

**Amended Regular Meeting
Oneida County Board of Supervisors
Tuesday, August 18, 2015 – 9:30 a.m.
Oneida County Courthouse
County Board Meeting Room 2nd Floor**

Chairman Hintz called the meeting to order at 9:30 a.m. in the County Board Meeting Room of 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: Ted Cushing, Bill Freudenberg, Billy Fried, Scott Holewinski, Jim Intrepidi, David Hintz, Mitchell Ives, Robb Jensen, Tom Kelly, Lance Krolczyk, Bob Metropulos, Bob Mott, Greg Oettinger, Carol Pederson, Sonny Paszak, Tom Rudolph, Jack Sorensen, Michael Timmons, Alan VanRaalte, Alex Young and Lisa Zunker.

OF MEMBERS PRESENT: 21

SUPERVISORS EXCUSED: 0

STUDENT REPRESENTATIVES PRESENT: 1 Student - Marie Aguirre, Lakeland High School.

OTHERS PRESENT: Mary Bartelt, County Clerk; Melodie Gauthier, Chief Deputy Clerk; Brian Desmond, Corporation Counsel; Mike Romportl, Land Information; Karl Jennrich, Planning and Zoning; Roger Luce, O.C. Economic Development Corp.; John Bilogan, Forestry Director; Lu Ann Brunette, Building and Grounds.

ANNOUNCEMENTS BY CHAIR, CORRESPONDENCE AND COMMUNICATIONS

- Sign Attendance Form at the Podium
- Please Use Microphones When Speaking

ACCEPT THE MINUTES OF THE JULY 21, 2015 SPECIAL MEETING

Additions, deletions, corrections – none.

MOTION/SECOND: **Sorensen/VanRaalte** to accept the minutes of the July 21, 2015 Special Meeting as presented. All “aye” on voice vote, motion carries.

REPORTS/PRESENTATIONS

- **Impact of 2015 - 2017 Wisconsin Act 55, Wisconsin’s Biennial Budget, on the Oneida County Zoning and Shoreland Protection Ordinance - Karl Jennrich, Zoning Director.**

Jennrich stated provisions in Act 55 changed statute 59.692 (Zoning of Shorelands on Navigable Waters). Act 55 makes significant change to county shoreland zoning authority including, but not limited to, prohibiting counties from enacting or enforcing ordinances that are more restrictive than DNR shoreland zoning standards promulgated by administrative rule. Due to these changes, the Department of Natural Resources could be required to make revisions to NR115 (Wisconsin Shoreland Protection Program). This is the administrative code that Planning and Zoning regulates on behalf of the State. If a county has in effect, on or after July 14, 2015, a provision in an ordinance that is inconsistent with sub (1d), (1f), (1k) or (2m) the provision does not apply and may not be enforced. The County has to be in compliance with the minimum requirements as specified in NR115 by October 2016.

Oneida County has a General Zoning Ordinance, Chapter 9, Shoreland Provisions, which Act 55 will have impact on the shoreland zone which is 1000 feet from a lake and 300 feet from a stream and that is where these ordinances will apply. Act 55 prohibits any DNR shoreland zoning standards or a county shoreland zoning ordinance from impairing a landowner’s interest in shoreland property with regard to lighting, nonconforming structures, inspections or upgrades and impervious surfaces.

What is clear is that NR115 needs to be amended to reflect 59.692. Chapter 9 and Chapter 13 will need to be amended as soon as possible. What is not clear is general zoning versus shoreland zonings permits and requirements, the fate of piers and boathouse regulations and interpreting the meaning of regulating a matter that is not covered by a DNR-promulgated shoreland zoning standard. Act 55 is effective as of today, August 18, 2015, and at this point, all counties are in the same boat. The WDNR may have answers to questions from counties by August 21, 2015. Jennrich states “please be patient” they are working on it.

- **Senator Tom Tiffany (12th District) - Update: Questions & Answers.**

Senator Tiffany stated he asked to come before the County Board to talk about the budget and shoreland zoning regulations. Senator Tiffany went through a number of provisions especially as they affect counties. Senator Tiffany stated he had the privilege of sitting on the Joint Finance Committee for the first time since he has been in the legislature. Governor Walker introduced his budget for Wisconsin early in February 2015. Senator Tiffany stated he feels this budget is balanced and the tax collections are good in the State of Wisconsin. Senator Tiffany presented some topics from the biennial budget:

- Sales tax revenues are pretty strong in Wisconsin – growth rate is 4-5% range.
- The State has a \$300,000 rainy day fund which is the largest rainy day fund in the history of the State of Wisconsin.
- We have the lowest level of bonding with this budget since the 1989 budget.
- Property taxes will continue to be flat or possibly decline.
- Restored Senior Care in the budget.
- K-12 spending was originally reduced in the budget but is now restored to \$150 per student and will add \$100 in funding the second year.
- More money put into the budget for busing school children.
- More money added for broadband, dedicated to rural areas.
- Money was reduced for recycling the first year of the biennial budget, but will go back up the second year.
- Added referendums for identification to property tax bills.
- Doubled the funding for fraud and food stamps fraud investigation.
- Aging & Disability Resource Centers were restored in the budget.
- Family Care Program will go statewide and will be mandated.
- General Transportation Aids will stay the same as the last year of the previous budget.
- May be an audit in Department of Transportation, have not had one in 10 years.
- Levy limits – levy authority left from a previous budget may be carried forward.
- Culvert replacements need to be looked at as DNR is making additional engineering requirements.
- There is a proposal to move private onsite waste treatment systems from DSPS to the Department of Natural Resources, but it will be left with DSPS for now.
- Wisconsin Fund which funds low income people who have failing onsite waste treatment systems, was put back into the budget.
- Money needs to be returned to the local units of government for Managed Forest Lands. Towns receive 80% and 20% goes back to the County.
- Juvenile Corrections – numbers were declining rapidly and there was a significant deficit back in 2011. There was a surcharge for counties at \$17 per person. In 2011, boys and girls facilities were consolidated at Lincoln Hills. The deficit was reduced by the consolidation and will be gone by the end of the year.
- Effective January 1, 2017, the prevailing wage law will only apply to state projects; schools, counties, towns will not have to comply.

County Board questions:

Supervisor Mott: The Joint Finance Committee included omnibus Motion 520 which was sponsored by Senator Tiffany. Within it were provisions to take away these local controls such as:

- allows crossbow or bow hunting in a municipality.
 - prohibits a county from regulating shoreland lighting.
 - prohibits a county from requiring a person to establish a shoreland buffer zone.
 - prohibits a county from requiring an inspection or upgrade of a structure when property is sold or transferred (This is how county caught and corrected failing septic systems).
 - prohibits a county from requiring approval or imposing a fee or mitigation or otherwise prohibit or regulate for maintenance, repair, replacement, restoration, rebuilding or remodeling of all or any nonconforming structures on the shoreline.
 - prohibits a county from imposing a fee or mitigation requirement or otherwise prohibit or regulate vertical expansion up to thirty-five feet tall. Does that mean a boathouse could be thirty-five feet tall?
- Motion 520 also gave up to \$1.6 million from the Stewardship Fund to Neenah/Menasha for two trestle bridges. Supervisor Mott asked why this money was not sent to the north and questioned the Senator

Tiffany why since as many as twenty counties passed resolutions against Motion 520, including Vilas, Oneida and Langlade counties and the Wisconsin Counties Association, the Wisconsin Code Administrators, and at least fifteen conservation organizations all total representing at least 100,000 people (including many of your constituents) all asking that Motion 520 be repealed, why would you ignore these people and not allow open debate and public comment? Would you be open for removing some of the other areas?

Also, Supervisor Mott asked why we did not get more money back from the money sent from the county. Oneida County as a whole sends in about ninety million dollars and gets about fifty million back. Could some of the provisions in Motion 520 be rolled back?

