

**Notice of Regular Meeting  
Oneida County Board of Supervisors  
March 20, 2012– 9:30 a.m.  
Oneida County Courthouse  
County Board Meeting Room 2<sup>nd</sup> Floor**

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

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

**# OF MEMBERS PRESENT:** 20

**SUPERVISORS EXCUSED:** 1- Tom Rudolph

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

**OTHERS PRESENT:** Mary Bartelt, County Clerk; Melodie Gauthier, Deputy County Clerk Brian Desmond, Corporation Counsel; Michael Romportl, Land Information; Lisa Charbarneau, H.R. Director; Dianne Jacobson, Department on Aging; Linda Conlon, Public Health Director; Karl Jennrich, Planning & Zoning; Kristina Ostermann, Treasurer.

**ANNOUNCEMENTS BY CHAIR, CORRESPONDENCE AND COMMUNICATIONS**

Sign Attendance Form at the Podium.

Please Use Microphones When Speaking.

**ACCEPT THE MINUTES OF THE FEBRUARY 21, 2012 REGULAR MEETING**

**MOTION/SECOND:** (Hoffman/Vandervest) to accept the minutes of the February 21, 2012 regular meeting. All “aye” on voice vote, motion carries.

**REPORTS/ PRESENTATIONS**

Highway Operations Final Report – 2011

**MOTION/SECOND:** (Hoffman/Baier) to accept the 2011 Highway Operations Final Report as submitted. All “aye” on voice vote, motion carries.

Land Information Office Annual Report – 2011

**MOTION/SECOND:** (Baier/O'Melia) to accept the 2011 Land Information Office Annual Report as submitted. All “aye” on voice vote, motion carries.

2012 Emergency Fire Warden List

**MOTION/SECOND:** (Baier/Martinson) to accept the 2012 Emergency Fire Warden list as submitted. All “aye” on voice vote, motion carries.

Chairman Cushing recognized Supervisors John Hoffman – 15 + years, David O'Melia – 15 years, Matt Matteson 9 – years and Peter Wolk 8 + Years for their hard work and service to the County Board and citizens of Oneida County. This is their last meeting as members on the County Board before their retirement and they will be greatly missed.

**UNFINISHED BUSINESS** – None

**PUBLIC COMMENT** - None

**CONSIDERATION OF RESOLUTIONS & ORDINANCES**

**RESOLUTION # 21-2012**

Resolution offered by Supervisors of the Finance and Insurance Committee.  
Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, Section 65.90(5)(a) dictates that appropriations in the Oneida County budget may not be changed unless authorized by a vote of two-thirds of the entire membership of the County Board of Supervisors, and

**WHEREAS**, the Finance and Insurance Committee has reviewed and does recommend the 2011 transfers listed below,

**NOW, THEREFORE, BE IT RESOLVED**, the Oneida County Board of Supervisors authorizes and directs the budget transfers as listed below:

**APPLY ADDITIONAL REVENUES RECEIVED TO RELATED EXPENSES**

Emergency Management	4,485
Department on Aging	19,000
Public Health	45,255
Forestry	117,972
UW-Extension	17,279
Economic Development	500,000
Sheriff's Department	251,706
Land Conservation	11,316
Register of Deeds	4,107
Central Duplication	2,300
Solid Waste	241,724
Highway Department	728,613
District Attorney	2,506

**TO APPLY CARRYFORWARD MONEY TO CURRENT YEAR BUDGET**

Department on Aging	4,165
Accrued Compensated Absenses	38,297
Public Health	3,857
Health and Welfare Trust	29,265
Airport Construction	118,115
Non-metallic Mining	9,347
Sheriff's Department	1,362
UW-Extension	70
Highway Department	129,888
Ambulance	43,394
Buildings and Grounds	635,791
Elections	20,837

**REDUCE BUDGET TO REFLECT REDUCTION IN RELATED REVENUES**

Social Services	1,881
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Approved by the Finance and Insurance Committee this 12<sup>th</sup> day of March, 2012.  
Offered and passage moved by Supervisors: Cushing, Young, Hoffman and Wolk.

**MOTION/SECOND: O'Melia/ Vandervest to waive the reading of Resolution #21-2012.**

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

**ROLL CALL VOTE ON RESOLUTION #21-2012: 20 Ayes, 0 Nays, 1 Absent – Rudolph.**

**STUDENT REPRESENTATIVES: 3 Aye.**

**RESOLUTION # 21-2012 - Adopted.**

**RESOLUTION # 22-2012**

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

**WHEREAS**, the Counties of Forest, Oneida, Taylor and Vilas (individually “a County” and collectively “the Counties”), together with Forest County Potawatomi Community, Lac du Flambeau Band of Lake Superior Chippewa Indians and Sokaogon Chippewa Community (individually “a Tribe” and collectively “Tribes”) have formed a consortium (“Planning Consortium”) for purposes of planning for the creation and operation of an ADRC under Wis. Stat. § 46.283; and

**WHEREAS**, Wis. Stat. § 46.283(1) authorizes counties and tribes to jointly operate an ADRC; and

**WHEREAS**, Wis. Stat. § 46.2895 authorizes the creation of a legal entity known as a Long Term Care District that may become certified as an ADRC and thereafter enter into a contract with the Department of Health Services (“Department”) for the provision of ADRC services within the District’s geographic boundaries; and

**WHEREAS**, a Long Term Care District is created by counties and tribes via resolution but operates independently of the forming counties and tribes and, therefore, imposes no financial or legal liability upon the counties and tribes that form the District; and

**WHEREAS**, the Long Term Care District service model retains public oversight through the appointment of a governing board by the participating counties and tribes; and

**WHEREAS**, pursuant to Wis. Stat. § 46.283 & § 46.2895 the "ADRC of the Northwoods" has been formed; and

**WHEREAS**, as part of the agreement between the Counties, Tribes and ADRC of the Northwoods was that Oneida County would provide healthcare and other fringe benefits for the two ADRC Specialists-I & A Specialists, and

**WHEREAS**, the ADRC of the Northwoods has agreed to reimburse Oneida County for the full and actual costs to Oneida County for providing these benefits (as set forth in the attached contract) for the ADRC of the Northwoods ADRC Specialists-I & A Specialists.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that the ADRC of the Northwoods two ADRC Specialists-I & A Specialists be accepted into the County health, vision and dental insurance programs with all costs associated with such to be paid for by the ADRC of the Northwoods; and

**BE IT FURTHER RESOLVED**, that the Oneida County Board Chairman and the Oneida County Clerk are hereby directed to execute the attached contract.

