

**Amended - Regular Meeting
Oneida County Board of Supervisors
Tuesday, May 19, 2015 – 6:00 p.m.
Oneida County Courthouse
County Board Meeting Room 2nd Floor**

Chairman Hintz called the meeting to order at 6:00 p.m. in the County Board Meeting Room of the Oneida County Courthouse. There was a brief moment of silence for our troops here and overseas, followed by the Pledge of Allegiance.

MEMBERS PRESENT: Supervisors: Ted Cushing, David Hintz, Scott Holewinski, Jim Intrepidi, Mitchell Ives, Robb Jensen, Tom Kelly, Lance Krolczyk, Bob Metropulos, Bob Mott, Greg Oettinger, Carol Pederson, Sonny Paszak, Tom Rudolph, Jack Sorensen, Michael Timmons, Alan VanRaalte, Alex Young and Lisa Zunker.

OF MEMBERS PRESENT: - 19.

SUPERVISORS EXCUSED: 2- Billy Fried, Bill Freudenberg until 7:00pm

STUDENT REPRESENTATIVES PRESENT: 1 –Erin Tenderholt, Absent -Bailey Nichols.

OTHERS PRESENT: Mary Bartelt, County Clerk; Melodie Gauthier, Chief Deputy Clerk; Brian Desmond, Corporation Counsel; Freeman Bennett, Highway Department; Mike Romportl, Land Information; Karl Jennrich, Planning and Zoning and Roger Luce, Economic Development.

ANNOUNCEMENTS BY CHAIR, CORRESPONDENCE AND COMMUNICATIONS

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

ACCEPT THE MINUTES OF THE APRIL 21, 2015 REGULAR MEETING

MOTION/SECOND: Jensen/Sorensen to approve the April 21, 2015 minutes as presented.

Corrections, additions, deletions: Supervisor Rudolph questioned the two motions regarding Jerry Shidell's offer to purchase. Mary Bartelt, County Clerk, explained the two motions. After the first motion was passed, discussion took place and another motion was made. Supervisor Rudolph stated it was not stated if the motion passed. Minutes will be amended to say "motion passed" after the second motion on page 26.

All "aye" on voice vote, to accept the amended April 21, 2015 minutes; motion passes.

REPORTS/PRESENTATIONS

PUBLIC COMMENT – none at this time.

Supervisor VanRaalte would like Resolution #39-2015 and Resolution #41-2015 removed from the Consent Agenda for discussion.

Supervisor Cushing would like Resolution #43-2015 removed from the Consent Agenda for discussion.

CONSENT AGENDA

Resolution #39-2015/General Coda O/A offered by the Administration Committee – amending section 3.10, Number 6 of the General Code of Oneida County (Reimbursement for Expenses) Board of Adjustment Secretary per-diem.

Resolution #40-2015 offered by the Administration Committee regarding the recording of a Mortgage satisfaction for Aqualand, owned by Kenneth H. Kuehneman and Johnnie R. Kuehneman.

Resolution #41-2015 – offered by the Public Works Committee regarding the purchasing of a new patrol plus attachments for a price not to exceed \$250,000.00, with funds coming from the Machinery account.

Resolution #42-2015 offered by the Land Records Committee regarding the sale of a 100 ft. strip parcel of land to Edward P. Ryan, Michael Patrick Brown and Julie E. Brown. Town of Lake Tomahawk.

Resolution #43-2015 – 2015 offered by the Land Records Committee regarding the sale of a 100 ft. strip parcel of land to Mark R. Schultz and Lindsay A. Schultz. Town of Hazelhurst.

- Appointments to committees, commissions and other organizations
To reappoint Amy Slette M.D. to the Health and Aging Committee with a term to expire June 2018.
To appoint Brian Jopek to Veteran’s Commission to replace Wilbur Petroskey with a term to expire January 2016.

MOTION/SECOND: VanRaalte/Cushing to approve the Consent Agenda with the removal of Resolutions #39-2015, #41-2015 and #43-2015. All “aye” on voice vote, motion carries.

CONSIDERATION OF RESOLUTIONS & ORDINANCES

RESOLUTION #39-2015 -GENERAL CODE O/A

Ordinance Amendment offered by the Administration Committee

WHEREAS, a request was made to increase the per-diem for the Secretary of the Board of Adjustment, and

WHEREAS, the Secretary of the Board of Adjustment has additional responsibilities beyond those of the average Board member, including, recording information at site visits and meetings, is the records custodian and drafts the decisions of the Board of Adjustment, and

WHEREAS, given the extra duties of the Secretary of the Board of Adjustment an increase in per diem in the amount of \$10 per meeting is justified.