Senator Tiffany: "In response to Supervisor Mott's questions, we hear from a variety of interests on all pieces of legislation and this one was no different and certainly there are people that disagree with a few of those provisions and a lot of people who do agree with it. I suggest, Supervisor Mott, you should travel with me and hear the comments that I hear in regard to this from the other side of the issue. There is strong feeling from both ways and I have great respect for that. There are people also who have strong opinions in regards to striking a balance with private property rights. I did not ignore those comments and the other thing is that NR115 is the most debatable, widely known, administrative rule in the State of Wisconsin and debated for fifteen years. This whole thing in regard to permits and fees is as long as the permits and fees are contained in your existing zoning you can continue to require permits and fees. If it's only in your Shoreland Zoning Ordinance, and nothing else, that the permit would no longer be required. For example, if you require someone outside of a thousand foot zone, that your administrator referred to get a zoning permit to remodel their house, someone within the thousand foot zone would also have to get that permit because it is contained in your general zoning. So, if it was required as a result, like a uniformed dwelling code, if there is a sanitary code provision that needs to be met, those things all continue to have to be met. The Department of Natural Resources came out with a new model ordinance and that model ordinance did not reflect the agreement that we had all come to. I would have never supported putting this in the budget if what we intended for NR115 to be would have been reflected in that model ordinance. I have a Legislative Counsel document here that cites how the Department of Natural Resources did not follow through with the intent of what we had agreed upon in 2014. It was the zoning staff here in Oneida County who pointed out that there were things that were different than what was agreed to in 2014. I went to the Legislative Counsel and they said this doesn't exactly reflect the intent to what we agreed to in 2014. So I went through the proper process and pulled the rule for the Joint Committee to review the administrative rules. This went for three years from 2011-2014 and we worked through the process, and we did not get the DNR to agree to what we thought they'd agree upon. At this point, I needed to go to plan B, and plan B was the budget".

Supervisor Mott: "So the second part of the question, if there are areas that we could ask you to change"?

Senator Tiffany: "We are always open to ideas of things that they believe they would like to see changed. Remember one thing about NR115, it was established for water quality. If people can show that there is harm done to water quality as a result of provisions that are in there, we'd be happy to take a look at it. Also remember, one person in back asked me, does the seventy-five foot setback change. There are two key elements to NR115; one is the seventy-five feet set back. The other is the impervious surface language; you can still have requirements that keep impervious surfaces from draining into the water body that is in front of your residence. To a large extent, the two major components to NR115 have not been changed. Also, he reminded all here in the City of Rhinelander, you can build to the ordinary high water mark. You can build to zero feet. Go down a couple hundred feet to one of the neighboring towns, and you have to be back seventy-five feet. I accept that and I think people around the State generally accept that".

Supervisor Fried: "The history waiting for interpretation from that department is one that has lead us around and around on a merry- go-round for six years. What can you tell me to help give me confidence in what direction the County needs to go in and who do we get that from"?

Senator Tiffany: "I appreciate the question and certainly feel for the County Code Administrators. This has been going around and around for a decade and is really a challenge. What we expect to see happen here is, first of all, I want to give the leadership of the DNR, the current group that is there now, credit. They have been coming back to Representative Jarchow regularly and saying does this mean, they are working their way through interpretation to be able to give guidance to the counties and they are saying

we want to make sure that we hit the mark in terms of legislation. They are working through that process. Real soon here we should see some certainty for county zoning people to be able to implement this law”.

Supervisor Mott: “Oneida County and Vilas County have over \$200 million in tourism each year and this is wonderful. People come up here for our lakes, rivers and forests. Sixty-five percent of the assessed value in Oneida County comes from operant owners. Why should we treat Oneida County and Vilas County the same as some county that has no lakes and essentially no tourism in Wisconsin? NR115 is a minimum standard. We had specific rules to protect that resource. Why are we being treated the same as other counties that have very low tourism and very few lakes”?

Senator Tiffany: “First of all, I would say that measurement of tourism includes construction. If you look at how they measure tourism spending, some people may say construction is not tourism. When you use the numbers that come from the State, there are a whole lot of things that get thrown in there in terms of tourism spending. Part of tourism is people being able to enjoy our lakes and that includes people who build on our lakes. The major difference of opinion is in regards to the one hundred foot frontage requirement. This is part of the trade-off. We want to be protective of the environment but we also want to protect people’s private property rights”.

Supervisor Mott: “The question is why we are being treated the same as other counties that have very low tourism and very few lakes? Why can’t we be more protective of the resource to keep those people coming up here? We want to keep our lakes more pristine because that is what draws the people here”.

Senator Tiffany: “We don’t have farmlands here in northern Wisconsin; we are different than in the southern part of the state. There is the assumption that people are going to do the wrong thing with their property. I believe private property owners will do the right thing. There are voluntary organizations that talk to people on how to plant buffers, what would be an appropriate buffer; I think you’re going to see more of that as a result of this. Educating people is the best way to go about this”.

Supervisor Rudolph: “You have heard a list of organizations, County Board and numerous entities that objected to your provision in the State budget. Where did the pressure come from for you to introduce this in the face of the opposition that we’ve heard from here”?

Senator Tiffany: “First of all there are a whole lot of people that support this, as I mentioned earlier there are a lot of people, and per the reactions of the public, I could give names of people after the meeting. If you noticed there were a few County Boards that sent us resolutions that did not agree with this. There are a number of County Boards that chose not to send resolutions and they did not send resolutions because they did not disagree with what we were doing. Representative Jarchow had this bill drafted; he asked his leadership and assembly to put this in the budget; but partly as a result of what happen with the DNR not implementing NR115 as we thought we had an agreement in 2014. So he introduced it in the budget as a motion. I agreed with the provision”.

Supervisor Jensen: “Later in our meeting we are going to consider the role the budget should be in policy making and at the Federal and State level. Things get introduced into the budget that are policies. My question is when you look at the State and Federal process for trimming a budget, is it possible to stay away from policy decisions through the budget process?”

Senator Tiffany: “It’s possible, it’s never been done. I believe that I am elected to represent the people of the 12th Senate District and they expect results. If you look at a couple other provisions that were important that I proposed in this budget, they fall along the same line of where we thought we had an agreement with the DNR and we didn’t; that is the Rest Lake Dam up on the Manitowish Chain. This has been going on for over a decade. They have been trying to get a memorandum of understanding created with the DNR. It has not happened. After the election in November, they were asked if they are going to get the memorandum done with these people in Manitowish Waters because there is so much uncertainty up there as far as what’s going to happen. They responded that they are, but in the middle of May it still did not happen. At that point, I put it into the budget, because they were not coming to an agreement. I believe that my constituents elect me to get results in Madison. If I can’t do it through the normal means then I need to find another way”.

Supervisor Rudolph: “I have a question about your Plan B. It seems to me that if you felt that the DNR did not follow through on the agreement that you thought you had; this should have been taken up with

the DNR or Legislature and introduced to correct this situation where you can have some input and debate on the merits of this and what is needed and probably what is not needed”.

Senator Tiffany: “I believe this issue has been as debated as any issue in the State of Wisconsin over the last 15 years. There has been plenty of input on this issue of shorelands”.

Supervisor Holewinski: “What Senator Tiffany said is correct. Going into 2014, Oneida County Zoning was on board with the NR115 rewrite. So were the Builders Association, Realtors Association and the County Code Administrators. What happened in between the presentation and the final that came out was all non-conforming structures between zero and seventy-five feet were eventually eliminated. If you take a look at everybody’s lake, how many properties are affected by that? This summer we would be writing an ordinance that would say everybody between zero and seventy-five feet could do some general maintenance. If their box sill rotted out they could not replace it, if the rafters rotted out they could not replace them they would have to tear it down and move back. This is almost impossible on some of those properties. Every property between zero and seventy-five feet was affected by the legislation and doing this puts a stop to the DNR’s direction that they were taking. I believe Senator Tiffany is correct saying a lot of his constituents were in favor of stopping what the DNR was bringing forward. It not only affected that, it was going to affect the property values in Oneida County. Permits are still required and legal counsel is telling us no, so this is my question to Senator Tiffany. Why is everyone interpreting it different than permits are not require between zero and seventy-five feet but there is a lot of support out there for what got passed at the State level”?

