

**Amended Notice of Regular Meeting
Oneida County Board of Supervisors
June 19, 2012– 9:30 a.m.
Oneida County Courthouse
County Board Meeting Room 2nd Floor**

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

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

OF MEMBERS PRESENT: 19

SUPERVISORS EXCUSED: 2- Bob Mott and Romelle Vandervest.

STUDENT REPRESENTATIVES PRESENT: 1 – Jayla Paulson

OTHERS PRESENT: Mary Bartelt, County Clerk; Melodie Gauthier, Deputy County Clerk; Brian Desmond, Corporation Counsel; Margie Sorenson, Finance; Karl Jennrich, Planning and Zoning; and Roger Luce; Economic Development Corp.

ANNOUNCEMENTS BY CHAIR, CORRESPONDENCE AND COMMUNICATIONS:

Sign Attendance Form at the Podium.

Please Use Microphones When Speaking.

County Board Group picture taken today after the meeting – meet at the County Clerk's Office.

Group picture cancelled due to absentees and rain.

ACCEPT THE MINUTES OF THE MAY 15, 2012 REGULAR MEETING AND MAY 29TH SPECIAL MEETING.

MOTION/SECOND: J.Sorensen/Martinson to accept the minutes of the May 15, 2012 Regular Meeting and May 29th Special Meeting.

Corrections by Supervisor Rudolph: Page 1 of May 15, 2012 – 4th line from bottom Lac du Flambeau “Counsel” should read “Council”.

Page 2 of the May 29, 2012 - under the Representative of a State Agency, Patrick “Gogain” should read “Goggin”. Also, under General Public Comments: Richard Arends – the line of Brian Desmond requested the Court “Reported” should read “Reporter”.

All “aye” on voice vote, motion carries.

REPORTS/ PRESENTATIONS:

Veterans Service Office 2011 Annual Report

Department of Social Services 2011 Annual Report

Emergency Management 2011 Annual Report

MOTION/SECOND: Martinson/Thompson to accept the Veterans Service, Department of Social Services and Emergency Management's 2011 Annual report. All "aye" on voice vote, motion carries.

PUBLIC COMMENT: - None

MOTION/SECOND: C.Sorensen/Martinson to extend the time for public comment to a representative for the tribes, as they are a governmental body, to 10 minutes.

ROLL CALL VOTE: 19 Ayes, 0 Nays, 2 Absent – Vandervest and Mott

STUDENT REPRESENTATIVE: 1 Aye.

MOTION CARRIES.

Public comment and concerns regarding the Lynne Mining Project. Resolutions # 50-2012 and #51-2012. (Public from the sign-in sheet)

Dee Ann Allen, Bryan Hoover, Brooks Big John, Lenore Newmann, Alan VanRadlte, Mark Fliger, Jeff Brown, Roberta Retrum, Kriste Strasburg, Tina L. VanZile, Catherine Joppa, Kathy Mutner, Karl A. Fate, Larry Wawronowicz, Kathleen Kelly and Jay Joppa.

MOTION/SECOND: C.Sorensen / Metropulos motion to request Resolutions #50-2012 and #51- 2012 be moved up on the agenda prior to closed session.

Per Desmond, Corporation Counsel this motion according to Larmers- Parliamentary Procedure, requires a second, it is not debatable, not amendable will take a 2/3 vote, and there is no reconsideration.

County Clerk Bartelt read the Resolutions (#50-2012 and #51-2012 for Clarification).

ROLL CALL ON MOTION: 17 Ayes, 2 Nay-J. Sorensen and Rudolph, 2 Absent-Mott and Vandervest.

STUDENT REPRESENTATIVE: 1 Aye.

MOTION CARRIES.

RESOLUTION #50-2012

Resolution offered by Supervisors of the Forestry, Land and Outdoor Recreation Committee.

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

WHEREAS, many issues have been raised regarding the proposed exploration, prospecting and mining on County forest lands in the Town of Lynne; and

WHEREAS, the public should be consulted with regards to the proposed projects as the citizens of Oneida County own the forest lands where exploration, prospecting and mining has been proposed; and

WHEREAS, a county-wide referendum is one manner in which the public could give input into the decision as to whether or not the County should lease the county forest lands for the purposes of exploration along with the possibility of prospecting and mining; and

WHEREAS, the Forestry, Land and Outdoor Recreation committee, as the oversight committee for mining issues in Oneida County could formulate referendum questions for the November 6th, 2012 ballot.

