

**Oneida County Board of Supervisors
Organizational Meeting April 17, 2012**

County Clerk Bartelt 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, followed by the Pledge of Allegiance.

Members Present: Supervisors Gary Baier, Greg Berard, Ted Cushing, Paul Dean, Billy Fried, David Hintz, Jim Intrepidi, Scott Holewinski, Bob Martini, Jack Martinson, Bob Metropulos, Bob Mott, Sonny Paszak, Carol Pederson, Tom Rudolph, Jerry Shidell, Candy Sorensen, Jack Sorensen, Denny Thompson, Michael Timmons and Romelle Vandervest.

Excused Supervisors: 0

Student Representatives: Miranda Zeller

Others present: Bartelt, County Clerk; Gauthier, Chief County Clerk; Desmond, Corporation Counsel; Charbarneau, LRES Director; Jennrich, Planning & Zoning; Bilogan, Forestry; Mathein, Medical Examiner

Swearing-in Ceremony by Judge O' Melia – All County Board Supervisors were sworn in by taking an oath of office.

Introduction of new members and Roll Call – Bartelt took the Roll Call, all present. Bartelt introduced, Bob Mott, Bob Martini, Jim Intrepidi, Candy Sorensen, Jack Sorensen, and Jerry Shidell who will serve as new County Board Supervisors members.

Election of the County Board Chair

The Board proceeded with nomination of the County Board Chair.

Nomination: Paszak/Holewinski nominated Ted Cushing.

Nomination: Dean nominated Bob Metropulos.

Metropulos declined the nomination.

Motion/second: Dean/Vandervest to close nominations. All “aye” on voice vote.

Roll Call Vote: 21 Ayes, 0 Nays

Student Representative: 1 Aye

Motion passes, County Board Chair – Cushing.

Cushing took his place as Chairman of the Board.

Election of County Board First Vice-Chair

Nomination: Pederson/Paszak nominated Dave Hintz.

Motion/second: Sorensen/Rudolph to close nominations. All “aye” on voice vote.

Roll Call Vote: 20 Ayes, 0 Nays, 1 Abstain- Hintz

Student Representative: 1 Aye

County Board First Vice-Chair, passes – Hintz.

Election of County Board Second Vice-Chair

Nomination: Holewinski/Dean nominated Tom Rudolph.

Motion/second: Martinson/Paszak to close nominations. All “aye” on voice vote.

Roll Call Vote: 20 Ayes, 0 Nays, 1 Abstain- Rudolph

Student Representative: 1 Aye

County Board Second Vice-Chair, passes – Rudolph.

Election of Highway Committee members

Nomination: Berard nominated Sonny Paszak.

Nomination: Thompson nominated Gary Baier.

Nomination: J. Sorensen nominated Scott Holewinski.

Nomination: Holewinski nominated Jerry Shidell

Nomination: Holewinski nominated Michael Timmons

Motion/second: J.Sorensen/Martinson to close nominations. All "aye" on voice vote.

Roll Call Vote: 21 Ayes, 0 Nays

Student Representative: 1 Aye

Election of Highway Committee members, - passes

Chairman Cushing reminded Supervisors to use their microphones when addressing the floor and those addressing the Board to sign the attendance form at podium.

Accept the minutes of the March 20th 2012 regular meeting

Motion/second Berard/Vandervest to accept the minutes of the March 20th 2012 Regular Meeting as amended. All "aye" on voice vote.

Reports:

2011 Forestry Department Annual Report – John Bilogan

Motion/second: Vandervest/Mott to accept Forestry's 2011 Annual report as presented.

2011 Planning & Zoning Annual Report – Karl Jennrich

Motion/second: J. Sorensen/Vandervest accept Planning & Zoning's 2011 Annual report as presented.

Consideration of Resolution & Ordinances

RESOLUTION # 34-2012

Resolution offered by Supervisors of the Finance and Insurance Committee.

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

WHEREAS, the Oneida County Board of Supervisors has been advised by the Finance and Insurance Committee and the Finance Director that the accounts set forth below are overdrawn for the year ended December 31, 2011, and the County Board has determined that a transfer of funds as noted below is necessary to pay claims which have been made or which are anticipated,

NOW, THEREFORE, BE IT RESOLVED, the Oneida County Board of Supervisors authorizes and directs the 2011 budget transfers as listed below:

TRANSFER TO:

1) Rural Road Directory \$ 1,675

TRANSFER FROM:

Contingency Fund \$ 1,675

Approved by the Finance and Insurance Committee this 9th day of April, 2012.

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

Roll Call Vote on Resolution #34-2012: 21 Ayes, 0 Nays

Student Representative: 1 Aye

Resolution #34-2012- Adopted.

RESOLUTION # 35-2012

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

Department on Aging	49,607
Tourism	30,215
Social Services	95,569

TO APPLY CARRYFORWARD MONEY TO CURRENT YEAR BUDGET

Department on Aging	3,352
Elections	20,920
County Land Purchase	217,534

REDUCE BUDGET TO REFLECT REDUCTION IN RELATED REVENUES

None

Approved by the Finance and Insurance Committee this 9th day of April, 2012.

Offered and passage moved by Supervisors: O'Melia, Young, Fried, Metropulos and Dean.

Roll Call Vote: 21 Ayes, 0 Nays

Student Representative: 1 Aye

Resolution #35-2012- Adopted.

RESOLUTION # 36-2012

Resolution offered by Law Enforcement and Judiciary Committee.

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

WHEREAS, the Law Enforcement and Judiciary Committee appointed Mr. Larry Mathein as the Medical Examiner, subject to confirmation by the Oneida County Board of Supervisors, and

WHEREAS, no additional departmental funding is needed due to existing departmental vacancies.

NOW, THEREFORE, BE IT RESOLVED, that the Oneida County Board of Supervisors hereby confirms the appointment of Mr. Larry Mathein as Medical Examiner under the following conditions:

1. The effective date of the appointment shall be April 18, 2012, and
2. For compensation purposes, Mr. Mathein shall be placed at 35% of Step 6, Grade Level 9 on the Non-represented Classification and Pay Plan.

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 meet 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 Law Enforcement and Judiciary Committee this 4th day of April 2012

Offered and passage moved by: O'Melia, Young, Fried, Metropulos and Dean.