Senator Tiffany: “Permits are still required and the fees that are necessary. With maintenance and repair for remodeling you still have to get that permit because it is contained in your General Zoning Code then you can require that fee. Also, one other thing contained in this piece of legislation, which is good for the County, in regards to your Board of Adjustment; the State can no longer come in and override your Board of Adjustment. Under current law, they can come in and say we don’t accept your decision and we are going to overrule you. The State can no longer do that”.

Supervisor Mott: “I wrote the Taxpayers Alliance and asked how much money the County of Oneida pays per year to the State and how much we get back and roughly its \$90 million and \$50 million back. Also, I asked previously at some other meeting about if we ever got to the two-thirds that was guaranteed for our schools by the State and they said it never got to the two-thirds; it got into the low sixty’s and now we’re probably in the mid-fifty’s. State aid seems to be declining for schools. Can you tell us what you might be doing to get more of that money we sent in back for the County and also how we can get that percentage up that is paid for our local schools”?

Senator Tiffany: “If you would share those numbers in regards to the money back to Oneida County, I would really like to see those. Some things we have done in this budget, high cost transportation aids, variety aid that is primarily schools in Northern Wisconsin; broadband, additional monies that are going toward broadband. Also, in regards to schools, I don’t believe that the percentage is going down in this budget, if you can show me that it is, I would be happy to take a look at it. There will be the same amount per pupil funding for the first year of the biennium as the last year of the last biennium. The second year of the biennium there will be an additional one hundred dollars per student across the state that will be put in. So, funding is not going down for K-12 schools. It will affect some schools if they have declining enrollment because all this is tied to enrollment”.

Supervisor Holewinski: “If the object is to protect the waters of Wisconsin why aren’t we writing an NR115 that includes incorporated areas along with government infrastructure? I go to Minocqua, onsite for the Zoning Department, and I was told just about every drop of water that falls on the island is transported out to the lake. There are no holding ponds, so we’re trying to make the water run towards the middle and we send it down as storm water back out into the lakes. You look at government infrastructure, if we’re going to write clean water acts why are we writing the act as equal for everybody in the State of Wisconsin”?

Senator Tiffany: “Good question, for those that have a memory of the late sixty’s when the NR115 was originally put into place; I would assume that the incorporated municipalities probably were there at the table when they were debating this and said “no you’re not going to do this to us” and I suspect the unincorporated municipalities were probably not at the table and when you’re not at the table, you’re on the plate and that’s what happened there. To have one set of standards for unincorporated municipalities

and a different for incorporated municipalities who have often times the most impervious surfaces is really something”.

Supervisor VanRaalte: In regards to drug testing for certain SNAP recipients and job training, I sent you an e-mail in regards to this; I understand there is still drug testing required. Who will bear the cost of the drug testing, will that be the county tax payers or will there be state grants available.

Senator Tiffany: “I believe that will be covered by the State but I will make a note and double check that. I hope people will remember what the intent is here. For those that have serious drug problems, we want to get them in rehab. We want them to turn their lives around so they are productive citizens in society. It’s not meant simply to be punitive, to have this testing. It’s to find out who has this problem and get them into rehabilitation and hopefully make them productive members of society”.

Public Comment/questions for Senator Tiffany:

John Snyder- Rhinelander WI – “Would we want one standard for the whole state? Do we want our lakes to look like the lakes in southern Wisconsin? Do we want to let the phosphorus flow off of developed lawns and golf courses into the lake till its solid with weeds because that is what I’m seeing in a lot of bays in the backwaters of Boom Lake. There are lawns there and I’m sure they got their sewers fixed, and there aren’t any farms back there. But it still has a menacing affect. Now do you want to see it look like it does in southern Wisconsin up here? Would you be ok with that and lets just take the money and run, we can move farther north where it isn’t wrecked yet. That is the impression I get from you Senator Tiffany”!

Senator Tiffany: No response.

Nick Vander Puy: “I was a hunting and fishing guide for about 30 years and a public radio reporter. I live in Mellen WI. I had some contact with Senator Tiffany; he tried to keep me from voting in the town of Anderson a couple years ago because I was homeless. I live in Mellen now and I spent a winter up on the Kokanee Ridge during the polar vortex; it was about 30 below. Got to stop the building of a giant iron ore mine. We were successful despite Senator Tiffany’s efforts to build that mine for G-Tech. Right now were facing a so called CAFO - Concentrated Animal Feeding Operation, in the town of Ilene. I am quite close to several members of the Ashland County Board, in fact, I ran for Ashland County Board a couple years ago and almost won. Twenty –six thousand pigs can make a lot of poop. We have not been very successful with dealing with them around the State of Wisconsin. Right now 25% of all the wells in Keweenaw County are polluted from not looking after our water. I like to cook white-fish and have cooked some for some tourist that drop c-notes in Bayfield. I’m trusting that Counties like this and that the DNR that Senator Tiffany will ensure that my grandchildren can still eat those white fish. I really like to eat fish. So I would ask you to think about local control and ask you to think about the second amendment to the US Constitution which gives us the right to defend ourselves. By restricting our ability to protect our water in Bayfield County or Oneida County, you are affectively disarming us. We no longer go to our legislators and ask them to protect the water and that seems to be out of keeping with what Senator Tiffany and his people support. I would think that his impact, he was after all born in Minnesota, where there is lots of CAFO’s. Being in Madison and smelling the west end of Mendota Lake, I think he’s probably desensitized to what can happen when you put 26 thousand hogs seven miles away from Bayfield. Please reflect on this and do the right thing, to look after the second generation and Aldo Leopold taught us that you’re economy really is a subsidiary of the environment. If you want to turn into Minnesota or Iowa just follow Senator Tiffany and his lead. He’s not even telling us who he is talking for”.

Senator Tiffany: “First of all, it’s kind of funny; you know why I was born in Minnesota? Cause I grew up in Nelson, WI and the nearest hospital was Wabasha, Minnesota across the bridge. That’s why I was born in Minnesota. In regards to the hog issue in Bayfield County, I’m not involved with this. I want to read another quote form Aldo Leopold, people love to quote him, and I do too. “These wild things had little human value until mechanization assured us of a good breakfast”. “Think about it”.

Karl Fate: Crescent, Spur Lake. “It is impossible to state how important our lakes are to Northern Wisconsin. Who is responsible for taking care of them? Wisconsin Statutes direct counties to adopt ordinances to zone all shorelands in unincorporated areas to meet the statewide minimum shoreland zoning standards. These standards are designed to aid in the fulfillment of the State’s role as trustee of its navigable waters. Counties not only care about their own waters they have played a critical role in protecting the navigable waters of our State because they have generally been allowed to exceed the

State minimum shoreland zoning standards. This understanding between State and local governments has been critical for the protection of our State and County waters. With Act 55 this critical understanding between state and local government has been obliterated. Now counties have to adopt the ordinance but they cannot exceed the minimum standards in order to protect their own waters. This is law that was thrown on to a budget bill. Local governments and lake associations had to scramble to weigh in on this at all. Some of them undoubtedly did not make it in time. I have a list of counties but it is my understanding the total is actually twenty-five. These are counties that passed resolutions in time to oppose this. Bayfield, Columbia, Door, Douglas, Dunn, Eau Claire, Marinette, Oneida, Polk, Sauk, and Vilas all of these counties with all of these duly elected Supervisors representing all of these folks that live and vote here said “no” to this, and it still became law. This law would never exist if it were subjected to a deliberative open public process. Act 55 is a good example how our state government is moving towards a state of anarchy. This law is a mess. The last law that was passed was the iron mining law. That law was authored by, none other than, Tom Tiffany. In that case, we now know for the most part where the iron mining law came from and whose money was behind it. The people of Wisconsin deserve to know where Act 55 came from and whose money was behind it. I would like to encourage everyone to support Supervisor Cushing’s resolution which will hopefully start to eliminate the chaos that we see in our current state government and improve the working relationships between State and local governments moving forward”.