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors does hereby direct the Forestry, Land and Outdoor Recreation Committee to prepare a non-binding referendum for the November 6th, 2012 ballot; and **BE IT FURTHER RESOLVED**, that the Forestry, Land and Outdoor Recreation Committee work with County staff and outside counsel to formulate no more than 3 referendum questions in order to gauge public opinion with regard to the proposed exploration, prospecting and mining on County Forest Lands.

Approved by the Forestry, Land and Outdoor Recreation Committee this 11th day of June, 2012.

Offered and passage moved by Supervisors: Jack Sorensen and Gerald Shidell.

Discussion on Resolution #50-2012 regarding if a referendum would be the proper tool to get the information out to the public or if surveys, public meeting/informational meetings should be added to the idea.

MOTION/SECOND: Metropulos/ no second to amend Resolution #50-2012, (if the County Board proceeds with the Resolution) on line 26 to state: "no less than 4 informational meetings/public meetings prior to the referendum. (1 meeting a month).

The amendment was discussed by the County Board Supervisors; per Chairman Cushing this constitutes an automatic seconded to the motion.

Desmond gave clarification on informational hearings vs. public meetings and cautions on how the meetings will be titled since there is no legal requirement or legal process put into place to hold any meetings at this point in time. Also, he pointed out on any referendum per state stats, must be turned in to the County Clerk 70 days before an election.

Metropulos stated he is withdrawing his amendment to Resolution #50-2012. Desmond states the motion can not be withdrawn and a roll call vote on the amendment is needed.

ROLL CALL ON AMENDMENT: 0 Ayes, 19 –Nays- Rudolph, Thompson, C.Sorensen, Martini, Baier, Dean, Fried, Timmons, Hintz, Martinson, Shidell, J.Sorensen, Metropulos, Pederson, Holewinski, Paszak, Intrepidi, Berard and Cushing, 2- Absent, Vandervest and Mott.

STUDENT REPRESENTATIVE: 1 Nay – Paulson.

AMENDMENT TO RESOLUTION #50-2012 - Fails.

Supervisor Cushing states his recommendation as District #21 Supervisor is for the two Resolutions #50-2012 and #51-2012 be pulled from the agenda and sent back to the committee of jurisdiction to come forward with a complete public involvement plan and bring back to the County Board.

MOTION/SECOND: J. Sorensen/ Rudolph to refer Resolutions, #50-2012 and #51-2012 to be pulled from the agenda and sent back to committees of jurisdiction for a complete public involvement plan.

Desmond states the motion does not contain a date or time as to when these resolutions are to be brought back to the County Board, pursuant to Larmers - *Parliamentary*

Procedure p.65, “If the motion to refer does not specify when the committee is to report, the committee should plan to report at the next regular meeting.”

MOTION/SECOND: Shidell / no second to divide the question on resolution #50 – 2012 and #51-2012 and vote on each separately as to whether they should be sent back to the committee.

Per Desmond, “division of the question does not require a second, does not open it for discussion or debate, there is nothing to amend, no vote is taken, the Chair orders a separation at the request of any member and can not be reconsidered.”

Chairman Cushing accepts the motion from Supervisor Shidell and the motion is now separated. A roll call vote will be taken to refer back to committee for Resolution #50-2012 only.

ROLL CALL ON MOTION FOR RESOLUTION # 50-2012: 11 Ayes, 8 Nays – Shidell, Baier, Thompson, Timmons, Holewinski, Dean, J.Sorensen and Paszak, 2 Absent – Vandervest and Mott.

STUDENT REPRESENTATIVE: 1 Nay.

MOTION CARRIES- RESOLUTION #50-2012 IS RETURNED TO THE COMMITTEE FOR A COMPLETE PUBLIC INVOLVEMENT PLAN.