Offered and passage moved by Supervisors: Young, Cushing, Holewinski

**CONTRACT FOR PROVISION OF BENEFITS**

**WHEREAS**, the Counties of Forest, Oneida, Taylor and Vilas (individually “a County” and collectively “the Counties”), together with Forest County Potawatomi Community, Lac du Flambeau Band of Lake Superior Chippewa Indians and Sokaogon Chippewa Community (individually “a Tribe” and collectively “Tribes”) have formed a consortium (“Planning Consortium”) for purposes of planning for the creation and operation of an ADRC under Wis. Stat. § 46.283; and

**WHEREAS**, Wis. Stat. § 46.283(1) authorizes counties and tribes to jointly operate an ADRC; and

**WHEREAS**, Wis. Stat. § 46.2895 authorizes the creation of a legal entity known as a Long Term Care District that may become certified as an ADRC and thereafter enter into

a contract with the Department of Health Services ("Department") for the provision of ADRC services within the District's geographic boundaries; and

**WHEREAS**, a Long Term Care District is created by counties and tribes via resolution but operates independently of the forming counties and tribes and, therefore, imposes no financial or legal liability upon the counties and tribes that form the District; and

**WHEREAS**, the Long Term Care District service model retains public oversight through the appointment of a governing board by the participating counties and tribes; and

**WHEREAS**, pursuant to Wis. Stat. § 46.283 & § 46.2895 the "ADRC of the Northwoods" has been formed; and

**WHEREAS**, as part of the agreement between the Counties, Tribes and ADRC of the Northwoods was that Oneida County would provide healthcare and other fringe benefits for the ADRC of the Northwoods Regional Manager and two disability specialists, and

**WHEREAS**, the ADRC of the Northwoods has agreed to reimburse Oneida County for the full and actual costs to Oneida County for providing these benefits (as set forth below) for the ADRC of the Northwoods two ADRC Specialists-I & A Specialists;

### **1. BENEFITS TO BE PROVIDED**

Oneida County agrees to provide the following benefits to the ADRC of the Northwoods:

- A. Healthcare Benefits at the level of an Oneida County Employee that is a "WRS Participant".
- B. HRA Account at the level of an Oneida County Employee that is a "WRS Participant."
- C. Dental and Vision Insurance at election of Regional Manager. The ADRC of the Northwoods agrees to pay one half (1/2) of the Dental Insurance.

### **2. PAYMENT**

The ADRC of the Northwoods agrees to reimburse Oneida County for all cost with regards to the provision of the above listed benefits. Payment shall be made by the Fiscal Agent of the ADRC of the Northwoods (hereinafter "Fiscal Agent") directly to Oneida County. All payments will be made by the fiscal agent in a fashion consistent with the needs of Oneida County to make payment to the various service providers. The Fiscal Agent shall make these payments with the need for any further authorization by the ADRC of the Northwoods.

### **3. TERM OF CONTRACT**

This contract shall be in effect from April 1st, 2012 through December 31st, 2012.

### **4. FISCAL AGENT**

The terms of this contract are contingent on Oneida County acting as the Fiscal Agent for the ADRC of the Northwoods. Should the ADRC of the Northwoods change fiscal agents Oneida County shall have the sole right to cancel this contract on 30 days notice to the ADRC of the Northwoods. Should Oneida County cancel this contract, ADRC of the Northwoods remains obligated to pay Oneida County for any all funds expended on behalf of the ADRC of the Northwoods.

### **5. DISPUTE RESOLUTION**

Should a dispute arise regarding the provisions of this contract the party agree to meet and confer regarding the resolving any dispute. If the parties are not able to come to a mutually agreeable resolution through the meet and confer process, the parties agree to submit the matter to non-binding arbitration. The parties hereby agree to each pay one half (1/2) of the costs of mediation.

**6. GOVERNING LAW, JURISDICTION AND VENUE**

This agreement shall be construed and interpreted in accordance with the laws of the State of Wisconsin. Owner hereby irrevocably submits to the jurisdiction of the state courts of the State of Wisconsin for the purpose of any suit, action or other proceeding arising out of or based upon this Agreement. The parties further agree that the venue for any legal proceedings related to this Agreement shall be Oneida County, Wisconsin.

**7. NOTICES**

Any notice required by this Agreement shall be made in writing to the address specified below:

County: Oneida County  
Attn: Mary Bartelt  
P.O. Box 400  
Rhinelander, WI 54501

ADRC of the  
Northwoods: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Nothing contained in this Article shall be construed to restrict the transmission of routine communications between representatives of the parties.

**8. WAIVER**

A waiver by either of the parties of any breach of this Agreement shall be in writing. Such a waiver shall not affect the waiving party's rights with respect to any other or further breach.

**9. AMENDMENT.**

No amendment of this contract shall be binding unless in writing and signed by all of the parties.

**10. SEVERABILITY.**

The invalidity, illegality or unenforceability of any provision of this Agreement or the occurrence of any event rendering any portion or provision of this Agreement void shall in no way affect the validity or enforceability of any other portion or provision of this Agreement or any Task Order. Any void provision shall be deemed severed from this Agreement and the balance of this Agreement shall be construed and enforced as if it did not contain the particular portion or provision held to be void. The parties further agree to amend this Agreement to replace any stricken provision with a valid provision that comes as close as possible to the intent of the stricken provision. The provisions of this Article shall not prevent this entire Agreement from being void should a provision which is of the essence of this Agreement be determined void.

**11. INTEGRATION.**

This Agreement represents the entire and integrated agreement between the parties. It supersedes all prior and contemporaneous communications, representations and agreements, whether oral or written, relating to the subject matter of this Agreement.

**12. TERMINATION.**

In the event of a breach of this contract by ADRC of the Northwoods, the County may, in its sole discretion, declare this contract to be terminated. Upon such termination, County shall provide written notice to the other party within a reasonable amount of time. This right shall be in addition to any and all other rights and remedies hereunder and at law or in equity. Exercise of this right shall not constitute a waiver of any other rights or remedies hereunder or at law or in equity.

### **13. ASSIGNMENT**

Neither party shall assign any rights or duties under this Agreement without the prior written consent of the other party, which consent shall not be unreasonably withheld. Unless otherwise stated in the written consent to an assignment, no assignment will release or discharge the assignor from any obligation under this Agreement.