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. (Amd. Res. #017-2012)

[Section 3.10 (1) thru 3.10(8)(b)(5) remain unchanged]

6. *Board of Adjustment Secretary.* The Board of Adjustment Secretary or another member acting his/her place shall receive an additional per diem of \$10 for each meeting at which they are the Secretary.

Offered and passage moved by Supervisors: Cushing, Jensen and Mott.

Supervisor VanRaalte asked how much the per-diem is now and Chairman Hintz stated he believes it is \$40.00 at this time.

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

STUDENT REPRESENTATIVE: 1 Aye, 1 Absent – Nichols

RESOLUTION #39-2015: enacted.

RESOLUTION #41-2015

Resolution offered by the Supervisors of the Public Works Committee.

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

WHEREAS, the Oneida County Public Works Committee and the Highway Department seek to purchase one (1) Patrol Truck plus snow plow attachments; and

WHEREAS, the Highway Department has an account designated for the purchase of "Machinery" with \$325,000 available for 2015; and

WHEREAS, Oneida County Code sec. 3.09(2) requires County Board approval of purchases over \$100,000; and

WHEREAS, the Highway Department and Public Works Committee believe that a new Patrol Truck plus attachments can be purchased for no more than two hundred and fifty thousand dollars (250,000.00) after bids are received; and

WHEREAS, the Public Works Committee and the Highway Department have assessed their needs and determined that the purchase of a new Patrol Truck plus snow plow attachments is in the best interest of the department; and

WHEREAS, the Public Works Committee and the Highway Department seek to use a portion of the available funds in the "Machinery" account to purchase the aforementioned new Patrol Truck.

NOW, THEREFORE, BE IT RESOLVED, the Public Works Committee and the Highway Department are authorized to purchase a new Patrol Truck plus attachments for the price not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) and

BE IT FURTHER RESOLVED, that the Public Works Committee and the Highway Department are authorized use of the available funds in the "Machinery" account for the aforementioned purchase.

Approved by the Public Works Committee this 30th day of April, 2015.

Offered and passage moved by Supervisors: Cushing, Jensen, Holewinski and Timmons.

Freeman Bennett, Highway Director, gave a brief explanation to the County Board on Resolution #41-2015 which was removed from the Consent Agenda.

Supervisor VanRaalte questioned how the Machinery Account is funded? Freeman Bennett, stated the Highway Department charges themselves any time they do their own maintenance and this money goes into the Machinery Account.

Supervisor Rudolph questioned if these are tax dollars and wondered why a \$250,000 expenditure would be on a Consent Agenda. Freeman Bennett stated "yes" these are tax dollar and again stated that the Highway Department earned the money by charging themselves for everything they do just as they would charge any outside entity. Supervisor Rudolph stated this does not happen with other departments even when the expenditure is far less. Supervisor Holewinski stated the Highway Department works on a separate budget and that anything over \$100,000 the department has to bring to County Board for approval. This occurs every year and this is why it was put on the Consent Agenda.

RESOLUTION #43-2015

Resolution offered by Land Records Committee.

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

WHEREAS, Oneida County retained a 100 foot strip of land on each side of the center line of existing roads crossing the NW ¼ - NW ¼ of Section 13, Township 38 North, Range 6 East, as recorded in the Register of Deeds, Volume 58 of Deeds on Page 247, Document # 122046, recorded on May 17th, 1945; and,

WHEREAS, a request has been made to Oneida County from Mark R. Schultz and Lindsay A. Schultz requesting that a portion of said strip of land described above adjacent to Sylvan Lake DR be conveyed to the them as they are the present adjoining owners of the land, and they have paid the \$100.00 administrative fee to process this request; and,

WHEREAS, the Town of Hazelhurst has been notified of this request, and the Land Records Committee recommends the request be granted provided the Town has no objections to such conveyance.

NOW, THEREFORE, BE IT RESOLVED, that the Oneida County Board of Supervisors hereby approves conveying the parcel described in Exhibit A below to Mark R. Schultz and Lindsay A. Schultz, provided the Town of Hazelhurst does not have any objections to such conveyance, and authorizes the County Clerk, upon receipt of the \$30 deed recording fee, to issue a quit claim deed conveying any interest the County has in the description noted below in Exhibit A.

Approved by the Land Records Committee this 12th day of May, 2015.

Offered and passage moved by Supervisors: Intrepidi, Zunker, Oettinger and Paszak.

Supervisor Cushing would like to postpone Resolution #43-2015 until it comes before the Hazelhurst Town Board for approval first.