Senator Tiffany: no response.

Jane Schaymeyer: “I’m from Hazelhurst. I have one question. Who of you voted for the DNR? Nobody! I didn’t either. Now working and letting the waters and shorelines be directed by the DNR is chaotic. I’m a veteran from the Crandon mine era. Working with the DNR at that time was working with the enemy! The DNR are hired help that serve the whims of the government. If you have trouble with the seventy-five foot shoreland leeway are you people going to go to the DNR? Are they going to help those people that have problems with the shoreland? Before this law went into effect did you come here and talk to the people about our problems with our shoreland or with anything; and you have set strict laws to protect our shorelands. They need to be protected and we need to be able to talk to you because we voted for you. We didn’t vote for the DNR. So why are we giving the DNR the right to set the limitations or instructions about our shoreland”!

Senator Tiffany: no response.

Michael Murphy: “I’m with the Two Sisters Lake Property Owner’s Association. First of all I want to thank the Board for passing a resolution opposing putting this into the budget which you passed a couple months ago. I want to just add to the record our disappointment and discouragement about both the result and the process of how these changes came about. I understand the changes may have needed to take place in several areas. But I do not understand why when Senator Tiffany’s party can control the entire legislature and the government’s chair; why these changes could not have been put through the ordinary process of legislation instead of sticking it to the budget. I would support the resolution that will be brought forward to ask that the process of sticking things into the budget, which are not your main non-fiscal items be forwarded to the legislators so that we could curtail this procedure which takes away people’s rights to petition and participate in their government. We are particularly upset since we are one of the lakes (Two Sister’s Lake) with a 150 foot frontage requirement that this may in the future cause a lot more development on our lake and we do not at the current time have any aquatic invasive species. We would really like to keep it that way and keep the health of our lake is our number one priority and we do not believe that the changes put in place by Act 55 move us toward keeping our lake and our property values where they belong”.

Senator Tiffany: no response.

Kathy Noel: “I live in Sugar Camp. Senator Tiffany I’m one of your constituents. Sugar Camp is half way between Rhinelander and Eagle River so I have the pleasure of reading the newspapers from both places and I have an article here after you spoke in the Vilas County meeting. The News Review has done a great job of covering this entire situation. I hope everybody takes a look at that paper. What I highlighted out of this article is something that you said here just a little bit ago and the quote out of the Vilas County paper says “I believe were striking a balance here between the protection of the resources and protecting people so they can use their property in an appropriate fashion.” Here is my question: Since you have worked to eviscerate the science department of the DNR and several of the education programs in there, education being your fix for the situation were in, and you specifically determined their recommendations

about preventative actions we can take to preserve our shorelands that you eliminated in Motion 520 I'm talking here about the capricious language you used to get rid of any kind of recommendations for buffers, any control of lighting, stretchers within the 35 foot area, permits and fees, no septic inspections, impervious surfaces. I gather that your definition of appropriate is not researched based. I would like to know what your definition of appropriate is, and what it's based on. I would like to know where you are taking us".

Senator Tiffany: "I will just say this; people still have to meet the sanitary code of the County. They still have to meet the uniform dwelling code of the County. All those things they still have to do. They still have to get permits. This whole thing about not needing permits is not accurate and if you charge fees for your permits, you still can do that. The other thing in regards to buffers, if there is a buffer on your property currently and you're looking at changing it, under this provision that buffer stays there. It's only if, you had one hundred feet of frontage and you had no buffer that goes back a couple decades. The County can't make you put in a buffer if you hadn't had one. But if there is one there, the County can continue to maintain that or require it. They also, can continue to require you to put in buffers. The major change there is, let's say you have a 200 hundred foot lot; you can now put in a continuous, two times 35 feet. You can have a 75 foot.... Kathy Noel interrupted Senator Tiffany and stated "I'm aware of this." "My question was what's your idea of appropriate?" "They can use their property in an "appropriate" fashion. Senator Tiffany stated "I believe, as written, the shoreland zoning code and NR115, I believe is appropriate for the people of the State of Wisconsin". I understand some people disagree with that, but this is a standard. Some people are treating this like all regulation is gone. That's just not the case. Read NR115. There are still some significant regulations there that are protective of resources. I believe it balances with people's private property rights".

Ted Rulesh: Harshaw - Birch Lake. "I believe Supervisor Mott asked the same question to Senator Tiffany two different times and I don't think we heard an answer. The question was why is it not okay for a County with very rich lake resources that attracts a lot of tourism and why is it not proper for a County like that to issue more protective regulations than a County that has very few or no lakes. I don't believe we heard an answer to that question. I guess a related question would be if it is okay for an urban area to have less restrictive regulations than a rural area. Why is it not okay for a County rich in lakes to more protective than a County that is not?"

Senator Tiffany: no response.

Jean Roach: "I live on Pelican Lake. I would like to thank this elected board of local officials for opposing this Motion 55 because you show that you understand the importance of local control. I very much appreciate you doing that. I am very disappointed with the fact that it didn't have an impact on Senator Tiffany's decision. I have a question for Senator Tiffany, it's a fairly simple one. I'd like to know how you justify your championing of local control for many years when you were a local official and now that you are a state official, working diligently to remove local control of our resources, of just removing local control. It makes me wonder how we, the voters, can trust anything you say you support since you supported it so staunchly and now have turned your back on it".

Senator Tiffany: "Fair question. Where it enters into in regards to the balance of local control and state or federal control is if it also affects private property rights. Government was established in our country to represent the people, not the other way around. When any unit of government be it local, state or federal takes someone's private property rights, I think that's wrong. I believe you seriously mischaracterized the local control angle of this because when I went through this whole list earlier, countywide assessment, we removed that from the budget. Being able to use more, any unused levy limit authority, we put that in the budget. Culverts along local control, of being able to replace a culvert, we put that in the budget. Managed forest law closed, those are property taxes from a local unit of government. We're returning some that. I championed that. Also, the prevailing wage law, allowing local units of government to be able to decide this is what we're going to pay for projects. This is how we're going to go about it rather than having state intrusion. I would say that is local control". Jean Roach stated "I would agree with you in what you have done is to make local control something that is non-protective. Every one of those things takes away from something that is very valuable to the local economy. For instance, the prevailing wage; okay so you lowered wages for people who are going to do county projects. You champion that, I'm disgusted by that".

Shaun Rollman:- Three Lakes. "I live on Virgin Lake. I have a couple of quick comments. Senator Tiffany, your partner, Assemblyman Jack Jachow has written a letter to Charlie Psychic , which was

posted on his website. Basically it has a lot to do with the subject of shoreland zoning. Couple of the things he put on here in favor of his motion was, he said this motion brings in the excesses and abuses we have seen at the hands of the DNR and counties over years. He goes on to say, I born witness to people losing their houses and all this... I understand that and I appreciate that. Later again in the piece he says, "the motion I propose does exactly that, it reaffirms our commitment to a uniform statewide shoreland zoning standard that is science based and goes through a rigorous public hearing process. So, I guess my question is, first of all Senator, have you basically taken his information and made this your issue, his words of a rigorous public hearing process? Secondly, you have given an interview to Ken Krall from WXPB, I will not go through reading all of this but the last paragraph said Tiffany said it was a matter of reducing regulations and protecting property rights, it's actually a modest change that leads to a 75 foot setback. There are perhaps a couple little changes that could be made Representative Adam Jachow and I will look at it in the fall to see if we need a trailer bill, make a few tweaks to that make it better for those people concerned about it. At this point sir, I would ask you to please go forward and take a good strong look at particularly the areas of where were talking about, litigation and buffers. Those are things that science has said will help us to guarantee the quality of the water in our lakes. No, were not trying to tell people that they can't grow grass but please listen to the science and let the science guide you".

