVE SPECIES GRANT**

**Proposed Budget**

Salaries (LTE’s)	\$28,000.00
Purchased Services (Printing, Postage, Registration, Rentals)	\$ 6,160.00
Other Purchased Services (Travel/Mileage Expenses)	\$ 9,849.00
Supplies (General Office, Hardware, etc.)	\$ 1,375.00
Other (Workshop & Instructional Kits)	\$ 1,475.00
<hr/>	
Total Project Cost Estimate	\$62,807.00
State Portion of Grant (Up to 75%)	\$46,859.00
AIS Coordinator’s Time to Oversee Project	\$15,948.00
Oneida County’s Estimated Grant Match (In Kind)	\$15,948.00
Oneida County’s Required 25% Grant Match	\$15,619.67
Estimated Amount Over Grant Match	\$ 328.33
<hr/>	
Total Revenues	\$46,859.00

**TOTAL PROJECT EXPENSE: \$62,807.00**

**\*\* For further detail of Project Budget please refer to 2014 Grant Proposal/Application.**

**Roll Call Vote:** 14 Ayes, 1 Nay – Shidell, 6 Absent – Oettinger, Baier, Vandervest, Berard, Metropulos and Paszak.

**Resolution #58-2013** – adopted.

**PUBLIC COMMENT:** - none

**OTHER BUSINESS:** - None

**ADJOURNMENT:**

**Motion/Second:** Rudolph/Martinson to adjourn at 2:10 p.m. All “aye” on voice vote, motion carries.