Medical Examiner

Medical Examiner 35%

Grade 9, Step 6

	April 18-December 31	Annual
Salaries	10,737	15,158
Social Security	821	1,160
Retirement-er	633	894
Retirement-ee	-	-
Health Insurance-maximum	6,282	8,868
Life Insurance	26	36
Workers Comp	232	327
Income Continuation Insurance	28	40
	<hr/> 18,759	<hr/> 26,483

Revenue Source: Tax Levy and Fees

Note: The worksheet represents the administrative portion of the Medical Examiners duties. Additional payments are made to the Medical Examiners on a case by case basis.

Roll Call Vote: 21 Ayes, 0 Nays
Student Representative: 1 Aye
Resolution #36-2012- Adopted.

RESOLUTION #37-2012 - GENERAL CODE OF ONEIDA COUNTY, WISCONSIN ORDINANCE AMENDMENT #

Ordinance Amendment offered by Supervisors of the Finance and Insurance Committee

WHEREAS, in approving the 2012 budget a motion was passed to reduce the County Board Supervisor meeting per diems by five dollars (\$5.00) per meeting; and

WHEREAS, Oneida County Ordinance Section 3.10 governs payment of per diem to County Board Supervisor; and

WHEREAS, the changes below are necessary in order to effectuate the changes approved by the County Board as part of the 2012 Oneida County Budget.

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

3.10 REIMBURSEMENT FOR EXPENSES.

[Sections 3.10 (1) – 3.10(7) remain unchanged]

(8) PER DIEM. (Am. #96-2003)

- (a) County Board Meetings. (Am. #102-2007; Res. #43-2009) County Board supervisors shall be paid ~~\$750~~per day for actual attendance at meetings of the County Board. Supervisors shall not be allowed any other per diem on the day of a board meeting but may be entitled to additional reimbursements as provided in this Code.
- (b) Committee meetings. As used in this section, committee meeting means the convening of a standing or special committee of the County Board for an authorized purpose and in public session pursuant to the provisions of Ch. 19, sub.ch. IV, Wis. Stats., and pursuant to the rules of the County Board wherein an agenda is prepared and regular business is conducted. Committee meeting also includes attendance at any school, institute, conference or meeting which the County Board or the committee of which the individual is a member directs him to attend. This includes, without enumeration, all boards, councils, commissions and committees to which any supervisor or citizen member has been appointed by the County Board or the Board Chair to represent the County.
1. County board supervisors. (Am. #127-2001; #102-2007) For each committee meeting attended, a County Board supervisor shall receive a per diem of ~~\$450~~.
 2. Citizen members. (Am. #71-91; #127-2001; #79-2004) For each meeting attended of less than three hours, a citizen member of a committee, commission or board shall receive a per diem of \$35.00. For each meeting attended of three hours or more, a citizen member of a committee, commission or board shall receive a per diem of \$55.00.
 3. County board chair. (Am. #71-91; #110-91; #31-90; #17-95; #39-93; #59-93; #37-97; #102-2007) In addition to the per diem payments received, the County Board Chair shall be compensated at the annual rate of \$3,600 payable in 26 equal installments on the same payroll schedule which applies to County employees. Such compensation shall be for all services to the County excluding attendance at Board meetings and meetings of committees to which he is appointed.
 4. Chairs and acting chairs of committees, commissions and boards. County Board supervisors or citizen members who are chairs of any Oneida County committees, commissions or boards shall receive an additional per diem of \$10 for each meeting they preside over. This section shall not apply to the County Board Chair when conducting County Board meetings. This section shall not apply to County Board supervisors presiding over committee, commission or board meetings held on County Board meeting days.
 5. Condemnation Commissioners. Commissioners appointed by the Oneida County Circuit Court Judges pursuant to §2.34 of this Code and §32.08, Wis. Stats., shall be compensated for actual service in that capacity at an hourly rate of \$35. Commissioners shall be entitled to reimbursement for mileage, meals, tips and lodging expenses at the same rates and pursuant to the same procedures as are provided for citizen members, elected and appointed officials and employees under this chapter.

Approved by the Finance and Insurance Committee this 9th day of April, 2012.

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

Motion/second: Vandervest/Berard to waive the reading of Resolution #37-2012- General code of Oneida County, Wisconsin Ordinance Amendment. All "aye" on voice vote, motion carries.

Roll Call Vote: 21 Ayes, 0 Nays

Student Representative: 1 Aye

Resolution #37-2012- Enacted.

RESOLUTION #38-2012- GENERAL CODE OF ONEIDA COUNTY, WISCONSIN.- ORDINANCE AMENDMENT #1-2012

Ordinance Amendment offered by Supervisors of the Planning and Zoning Committee

WHEREAS, the Planning & Zoning Committee, having considered Ordinance Amendment #1-2012, (copy attached) which was filed January 12, 2012 (copy attached) to amend the Oneida County Official Zoning and Shoreland Protection Ordinance, and having given notice thereof as provided by law and having held a public hearing thereon February 1, 2012 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

WHEREAS, several Towns expressed a desire to modify Section 9.78, Sign Regulations; and

WHEREAS, local businesses wanted to be allowed additional signage such as banners, sandwich boards and open signs; and

WHEREAS, the proposed rules are a collaborative effort between several Towns and the County; and

WHEREAS, a public hearing was held on February 1, 2012 and the Committee listened and responded to comments; and

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. Additions noted by underline; deletions noted by ~~strikethrough~~.

Chapter 9 of the Oneida County Zoning & Shoreland Protection Ordinance is amended as follows:

9.78 SIGN REGULATIONS (#01-2000, #08-2000, #26-2004, #10-2005, #21-2006, #19-2007, #20-2008)

A. Purpose

1. Oneida County recognizes that it is abundant with much natural beauty. Many recreational and tourist activities are enhanced by this natural beauty. As a consequence, greater emphasis must be placed on preserving our Northwoods aesthetics. At the same time, Oneida County wishes to permit the careful planning, future growth and efficient maintenance of our public roadways, while protecting the natural beauty and amenities of our landscape by regulating the placement of signs throughout the County. It is the intent of this ordinance to promote the safety, convenience and enjoyment of public travel, to accentuate the natural beauty of Oneida County, to protect the public investment in roadways, to regulate the erection and maintenance of advertising signs, displays and devices adjacent to public roadways and waterfront property, and to aid in the free flow of commerce. Therefore, it is hereby deemed necessary in the public interest to regulate the erection, and maintenance of billboards and other advertising devices adjacent to public roadways and waterfront properties.
2. No signs shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without an approved County sign permit unless

specifically exempted by this ordinance. It may be necessary to also obtain local, state or federal permits.