Senator Tiffany: no response.

Rob Schierman: Director of Planning and Zoning for Bayfield County, WI. "I did not come here to hijack your meeting or to express any Bayfield County concerns. I would like to bring to light one additional concern that may not be apparent to Oneida County. I'm responsible for overseeing regulation along Lake Superior. The coastal process that takes place on Lake Superior is different than the inland lakes. We are seeing erosion and recession along Lake Superior that impacts significantly the placement of structures along shores of Lake Superior. I've come familiar with the animal sighting laws in the State of Wisconsin. The animal sighting laws account for and allow for additional regulations for scientific evident supports the need for that. We have had numerous studies done on the costal recession on Lake Superior and I would respectfully request that you use your influence in the process to allow for additional regulations where scientific evidence dictates that there should be strengthening the rules. I also wanted to come as science support and solidarity for my counterpart, Karl Jennrich".

Senator Tiffany: no response.

Dan Pagel: Minocqua. "Just a few comment on things that I have noticed as many speakers were speaking. Senator Tiffany you mentioned property rights. I live on a lake and I'm a property owner. I believe part of my rights are to keep my lake looking like it was when I bought it. Science says that the way to do that is to have some of these regulations. I'm not a big man on regulations, if a man wants to do what he wants to do and it doesn't affect me, that's fine. But if it does impact my lake, I think that is part of my property rights. As Supervisor Holewinski mentioned, incorporated versus unincorporated and I understand that, but is it going to bring incorporated areas better or is it going to make unincorporated areas worse if we make one size fits all. Do you think that property owners will do the right thing? I can tell you they don't, and I've seen it on my lake. They take advantage of every loop hole to make a little cabin a three story monster because it's legal. They build on foot print but over hang it so that it's bigger. Whether it's lack of information or a lack of education or just a I don't care cause I can sell it and leave when I'm ready" they don't have a long term concern. Yes, I don't like regulations but I also think that people are not going to do the right thing.

Rick Foral: Mid-lake- Woodruff. "I've served as a Commissioner for an Oneida County Lake District. We are shoreland owners whose homes directly impact the health and aesthetic of one lake that belongs to all Wisconsin citizens. We seek to balance our private property rights with lake protection efforts that serve all lake users. Our district collaborates with our Town and our County Board to assure that local control serves the common good. For decades our lake district has worked closely with DNR researcher to help us make sound and accountable lake management decisions. Recent legislative and administrative actions have sought to deemphasize science based decision making when managing Wisconsin natural resources. My question, on what basis then, should decisions be made regarding the conservation of Wisconsin's water and other natural resources if science based decision making is deemphasized"?

Senator Tiffany: no response.

Jack Sorensen: 4045 West Isle Rd. “This makes come as a surprise to you, I am a Republican, and I carry the card. This may also come as a surprise to you, 95% of what Tom Tiffany has done, I probably support. I’ve also started a resolution and showed it to Supervisor Cushing and he suggested I was getting personal. When I say I’m a Republican there’s nothing more fundamental to the Republican Party than local control. There’s twenty-one people here elected to the Oneida County Board. Taking this a step further, the Town of Pine Lake Planning Commission has a sub-division ordinance and it didn’t come from a bureaucracy; it came from the input of the people of the Town of Pine Lake. When we started going through the entire process of rezoning the town we had meetings that were held on Saturdays in the summertime so all the winter people could be there. We sent out a questionnaire where there was a 69% return on it. They said overwhelmingly, we want to keep the rural residential nature and the quality of our lakes as long as we possibly can. Because of that, the Town of Pine Lake does have a sub-division ordinance which requires greater foot frontage on the lakes. When the Town of Pine Lake went to Oneida County Zoning with everything we were doing and they said we have done a marvelous job on reflecting with the people of the Town of Pine Lake. Local control starts with the local level, at the town level, not a single one of those board members have been replaced. We had a battle at the County level over shoreland zoning. A whole raft of County Supervisors were replaced but we still have County zoning that now is eviscerated. I can’t begin to tell you how important local control is. These people here respond to their constituents and that is the most important thing. I cannot support this, you take away local control and that’s where we parted company”.

Senator Tiffany: no response.

- 2014 Health Department Annual Report.
- 2014 Planning and Zoning Annual Report.
- 2014 Veterans’ Service Office Annual Report.

Supervisor Freudenberg excused at 10:30 am.

MOTION/SECOND: Sorensen/Paszak to accept the Health Department, Planning and Zoning, and Veterans’ Service Annual Reports. All “aye” on voice vote.

Supervisor Oettinger excused 11:00 am.

Recess 11:20 a.m. (10 minutes)
Resume 11:30 a.m.

CONSENT AGENDA

- **Resolution #57- 2015** offered by the Land Records Committee regarding a quit claim deed to Wayne Tabaka and Carol Tabaka for a parcel of land (WB 437-2) Town of Woodboro.
 - **Resolution #58- 2015** offered by the Land Records Committee regarding the sale of listed parcels to the successful bidders: Peter E. Schau and Luz N. Cordova, Town of Woodboro (WB 55-5).
 - **Resolution #59- 2015** offered by the Land Records Committee regarding a quit claim deed from Elaine Kellnhauser for an easement to Greg and Kristen Cemke. Part of the SE ¼ of the SW 1/4, Section 3, Town 37 N, Range 7 E. Town of Cassian. (CA 574-5).
- Appointments to committees, commissions and other organizations
- To re-appoint William E. Korrer, Jr. to the Human Services Board for a three-year term to expire September 2018.

MOTION/SECOND: Cushing/Jensen to approve the consent agenda as presented.

ROLL CALL VOTE: 19 Ayes, 0 Nays, 2 Absent – Freudenberg and Oettinger.

STUDENT REPRESENTATIVE: 1 Aye.

MOTION: Passes.

Student Representative, Marie Aguirre, excused at 11:35 am.

CONSIDERATION OF RESOLUTIONS & ORDINANCES

RESOLUTION # 60-2015

Resolution offered by Supervisor Dave Hintz

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

WHEREAS, Advanced Barrier Extrusions, LLC (hereinafter, "ABX) is located in the Rhinelander/Oneida County Industrial Park; and

WHEREAS, during initial construction of the ABX facility certain portions of the ABX improvements were constructed over the lot line; and

WHEREAS, ABX is planning on expanding its operations; and

WHEREAS, in order for ABX to expand its operations and pay off a State of Wisconsin Board of Commissioners of Public Lands loan by August 31st, 2015 needs to rectify the lot line issues; and

WHEREAS, given the positive history with ABX and the employment opportunities that ABX has provided to the Rhinelander community, Oneida County Economic Development Corporation recommends deeding, for no charge, an additional 60.88 feet of land to ABX that will be attached to the southern boundary of their now existing lot (see the attached map).

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors that the northern 60.88 feet of Parcel RH 9010-0405 (as shown on the attached map) be deeded to Advanced Barrier Extrusions, LLC; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby directed to sign all paperwork necessary to effectuate the above referenced transfer; and

BE IT FURTHER RESOLVED, that Oneida County shall bear no costs associated with this transfer.

Offered and passage moved by Supervisor: David Hintz.