### **14. NO CONSTRUCTION AGAINST EITHER PARTY**

This agreement is the product of negotiations between the parties and was either reached with the advice of legal counsel or the opportunity to obtain legal counsel, and shall not be construed against either party.

### **15. MULTIPLE ORIGINALS**

This contract may be executed in multiple originals, each of which, together shall constitute a single agreement.

### **16. CAPTIONS**

The parties agree that in this contract, captions are used for convenience only and shall not be used in interpreting or construing this contract.

### **17. NO PARTNERSHIP OR JOINT VENTURE**

This contract shall not in any way be deemed to create a partnership or joint venture between the parties to the agreement.

### **18. STATUTORY PROTECTIONS**

It is agreed by the parties that nothing in this contract, including but not limited to indemnification and hold harmless clauses, shall in any way constitute a waiver on the part of the County of any immunity, liability limitation or other protection available to the County under any applicable statute or other law. To the extent that any provision of this contract is found by any court of competent jurisdiction to conflict with any such legal protection, then whichever protections, either statutory or contractual, provide a greater benefit to the County shall apply unless the County elects otherwise.

### **19. OPEN RECORDS LAW COMPLIANCE.**

ADRC of the Northwoods understands and agrees that, because County is a party to this contract, provisions of the Wisconsin Open Records Law and other laws relating to public records may apply to records kept by Oneida County. ADRC of the Northwoods agrees to fully comply with such laws, and to cooperate with County in its compliance with such laws. Cooperation shall include, but not be limited to, the provision of records, or copies of records to County or others upon the request of county. Compliance and cooperation of ADRC of the Northwoods shall be at its sole cost and expense.

### **20. INDEMNIFICATION**

ADRC of the Northwoods shall indemnify and hold Oneida County, its appointed, hired and/or elected officers, agents, employees and designees, free and harmless from any and all costs, damages, claims, losses and expenses that may be incurred on account of damages, deaths or injuries arising out of the work being performed by Oneida County under the terms of this agreement or on account of enforcing the provisions of the

agreement against ADRC of the Northwoods or its agents or employees, including but limited by enumeration, reasonable attorney's fees and court costs incurred by Oneida County in defending any claim or in enforcing this provision.

**21. AUTHORIZATION TO SIGN CONTRACT**

By affixing a signature below the party signing the contract is signify the s/he has the proper authorization to enter into this contract on behalf of the entity the signature binds to the terms of this agreement.

IN WITNESS HEREOF, the parties have executed this agreement as of the date of the last signature listed below.

ADRC of the Northwoods

Oneida County

\_\_\_\_\_  
Erv Teichmiller

\_\_\_\_\_  
Ted Cushing  
County Board Chairman

\_\_\_\_\_  
Position

\_\_\_\_\_  
Mary Bartelt, Oneida County Clerk

**MOTION/SECOND: Vandervest/Fried to waive the reading of Resolution #22-2012.**

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

**ROLL CALL VOTE ON RESOLUTION #22-2012: 0- Ayes, 19 Nays, 1 Absent – Rudolph, 1 Abstain – Dean.**

**STUDENT REPRESENTIVE: 0- Ayes, 3 Nays**

**RESOLUTION #22-2012 – Defeated.**

**RESOLUTION # 23-2012**

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

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

**WHEREAS**, it is the opinion of the Oneida County Corporation Counsel that after the earliest time for filing nomination papers, the County cannot enact any salary increase pertaining to the elected positions of County Clerk, County Treasurer and Register of Deeds, and

**WHEREAS**, it is appropriate to provide fair and equitable wage increases to the Offices of the County Clerk, County Treasurer and Register of Deeds, for the term of office, and

**WHEREAS**, the Labor Relations and Employee Services Committee, having reviewed the internal and external wage comparables of the elected positions, does recommend a wage adjustment for each calendar year 2013, 2014, 2015 and 2016.

**NOW, THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors authorizes and directs that the annual salaries for the positions of County Clerk, County Treasurer and Register of Deeds be established as of January 1<sup>st</sup> of the year indicated below.

<b><u>ELECTED OFFICIAL</u></b>	<b>ANNUAL RATE</b>			
	<b><u>2013</u></b>	<b><u>2014</u></b>	<b><u>2015</u></b>	<b><u>2016</u></b>
County Treasurer	51,788	52,824	53,352	53,886
County Clerk	58,417	59,586	60,182	60,784

Register of Deeds            58,417    59,586    60,182    60,784

**BE IT FURTHER RESOLVED**, that an employee in one of the positions identified above who takes the County's health plan shall pay 8% of the monthly premium towards the cost of the health plan.

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

Approved by the Labor Relations and Employee Services Committee this 8thth day of March 2012.

Offered and passage moved by Supervisors Cushing, Holewinski, Paszak.

**ONEIDA COUNTY  
FISCAL IMPACT  
SELECTED ELECTED OFFICIALS**

<b>2013 Change in Annual Cost</b>	<b>58,417</b>	<b>51,788</b>	<b>58,417</b>	
	<b>County Clerk</b>	<b>County Treas</b>	<b>Reg of Deeds</b>	<b>Total</b>
Wages	1,145	7,644	1,145	9,934
Social Security	88	585	88	760
Retirement-er Share	81	539	81	700
Retirement-ee Share				0
Income Continuation Ins	3	19	3	25
Workers Comp	<u>2</u>	<u>15</u>	<u>2</u>	<u>20</u>
	1,318	8,802	1,318	11,439

<b>2014 Change in Annual Cost</b>	<b>59,586</b>	<b>52,824</b>	<b>59,586</b>	
	<b>County Clerk</b>	<b>County Treas</b>	<b>Reg of Deeds</b>	<b>Total</b>
Wages	1,169	1,169	1,169	3,507
Social Security	89	89	89	268
Retirement-er Share	82	82	82	247
Retirement-ee Share				0
Income Continuation Ins	3	3	3	9
Workers Comp	<u>2</u>	<u>2</u>	<u>2</u>	<u>7</u>
	1,346	1,346	1,346	4,038

<b>2015 Change in Annual Cost</b>	<b>60,182</b>	<b>53,352</b>	<b>60,182</b>	
	<b>County Clerk</b>	<b>County Treas</b>	<b>Reg of Deeds</b>	<b>Total</b>
Wages	894	894	894	2,398
Social Security	68	68	68	204
Retirement-er Share	63	63	63	189
Retirement-ee Share				0
Income Continuation Ins	2	2	2	6