RESOLUTION #51-2012

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

WHEREAS, the former Mining Oversight and Local Impact Committee spent considerable time and money updating the Exploration, Prospecting and Mining lease agreements; and

WHEREAS, the former Mining Oversight and Local Impact Committee solicited information from three mining companies indicating that they would be interested in competitively bidding for the rights to lease Oneida County forest lands for the purposes of exploration, with options to lease for prospecting and mining; and

WHEREAS, the Oneida County Board has previously approved resolution #94-2009 confirming the *Oneida County Metallic Ore Prospecting and Mining Policy* as originally set forth in resolution #54-87; and

WHEREAS, at the regularly scheduled February 21st, 2012 County Board meeting the County Board directed the Mining Oversight and Local Impact Committee (now the Forestry, Land and Outdoor Recreation Committee) “for discussions on having public hearings”; and

WHEREAS, pursuant to the *Oneida County Metallic Ore Prospecting and Mining Policy* the “Committee will hold informational meetings prior to entering into any mining agreements assess public reaction”; and

WHEREAS, after discussions at the committee level, as required by the County Board, the Forestry Land and Outdoor Recreation Committee feels that it is necessary for the lease agreements be put out for bid in order to garner valuable information from the mining companies which will in turn lead to a better assessment of public reaction at the time of the informational meetings that the Committee is required to conduct pursuant to County Policy.

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors that the Forestry Land and Outdoor Recreation Committee is hereby commanded to release the bid packages for the Exploration, Prospecting and Mining lease agreements; and

BE IT FURTHER RESOLVED, that the Forestry Land and Outdoor Recreation Committee is commanded to hold information meetings within 60 days of the opening of the bids from the mining companies.

Approved by the Forestry, Land and Outdoor Recreation Committee this 11th day of June, 2012.

Offered and passage moved by Supervisors: J.Sorensen and Shidell.

MOTION/SECOND: J. Sorensen/ Rudolph to refer Resolutions, #50-2012 and #51-2012 to be pulled from the agenda and sent back to committees of jurisdiction for a complete public involvement plan.

ROLL CALL ON MOTION FOR RESOLUTION #51-2012 TO REFER BACK TO

COMMITTEE: 18 Ayes, 1 Nay- Dean, 2 Absent - Vandervest and Mott

STUDENT REPRESENTATIVE: 1 Aye.

MOTION CARRIES- RESOLUTION #51-2012 IS RETURNED TO THE COMMITTEE FOR A COMPLETE PUBLIC INVOLVEMENT PLAN.

Ten minute break at 11:45 a.m. - Reconvened at 11:58 a.m.

CLOSED SESSION

The Committee may consider a motion to adjourn into Closed Session pursuant to Section 19.85(1)(e) & (g) for the purposes of (1) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session & (2) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning the strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

- A. Review Oneida County mining documents
- B. Property at 111 E. Davenport (former WPS building) and 1103 Thayer St. (Former Department on Aging property.)

MOTION/SECOND: Rudolph/Martinson to enter into closed session pursuant to Section 19.85(1)(e) & (g) for the purposes of (1) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session & (2) conferring with legal counsel for the governmental body who is rendering oral or written advice concerning the strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

ROLL CALL VOTE: 19 Ayes, 0 Nays, 2 Absent – Vandervest and Mott

STUDENT REPRESENTATIVE: 1 Aye

MOTION CARRIES.

MOTION/SECOND: Paszak/Pederson to return to open session.

ROLL CALL VOTE: 19 Ayes, 0 Nays, 3 Absent – Vandervest, Mott and Student Representative, Paulson.

MOTION CARRIES.

Chairman Cushing stated while in closed session the Committee agreed to slash the price for the WPS Building from \$525,000 to \$425,000.

Excused Greg Berard at 12:20 p.m.

CONSIDERATION OF RESOLUTIONS & ORDINANCES

**RESOLUTION #47-2012 - GENERAL CODE OF ONEIDA COUNTY, WISCONSIN
ORDINANCE AMENDMENT**

Ordinance Amendment offered by Supervisor Jack Sorenson.

WHEREAS, currently all County Board meetings are held at 9:30 a.m. pursuant to the Oneida County Code; and

WHEREAS, Committees of the Oneida County Board are not required to hold meetings at any specified time, most meetings of the Committees are held during the hours that the Courthouse is open for business; and

WHEREAS, more people in Oneida County could run for the position of County Board Supervisor or attend meetings of the County Board or the Committees if meetings were held at night;

WHEREAS, the County Board was previously provided with a petition, signed by local residents, requesting that County Board and Committee meetings be held in the evening hours.