MOTION/SECOND: Cushing/VanRaalte to postpone Resolution #43-2015 until the June County Board meeting.

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

STUDENT REPRESENTATIVE: 1 Aye, 1 Absent – Nichols.

RESOLUTION #43-2015: postponed until June 16, 2015 County Board Meeting.

Chairman Hintz honored Veteran Wilbur Petroskey for his long-time service to Oneida County. Mr. Petroskey served on the County Board from April 1988 to April 2010 and also sat on 10 other committees. Petroskey served on the Oneida County Veteran's Service Commission for 45 years and has recently retired from the Veteran's Commission in which Brian Jopek has been approved to replace Mr. Petroskey. Wilbur Petroskey still continues to serve the County on the Rhinelander/Oneida County Airport Commission and was recently re-appointed to another 6 year term.

Resolution #44-2015 honors Wilbur Petroskey's long-time services for the Oneida County.

Supervisor Rudolph gave a brief synopsis of Wilbur Petroskey's awards and accomplishments while working for the County.

RESOLUTION #44-2015

Resolution offered by Chairman David Hintz.

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

WHEREAS, originally appointed by Judge Richards, Wilbur Petroskey served for 45 years on the Oneida County Veterans Service Commission during which time VA medical

services were brought to Rhinelander in the form of a full clinic; and

WHEREAS, Wilbur Petroskey served on the Oneida County Board from April 1988 to April 2010 and sat on 10 various committees throughout his 22 year tenure; and

WHEREAS, Wilbur Petroskey has also served on the Rhinelander/Oneida County Airport Commission for 17 years, beginning in August 1988, and continues to serve today.

NOW, THEREFORE, BE IT RESOLVED, that Oneida County Board Chairman David Hintz and the members of the Oneida Board hereby commend and express their sincere appreciation to Wilbur Petroskey for his dedicated and lengthy service to the Veterans and Citizens of Oneida County.

Offered and passage moved by: Supervisor Hintz.

Seconded by: Supervisor Rudolph.

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

STUDENT REPRESENTATIVE: 1 Aye, 1 Absent – Nichols

RESOLUTION #44-2015: adopted.

Wilbur Petroskey addressed the County urging the County Board Members to please continue serving and stated that "Oneida County, State of Wisconsin and the world needs you". Mr. Petroskey also states he is proud to serve the County.

RESOLUTION # 45-20015

Resolution offered by the Administration Committee

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

WHEREAS, Oneida County, in conjunction with the City of Rhinelander, owns parcel RH 9010-0306, which is part of the Rhinelander-Oneida County Airport, which property is located on S. Fox Ranch Road in the City of Rhinelander; and

WHEREAS, this property has been released by the Federal Aviation Administration (FAA) from airport restrictions for the purpose of industrial development; and

WHEREAS, the County and City have received a written offer to purchase from SDI Properties, LLC to acquire parcel RH 9010-0306 at the price of \$9,282.00 in an effort to expand their facilities; and

WHEREAS, the Airport Commission approved the sale of the property to SDI Properties, LLC at their meeting on April 17th, 2015.

NOW, THEREFORE, BE IT RESOLVED, Oneida County, in conjunction with the City, agrees to transfer parcel RH 9010-0306 to SDI Properties, LLC for the amount of \$9,282.00.

BE IT FURTHER RESOLVED that the County and City enter into the necessary agreements as are normally associated with commercial transactions and that upon the closing of the property, the \$9,282.00 purchase price is transferred to the Rhinelander-Oneida County Airport pursuant to FAA regulations for the purposes of future airport projects. All actual necessary expenditures by the County and the City to close the transaction shall be considered the expense to be paid by SDI Properties, LLC.

BE IT FURTHER RESOLVED that the Oneida County Board Chairman and County Clerk are authorized to enter into contractual agreements with the City, the Airport Commission and SDI Properties, LLC, negotiated with the involvement of the Corporation Counsel, which include, in principal, the above terms and conditions and the terms and conditions of the above referenced offer to purchase and such other terms and conditions which may be in the best interests of the County, after the said agreements have been reviewed and approved by the Administration Committee.

BE IT FURTHER RESOLVED that the County Board Chairman and the County Clerk are hereby authorized to sign any and all deeds associated with this transaction.

Offered and passage moved by Supervisors: Hintz, Cushing, Jensen and Mott.

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

STUDENT REPRESENTATIVE: 1 Aye, 1 Absent – Nichols.

RESOLUTION #45-2015: adopted.