Workers Comp	<u>2</u>	<u>2</u>	<u>2</u>	<u>6</u>
	1,029	1,029	1,029	3,087
<b>2016</b>	<b>60,784</b>	<b>53,886</b>	<b>60,784</b>	
<b>Change in Annual Cost</b>				
	<b>County Clerk</b>	<b>County Treas</b>	<b>Reg of Deeds</b>	<b>Total</b>
Wages	907	907	907	2,721
Social Security	69	69	69	208
Retirement-er Share	64	64	64	192
Retirement-ee Share				0
Income Continuation Ins	2	2	2	7
Workers Comp	<u>2</u>	<u>2</u>	<u>2</u>	<u>5</u>
	1,044	1,044	1,044	3,133

Revenue Source: Tax Levy

**MOTION/SECOND:** Metropulos/O’Melia to amend line #26 to read for the County Treasurer, “2013 - \$53,276; 2014 \$55,770; 2015 \$58,281 and 2016 \$60,784.”

**ROLL CALL VOTE ON AMENDMENT:** 5 Ayes – Sharon, Metropulos, Dean, Vandervest, & Matteson. 15 Nays – Pederson, Baier, Fried, Hoffman, Young, O’Melia, Paszak, Wolk, Thompson, Timmons, Hintz, Martinson, Holewinski, Berard & Cushing. 1 Absent – Rudolph.

**STUDENT REPRESENTATIVES:** 2 Nay

**MOTION - Fails.**

**MOTION/SECOND:** Holewinski/O’Melia to amend line 26 to read “2013 \$58,417; 2014 \$59,586; 2015 \$59,586; 2016 \$59,586.”

**ROLL CALL VOTE ON 2<sup>ND</sup> AMENDMENT TO RESOLUTION #23-2012:** 19 Ayes, 1 Nay – Fried, 1-Absent – Rudolph.

**STUDENT REPRESENTATIVES:** 2 Aye

**MOTION - Passes.**

**MOTION/SECOND:** Holewinski/Hintz to accept the amended fiscal impact for Resolution #23.

**ROLL CALL VOTE:** 19 Ayes, 0 Nay, 2 Absent – Rudolph & O’Melia

**STUDENT REPRESENTATIVES:** 3 Aye

**MOTION – Passes.**

Student Representative Bant excused

**ROLL CALL VOTE ON AMENDED RESOLUTION #23-2012.** 18 Aye, 1 Nay – Fried, 2 Absent – Rudolph & O’Melia.

**STUDENT REPRESENTATIVES:** 2 Aye, 1 Absent - Bant

**AMENDED RESOLUTION #23-2012 – Adopted.**

**RESOLUTION # 24-2012**

Resolution offered by Labor Relations Employee Services Committee.

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

**WHEREAS**, the Department on Aging Director and the Commission on Aging have been evaluating the staffing structure of the department prior to the retirement of the Account Clerk II position on December 31, 2011, and

**WHEREAS**, prior to retirement the Account Clerk II position was reviewed by the Department on Aging Director, the Finance Director and the Human Resources Director to review the percentage of time needed for the primary accounting responsibilities of the position, and

**WHEREAS**, the consensus of the review and recommendation of the Human Resources Director is to reduce the Account Clerk II position to 50% and reallocate non-accounting responsibilities and grant funding to existing staff and a new LTE position.

**WHEREAS**, the Labor Relations Employee Services Committee did discuss and concur with the recommendation of the Human Resources Director.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that effective March 20, 2012 the Department on Aging Account Clerk II position shall be decreased to a 50% position and other non-accounting duties and grant funding be transferred to other Department on Aging employees.

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

Approved by the Labor Relations Employee Services Committee this 8th day of March, 2012.

Offered and passage moved by Supervisors: Young, Cushing and Holewinski.

**ONEIDA COUNTY  
FISCAL IMPACT**

**Department on Aging Account Clerk II-50%**

**2012 Wage and Fringe Benefit Rates**

**Account Clerk II-50%  
Grade 5**

	<b>Annual</b>	<b>March 20- December 31</b>
Wages	14,154	11,106
Social Security	1,083	850
Retirement-er	835	655
Health Ins-maximum	11,277	8,848
Life Ins	50	39
Workers Comp	28	22
Income Continuation Ins	<u>38</u>	<u>29</u>
	27,464	21,549

Wages-LTE 1200 hours annually	10,800	8,474
Social Security	826	648
Workers Comp	<u>22</u>	<u>17</u>
	11,648	9,139
Amount currently in 2012 budget 100%	<u>52,782</u>	<u>52,782</u>
Savings over 2012 budgeted amount	(13,670)	(22,094)

Revenue Source: Tax Levy

**MOTION/SECOND: Vandervest/Berard to waive the reading of Resolution #24-2012. All "aye" on voice vote, motion carries.**

**ROLL CALL VOTE ON RESOLUTION #24-2012: 19 Aye, 0 Nays, 2 Absent – Rudolph & Metropulos.**

**STUDENT REPRESENTATIVES: 2 Aye – 1 Absent – Bant.**

**RESOLUTION #24-2012- Approved.**

**RESOLUTION # 25-2012**

Resolution offered by Labor Relations Employee Services Committee.

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

**WHEREAS**, as a result of the retirement of the Addressing/Description Technician in the Land Information Office, the Land Information Director, the Land Records Committee and Human Resources Director have completed a vacancy review study that included the review of the job duties of various positions in the Office and recommended to forward proposed changes to the Labor Relations and Employee Services Department and Committee for further review and consideration; and

**WHEREAS**, the Human Resources Director has further reviewed and discussed the job titles, descriptions and duties of the Addressing/Description Technician, Real Property Lister, Assistant Real Property Lister and the Property Description Technician with the Land Information Director, and has made recommendations that duties of the Addressing/Description Technician be reassigned and combined with existing positions and that job titles and duties be revised to reflect the changes, and that a new half time position be created to absorb the proposed elimination of a full time position; and

**WHEREAS**, the Human Resources Director and Land Information Director has recommended that the Addressing/Description Technician position be eliminated and the Real Property Lister job title be changed to Real Property Lister/Addressing Coordinator and the position be reclassified and job description be revised, and the Assistant Real Property Lister and Property Description Technician job positions be reclassified and job descriptions be revised, and that a half time Land Info Aide position be created, and