**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. Sections 2.16 and 2.31 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

2.16 RULE 16: MEETINGS OF THE BOARD AND COMMITTEES.

- (1) DATE OF MEETING. (Am. #24-90; #61-2002; Am. Res. #20-2009) Except as provided in sub. (3), below, the Board shall meet in the County Courthouse in regular meetings on the following dates and shall be in session until adjourned:
 - (a) The 3rd Tuesday in January.
 - (b) The 3rd Tuesday in February.
 - (c) The 3rd Tuesday in March.
 - (d) The 3rd Tuesday in April (organizational meeting).
 - (e) The 3rd Tuesday in May.
 - (f) The 3rd Tuesday in June.
 - (g) The 3rd Tuesday in August.
 - (h) The 3rd Tuesday in September.

- (i) The 3rd Tuesday in October.
- (j) The 1st Tuesday following the second Monday in November (annual meeting). (Am. #133-99)
- (2) HOUR OF MEETING. Except as provided in sub. (3), below, the starting time for all regular meetings of the County Board shall be 5:30 p.m. ~~and the time of reconvening after lunch shall be 1:30 p.m.~~ The Board may, by majority vote upon the adjourning motion, set the hour of reconvening of the Board.
- (3) BOARD MEETINGS AT COUNTY LOCATIONS OTHER THAN COURTHOUSE. (Am. Res. #92-2009) The Board may schedule regular meetings at locations in the County other than the Courthouse if it is determined that a change of location would be in the best interest of the Board. A proposed change of location shall be approved not less than 30 days before the scheduled meeting date. An explanation shall be set forth in the notice of the meeting and the place of the same shall be readily accessible to the public and members of the news media who wish to attend.
- (4) RECORDS OF MEETINGS. Accurate copies of all notices of meetings and minutes of meetings shall be promptly filed in the County Clerk's office.

2.31 RULES GOVERNING COUNTY BOARD COMMITTEES, BOARDS AND COMMISSIONS. (Rep. & recr. #55-2011)

[Sections 2.31(1) – (7) remain unchanged]

(8) Committee meetings shall be commenced no earlier than 4:30 p.m. This rule applies only to Committees of the County Board that have a majority of members that are County Board Supervisors.

Approved by Supervisor Jack Sorenson this 23rd day of May, 2012.

SECONDED BY: Supervisor Rudolph

MOTION/SECOND: Berard/Shidell to waive the reading of Resolution #47-2012. All “aye” on voice vote, motion carries.

MOTION/SECOND: Shidell/Rudolph to amend/remove lines 68, 69, and 70 from the resolution.

ROLL CALL VOTE: 14 Ayes, 4 Nays – J.Sorensen, Martinson, Paszak and Dean, 3 Absent – Vandervest, Mott, and Berard.

STUDENT REPRESENTATIVE: 1 Aye

MOTION TO AMEND RESOLUTION #47-2012 - carries.

MOTION/SECOND: Hintz /Rudolph to amend Resolution #47-2012 line 48 as “shall be no earlier than 5:30 p.m.”

ROLL CALL VOTE ON 2ND AMENDMENT: 11 Ayes, 7 Nays – Dean, C.Sorensen, Martinson, Holewinski, Paszak, Fried and Cushing, 3 Absent – Vandervest, Mott and Berard.

STUDENT REPRESENTATIVE: 1 Aye.

MOTION CARRIES

MOTION/SECOND: Cushing/ Fried to amend lines 47 and 48 to read “to allow the County Board Chair to have the option to set an evening meeting if needed and where they will be held”.

Desmond clarified the third amendment to the Resolution by stating lines 47 and 48 would read "Except as provided in sub. (3) below the set time for all regular meetings of the County Board will be set by the County Board Chairman.

ROLL CALL VOTE ON 3RD AMENDMENT: 6 Ayes, 12 Nays- J.Sorensen, Rudolph, Intrepidi, Metropulos, Pederson, Paszak, C.Sorensen, Thompson, Dean, Timmons, Martini and Holewinski, 3 Absent- Vandervest, Mott and Berard

STUDENT REPRESENTATIVE: 1 Aye.

MOTION FAILS

ROLL CALL ON AMENDED RESOLUTION #47-2012.(evening meetings no earlier than 5:30 p.m.) 8 Ayes, 10 Nays- Holewinski, Baier, Dean, Timmons, Paszak, Shidell, Hintz, Fried, Martinson, and Cushing, 3 Absent – Vandervest, Mott and Berard.