B. On-Premise Signs

~~No sign(s) shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without an approved sign permit unless specifically exempted by this ordinance. It may be necessary to obtain local, state or federal permits.~~

1. a. A business shall be permitted one freestanding sign exposure visible and designed to be read from each direction of travel.

~~An on-premise free standing sign shall be no greater than 250 sq. ft. per face.~~

1. An on premise free standing sign shall be no greater than 64 square feet per face if the setback is 20' or greater from right-of-way.

2. An on-premise free standing sign shall be no greater than 250 square feet per face if the setback is greater than 100' from right -of-way.

3. If a Town allows a setback closer than 20' to road right-of-way, pursuant to Section 9.70 (4) an on-premise free standing sign cannot exceed 64 square feet per face.

b. A multi-tenant business shall be allowed one free standing sign visible and designed to be read from each direction of travel.

1. An on-premise free standing sign shall be no greater than 128 square feet if the setback is 20 feet or greater from right-of way.

2. An on-premise free standing sign shall be no greater than 250 square feet per face if the setback is greater than 100 feet from right-of-way.

3. If a Town allows a setback closer than 20' to road right-of-way, pursuant to Section 9.70 (4) an on-premise free standing sign cannot exceed 128 square feet per face.

4. No single tenant can utilize greater than 50% of the allowable area of the sign.

~~b. A home occupation as allowed by 9.43 of this ordinance shall be permitted one free standing sign no greater than 12 square feet per face.~~

c. A home occupation as allowed by 9.43 of this ordinance shall be permitted one free standing sign no greater than 12 square feet per face.

d. No part of an on-premise free standing sign shall exceed 35' in height from existing grade including support.

~~5. e. Freestanding signs must comply with the requirements of sections 9.70, 9.94 and 9.97, highway and waterfront setbacks. Freestanding signs other than directional arrow signs that are 64 square feet in area or less may be erected in the highway setback area, except that at all intersections they shall meet the highway setback requirements.~~

~~6. f. Freestanding signs must comply with the requirements of section 9.71, side and rear lot line setbacks.~~

2. In addition:

a. Every business shall be permitted a attached building signs as follows:

(1) Two "flat" signs a maximum of 32 sq. ft. mounted flat against the building or on the roof for a building with a face of 1250 sq. ft. in area or less OR a maximum of 64 sq. ft. sign mounted flat against the building or on the roof for a building with a face of greater than 1250 sq. ft. area. No part of this sign including supports shall be more than 30 ft. from ground level. Only one flat sign per building face.

~~(2) And one projecting sign not to exceed 16 sq. ft. and cannot extend more than 5 feet from the wall which it is attached, the bottom of such sign shall be at least 8 feet above the grade directly below the sign and the top of such sign shall not extend above the building's roof. Projecting signs must comply with the requirements of Section 9.70, 9.71 and 9.94 highway, side yard and waterfront setbacks.~~

(2) One projecting sign as follows:

a. The total area of the projecting sign may not exceed 16 square

feet.

b. The projecting sign cannot extend more than 5 feet from the wall which it is attached.

c. The bottom of such sign shall be at least 8 feet above the grade directly below the sign and the top of such sign shall not extend above the building's roof.

d. Projecting signs must comply with the requirements of Section 9.70, 9.71 and 9.94 highway, side yard and waterfront setbacks.

(3)If a Town allows a setback closer than 20' to the road right-of-way, pursuant to Section 9.70(4) one projecting sign is allowed as follows:

a. The total area of the projecting sign may not exceed 6 sq. ft.

b. The projecting sign cannot extend more than 5 feet from the wall on which it is attached.

c. The bottom of the projecting sign shall be at least 8 feet above grade directly below the sign and the top of the sign shall not extend above the building's roof.

d. To place a projecting sign on State, County or Town property, permission must be granted by the Governmental Unit that owns the property.

(3)(4)A home occupation as allowed by 9.43 of this ordinance shall be allowed one sign mounted flat against the building no greater than 12 sq. ft.

~~b. Other freestanding signs. If there exists more than one unrelated business within the building, shopping center, or more than one business building on the lot, one additional double faced freestanding sign shall be permitted. In any event there shall be no more than two freestanding signs. This additional freestanding sign shall be no greater than 64 sq. ft. per face. This sign shall be a minimum of 10 ft. from any other freestanding sign including border, trim and support, permitted on the premises.~~

~~e.b.~~ Electronic message signs to display commercial messages that pertain to products or services of a business located and/or used on the same premises. Electronic message signs shall comply with all of the following:

~~(1) Be a maximum size of 32 sq. ft.~~

~~(2) Consist of numbers or letters only.~~

~~(3) Consist of white or amber lights only.~~

~~4(2)~~ Each change of message shall:

~~(a) be accomplished in one second or less;~~

~~(b) remain in a fixed position for at least six (6) seconds;~~

~~(c) the use of traveling or segmented messages is prohibited.~~

~~Electronic message signs shall be allowed as part of the total signage on the premises allowed under Section 9.78(B) of this ordinance. The electronic message board shall be incorporated into any existing sign. Electronic message signs shall only be located in those zoning districts designated as #06 Business and #07 Business.~~

3. In addition to any sign permitted under paragraphs 1 and 2, an activity may be permitted any number of signs not designed to be read from the roadways whose sole purpose is to direct or control traffic which has already entered the property on which the advertised activity is conducted.

6.4. Entrance signs, not to exceed two, may be located at the entrance to a recorded residential subdivision, development or industrial park and shall be limited to one face each no greater than 32 square feet per face. Such entrance signs shall be used to identify the name of the residential subdivision, development, or industrial park, and may identify the contents of the residential subdivision, development or industrial park without specifically identifying the name of any owners or businesses contained in said residential subdivision, development or industrial park. Each sign shall be erected or

placed on a permanent structure, will not obstruct the vision of traffic, or create a safety hazard. The overall height of said structure and sign shall not exceed 10 feet.