**WHEREAS**, the Labor Relations and Employee Services Committee did review the recommendations of the Land Information Director, Land Records Committee and Human Resources Director and is in agreement with the proposed changes for the Land Information Office.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors effective March 21st, 2012 the Addressing/Description Technician position be

eliminated and the Real Property Listers position be re-titled to Real Property Lister/Addressing Coordinator and be reclassified due to significant change of duties and responsibilities and be placed at Grade Level 10 of the Courthouse Pay Schedule; and

**BE IT FURTHER RESOLVED**, by the Oneida County Board of Supervisors effective March 21st, 2012 that the Assistant Real Property Lister position be reclassified due to significant change of duties and responsibilities and be placed at Grade Level 8 of the Courthouse Pay Schedule; and

**BE IT FURTHER RESOLVED**, by the Oneida County Board of Supervisors effective March 21st, 2012 that the Property Description Technician position be reclassified due to significant change of duties and responsibilities and be placed at Grade Level 7 of the Courthouse Pay Schedule; and

**BE IT FURTHER RESOLVED**, by the Oneida County Board of Supervisors effective June 25<sup>th</sup>, 2012 that a half time Land Info Aide position be created and be placed at Grade Level 5 of the Courthouse Pay Schedule.

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

Approved by the Labor Relations Employee Services Committee this 8<sup>th</sup> day of March, 2012.

Offered and passage moved by Supervisors: Young, Cushing & Holewinski.

**ONEIDA COUNTY  
FISCAL IMPACT  
2012 CHANGES IN LAND INFORMATION**

Annual Cost					
<b>CURRENT FULL STAFFING LEVELS</b>					
2012 Wage Rates	ADDRESSING DESCRIPTION TECHNICIAN GRADE 10	REAL PROPERTY LISTER GRADE 8	ASST REAL PROPERTY LISTER GRADE 7	PROPERTY DESCRIPTION TECHNICIAN GRADE 6	TOTAL
Wages	38,179	35,558	33,983	32,934	140,654
Social Security	2,921	2,720	2,600	2,519	10,760
Retirement	2,253	2,098	2,005	1,943	8,299
Health Ins	-	-	-	-	-
Life Ins	-	-	-	-	-
Income Continuation Ins	98	90	85	83	355
Workers Comp	<u>76</u>	<u>71</u>	<u>68</u>	<u>66</u>	<u>281</u>
	43,527	40,537	38,741	37,544	160,349

2012 Wage Rates	PROPOSED STAFFING CHANGES				50%	TOTAL
	REAL PROPERTY LISTER/ADD COORDINATOR GRADE 10	ASST REAL PROPERTY LISTER GRADE 8	PROPERTY DESCRIP TECHNICIAN GRADE 7	LAND INFO AID GRADE 5		
Wages	38,179	35,558	33,983	14,154	121,874	
Social Security	2,921	2,720	2,600	1,083	9,324	
Retirement	2,253	2,098	2,005	835	7,191	
Health Ins	-	-	-	-	-	
Life Ins	-	-	-	-	-	
Income Continuation Ins	98	90	85	38	310	
Workers Comp	<u>76</u>	<u>71</u>	<u>68</u>	<u>28</u>	<u>243</u>	
	43,527	40,537	38,741	16,138	138,942	

Annual reduction in cost 21,407

Revenue Source: Tax  
Levy

**2012 ONLY**

Vacancy of Addressing Description Technician for 1/1-3/21/2012	13,115
Vacancy of Land Info Aid 3/22/12-06/24/12	9,819
Change of Land Info Aid Grade 5 (6-25 -12-31-2012)	<u>11,115</u>
	34,049

**MOTION/SECOND:** Berard/Vandervest to waive the reading of Resolution #25-2012.  
**All "aye" on voice vote, motion carries.**  
**ROLL CALL VOTE ON RESOLUTION #25-2012:** 20 – Aye, 0- Nay, 1 Absent – Rudolph  
**STUDENT REPRESENTATIVES:** 2 Aye, 1 Absent - Bant  
**RESOLUTION # 25-2012 – Adopted.**

**RESOLUTION # 26-2012**

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

**WHEREAS**, Resolution #86-2007 did create a part time (60%) Environmental Technician position in the Public Health Department, and

**WHEREAS**, the Public Health Director reviewed and analyzed the Sanitarian Program and did determine that there is a need to increase the Environmental Technician position by 2.5 hours per week, and

**WHEREAS**, the Public Health Department has been awarded a grant that focuses on Chronic Disease and supports an increase of 5 hours per week for the Environmental Technician position, and

**WHEREAS**, the Public Health Director recommended to the Labor Relations Employee Services Committee that the Environmental Technician position be increased by 7.5 hours per week or the equivalent of an 80% part time position with all funding to come from fees or grant dollars. Should grant and/or fee funding increase or decrease the hours of the position shall be automatically adjusted accordingly contingent upon approval of committee of jurisdiction and Labor Relations and Employee Services committee.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that effective March 21, 2012 the part time Environmental Technician position in the Public Health Department will be increased to 80% with all funding for the position to come from revenues and grant dollars.

**BE IT FURTHER RESOLVED**, by the Oneida County Board of Supervisors that by adoption of this resolution it shall be deemed that an amendment has been made to the County budget for fiscal year 2012 to reflect all projected costs for the position 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 29<sup>th</sup> day of February, 2012.

Offered and passage moved by Supervisors: Young, Cushing and Holewinski

**ONEIDA COUNTY  
FISCAL IMPACT  
Environmental Technician 60% to 80%**

**Environmental  
Technician  
Grade 6,  
2012 Wage Rates**

Wages	6,279
Social Security	480
Retirement-er	370
Health Ins-Incumbant	-
Life Ins-Estimated	10
Workers Comp	136
Income Continuation Ins	18
	<hr/> 7,293

**Annual**

Revenue Source: Sanitarian Program Fees

**MOTION/SECOND: Vandervest/Baier to waive the reading of Resolution #26-2012.**

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

**ROLL CALL VOTE ON RESOLUTION #26-2012: 19 Ayes, 0 Nays 2 Absent – Rudolph & Berard.**

**STUDENT REPRESENTATIVE: 2 Aye**  
**RESOLUTION # 26-2012 – Adopted.**

**RESOLUTION # 27-2012**

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

**WHEREAS**, the Public Health Director reviewed and analyzed a vacant Public Health Nurse position in the Public Health Department, and

**WHEREAS**, the Public Health Director recommended to the Labor Relations Employee Services Committee that based on the review conducted of the vacant position and reduced department revenue; the vacant Public Health Nurse position should be reduced from full time to a part time 80% position, and

**WHEREAS**, the Labor Relations Employee Services Committee reviewed the recommendation of the Public Health Director and Human Resources Director and does agree that the Public Health Nurse position in the Public Health Department should be reduced from full time to a part time 80% position.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that effective March 21, 2012 the full time Public Health Nurse position in the Public Health Department will be decreased to 80%.