STUDENT REPRESENTATIVE: 1 Nay.

MOTION FAILS

RESOLUTION #47-2012 –Defeated.

RESOLUTION #48-2012

Resolution offered by the Administration Committee.

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

WHEREAS, Section 66.0602 of the Wisconsin Statutes governs the amount a political subdivision (city, village, town or county) may increase its local tax levy; and

WHEREAS, there are currently 190 cities, 405 villages, 1,266 towns and 72 counties subject to this levy limit law; and

WHEREAS, the penalty for exceeding the levy limits is a dollar for dollar reduction in shared revenue; and

WHEREAS, the reduction of shared revenue ultimately penalizes the taxpayers; and

WHEREAS, the exceptions to the penalty are limited to Department of Revenue errors, county preparation of the tax roll or separate legislation for a political subdivision; and

WHEREAS, the statutes currently contains separate legislation for a correction of an error for three political subdivisions; and

WHEREAS, drafting separate legislation to correct a levy limit error is burdensome; and

WHEREAS, annually there is a potential for several errors to be made that will require correction, across all levels of local government.

NOW, THEREFORE, BE IT RESOLVED, the Oneida County Board of Supervisors requests legislation be drafted to allow for the correction of levy limit errors without separate legislation; and

BE IT FURTHER RESOLVED, a copy of this resolution shall be forwarded to Governor Scott Walker, Senator Jim Holperin, Representatives Tom Tiffany and Dan Meyer, the Wisconsin Counties Association, The Wisconsin Towns Association and the League of Wisconsin Municipalities.

Approved by the Administration Committee this 11th day of June, 2012.

Offered and passage moved by: Cushing, Hintz, Thompson, Shidell and Paszak

MOTION/SECOND: Metropulos/Shidell to waive the reading of Resolution #48-20112.
All "aye" on voice vote, motion carries.

Excused Dean- 1:30

ROLL CALL VOTE: 17 Ayes, 0 Nays, 4 Absent – Vandervest, Mott, Berard and Dean.

STUDENT REPRESENTATIVE: 1 Aye

RESOLUTION #48-2012 – Adopted.

RESOLUTION #49-2012

Resolution offered by the Administration Committee.

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

WHEREAS, the Department of Administration - Division of Housing (DOH) is changing the method of distribution for the Community Development Block Grant (CDBG) housing funds to require the formation of regional Housing Consortia comprised of County Governments; and

WHEREAS, the DOH anticipates that the average regional CDBG award will range between \$850,000 to \$1 million annually; and

WHEREAS, the DOH has requested that Counties who wish to form a regional CDBG Consortium submit Resolutions agreeing to participate in a Consortium no later than July 30, 2012; and

WHEREAS, each regional Consortium will select a lead County to assume the responsibilities of administering the CDBG housing funds; and

WHEREAS, Langlade County is willing to serve as the lead County as part of a CDBG Consortium which also includes the Counties of Florence, Forest, Lincoln, Oconto, Oneida, Shawano, Taylor and Vilas Counties collectively referred to as the Northwoods Consortium; and

WHEREAS, by agreeing to participate as a member of the Northwoods Consortium, the member Counties understand that Langlade County will act as the applicant and will have the responsibility to assume all obligations under the terms of the grant, including assuring compliance with all applicable laws, program regulations and performance of all work in accordance with the grant contract; and

WHEREAS, by adopting this Resolution, Langlade County understands that a CDBG Housing Consortium Agreement, adopted pursuant to Section 66.0301 of Wisconsin Statutes, must be filed by with the DOH by October 31, 2012 as a condition for receipt of CDBG housing funds; and

WHEREAS, as set forth in the CDBG Housing Consortium Agreement that is to be negotiated, each member County shall have representation on a Consortium Housing Committee; and

WHEREAS, it is understood by all parties that the Agreement to form a regional CDBG Housing Consortium shall not deprive any municipality served by the Consortium of any power, zoning authority, development control or other lawful authority which it presently possesses; and

WHEREAS, the City of Rhinelander Housing Authority has agreed to take on the duties of Oneida County with regards to the administration of Consortium business.