C. Off-Premise Signs

1. Size. No off-premise sign shall exceed 128 sq. ft. per face.
2. Spacing. The minimum distance between off-premise signs shall be 1,320 ft. measured along the road right-of-way line between points at right angles from the closest part of the sign structures intersecting with the road right of way along each side of the highway and shall apply only to structures located on the same side of the highway. Off-premise sign locations must be located a minimum 300' from an intersection located on either side of the highway and 300' from dwelling units.
3. When an off-premise sign is proposed to be located adjacent to a Federal, ~~or State,~~ County or Town Road the parcel of land must be zoned "Business" or "Manufacturing / Industrial" to allow placement.
- ~~4. When an off-premise sign is proposed to be located adjacent to County or town roads, the zoning district in which the sign is to be located, must allow the placement.~~
- ~~4.5.~~ Freestanding signs must comply with the requirements of sections 9.71, 9.94 and 9.97, highway and waterfront setbacks. Freestanding signs ~~other than directional arrow signs that are 64 square feet in area or less may be erected in the highway setback area, except that~~ at all intersections they shall meet the highway setback regulations.
- ~~5.6.~~ Freestanding signs must comply with the requirements of section 9.70, side and rear lot line setbacks.
- ~~6.7.~~ All off-premise signs shall identify the owner of the land on which the sign is placed and the sign owner in letters at least 2 inches tall but not greater than 4 inches tall and include the sign owner's telephone number.
7. No part of an off-premise free standing sign shall exceed 35' in height from existing grade including support.

D. Prohibited Signs

Any signs placed in violation of this provision may be removed immediately by authorized town or County personnel and held for a period of thirty (30) days after which any remaining unclaimed signs may be destroyed.

1. No sign shall be erected, placed or maintained on any traffic median or on a public sidewalk or bicycle path.
 - ~~a. Traffic control signs and informational signs erected and maintained by the appropriate federal, state, County or local official~~
 - ~~b. Directional arrow signs that are either 40" long or 72" long and 7-1/2" wide that are painted with a white background and black trim and block lettering that are erected at the correct intersection where the traveling public must turn to arrive at the noticed place. At those intersections where it is necessary for more than one directional arrow, a common posting standard shall be constructed. One directional arrow per address or location.~~
2. Signs shall not be erected, placed or maintained which imitate or resemble any official traffic sign, signal or device or bear the words "Stop", "Slow", "Caution", "Danger", or similar commands.
3. Signs shall not be erected, placed or maintained upon trees, or painted or drawn upon rocks or other natural features.
4. Signs shall not be erected, placed or maintained which are structurally unsafe or in substantial disrepair.
5. Illuminated signs which have flashing, intermittent, or moving lights are prohibited except those giving public service information such as time, date, temperature, etc, except electronic messages signs permitted by Section 9.78(B)(2)(c).

6. No sign shall be so illuminated in excess of 500 watts of illumination that it interferes with the effectiveness of, or obscures an official traffic sign, signal or device. No illuminated sign shall be erected unless all manufactured and field assembled electrical components carry a nationally recognized testing laboratory label. No illuminated signs shall be erected without displaying a nationally recognized testing laboratory label on the outside of the sign in a visible location.
7. Illuminated signs which are not shielded as to prevent beams or rays of light from being directed at any portion of the traveled ways of public roadways and which are of such intensity or brilliance as to cause glare or to impair the vision of the operator of any vehicle, or which otherwise interferes with any operator's operation of a vehicle are prohibited.
- ~~8. No on-premise sign face shall exceed 250 sq. ft. per face, 25' in width, or 30' in height including supports. No part of an off-premise freestanding sign shall be more than 20' above existing grade or landscaped berm. Landscaped berms on which signs are placed shall not exceed 5 feet in height above existing grade.~~
- 8.9. No sign may be erected, placed or maintained that is illegible or has an objectionable appearance due to vandalism, fading, deterioration, or other causes.
- ~~9.40.~~ Off-premise signs, which also come under the jurisdiction of the Wisconsin Department of Transportation must be located in a "Business" or "Manufacturing / Industrial" zoning district.
- 10.44. No freestanding off-premise sign shall be situated on the same lot as a freestanding on-premise sign.
- 11.42. Off-premise signs shall not be placed less than 1,320' apart which are situated on the same side of the roadway.
- 12.43. "On-premise" or "off-premise" signs placed in zoning districts that do not allow placement are prohibited.
- 13.44. No business sign may be erected or maintained for any business that fails to conform with all applicable laws concerning the provision of public accommodations without regard to race, religion, color, sex, sexual orientation or national origin.
- 14.45. Signs made obsolete or abandoned by either the closing of a business or changing of business or landowner are prohibited.
- 15.46. Signs advertising a business or event which has become inactive, closed or terminated, excluding seasonal closure, shall be removed or covered within 30 days following the event or business being inactive, closed or terminated.
- 16.47. Signs mounted, placed in, attached or painted on trailers, boats, motorized vehicles or ice shanties when used as additional advertising signs on or off-premise. Automobiles, semi-trailers and trucks used in the ordinary course of business are exempt from this provision.
- ~~17.48.~~ No inflatable devices shall be permitted to display advertising or attract attention to an event or business.
- ~~18.49.~~ No sign, which by reason of location, size, color, or designs, shall interfere with public traffic or be confused with any official traffic signal of traffic making or obstruct the view or effectiveness of any official traffic signal or traffic marking.
- ~~19.20.~~ No sign except attached on-premise signs shall be permitted in a vision triangle.

E. Signs Specifically Exempted from This Ordinance

1. Official governmental signs and notices.
2. Temporary promotional signs such as banners or electronic message signs displayed for no more than 10 days for specific events sponsored by local governments or not-for-profit entities such as churches, chambers of commerce or service organizations provided written permission is issued in advance by the local town board and which addresses prompt removal following the event. When the nature of the event occurs in an unforeseen or unanticipated manner, which precludes a municipal entity from approving the message display, the Oneida County Zoning Director shall be notified.
3. Public utility signs.