SECONDED BY: Supervisor Cushing

ROLL CALL VOTE: 19 Ayes, 0 Nays, 2 Absent – Freudenberg and Oettinger.

RESOLUTION # 60-2015: Adopted.

RESOLUTION #61-2015

Resolution offered by Supervisor Ted Cushing.

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

WHEREAS, the Wisconsin biennial budget contains many program expenditures that are often funded partially or entirely by county or municipal governments; and

WHEREAS, many of these programs are policies mandated by the state for local governments to provide; and

WHEREAS, it has become a common practice that changes to these programs in funding, program direction, scope, operation, or oversight often have a financial impact on local governments that is unknown or unspecified in the biennial budget; and

WHEREAS, although county and municipal budgets are set on an annual basis, local governments need to plan for multi-year, future expenditures; and

WHEREAS, non-fiscal policy decisions should be considered outside the state budget process for adequate deliberation, analysis, and study of financial impacts to local governments.

NOW, THEREFORE, BE IT RESOLVED, that the Wisconsin Counties Association, in conference assembled, does hereby request that both the Wisconsin State Assembly and the Wisconsin State Senate agree as follows:

- a. To require that upon receiving each biennial budget from the Governor, the Legislative Fiscal Bureau be asked to identify any non-fiscal, policy provisions in the budget.
- b. That the Joint Finance Committee, at its first meeting after receiving that information, remove those non-fiscal items from the budget before the public hearings on the biennial budget are scheduled.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent by the County Clerk to the Governor Scott Walker, and all the members of the Joint Finance Committee.

Offered and passage moved by Supervisor Cushing.
Seconded: Supervisor Pederson.

MOTION/SECOND: Hintz/Mott to amend line 24 and 25, to remove the words “Wisconsin Counties Association,” in conference assembled,” and add “Oneida County Board of Supervisors”.

ROLL CALL VOTE: 19 Ayes, 0 Nays, 2 Absent – Freudenberg and Oettinger.

RESOLUTION #61-2015: Amended.

ROLL CALL VOTE ON AMENDED RESOLUTION #61-2015: 19 Ayes, 0 Nays, 2 Absent – Freudenberg and Oettinger.

RESOLUTION #61-2015: Adopted.

RESOLUTION #62-2015

Resolution offered by the Supervisors of the Forestry, Land and Recreation Department.
Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, the Oneida County Forestry, Land and Recreation Department is responsible for maintaining the county’s recreational facilities which include 3 day-use parks; and

WHEREAS, Almon Park, measuring 160 acres in size and located approximately 7 miles southeast of Rhinelander in the Town of Pelican, is the county’s largest, oldest, and most popular day use park; and

WHEREAS some of the park’s original infrastructure remains in use today, including the main (70 x 100 ft.) asphalt parking lot, which is in excess of 35 years old; and

WHEREAS, said parking lot was scheduled for replacement in the year 2019, at an estimated cost of \$140,000; and

WHEREAS, despite the measures taken by the Oneida County Forestry Department to prolong the useful life span of the parking lot, it became apparent in the spring of 2015 that the parking lot would require immediate repairs or complete replacement in order to remain in service; and

WHEREAS, upon thoroughly reviewing all available options, the Forestry, Land, and Recreation Committee have concluded that it would be in the best interest of Oneida County to completely replace the above described parking lot now, as opposed to implementing costly temporary repairs; and

WHEREAS, \$28,000 has already been budgeted into the Forestry Department’s non-lapsing Parks Capital Improvement budget line-item, for the replacement of said parking lot; and

WHEREAS, it is estimated that an additional \$112,000 would be needed to completely replace the above described parking lot during the 2015 construction season.

NOW, THEREFORE, BE IT RESOLVED, that the Forestry, Land and Recreation Committee requests \$112,000 be transferred from the county’s general fund into the Forestry Department’s Parks Capital Improvement Budget line item 55210.699109, for immediate use to replace the above-described parking lot.

Offered and passage moved by Supervisors: Sorensen, Mott, Rudolph VanRaalte and Zunker.

MOTION/SECOND: Rudolph/Hintz to amend line #17 by deleting the “sq.” from the line.

All “aye” on voice vote, motion carries.

ROLL CALL VOTE ON AMENDED RESOLUTION #62-2015: 19 Ayes, 0 Nays, 2 Absent – Freudenberg and Oettinger.

AMENDED RESOLUTION #62-2015: Adopted.

RESOLUTION #63-2015

Resolution offered by Forestry, Land, & Recreation Committee.

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

WHEREAS, Resolution #10-2015 provided authorization to the Oneida County Forestry, Land, and Recreation Committee to submit an application to the Wisconsin Department of Natural Resources (WDNR) to withdraw a parcel of Oneida County Forest land, measuring approximately 1.50 acres in size, from the Wisconsin County Forest Law Program. The withdrawal and subsequent subdivision of the parcel will allow the county to resolve existing encroachment and access issues by selling the 3 outlots to 3 adjoining landowners (see Exhibit A, CSM 004371); and

WHEREAS, the WDNR has approved Oneida County’s application to withdraw said land from the

Wisconsin County Forest Law Program with two contingencies: 1. Oneida County receives, at minimum, the land's value as determined by a professional appraisal, and 2. any and all revenue received by Oneida County from the sale of said land be deposited into a segregated County Forest land purchase account, for the express purpose of purchasing new and/or replacement acreage for enrollment into the County Forest Law Program; and

WHEREAS, the Forestry, Land, and Recreation Committee has determined it would be in the best interest of Oneida County to convey the 3 outlots described in Exhibit A, CSM 004371 by quit claim deed to the three (3) adjoining landowners for the terms and conditions listed in Exhibit B, Terms and Conditions; and

WHEREAS, each of the three (3) adjoining landowners has agreed to purchase the 3 outlots described in Exhibit A, for the terms and conditions described in Exhibit B.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Oneida County hereby approves the sale of the 3 outlots described in Exhibit A, CSM 004371 to the three adjoining landowners, for the terms and conditions listed in Exhibit B; and,

BE IT FURTHER RESOLVED, that upon receipt of the required payment for each of the outlots, the County Clerk is authorized to sign and place the county seal upon a quit claim deed for said parcel; and,

BE IT FURTHER RESOLVED, that any and all revenue received by Oneida County for the sale of the above described parcels will be deposited into a segregated County Forest land purchase account, for the purpose of purchasing new and/or replacement acreage for enrollment into the County Forest Law Program.

Offered and passage moved by Supervisors: Sorensen, Rudolph, Mott, VanRaalte and Zunker.

ROLL CALL VOTE: 19 Ayes, 0 Nays, 2 Absent – Freudenberg and Oettinger.

RESOLUTION # 63-2015: Adopted.

RESOLUTION #64-2015

Resolution offered by the Supervisors of the Forestry, Land and Recreation Committee
Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, Oneida County owns 82,279 acres of forest land that provides timber revenue income to the county; and

WHEREAS, that income may add up to a million dollars annually to the County treasury over and above the cost of management of County Forest resources; and

WHEREAS, that income source greatly benefits county taxpayers by helping to keep property taxes lower than they might otherwise be without that additional income; and

WHEREAS, state statutes require that ten (10) percent of County Forest revenues, otherwise known as severance payments, be distributed among Town governments in proportion to the number of acres of County Forest Land located in each Town, as determined annually by the Wisconsin Department of Natural Resources, to offset revenue losses that would otherwise accrue to the Towns if said acreage were privately owned and subject to property taxes; and

WHEREAS, the above described severance payments may be used to provide services to Town residents such as town parks, town buildings, fire protection, first responders, cemeteries, road maintenance, etc.; and

WHEREAS, Oneida County further offsets the above described loss of tax revenue by offering a program to Towns in which County Forest land is located, whereby gravel material is made available for purchase to said Towns for municipal uses at a cost significantly below the fair market value; and