**BE IT FURTHER RESOLVED**, by the Oneida County Board of Supervisors that by adoption of this resolution it shall be deemed that an amendment has been made to the County budget for fiscal year 2012 to reflect all projected costs for the position 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 29<sup>th</sup> day of February, 2012.

Offered and passage moved by Supervisors: Young Cushing and Holewinski.

**ONEIDA COUNTY  
FISCAL IMPACT  
Public Health Nurse**

**2012 Wage Rates, 2012 Health Insurance Rates**

**Public Health Nurse**

**Year 1**

**Nurse's Union**

**80%  
Annual**

Wages	35,474
Social Security	2,714
Retirement-er	2,093
Health Ins-Maximum	18,043
Life Ins-Estimated	80

Workers Comp	770
Income Continuation Ins	<u>90</u>
<b>PROGRAM COST</b>	59,264

Revenue Source: State Aids and Fees

**MOTION/SECOND:** Vandervest/Paszak to waive the reading of Resolution #27-2012. All “aye” on voice vote, motion carries.  
**ROLL CALL VOTE ON RESOLUTION #27-2012:** 18 Ayes, 0 Nays, 3- Absent- Rudolph, Baier and Matteson.  
**STUDENT REPRESENTATIVES:** 2 Ayes, 1 Absent – Bant.  
**RESOLUTION # 27-2012 - Adopted.**

**RESOLUTION # 28-2012**

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

**WHEREAS**, Oneida County acquired land through tax foreclosures in the 1930’s & 40’s and when sold, reserved ownership of strips of land being 100’ on each side of the centerline of the highway that crosses the NW¼–SW¼ of Section 29 and the NE¼–SE¼ of Section 30, all in Township 38 North, Range 11 East, now known as Branham Rd in Town of Three Lakes; and

**WHEREAS**, a difference of opinion between landowners in the NW¼-SW¼ , the SW¼-NW¼ of Section 29 and the NE¼-SE¼, the SE¼-NE¼ of Section 30, the County and the Town has developed as to the terminus, location and access rights of and across said road; and

**WHEREAS**, the parties have been presented with an agreement that proposes in part that the County deed to the Town a 66’ right-of-way and turnaround for Branham RD, and any excess lands be deeded to the adjoining landowners subject to easements where necessary to ensure access for all parties; and

**WHEREAS**, the fee to convey said land would be waived by the County, except for the recording fees of the recorded documents relative to such agreement, and the County will cooperate in finalizing the proposed agreement; and

**WHEREAS**, the Land Records Committee has reviewed the proposed agreement and agrees with its concept and recommends that the Committee be authorized to continue to negotiate and help facilitate the execution of an agreement that would be in the best interest of the County, and that final deeds or relative documents would be brought back to the County Board for final approval.

**NOW, THEREFORE, BE IT RESOLVED**, the County Board authorizes the Land Records Committee to continue negotiations of the above stated Branham Road right-of-way and access issue and to help finalize an agreement between the parties; and

**BE IT FURTHER RESOLVED**, that upon agreement of all parties, the County deeds to the Town the right-of-way and the adjoiners the excess lands and any easements necessary to provide access to all parties, and that the fees to convey any lands relative to this agreement will be waived except for the recording fees, and such deeds or documents be brought back to the County Board for final approval.

Approved by the Land Records Committee this 13<sup>th</sup> day of March, 2012.

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

**MOTION/SECOND: Vandervest/Pederson to waive the reading of Resolution #28-2012. All "aye" on voice vote, motion carries.**

**ROLL CALL VOTE ON RESOLUTION # 28-2012: 20 Ayes, 0 Nays 1 Absent – Rudolph.**

**STUDENT REPRESENTATIVES: 2 Ayes, 1 Absent – Bant.**

**RESOLUTION # 28-2012 - Adopted.**

**RESOLUTION # 29-2012**

Resolution offered by the Oneida County Board of Health.

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

**WHEREAS**, the Oneida County Board of Health has reviewed Ordinance section 2.35 COMMITTEE DESIGNATION FOR ADMINISTRATIVE REVIEW PROCEDURE; and

**WHEREAS**, the Board of Health believes that administrative decisions made by the Health Department are better reviewed by the Oneida County Board of Health or the Health and Aging Committee after April 17th, 2012; and

**WHEREAS**, the Oneida County Board of Health has reviewed and approved the attached procedure for administrative review of Health Department decisions.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County board of supervisors that the attached procedure for review of Health Department administrative decisions is hereby approved.

Approved by the Board of Health this 8<sup>th</sup> day of March, 2012.

Offered and passage moved by Supervisor: Vandervest, Berard, Sharon Pederson. (Saari & Cody)

**MOTION/SECOND: Holewinski/ Vandervest to amend page 2, paragraph #6, change the word "or" to "and".**

**ROLL CALL ON AMENDMENT: 20 Ayes, 0 Nays, 1 Absent**

**STUDENT REPRESENTATIVES: 2 ayes, 1 Absent – Bant.**

**ROLL CALL ON AMENDED RESOLUTION #29-2012: 20 ayes, 0 Nays, 1 absent – Rudolph.**

**STUDENT REPRESENTATIVES: 2 – Ayes, 1 Absent – Bant.**

**AMENDED RESOLUTION #29-2012 – Adopted.**

**RESOLUTION # 30-2012 - GENERAL CODE OF ONEIDA COUNTY, WISCONSIN  
ORDINANCE AMENDMENT #**

Ordinance Amendment offered by Supervisors of the Oneida County Board of Health.

**WHEREAS**, Oneida County Code section 2.35 sets forth the procedure for review of administrative decisions for Oneida County; and

**WHEREAS**, the current procedure for review of administrative decisions has members of the Finance and Insurance Committee reviewing decisions made by the Health Department; and

**WHEREAS**, the Oneida County Board of Health believes that administrative decisions of the Health Department would be better reviewed by the Oneida County Board of Health or the Health and Aging Committee after April 17th 2012.