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors to enter into an Agreement with Florence, Forest, Lincoln, Oconto, Oneida, Shawano, Taylor and Vilas Counties to cooperate in the implementation of a Regional

Community Development Block Grant Consortium collectively referred to as the Northwoods Consortium, with Langlade County serving as the lead County.

BE IT FURTHER RESOLVED, upon adoption of this Resolution, each Member County shall appoint a representative to serve on the Northwoods Housing Committee to draft a CDBG Housing Consortium Agreement for approval by each Member County by October 31, 2012.

BE IT FURTHER RESOLVED, that the City of Rhinelander Housing Authority Executive Director shall be the Oneida County agent for all Consortium business.

Approved by the Administration Committee this 11th day of June, 2012.

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

MOTION/SECOND: Shidell/Pederson to waive the reading of Resolution # 49-2012. All "aye" on voice vote, motion carries.

ROLL CALL VOTE: 10 Ayes, 7 Nays – Martinson, Shidell, Holewinski, Thompson, Fried, Pederson and Baier, 4 Absent – Vandervest, Mott, Berard and Dean

STUDENT REPRESENTATIVE: 1 Nay.

RESOLUTION #49-2012- Adopted.

RESOLUTION #52-2012/ REZONE PETITION # 2 -2012

Ordinance Amendment offered by Supervisors of the Planning and Development Committee.

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

WHEREAS, the Planning & Development Committee, having considered Petition #2-2012, (copy attached) which was filed April 16, 2012 to amend the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, and having given notice thereof as provided by law and having held a public hearing thereon May 16, 2012 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

To rezone land from District #07 Business to District #04, Residential and Farming on property described as that part of the NE SE (North 620 feet of South 720 feet East of Hwy 51), Section 22, T38N, R6E, PIN HA 306, Town of Hazelhurst

WHEREAS, the owner purchased the property when it was zoned Residential and Farming and would like the property to remain Residential and Farming; and

WHEREAS, the Town of Hazelhurst, on behalf of the owner, approved and sponsored the Rezone Petition; and

WHEREAS, at the Public Hearing the owner of the property testified in support of the Rezone Petition and no one testified in opposition of the Rezone Petition; and

WHEREAS, the Planning and Development Committee has reviewed the general standards as specified in Section 9.86 F of the Oneida County Zoning and Shoreland Protection Ordinance and concluded the standards have been met. The Planning and Development Committee unanimously recommends passage as amended

NOW THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAINS AS FOLLOWS: Petition #2-2012.

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

Section 2: The 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 the ordinance shall not be affected thereby.

Section 4: Rezone Petition #2-2012 is hereby adopted amending the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, by changing the zoning district classification from District #7 Business to District #04 Residential and Farming on property described as follows:

To rezone land from District #07 Business to District #04, Residential and Farming on property described as that part of the NE SE (North 620 feet of South 720 feet East of Hwy 51), Section 22, T38N, R6E, PIN HA 306, Town of Hazelhurst.

The County Clerk shall, within seven (7) days after adoption of Rezone Petition # 2-2012 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Hazelhurst Town Clerk.

Approved by the Planning and Development Committee this 6th day of June 2012.
Offered and passage moved by Supervisors: Holewinski, J.Sorensen and Timmons.

MOTION/SECOND: Shidell/Rudolph to waive the reading on Resolution #52-2012/Rezone Petition #2-2012. All "aye" on voice vote, motion carries.

ROLL CALL VOTE: 15 Ayes, 0 Nays, 5 Absent- Vandervest, Mott, Berard, Dean and Fried 1 Abstain - Martini

STUDENT REPRESENTATIVE: 1 Aye

RESOLUTION #52-2012/REZONE PETITION #2-2012 – Adopted.

Supervisor Fried – Excused 1:45 p.m.

RESOLUTION # 53 -2012 - GENERAL CODE OF ONEIDA COUNTY, WISCONSIN

Ordinance Amendment offered by the Administration Committee.