WHEREAS, some Town roads abut County Forest Land over which logging trucks travel when delivering timber harvested from County Forest Land to various users of raw timber; and

WHEREAS, Towns are required to maintain their roads to minimum state standards; and

WHEREAS, commercial trucks used for delivering heavy loads may contribute to the deterioration of said Town roads, the repair of which may be beyond the fiscal means of the local municipality deemed responsible for their maintenance; and

WHEREAS, severance payments as defined by state statute do not consider the miles of Town roads over which the above described logging trucks travel; and

WHEREAS, the county revenue flow and county taxpayers benefit from the use of said Town roads; and

WHEREAS, it is in the financial interest of both the County and the Towns that the above

described Town roads are adequately maintained and open to all industries throughout the year acknowledging the need for weight restrictions during the period commonly known as spring break up; and

WHEREAS, an increase in severance payments is an investment by the County in various Towns' infrastructure and intergovernmental goodwill and cooperation from which the County and Towns benefit; and

WHEREAS, any action by the State Legislature to increase County Forest acreage share (PILT) payments beyond the current \$.30 per acre remains uncertain.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Oneida County hereby approves an additional two (2) percent of annual timber sales revenue be made available as severance payments to the various Towns with County Forest Land located within their boundaries effective the calendar year beginning January 1, 2016; and

BE IT FURTHER RESOLVED, that those additional severance payments be distributed to the Towns in proportion to the number of miles of Town roads in each Town that abut County Forest Land, as determined annually by the Wisconsin Department of Transportation Town Plat Record, relative to the total number of miles of Town roads abutting all County Forest Land throughout the county, less the discount each Town receives for gravel purchased located on County Forest Land as determined by the average discount received over each previous ten (10) year period or fractional portion thereof for which data are available (See attachment A); and

BE IT FURTHER RESOLVED, that to be eligible for increased severance payments described herein, the Town(s) shall maintain the roads in their jurisdiction providing ingress and egress to County Forest Land as Class A roads and shall not place any weight restrictions on said roads, excluding the period commonly referred to as spring breakup.

Offered and passage moved by Supervisors: Sorensen, Rudolph, Mott, VanRaalte and Zunker.

ROLL CALL VOTE: 18 Ayes, 1 Nays - Fried, 2 Absent – Freudenberg and Oettinger.

RESOLUTION # 64-2015: Adopted.

RESOLUTION #65-2015

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

WHEREAS, the Buildings and Grounds Committee has been made aware the "Liebert Unit" (hereinafter, "the Unit") that cools and dehumidifies the IT department servers is outdated; and

WHEREAS, should the Unit fail, there is no back-up equipment servicing the de-humidification and cooling needs of the computer infrastructure;

WHEREAS, the Unit has exceeded its life expectancy by well over 10 years; and

WHEREAS, the Unit was sized and installed at a time when there was significantly less equipment housed in the data center; and

WHEREAS, the Unit is the only equipment that addresses keeping those levels within pre-determined levels to prevent costly equipment from over-heating and failing.

WHEREAS, the Unit is operational year round; the heat generated by the computer equipment raises the room temperature to 80 degrees in less than 15 minutes; and

WHEREAS, Once the room temperature exceeds 100 degrees, an alarm sounds so the problem is immediately identified and addressed; and

WHEREAS, Due to the age of the current equipment, repairs are becoming difficult and replacement parts needed are difficult to obtain; and

WHEREAS, Since some repairs to the equipment can be done with county maintenance staff, replacement of this equipment will reduce staff time, reduce costly repairs, improve energy efficiency, and most importantly provide dependable cooling and humidity control for the county's computer infrastructure; and

WHEREAS, ideally, the current system should be replaced with a redundant system, as loss of the computer equipment would impact every county department, including emergency services, and could open the county to liability; and

WHEREAS, the cost to replace the computer equipment housed in this room is \$685,000, not including consultant labor costs; and

WHEREAS, the replacement equipment will be engineered to meet the county's current and future needs. (It is not a unit that can be purchased "off the shelf".); and

WHEREAS, there is a procedure in place to allow for emergency replacement of the Liebert Unit by use of general fund monies, but planned replacement should be made to reduce the risk of computer failure; and

WHEREAS, the replacement of the Unit should be made as soon as possible. (the Social Services Data Center is located directly above the IT Data Center, a fire in the IT Data Center would likely cause significant damage to the Social Services Data Center.); and

WHEREAS, to replace the unit Sixty-Thousand Dollars (\$60,000.00) will need to be allocated from the General Fund.

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors that the ITS department Liebert Unit shall be replaced without delay; and

BE IT FURTHER RESOLVED, that the Building & Grounds Budget is amended to include \$60,000.00 from the General Fund for the purpose of replacing the Liebert Unit.

Offered and passage moved by Supervisors: Fried, Holewinski, Krolczyk, Oettinger and Metropulos.

ROLL CALL VOTE: 19 Ayes, 0 Nays, 2 Absent – Freudenberg and Oettinger.

RESOLUTION #65-2015: Adopted.

RESOLUTION #66-2015 - offered by the Conservation and UW-Extension Education Committee adopting the Oneida County Farmland Preservation Plan.

MOTION/SECOND: Rudolph/Holewinski to postpone Resolution #66-2015 until the September 15, 2015 County Board Regular Meeting.

ROLL CALL VOTE: 19 Ayes, 0 Nays, 2 Absent – Freudenberg and Oettinger

POSTPONED: To September 15, 2015 County Board Regular Meeting.

RESOLUTION # 67-2015/GENERAL CODE OF ONEIDA COUNTY, WISCONSIN ORDINANCE AMENDMENT #1-2015

Ordinance Amendment offered by the Planning and Development Committee.
Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, the Planning & Development Committee, having considered Ordinance Amendment #1-2015, (copy attached) which was filed May 27, 2015, (copy attached) to amend The Oneida County Floodplain Zoning Ordinance, Chapter 20 of the General Code of Oneida County Wisconsin, and having given notice thereof as provided by law and having held a public hearing thereon June 17, 2015 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

WHEREAS, Oneida County received a letter from the Wisconsin Department of Natural Resources (WDNR) dated, April 24, 2015, requesting Oneida County to adopt the Dam Failure Analysis (DFA) and assessment hazard rating assignment for the Fish Hatchery Dam located in the Town of Woodruff; and

WHEREAS, the purpose of the ordinance amendment is to adopt the Dam Failure Analysis to prohibit development in the Flood Shadow if there is a dam failure; and

WHEREAS, The Planning and Development Committee held a public hearing and no one appeared for or against the ordinance amendment; and

WHEREAS, the Planning and Development committee has carefully studied the proposed changes 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 20 of the Oneida County Floodplain Zoning Ordinance of the General Code of Oneida County Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

ONEIDA COUNTY
“WHERE NATURE LINGERED LONGER”
ONEIDA COUNTY FLOODPLAIN
ZONING ORDINANCE
CHAPTER 20 OF THE GENERAL CODE OF ONEIDA COUNTY WISCONSIN

Sections 1.0 – 1.4 – No changes

1.5 GENERAL PROVISIONS

(1) AREAS TO BE REGULATED

This ordinance regulates all areas that would be covered by the regional flood or base flood-as shown on the Flood Insurance Rate Map (FIRM) or other maps approved by DNR. Base flood elevations are derived from the flood profiles in the Flood Insurance Study- (FIS) and are shown as AE, A1-30, and AH Zones on the FIRM. Other regulatory zones are displayed as A and AO zones. Regional Flood Elevations (RFE) may be derived from other studies. If more than one map or revision is referenced, the most restrictive information shall apply.