4. Political and holiday signs provided that:
 - a. The sign does not exceed ~~42~~ 32 sq. ft. in surface area.
 - b. The sign is erected entirely on private property with the property owner's consent.
 - c. The sign contains no commercial content.
 - d. Time Limit
 - (1) Political signs may be erected during the election campaign period as defined within Wisconsin Statute Chapter 12.
 - (2) Holiday signs may be erected no more than 45 days before the holiday for which it is intended and removed within 10 days after the holiday for which it is intended.
 - e. The sign does not contain flashing lights or moving parts.
 - f. The sign is not erected in a location where it constitutes a traffic or pedestrian hazard.
 - g. Provided that it complies with the other requirements of this ordinance.
5. Real estate "For Sale" signs provided that:
 - a. The sign does not exceed 12 sq. ft. in surface area.
 - b. There is no more than one real estate sign on the property facing each direction of travel for each controlled highway from which a sign on the property is visible.
 - c. The sign does not contain flashing lights or moving parts.
 - d. The sign is not erected in a location where it constitutes a traffic hazard.
 - e. The sign is not erected until the property is actually offered for sale or lease, and is removed within 7 days after the property has been sold or leased.
 - f. Provided, further, that all applicable setbacks are met. Signs 8 square feet or less may be placed within the waterfront setback area provided they are placed above the ordinary high water mark of the lake and conform to all other aspects of the ordinance.
6. Service clubs and religious signs relating to meetings of non-profit service clubs or charitable associations or religious services which do not exceed 8 square feet.
7. Temporary construction signs at sites under construction provided that:
 - a. Sign does not exceed 12 sq. ft.
 - b. Only one such sign shall be permitted on each parcel of land and it shall be removed within 7 days after completion of the project.
 - c. Provided, further, that all applicable setbacks are met.
8. Name, no trespassing, no fishing, occupation and warning signs not to exceed one square foot in area.
9. A sign on personal property with no business or commercial content less than 12 square feet.
- 10.9. Directional arrow signs that are either 40" long or 72" long and 7-1/2" wide that are painted with a white background and black trim and block lettering that are erected at the correct intersection where the traveling public must turn to arrive at the noticed place. At those intersections where it is necessary for more than one directional arrow, a common posting standard shall be constructed. Only one directional arrow per address or location shall be permitted.
- 11.40. Memorial signs, tablets, names of buildings and dates of erection when cut into the masonry surface or when constructed of metal and affixed flat against structure.
- 12.44. On-premise signs placed on the interior surface of windows of buildings.
- 13.42. Traffic control signs and informational signs erected and maintained by the appropriate federal, state, county or local government.
- 14.43. Traffic control signs and informational signs less than 70 square feet per face erected and maintained by a licensed hospital per HFS 124 of the Wisconsin Administrative Code, and medical clinics offering urgent/emergency care services.
- 15.44. Flags. A piece of cloth, plastic film or similar material used as the symbol of a nation, state or local governmental entity. A flag containing a logo for a commercial entity shall not be exempt from the regulation of this ordinance.

- 16. Promotional banners for a commercial or business establishment for business specific events such as grand openings, going out of business, closings, special sales events or general promotion.
 - a. The banner or banners shall not exceed a combined square footage of 32 square feet.
 - b. Banners may be affixed to the structures in which the business is located.
 - c. Banners cannot be erected for more than 30 consecutive days, up to three times a year.
- 17. A sign announcing that a business is open.
 - a. The sign must be removed daily.
- 18. Sandwich board signs less than 10 square feet per face:
 - a. Maximum height 4 feet.
 - b. Maximum width 2.5 feet.
 - c. To place a sandwich board on Town property, permission must be granted by the local municipality.
 - d. The sign must be removed daily.
- 19. Directional, safety and informational signs for County sponsored State funded trails or Club Trails, Informational signs, in order to be exempt, must meet Oneida County Forestry Department Guidelines.

F. Lapse of Sign Permit

A sign permit shall have lapsed and be void unless the permitted sign is erected within one year from the date of its issuance.

G. Legal Pre-Existing Off-Premise Signs

- 1. Off-premise signs lawfully existing before the effective date of this ordinance may be continued until October 1, 2010, although the use, size or location does not conform with the provision of this ordinance. However, those off-premise signs that do not conform shall be deemed legal pre-existing structures and must be brought into compliance by October 1, 2010. If two or more off-premise signs are legal pre-existing because they are not separated by the minimum distance required in section 9.78(C) 2, the first of these signs brought into compliance with all other aspects of the ordinance shall be allowed to remain.
- 2. If a legal pre-existing off-premise sign is damaged by fire, wind or other catastrophic cause to the extent of 50 percent or more of its assessed value exceeding 50 percent of the reproduction value (fair market value of construction materials and labor), it shall not be restored except in conformity with the current regulations of this ordinance.
- 3. No repair made to any off-premise legal pre-existing sign shall exceed 50 percent of its assessed value or its true market value over the life of the sign exceeding 50 percent of the reproduction value (fair market value of construction materials and labor).
- 4. If a legal pre-existing off-premise sign is removed, it shall not be replaced with another legal pre-existing sign.
- 5. All legal pre-existing off-premise signs shall be properly maintained. If a legal pre-existing off-premise sign is not properly maintained the owner will be given sixty (60) days to complete and file an application. If after 60 days there is no response, the sign will be assumed to be abandoned. The Department shall notify the Committee who shall then order removal of the off-premise sign. Any cost of removal incurred by the County or appropriate town board shall be assessed to the owner of the property on which such sign is located or may be paid by the County treasurer who shall enter the amount chargeable to the property in the next tax roll as a special tax on the lands upon which the off-premise sign was located, which tax shall be collected, as are other taxes as provided by the state statutes.
- 6. Effective January 1, 1999, whenever a business or real property is sold which contains a legal pre-existing off-premise sign, the new business or property owner shall remove or

bring said off-premise sign into conformity with current ordinance requirements within 90 days of change of ownership of said real property or business.

H. Legal Pre-Existing On-Premise Signs

On-premise signs lawfully existing before the effective date of this ordinance may be continued, although the use, size or location does not conform with the provision of this ordinance. However, those on-premise signs that do not conform shall be deemed legal pre-existing structures. If a legal pre-existing on-premise sign is damaged by fire, wind or other catastrophic cause to the extent of 50 percent or more of its assessed value, it shall not be restored except in conformity with the regulations of this ordinance. No repair made to any legal pre-existing on-premise sign shall exceed 50 percent of its assessed value or its true market value over the life of the on-premise sign. If a legal pre-existing on-premise sign is removed, it shall not be replaced with another legal pre-existing on-premise sign. All legal pre-existing on-premise signs shall be properly maintained. If a legal pre-existing on-premise sign is not properly maintained the owner will be given sixty (60) days to complete and file an application. If after 60 days there is no response, the on-premise sign will be assumed to be abandoned. The Department shall notify the County or appropriate town board, who shall then remove the on premise sign. Any cost of removal incurred by the County or appropriate town board shall be assessed to the owner of the property on which such sign is located or may be paid by the County treasurer who shall enter the amount chargeable to the property in the next tax roll as a special tax on the lands upon which the on-premise sign was located, which tax shall be collected, as are other taxes.

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment #01-2012 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to all Town Clerks.

Approved by the Planning and Zoning Committee this 4th day of April, 2012.