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

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

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

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

Section 4. Section 2.35 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

**2.35 COMMITTEE DESIGNATION FOR ADMINISTRATIVE REVIEW PROCEDURE.**  
(Rep. & recr. #55-2011)

- (1) **PURPOSE.** The purpose of this section is to afford a constitutionally sufficient, fair, and orderly administrative procedure and review in connection with determinations made by County authorities which involve constitutionally protected rights of specific persons which are entitled to due process protection under the 14th Amendment to the U.S. Constitution.
- (2) **REVIEW OF ADMINISTRATIVE DETERMINATIONS.** As pertains to the County, the provisions of §68.01, Wis. Stats., are adopted and included herein by reference.
- (3) **DETERMINATIONS REVIEWABLE.** The following determinations are reviewable under this section:
  - (a) The provisions of §§68.02(1), (2), (3) and (4), Wis. Stats., are adopted and included herein by reference.
  - (b) Any determination made by a city, village, town, special purpose district or board or commission thereof, located within the County which is reviewable by the County authorities under the Wisconsin Statutes.
- (4) **DETERMINATIONS NOT SUBJECT TO REVIEW.**
  - (a) The Oneida County Department of Social Services has, by County Board resolution, adopted its own administrative review procedures and, thus, shall not be subject to the provisions of this section.
  - (b) The Oneida County Health Department has, by County Board resolution, adopted its own administrative review procedures and, thus, shall not be subject to the provisions of this section.
  - ~~(b)~~ (c) As pertains to the County, the provisions of §68.03, Wis. Stats., are adopted and made a part hereof by reference.
- (5) **COUNTY AUTHORITY DEFINED.** "County authority" includes every board, commission, committee, agency, officer, employee, or agent thereof making a determination under §68.01, Wis. Stats., and every person, board, commission, committee, or agency of the County appointed to make an independent review.
- (6) **PERSONS AGGRIEVED.** A person aggrieved includes any individual, partnership, corporation, association, public or private organization, officer, department, board, commission, or agency of the County, whose rights, duties, or privileges are adversely affected by a determination of a County authority.
- (7) **PROCEDURE.** The provisions of §§68.07, 68.08, 68.09(1), (3), (4) and (5), 68.10, 68.11, 68.12, 68.13, 68.14, and 68.15, Wis. Stats., are adopted and made a part hereof by reference.
- (8) **DESIGNATION OF REVIEW AUTHORITY.**
  - (a) **Initial Review.** If the initial determination has been made by an officer, employee, or agent of the County, the initial review shall be made by the committee, board, or commission having primary jurisdiction over that individual. If the initial determination was made by a committee, board, commission, or agency of the County, then the initial review shall be made by the same committee, board, commission, or agency.

- (b) Appellate Review. The impartial decision maker under the provisions of § 68.11(2), Wis. Stats., as adopted and made a part hereof by reference shall be the Chairperson of the Finance Committee and 2 members of the Finance Committee as designated by the Chairperson, provided that they have not participated in the making or reviewing of the initial determination. However, if the Chair of the Finance Committee upon receipt of the appeal, and after conferring with the Finance Committee, determined that an impartial person or 3-person panel with expertise should be appointed, he may do so.
- (9) COMPENSATION OF REVIEW AUTHORITY. Individuals acting in a review capacity shall be entitled to the same per diem and reimbursement for expenses incurred as is provided under the provisions of §3.10 of this Code.
- (10) TIME LIMITATIONS.
  - (a) Time Within Which to Initiate Grievance. A person aggrieved shall initiate the grievance review under the provisions of this section by no later than 60 days from the date she/he knew or should have known of the occurrence out of which the alleged grievance has occurred.
  - (b) Time Limit for Initial Review. The initial review under subsection (8)(a) shall be scheduled and conducted within 30 days of the filing of the review request by the person aggrieved and the initial determination shall be made in writing with copy provided to the aggrieved person no more than 30 days thereafter.
  - (c) Time Limit for Appellate Review. If the aggrieved person wishes to seek an appeal, he must do so in writing within 30 days of the written determination given at the initial review. Upon receipt of such request for appellate review, the appellate review under subsection (8)(b) shall be scheduled and conducted within 30 days thereafter. A final determination shall be made in writing with a copy provided to the aggrieved person no more than 30 days thereafter.

Approved by the Oneida County Board of Health this 8th day of March, 2012.  
 Offered and passage moved by Supervisors: Vandervest, Berard, Sharon, Pederson.  
 (Saari & Cody)

**MOTION/SECOND: Berard/Vandervest to waive the reading of Resolution #30-2012.**

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

**ROLL CALL VOTE ON RESOLUTION #30-2012: 20 Ayes, 0 Nays, 1 Absent – Rudolph.**

**STUDENT REPRESENTATIVES: 2 Aye, 1 Absent- Bant.**

**RESOLUTION # 30-2012 - GENERAL CODE OF ONEIDA COUNTY, WISCONSIN ORDINANCE AMENDMENT # - Enacted.**

**RESOLUTION # 31-2012**

Resolution offered by Transition Committee.

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

**WHEREAS**, the Wisconsin Legislature has put forth the Budget Repair Bill (BRB) which aims to provide local autonomy in decisions relating to personnel costs in exchange for steep cuts in state aids; and

**WHEREAS**, the proposed Wisconsin Biennial Budget for 2011-2013 decreases state aids and limits the County's ability to levy taxes to meet increasing costs; and

**WHEREAS**, the BRB and the 2011-2013 Budget will have effects on (1) personnel and human resources, (2) finances and (3) programs here in Oneida County; and

**WHEREAS**, the Wisconsin Counties Association recommended that Counties create a Transition Committee as a means to effectively deal with these significant changes; and

**WHEREAS**, the Transition Committee was formed by resolution #24-2011; and

**WHEREAS**, the initial term of the Transition Committee was one year, expiring after the March 2012 County Board meeting unless the committee was extended by the County Board; and

**WHEREAS**, the Transition Committee feels that there is a need to continue the Committee in order to further the original goals necessitating its creation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that the Transition Committee is hereby extended, with the express duty of indentifying the process by which the evaluation and eventual implementation of change should take place and then establish a timeline for completion; and

**BE IT FURTHER RESOLVED** that the Transition Committee shall have another term of one year, ending at the close of business on the date of the regularly scheduled County Board meeting in March of 2013 unless further extended by the County Board of Supervisors

Approved by the Transition Committee this 8th day of March, 2012.  
Offered and passage moved by Supervisors: Cushing and Young.