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

WHEREAS, it is deemed expedient and necessary that the General Code of the County of Oneida, Wisconsin be brought up-to-date; and

WHEREAS, resolutions and ordinances adopted through March 20, 2012 and changes necessitated by changes in State law have been incorporated into the General Code by the Revisor, which has provided Oneida County with corrected printed revisions, pursuant to Statute 25.08 of the General Code of Oneida County, Wisconsin; and

WHEREAS, a copy of such amended General Code of Oneida County, Wisconsin, has been on file and open for public inspection in the office of the County clerk for not less than two weeks, as required by Statute 66.035, Wis. Stats., and notice thereof has been provided by publication on May 26, 2012 in the Northwood's River News;

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

Section 1. The Code of Ordinances in book form entitled: General Code of Oneida County, Wisconsin, as amended through March 20, 2012 shall be and hereby is adopted as the general ordinances in and for the County of Oneida, Wisconsin.

Section 2. Any ordinance in conflict with this ordinance shall be and hereby is repealed as far as any conflict exists.

Section 3. This ordinance shall take effect the day after passage and publication as provided by law.

Approved by the Administration Committee this 11th day of June 2012.

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

MOTION/SECOND: Shidell/J.Sorensen to waive the reading of Resolution 53-2012-General OA. All "aye" on voice vote, motion carries.

ROLL CALL VOTE: 16 Ayes, 0 Nay, 5 Absent – Vandervest, Mott, Berard, Dean and Fried.

STUDENT REPRESENTATIVE: 1 Aye.

RESOLUTION 53-2012- GENERAL CODE /OA – Enacted.

RESOLUTION #54-2012 - GENERAL CODE OF ONEIDA COUNTY, WISCONSIN ORDINANCE AMENDMENT

Ordinance Amendment offered by Supervisor Bob Martini Committee

WHEREAS, current County Code allows for public comment only on those resolutions on the agenda for that County Board meeting; and

WHEREAS, there could be issues that a constituent may wish to address with the County Board outside the confines of the resolutions for that particular County Board meeting; and

WHEREAS, three minutes of time for a constituent would be sufficient to address most concerns of constituents who wish to address the County Board of Supervisors.

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

2.02 RULE 2: ORDER OF BUSINESS. (Am. #51-94; #72-94; #20-2008)

The order of business shall be as follows:

- (1) CALL TO ORDER. At the appointed hour for the meeting, the Chair shall call the Board to order requesting that the members rise for a brief moment of silence followed by the Pledge of Allegiance.
- (2) ROLL CALL. The Clerk shall then call the roll of members in alphabetical order.

- (3) ANNOUNCEMENTS BY THE CHAIR, CORRESPONDENCE AND COMMUNICATION.
- (4) ACCEPT MINUTES OF PREVIOUS COUNTY BOARD MEETING(S).
- (5) REPORTS.
- (6) UNFINISHED BUSINESS.
- (7) PUBLIC COMMENT. (Res. #15-2010) Persons present will be allowed up to ~~two~~ three minutes time to express their opinion on any ~~resolution that appears on the agenda~~ matter that they wish to speak. The Board, by a majority vote, may allow additional time for a speaker.
- (8) CONSIDERATION OF RESOLUTIONS AND ORDINANCES. (Res. #15-2010)
- (9) OTHER BUSINESS. (Res. #15-2010)
 - (a) County Clerk report of zoning petitions;
 - (b) County Treasurer declaration of unlawful taxes; and
 - (c) Appointments to committees, commissions and other organizations.
- (10) ADJOURNMENT. (Res. #15-2010)

Approved by Supervisor Bob Martini this 7th day of June, 2012.

SECONDED: C.Sorensen

MOTION/SECOND: Shidell/Rudolph to waive the reading of Resolution #54-2012 – General Code OA. All “aye” on voice vote, motion carries.

ROLL CALL VOTE: 10 Ayes, 6 Nays – Paszak, Thompson, Holewinski, Rudolph, Baier and Cushing, 5 Absent- Vandervest, Mott, Berard, Dean and Fried.

STUDENT REPRESENTATIVE: 1 Aye.

RESOLUTION #54-2012 – GENERAL CODE/ OA: - Enacted.

RESOLUTION #55-2012 - GENERAL CODE OF ONEIDA COUNTY, WISCONSIN-ORDINANCE AMENDMENT

Ordinance Amendment offered by Supervisor Jack Martinson

WHEREAS, the previous Mining Oversight and Local Impact Committee amended the County Code to allow for a representative of the Town where exploration, prospecting or mining was taking place to be a voting member of the Committee; and

WHEREAS, the true intent of the previous mining committee was to allow a representative from the Town to be voting member when exploration, prospecting or mining was *proposed* (emphasis added) or taking place;

WHEREAS, recently the scrivener's error was discovered and the representative from the Town of Lynne is now not able to vote as intended by the previous committee; and

WHEREAS, the County code needs to be amended in order to effectuate the true intent of the previous Mining Oversight and Local Impact Committee.