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

Motion/second: Berard/Vandervest to waive the reading of Resolution #38-2012- General code of Oneida County, Wisconsin Ordinance Amendment. All "aye" on voice vote, motion carries.

Motion/second: Martini/Hintz to amend line #321 (4.a) to keep it as 12 sq. ft. in surface area and take out the number 32.

Roll Call Vote on amendment: 9 Ayes, 12 Nays

Student Representative: 1 Aye

Motion Fails.

Roll Call Vote: 21 Ayes, 0 Nays

Student Representative: 1 Aye

Resolution #38-2012- Enacted.

Excused – Student Representative: Zeller 10:45 am

RESOLUTION # 39-2012

Resolution offered by Building and Grounds Committee.

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

WHEREAS, the Building and Grounds Committee appointed Ms. LuAnn Brunette as the Building and Grounds Director, subject to confirmation by the Oneida County Board of Supervisors, and

WHEREAS, no additional departmental funding is needed due to existing departmental vacancies.

NOW, THEREFORE, BE IT RESOLVED, that the Oneida County Board of Supervisors hereby confirms the appointment of Ms. LuAnn Brunette as the Building and Grounds Director under the following conditions:

1. The effective date of the appointment shall be April 18, 2012, and
2. For compensation purposes, Ms. Brunette shall be placed at Step 1, Grade Level 13 on the Non-represented Classification and Pay Plan.

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 meet 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 Buildings and Grounds Committee this 2nd day of April 2012.

Offered and passage moved by Supervisors: Hoffman, Holewinski, and Sharon.

Roll Call Vote: 21 Ayes, 0 Nays

Student Representative: 1 Absent - Zeller

Resolution #39-2012- Adopted.

RESOLUTION # 40-2012

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

WHEREAS, as a result of several vacancies in the Building and Grounds Department, the Building and Grounds Committee and Human Resources Director have completed a vacancy review study that included meeting with the Efficiency Team, collection of data from other counties and the review of the job duties of various positions in the Office; and

WHEREAS, the Building and Grounds Committee has discovered that the prior structure of a working department head has not accomplished the outcomes they had expected and the need for a hands on supervisor would be best served by the creation of an Assistant Building and Grounds Director, and

WHEREAS, the Human Resources Director has further reviewed and discussed the job titles, descriptions and duties of the Building and Grounds Director, Assistant Director, Lead Person, and Vacant Assistant Maintenance Technician assigned to the Law Enforcement Center with the Building and Grounds Committee, and recommends the Lead Person position would be eliminated with an Assistant Building and Grounds Director position be created in its place; that the duties of a working supervisor be removed from the Director position and reassigned to the Assistant Building and Grounds Director position; the vacant Assistant Maintenance Technician position at the Law Enforcement Center would be eliminated and a Cleaning Technician would be created in its place, and

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

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors effective April 18th, 2012 that the positions of Lead Person and Assistant Maintenance Technician will be eliminated and Assistant Building and Grounds Director will be created at Grade Level 11 of the Non-represented Wage Schedule and a Cleaning Technician position will be created at Grade Level 1 of the Courthouse Wage Schedule, and

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 Building and Grounds Committee this 2nd day of April 2012.

Approved by the Labor Relations Employee Services Committee this 11th day of April 2012.

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

**ONEIDA COUNTY
FISCAL IMPACT
BUILDINGS AND GROUNDS REORGANIZATION**

Annual Cost

April 18-December 31

**CREATE ASSISTANT BUILDINGS AND GROUNDS DIRECTOR
DELETE LEADPERSON**

2012 Wage Rates

GRADE 11

Wages	42,513	29,923
Social Security	3,252	2,289
Retirement	2,508	1,765
Health Ins-maximum	22,553	15,874
Life Ins-estimated	200	141
Income Continuation Ins	108	76
Workers Comp	<u>923</u>	<u>650</u>
		-
	72,057	50,717
		-
Delete Lead-person	(65,628)	(46,192)
 Total	 6,429	 4,525

**CREATE CLEANING TECHNICIAN
DELETE ASSISTANT MAINTENANCE TECHNICIAN**

2012 Wage Rates

GRADE 1

Wages	24,586	17,304
Social Security	1,881	1,324
Retirement	1,451	1,021
Health Ins-maximum	22,553	15,874
Life Ins-estimated	100	70
Income Continuation Ins	63	44
Workers Comp	<u>534</u>	<u>376</u>
		-
	51,167	

		36,014
		-
Delete Assistant Maint. Tech	(38,604)	(27,171)
Total	12,563	8,843
Difference between Director amount budgeted and replacement	(14,147)	(9,957)
Total Increase	4,845	3,410

Roll Call Vote: 19 Ayes, 0 Nays, 2 Absent – Dean and Thompson.

Student Representative: 1 Absent - Zeller

Resolution #40-2012- Adopted.

RESOLUTION # 41-2012

Resolution offered by Labor Relations Employee Services Committee.

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

WHEREAS, the Labor Relations and Employee Services Committee (hereinafter, "Committee"), Attorney Andy Phillips, Attorney Patrick Henniger, Human Resources Director, Finance Director, and Corporation Counsel have met on several occasions with representatives of the Oneida County Protective Association employees bargaining unit represented by WPPA (hereinafter, "Association"); and

WHEREAS, the Committee and the Association have reached a tentative agreement concerning the contract for calendar years 2012, 2013 and 2014; and

WHEREAS, the principal changes, modifications and improvements to the contract, set forth below, have been recommended by the Committee; and

WHEREAS, the Oneida County Board of Supervisors have reviewed the proposed changes for the purposes of ratification of the agreement between the Committee and the Association.

NOW, THEREFORE, BE IT RESOLVED, that the Oneida County Board of Supervisors does hereby ratify and approve the contract agreement referred to above for calendar years 2012, 2013 and 2014 as negotiated between the Committee and the Association.

BE IT FURTHER RESOLVED, the Union's contract for the years of 2012, 2013 and 2014 shall incorporate the following principal changes, modifications and improvements:

Voluntary settlement effective from January 1, 2012 through January 4, 2015.