ONEIDA COUNTY  
FISCAL IMPACT  
PER DIEM FOR TRANSITION COMMITTEE

	ANNUAL # OF PER DIEMS	ESTIMATED COST
Transition Committee Per Diem	54	2,610
Social Security		200
Workers Compensation		<u>5</u>
		2,815

Revenue Source: Commissions and Committees budget

**MOTION/SECOND: Vandervest/Paszak to waive the reading of Resolution # 31-2012.**

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

**ROLL CALL VOTE ON RESOLUTION #31-2012: 20 Ayes, 0 Nays, 1 Absent – Rudolph.**

**STUDENT REPRESENTATIVES: 2 Aye, 1 Absent – Bant**

**RESOLUTION # 31-2012- Adopted.**

**RESOLUTION # 32-2012**

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

**WHEREAS**, the sale of utility terrain vehicles (UTVs), has grown steadily in the State of Wisconsin since 2008; and

**WHEREAS**, the number of UTVs purchased and registered annually in the State of Wisconsin is expected to increase into the foreseeable future; and

**WHEREAS**, the increasing number of UTVs in the State of Wisconsin has created an increasing demand for a place to ride these vehicles; and

**WHEREAS**, to address the increasing public demand for places to ride UTVs, the Wisconsin Department of Natural Resources (WDNR) developed the "Utility Terrain Vehicle Pilot Program"; and

**WHEREAS**, the WDNR, in consultation with the Department of Transportation, shall administer the UTV Pilot Program to evaluate the effects of UTV use on existing All-Terrain Vehicle (ATV) trails and roadways open to said vehicles; and

**WHEREAS**, the results of the above-described evaluation will be used to determine if it is appropriate and feasible to expand the UTV Pilot Program into a permanent UTV program; and

**WHEREAS**, in order to regulate the use of UTVs during the pilot program a UTV will be considered the same as an ATV, therefore all state regulations and county ordinances that apply to ATV use will also apply to UTV use; and

**WHEREAS**, the UTV pilot program will end on June 30, 2012 and the County may withdraw from the pilot program prior to the end of the program by adopting a resolution to that effect; and

**WHEREAS**, the passage of this resolution will permit operation of UTVs on town and village roads that are currently open to ATV use unless the town or village passes a resolution prohibiting the use of UTVs on said roads; and

**WHEREAS**, the passage of this resolution does not permit operation of UTVs on Oneida County ATV trails, as said trails require modifications to safely accommodate larger UTVs;

**NOW, THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors approves allowing UTVs to operate on all municipal ATV road routes, unless a municipality prohibits such operation by resolution.

Offered and passage moved by Supervisors: Baier, Martinson and Wolk.

**MOTION/SECOND: Holewinski/Hoffman to amend the resolution to state the Highway Department may also open trails to UTV's.**

**Discussion took place. Holewinski wishes to withdraw his motion.**

**Hoffman agrees. All "ayes" on voice vote, motion carries. Desmond explained "we need a 2/3 vote to withdraw."**

**ROLL CALL VOTE TO WITHDRAW MOTION ON RESOLUTION #32-2012: 20 Ayes, 0 Nays, 1 Absent – Rudolph.**

**STUDENT REPRESENTATIVES: 2 Aye, 1 Absent – Bant.**

**ROLL CALL VOTE ON RESOLUTION # 32-2012: 20 Ayes, 0 Nays, 1 Absent – Rudolph.**

**STUDENT REPRESENTATIVES: 2 Aye, 1 Absent – Bant.**

**RESOLUTION #32-2012- Adopted.**

### **RESOLUTION # 33-2012**

Resolution offered by Supervisors of the Planning and Zoning Committee.

**WHEREAS**, 2011 Senate Bill 482/Assembly Bill 617 ("SB 482"0, now pending in both the State Senate and Assembly, prohibits a political subdivision (any city, village, town, or county) from enacting or enforcing an ordinance that prohibits, or unreasonably restricts, an individual from renting out his or her home

for seven consecutive days or longer; and

**WHEREAS**, SB 482 defines “home” as any residential dwelling owned by an individual as either a primary or secondary dwelling; and

**WHEREAS**, if any political subdivision has such an ordinance in effect on the effective date of the bill, the ordinance does not apply and may not be enforced; and

**WHEREAS**, SB 482 compromises the provisions set forth in Oneida County’s Zoning Ordinance governing the County’s most restrictive residential district, in which rentals less than 30 days in duration are prohibited, as well as Chapter 11.16 of the Oneida County Code, which requires licensing and inspection of all Oneida County lodging establishments, including single-family homes used as tourist rooming houses; and

**WHEREAS**, Oneida County is supported by a tourist-based economy that is kept strong through the efforts of the Public Health Department Lodging Inspection Program, which works hard to ensure the cleanliness, safety and well being of all visitors and guests to our area; and

**WHEREAS**, this Bill and the resultant loss of revenue would threaten the existence of the Lodging Inspection Program and would cause hardship to area businesses such as resorts, condominiums, hotels and motels that are inspected and pay local room tax.

**NOW, THEREFORE, BE IT RESOLVED** the Oneida County Board of Supervisors opposes 2011 Senate Bill 482 and strongly encourage our senators and representatives in the Wisconsin State Legislature to reject the Senate Bill 482/Assembly Bill 617.

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to Senator Jim Holperin, Representative Tom Tiffany, Representative Dan Meyer, and the Committee on Insurance and Housing.

Approved by the Planning and Zoning Committee this 14th day of March, 2012.

**MOTION/SECOND: Vandervest/Berard to waive the reading of Resolution #33-2012.**

**All “aye” on voice vote, motion carries.**

**ROLL CALL VOTE ON RESOLUTION #33-2012: 20 Ayes, 0 Nays, 1 Absent – Rudolph.**

**STUDENT REPRESENTATIVES: 2 Ayes, 1 Absent - Bant**

**RESOLUTION #33-2012 – Adopted.**

#### **OTHER BUSINESS**

Appointment of David Hintz and Denny Thompson to the Northwoods Rail Transit Commission.

**MOTION/SECOND: O’Melia/Martinson to appoint David Hintz and Denny Thompson to the Northwoods Rail Transit Commission. All “aye” on voice vote, motion carries.**

#### **ADJOURNMENT**

**MOTION/SECOND: Vandervest/Fried to adjourn at 11:48 a.m. All “aye” on voice vote, motion carries.**