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

2.39 FORESTRY, LAND, AND OUTDOOR RECREATION COMMITTEE. (Rep. & rec. #55-2011)

This Committee shall:

- (1) Perform all functions necessary to administer Ch. 14 of this General Code.
- (2) Act as the Mining Oversight/Local Impact Committee and perform the following duties:
 - (a) Act as a liaison between the County Board and the Conservation & UW-EX Committee, Administration Committee, and Planning and Zoning Committee in all matters pertaining to mineral exploration, prospecting, mining and reclamation of mineral resources located in the County. Such liaison responsibility shall not be in place of the continuing responsibilities of the above identified committees in their primary areas of jurisdiction which shall continue.
 - (b) Act as the County's local impact committee pursuant to §293.33, Wis. Stats.
 1. The Committee shall act as the County's Local Impact Committee for the purposes identified in §293.33, Wis. Stats., except that in carrying out such purposes, the Committee shall not proceed without the approval of the committees identified in sub. (1) above in their primary areas of jurisdiction which shall continue.
 2. The Committee or its designees from the Committee may serve on a joint committee under §293.33, Wis. Stats., and consistent with its responsibility for carrying out the purposes referred to above, the Committee or its designees from the Committee may submit requests for funds as authorized by §293.33, Wis. Stats. (Am. #62-93)
 3. From time to time the Committee may seek authorization from the County Board to include ex officio nonvoting members as manpower, health, protective or service agencies school districts or environmental and other interest groups or other interested parties who, upon approval by the County Board, shall be entitled to per diem and expenses as permitted by §3.10 of this General Code.
 - (c) Act as the lead committee in the preparation of applications for funding assistance from whatever source, subject to final review and approval of the County Board.
 - (d) In conjunction with the recommendation of the primary committee of jurisdiction, recommend to the County Board contracts for professional services which, upon the review and approval of the County Board, may be provided to the County Board and the primary committee of jurisdiction.
 - (e) Ex officio nonvoting members of this Committee shall include the Planning and Zoning Administrator, Forestry Administrator, University Extension Community Resource Development Agent, a designee of the Economic Development Corporation.

- (f) A designee of any town in which mineral exploration, prospecting mining or reclamation is proposed or is taking place shall be a voting member of the committee. This designee shall be entitled to per diem and mileage at the current County rate for each meeting attended and not reimbursed from any other source. This member shall be a voting member of the committee for mining agenda items only.

Approved by Supervisor Jack Martinson this 12th day of June, 2012.
Offered and passage moved by Supervisor: Jack Martinson.

SECONDED BY: C.Sorensen

MOTION/SECOND: Timmons/Shidell to waive the reading of Resolution #55-2012 – General Code OA. All “aye” on voice vote, motion carries.

ROLL CALL VOTE: 4 Ayes, 12 Nays – Thompson, Holewinski, J.Sorensen, Intrepidi, Shidell, Hintz, Pederson, Baier, Paszak, Rudolph, Timmons and Cushing. 5 Absent - Vandervest, Mott, Berard, Dean and Fried.

STUDENT REPRESENTATIVE: 1 Nay.

RESOLUTION #55-2012 – GENERAL CODE/ OA. – Defeated.

OTHER BUSINESS:

Appointments to committees, commissions and other organizations.

Appointments to Land Council

Denny Thompson (2012-2014)

Reappointments-Zoning Board of Adjustment

Reappoint Harland Lee and Guy Hanson (First Alternate) to the Zoning Board of Adjustment for a term to expire in July 2015.

MOTION/SECOND: Shidell/Paszak to appoint Denny Thompson to Land Records and to reappoint Harland Lee and Guy Hanson (First Alternate) to the Zoning Board of Adjustment for a term to expire in July 2015. All “aye” on voice vote, motion carries.

ADJOURNMENT:

MOTION/SECOND: Hintz/Rudolph to adjourn the County Board meeting at 1:58 p.m. All “aye” on voice vote, motion carries.