1. Revise **ARTICLE II – MANAGEMENT RIGHTS** as follows:

2. . . . against employees pursuant to the authority and under the rules and regulations of Oneida County. ~~{All provisions of Section 2.44 Chapter 5 of the General Code of Oneida County shall control over provisions of this Agreement whenever a deputy is faced with possibility of suspension, demotion, or dismissed or other disciplinary action as the result of alleged offenses or misconduct as set forth in said Section 2.53 Chapter 5 of the General Code of Oneida County.~~

2. Revise **Section 4.02 – Steps of Grievance Procedure** as follows:

Step 3:

(b) Costs: Both parties shall share equally the costs and expenses of the arbitration proceedings, including transcript fees when requested by ~~the Arbitrator~~ either party. . . .

3. Revise **Section 7.02 – Probationary Period** as follows:

The first year of employment shall be considered a probationary period. A probationary employee terminated during a probationary period shall not have recourse through the grievance procedure set forth in this Agreement.

4. Revise **Section 7.07 – Hold Over Pay** as follows:

When an employee is required to work greater than one (1) hour beyond their normal scheduled hours of work due to minimum manpower requirements, they shall receive hold-over pay of two (2) hours straight time, plus pay for actual time worked. The parties agree this provision typically applies only when shift staffing goes below the minimum staffing numbers set and determined by the Sheriff. If additional manpower is needed as determined by Department Policy or the shift supervisor that would necessitate the call-in of additional staff, but in lieu may be satisfied by holding over current or scheduled staff, the employee(s) held over is entitled to “Hold-Over Pay”. This section shall not apply if the employee is given notice on the previous day worked or with a twenty-four (24) hour notice.

5. Delete **Section 13.01 – Liability Insurance**

6. Revise **Section 14.01 - Clothing and Maintenance Allowance** to reflect an allowance of \$450.00.

7. Delete **Section 17.01 – Military Leave**

8. Revise **Section 17.02 – Leave of Absence** and renumber as 17.01 as follows:

All requests by the employees for a leave of absence shall be approved by the Sheriff and by the Civil Service Commission before such leave is granted. Except requests for leaves of absence under applicable federal and state Family and Medical Leave Acts (FMLA) and requests for leaves of absence for military commitments recognized by County policy or Sheriff’s Department policy, Wisconsin veteran and uniformed service laws or the Uniformed Services Employment and Reemployment Rights Act (USERRA).

9. Delete **Section 17.03 – Maternity Leave**

10. Revise **Appendix A** to address specific wage disparity and compression for the Sergeant Classification. All Sergeant Classifications shall be compensated at the current Detective Sergeant schedule, subject to agreed cost of living adjustments. 50 % of this disparity will be adjusted in 2012 and the remainder effective January 1, 2013, when both Detective Sergeants and Sergeants will be identified at the same hourly rate of pay.

11. Delete **Appendix B (Prescription Drug)**

12. **Wage settlement** – effective the first pay-period following final ratification 1% across the board (ATB) increase (*April 28*); 2% ATB effective January 5, 2013; 1% ATB effective January 4, 2014; 1% ATB effective July 5, 2014; 1% ATB effective December 20, 2014.

13. Revise **Section 7.09 - Voluntary Employees Beneficiary Association (VEBA)**: The County will make a per pay period deposit in each employees VEBA account equal to ~~\$18.15 (2009), \$36.30 (2010), and \$85.00 (2011)~~ \$85.85 (Upon ratification 2012), \$87.57 (2013),

\$88.44 (January 1, 2014), \$89.33 (July 1, 2014), and \$90.22 (effective last pay date 2014).
The deposit amount shall be recalculated for each subsequent year of the agreement based upon the cost of living adjustment each year.

14. **WRS Contribution;** All new employees are required to make the entire WRS contribution equivalent to 50% of the general employees contribution rate (currently 5.9%). Effective the first pay period following final ratification (April 28) all other employees will make a WRS contribution at the rate of 4% of their reportable income, until January 5, 2013 at which time all employees are required to make the entire WRS contribution equivalent to 50% of the general employees contribution rate.

15. **Revise ARTICLE XII – INSURANCE as required by 2011 Act 10 and 2011 Act 32.**

Section 12.01 - Hospitalization: All employees who desire hospital and sickness insurance, shall be included in the regular County program of hospital and sickness insurance now in force, or as the same may be hereinafter modified or improved, with the County to pay ~~ninety-five (95.0%) percent of the premium and the employee will pay five (5.0%) percent of the premium, effective January 1, 2011~~ the County shall pay ninety-two percent (92%) of the premium and the employee will pay eight percent (8%) of the premium, ~~which may be administered and funded by the County under a partially self-funded insurance plan to be implemented on July 1, 1987.~~

Section 12.02 - Health Benefits at Retirement: An employee shall qualify for health benefits at retirement under one of the following conditions.

1. An employee who is hired before January 1, 2011, and retires with a minimum of twenty (20) years of continuous service with Oneida County, at age 53 or older, and who begins receiving an immediate annuity under the Wisconsin Retirement System (WRS), shall be allowed to continue under the group hospital and surgical insurance plan up to the minimum age at which Medicare begins. The County agrees to pay the single plan rate for employees hired before January 1, 2011 with at least twenty (20) years continuous service and the single plan rate, plus seventy-five dollars (\$75) to be applied to the health plan premium cost of a single plus one or family plan, for employees with at least twenty-five (25) years of continuous service who are eligible to retire on or before December 31, 2011, for up to ten (10) years; for employees with at least twenty (20) years of continuous service and eligible to retire on or before December 31, 2012, for up to nine (9) years; for employees with at least twenty (20) years of continuous service and eligible to retire on or before December 31, 2013, for up to eight (8) years; for employees with at least twenty (20) years of continuous service and eligible to retire on or before December 31, 2014, and thereafter, for up to seven (7) years. In addition to eligibility as noted above, retired employees may continue their retiree health insurance coverage for an additional thirty-six (36) months/three (3) years, provided they pay fifty percent (50%) of the monthly premium. The employee shall have the option of carrying any plan coverage above and beyond the single plan, provided the employee pays the difference between the County's contribution and the cost of the selected plan coverage.

Grandfather clause: The retirement age of 53 shall be reduced to age 50 for that select group of employees actively employed on January 1, 2002, under the following conditions: (1) who qualify for and take an early retirement under the W.R.S. rules, and (2) with a minimum age of 50 and continuous years of service with Oneida County added together total 80 and (3) who meet all other requirements as described in this section.

2. An employee who retires from Oneida County under the following conditions;

- A: Between the age of 55 and eligible to participate in the Federal Medicare program, and
- B: With less than 20 years of continuous service to Oneida County, and
- C: Is receiving an annuity from the Wisconsin Retirement System,

Shall be allowed to continue under Oneida County's group hospital and surgical insurance plan up to the date that they are first eligible to participate in the Federal Medicare program, provided he/she pays the entire premium for such plan to the County each month.