(2) OFFICIAL MAPS & REVISIONS

The boundaries of all floodplain districts are designated as A, AE, AH, AO or A1-30 on the maps based on the Flood Insurance Study (FIS) listed below. Any change to the base flood elevations (BFE) or any changes to the boundaries of the floodplain or floodway in the FIS or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA through the Letter of Map Change process (see s.8.0 *Amendments*) before it is effective. No changes to RFE's on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of the Planning & Zoning Department, Oneida County. If more than one map or revision is referenced, the most restrictive information shall apply.

(a.) OFFICIAL MAPS: Based on the FIS

1. Flood Insurance Rate Map (FIRM), panel numbers:

55085C0020C, 55085C0040C, 55085C0045C
55085C0065C, 55085C0070C, 55085C0090C
55085C0095C, 55085C0120C, 55085C0140C
55085C0145C, 55085C0165C, 55085C0195C
55085C0215C, 55085C0220C, 55085C0235C
55085C0245C, 55085C0255C, 55085C0260C
55085C0265C, 55085C0270C, 55085C0280C
55085C0285C, 55085C0290C, 55085C0295C
55085C0305C, 55085C0310C, 55085C0315C
55085C0320C, 55085C0330C, 55085C0333C
55085C0335C, 55085C0339C, 55085C0340C
55085C0341C, 55085C0343C, 55085C0345C
55085C0355C, 55085C0360C, 55085C0365C
55085C0370C, 55085C0380C, 55085C0385C
55085C0390C, 55085C0395C, 55085C0405C
55085C0410C, 55085C0415C, 55085C0420C
55085C0430C, 55085C0435C, 55085C0440C
55085C0445C, 55085C0460C, 55085C0470C
55085C0480C, 55085C0485C, 55085C0490C
55085C0495C, 55085C0505C, 55085C0510C
55085C0515C, 55085C0520C, 55085C0530C
55085C0535C, 55085C0540C, 55085C0545C
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55085C0593C, 55085C0594C, 55085C0605C

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prepared by Federal Emergency Management Agency; with corresponding profiles that are based on the Flood Insurance Study (FIS) dated May 16, 2013. Volume numbers (55085CV000A).

2. 100 year Dam Failure Study downstream of the Killarney Lake Dam in Sections 24, 25 and 36, T36N, R5E, located in the Town of Little Rice, dated March 1, 1991 (File #90357.01) prepared by Short, Elliot and Hendrickson. Approved by DNR & FEMA November 6, 1992.
3. 100 year Dam Failure Study downstream of Spruce Lake Dam located in the E¼, of SE¼, in Section 22, T38N, R7E, located in the Town of Cassian, dated August 9, 1995 prepared by Pete Wuzer of the Natural Resources Conservation Service. Approved by DNR March 28, 1996.
4. 100 year Dam Failure Study downstream of the Fish Hatchery Dam in Section 8, T39N, R7E, located in the Town of Woodruff, dated February 2015 prepared by General Engineering Company. Approved by DNR April 24, 2015.

4-5. Floodplain Study Appendix: All DNR- and FEMA-approved floodplain maps, flood profiles, floodway data tables, regional or base flood elevations and other information located in the appendix of this ordinance. The community shall provide the most up to date appendix to the DNR and FEMA regional offices.

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment #1-2015 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Town Clerks of Oneida County and the Wisconsin Department of Natural Resources.

Offered and passage moved by Supervisors: Holewinski, Timmons and Fried.

ROLL CALL VOTE: 19 Ayes, 0 Nays, 2 Absent – Freudenberg and Oettinger.

RESOLUTION # 67-2015/ GENERAL CODE O/A: Enacted.

OTHER BUSINESS:

Mike Romportl, Land Records Director, stated the 18.8 acre property the Town of Newbold would like to purchase for the disc golf course was referred back from the June County Board meeting to the Land Records Committee for further consideration. The Land Records Committee did make a recommendation to offer the Town of Newbold the property at a price of \$15,000. Mr. Kroll took this offer back to the Newbold Town Board. The Town neither accepted nor denied the offer but still would like to push for the \$8,000 offer.

Presentation:

- "Town of Newbold, Chair David Kroll and others on Proposed Disc Golf Course and interest in acquiring County owned parcel NE 93 located in the SW-SE, S8, T37N R8E off Ole Lake Road."

Dave Kroll, Town Chair of Newbold, stated he felt the County Board's primary concern on selling this parcel is that the Town of Newbold would harvest timber from this parcel for a profit. He assured the County Board they would not do so, and if purchased, Newbold would move forward on implementing construction on this area into a recreational area along with the disc course, adding hiking and snowshoe trails, wildlife viewing areas and biking trails. This would bring more tourism dollars into this county. Mr. Kroll states he has two letters to share with the Board that explains the value of such a course. The first letter authored by Brandy Lake Park Commission and Towns of Arbor Vitae and Woodruff have found disc golf to be a wonderful addition to the park and to the community. There is a large increase of public use of the park since the disc golf course was created 5 years ago. This letter shows a positive effect of this type of recreation in the area. The second letter is from Dana DeMet, Rhinelander Area Chamber of Commerce, who states he certainly understands the value of the project to the economy of Oneida County. He supports the cooperation between the Town and the County. Mr. Kroll stated the Town's offer was that Newbold be allowed to purchase the property for \$8,000 with a 50 year deed restriction to prohibit clear cutting of the parcel and to guarantee that the parcel will remain open for public recreational use. The Land Records Committee's decision was to send this offer back to the County Board for a decision. Mr. Kroll asks the County Board to please give some consideration to this opportunity. He stated the number you come up with today is the number he will take back to the Newbold Town Board.

MOTION/SECOND: Cushing/Kelly to enter into Closed Session.

Chairman Hintz read the closed session.

Supervisor Rudolph stated the agenda states there will be a presentation by Town of Newbold Chair, Dave Kroll and Others. According to the Agenda there are other people we need to hear from before entering into closed session.

Public Input:

The public speakers were all in favor of the creation of a disc golf course:

Don Hoffman – Disc golf designer.

Andrew Klaver – Professional disc golfer.

Scott Yurgo- Mosinee WI. Player- disc golf.

Kim Gauthier – Town Clerk of Newbold and member of the Town of Newbold Recreation Committee.

Supervisor Sorensen stated he feels there is no need to enter into closed session.

ROLL CALL VOTE TO ENTER INTO CLOSED SESSION: 0 Ayes, 18 Nays, 3 Absent Freudenberg, Oettinger and Fried.

MOTION TO ENTER INTO CLOSED SESSION: Fails. Business will be conducted in open session.

MOTION/SECOND: Sorensen/Paszak to sell the parcel of land (NE93) to the Town of Newbold for \$15,000. Discussion between the County Board members took place.

MOTION/SECOND: Rudolph/VanRaalte to amend the Sorensen/Paszak motion changing the \$15,000 to \$8,000 for the sale of parcel (NE 93).

Supervisor Sorensen and Supervisor Ives stated they oppose the amendment to the motion and are in favor of the original motion of \$15,000.

ROLL CALL VOTE ON THE AMENDED MOTION: 5 Ayes, 13 Nays- Timmons, Krolczyk, Ives, Cushing, Holewinski, Kelly, Intrepidi, Jensen, Pederson, Paszak, Sorensen, Mott and Hintz. 3 Absent - Freudenberg, Oettinger and Fried.

MOTION: Fails.

ROLL CALL VOTE ON ORIGINAL MOTION: 18 Ayes, 0 Nays, 3 Absent - Freudenberg, Oettinger and Fried.

MOTION: Passes.

Town Chair of Newbold, Dave Kroll, will take the figure of \$15,000 offer back to the Town Board of Newbold for discussion on the purchase of (NE-93).

NEXT MEETING DATE AND TIME: September 15, 2015 @ 9:30 a.m.
(unless a motion is made to change the starting time).

ADJOURNMENT:

MOTION/SECOND: Sorensen/Paszak to Adjourn at 1:15 p.m. All "Aye" on voice vote, motion carries.