~~The present medical and hospitalization benefits will not be reduced but the County may from time to time change the insurance carrier if it elects to do so. The County agrees to notify the Association before any such change is implemented and to advise the Association of the terms of the proposed change. If a change in insurance carriers is grieved, the sole issue to be determined is the comparability of benefits expressed in total dollar value to the insured.~~

~~The County and the Association further agreed that the cost containment measures previously developed by the County's reinsurer under such partially self-funded insurance program together with a hospital bill review cost containment measure may be implemented by the County. Further, the County agrees to meet with representatives of the Association and with representatives of the other bargaining units to review the partially self-funded employee group health insurance program, including actual administrative expenses and overall cost of actual claims incurred, or to which the County is obligated, as well as projected or quoted administrative expenses, anticipated claims expenses projected for the next calendar year, and the continued development of a prudent reserve account.~~

The County agrees to deposit Twelve Thousand Dollars (\$12,000) into the employees Voluntary Employees Beneficiary Association (VEBA) Account upon retirement, or no later than December 31, 2013, for any employee eligible to retire according to the provisions of 12.02 Retiree Health Insurance on or before December 31, 2016.

~~Section 12.03 – Prescription Drug Plan: The County shall establish a stand-alone prescription drug plan containing the factors found in Appendix B.~~

16. The County agrees to settle the pending grievance on hold-over pay 11-00104 on a non-precedential basis. The County shall pay the hold-over pay in controversy to the employee at the next full pay period following ratification by the County Board.

17. The Union shall ratify this agreement no later than March 31, 2012.

The County shall schedule this tentative agreement for ratification at its next

Approved by the Labor Relations Employee Services Committee this 11th day of April, 2012.
Offered and passage moved by Supervisors: Young, Holewinski Paszak and Cushing.

**ONEIDA COUNTY
FISCAL IMPACT
PROTECTIVE UNION
2012-2014**

2012	2013	2014
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	Change	Change	Change
Wages	17,542	37,063	25,905
Social Security	1,342	2,835	1,972
Retirement-er	2,088	4,410	3,083
Retirement-ee	-64,916	-31,327	-
Workers Comp	381	804	562
Income Continuation Ins	23	90	80
VEBA	<u>520</u>	<u>4,029</u>	<u>1,192</u>
	-43,021	17,905	32,794
Clothing allowance increase	3,400		
Total	-39,621	17,905	32,794

Revenue Source: Tax Levy

Motion/second: Pedersen/Vandervest to waive the reading of Resolution #41-2012. All “aye” on voice vote, motion carries.

Roll Call Vote: 20 Ayes, 0 Nays, 1 absent - Dean

Student Representative: 1 Absent - Zeller

Resolution #41-2012- Adopted.

RESOLUTION # 42-2012

Resolution offered by Labor Relations Employee Services Committee.

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

WHEREAS, the Labor Relations Employee Services Committee has met on several occasions to discuss the development of a Code of Ethics for County Board Supervisors, and

WHEREAS, the Phillips Borowski Law Firm has developed a policy and complaint procedure for a Code of Ethics for County Board Supervisors, and

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors to adopt the attached Code of Ethics and Dispute Resolution procedure attached.

BE IT FURTHER RESOLVED, by the Oneida County Board of Supervisors that by adoption of this resolution it shall be deemed that there is no fiscal impact to the 2012 budget.

Approved by the Labor Relations Employee Services Committee this 11th day of April, 2012.

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

ONEIDA COUNTY BOARD CODE OF CONDUCT

I. Preamble

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

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

II. Act in the Public Interest

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

III. Comply with the Law

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

IV. Conduct of County Board Supervisors

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

V. Respect for Process

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

VI. Conduct of Public Meetings

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

VII. Decisions Based on Merit

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

VIII. Communication

County board supervisors shall publicly share substantive information that is relevant to a matter under

consideration by the Board of Supervisors or boards, committees and commissions, which they may have received from sources outside of the public decision-making process.

IX. Confidential Information

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

X. Use of Public Resources

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

XI. Representation of Private Interests

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

XII. Advocacy

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

XIII. Policy Role of County Board Supervisors

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

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

XIV. Independence of Board and Commissions

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

XV. Positive Work Place Environment

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

XVI. Implementation

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

For this reason, training on state and local ethical standards and this Code of Conduct shall be included in the regular orientations for new county board supervisors. County board supervisors entering office shall sign a statement affirming they have read and understood the Oneida County Supervisors Code of

Conduct. In addition, the County Board of Supervisors shall annually review the Code of Conduct and shall consider recommendations from boards, committees and commissions to update it as necessary.

XVII. Compliance and Enforcement

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

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

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

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

ONEIDA COUNTY BOARD DISPUTE RESOLUTION COMMITTEE

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

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

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

3. Within 10 days of receiving a written statement, the County Board Chair shall:
- a. Acknowledge receipt of the statement to the complaining county board supervisor;
 - b. Provide a copy of the statement to the county board supervisor accused of having violated the Code of Conduct;
 - c. Ask the complaining party for the name of the current county board supervisor that the complaining party designates for the Board Dispute Resolution Committee; and

- d. Ask the accused individual for the name of the current county board supervisor that the complaining party designates for the Board Dispute Resolution Committee.

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

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

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

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

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

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

Motion/second: Martini/Rudolph to postpone Resolution #42 – 2012 and forward back to the LRS to amend the resolution by including a description of a conflict of interest.

Roll Call Vote on Amendment: 2 Aye- Intrepidi, C. Sorensen, 18 Nay, 1 Absent - Dean

Student Representative: 1 Absent - Zeller

Motion fails.

Roll Call Vote: 19 Ayes, 1 Nay – Martinson, 1 Absent - Dean

Student Representative: 1 Absent - Zeller

Resolution #42-2012- Adopted.

Other business:

Appointments to committees, commissions and other organizations.

To reappoint Nancy Brissee to serve on the Commission on Aging Committee for a three year term to end April 2015.

Motion/second: Rudolph/Baier to reappoint Nancy Brissee to serve on the Commission on Aging Committee for a three year term to end April 2015. All "aye" on voice vote, motion carries.

Adjournment:

Motion/second: Rudolph/Berard to adjourn the County Board meeting at 12:13 p.m. All "ayes" on voice vote, motion carries.