RESOLUTION #46-2015 -REZONE PETITION #4-2015

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 #4-2015, (copy attached) which was filed March 11, 2015, 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 6, 2015, 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 the following parcels of land:

Part A: to rezone land from District #15-Rural Residential to District #5-Recreational on property described as all of the NE NE, part of the NE NW, and part of the NW NE lying North of the Tomahawk River, n/k/a Lots 1 and 2 CSM V20 P4331, Document No. 748658, Section 9, Township 39 North, Range 6 East, PIN MI-2142 and MI 2142-3 (respectively), Town of Minocqua, Oneida County, and;

Part B: to rezone land from District #14-Residential to District #4-Residential and Farming on property described as part of the NW NW and part of the SW SW, Section 3, Township 39 North, Range 6 East, PIN WR-38, Town of Woodruff, Oneida County.

And being duly advised of the wishes of the people in the area affected as follows:

WHEREAS, the petitioners would like to be able to utilize their property for a zoo expansion and;

WHEREAS, Wildwood Wildlife Park and Nature Center has been in existence for many years in the Minocqua, Woodruff area and;

WHEREAS, the Towns of Minocqua and Woodruff have approved the request (copy attached) and;

WHEREAS, On May 6, 2015 the Planning and Development Committee held a Public Hearing and the adjoining landowners were provided with a written notice of the change and;

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

NOW THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS: Petition #4-2015:

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 #4-2015 is hereby adopted amending the Master Zoning District

Document and the Oneida County Official Zoning District Boundary Map, by changing the zoning district classification on the properties described as follows:

Part A: to rezone land from District #15-Rural Residential to District #5-Recreational on property described as all of the NE NE, part of the NE NW, and part of the NW NE lying North of the Tomahawk River, n/k/a Lots 1 and 2 CSM V20 P4331, Document No. 748658, Section 9, Township 39 North, Range 6 East, PIN MI-2142 and MI 2142-3 (respectively), Town of Minocqua, Oneida County, and;

Part B: to rezone land from District #14-Residential to District #4-Residential and Farming on property described as part of the NW NW and part of the SW SW, Section 3, Township 39 North, Range 6 East, PIN WR-38, Town of Woodruff, Oneida County.

The County Clerk shall, within seven (7) days after adoption of Rezone Petition #4-2015 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to Minocqua Town Clerk and Woodruff Town Clerk.

Approved by the Planning and Development Committee this 6th day of May, 2015.
Offered and passage moved by Supervisors Holewinski, Sorensen, Fried, Timmons and Hintz.

MOTION/SECOND: Cushing/Holewinski to amend Resolution #46-2015 on Lines 21 and 65, add after the word Residential, “and Retail”.

ROLL CALL VOTE ON MOTION: 19 Ayes, 0 Nays, 2 Absent – Fried and Freudenberg.

STUDENT REPRESENTATIVES: 1 Aye, 1 Absent – Nichols.

MOTION: passes.

ROLL CALL VOTE ON AMENDED RESOLUTION: 19 Ayes, 0 Nays, 2 Absent – Fried and Freudenberg.

STUDENT REPRESENTATIVES: 1 Aye, 1 Absent – Nichols.

AMENDED RESOLUTION #46-2015 -REZONE PETITION #4-2015: adopted.

OTHER BUSINESS:

Heal Creek Property Proposal – Mike Romportl, Land Information.

Discussion/Action on the Compromise Conceptual Plan for purchase of the Heal Creek property submitted by the City of Rhinelander and the Hodag Sports Club being located in Sections 10, 14 & 15 of Township 36 North, Range 8 East, Town of Crescent.

Mike Romportl, Land Information Director, explained the Heal Creek proposal stating the Land Records Committee received a Compromise Conceptual Plan for the purchase of the Heal Creek property by the City of Rhinelander, Town of Crescent and the Hodag Sports Club.

PUBLIC COMMENT: Steve Richardson, Crescent Board - Supports the Heal Creek proposal.
Virgil Davis, Hodag Sportsman Club, Supports the Heal Creek proposal.

Supervisor Mott stated “Hats off” to Joel Knutson, Joe Priebe, Virgil Davis, Board of Directors, Hodag Sports Club and Brian Pierce for working so well together on the proposal.

Supervisor Freudenberg arrived at 7:14 p.m.

MOTION/SECOND: Mott/Sorensen moves that Oneida County (a). Accepts the Compromise Conceptual Plan dated April 29, 2015, for the purchase of the Heal Creek property submitted by the City of Rhinelander and the Hodag Sports Club in its entirety and without modification; and (b). authorize the Land Information Office Director, Mike Romportl works with an LTE to survey

the line running through CR 144 and CR 201 that will divide the proposed city of Rhinelander ownership from the Hodag Sports Club proposed ownership (estimated cost of \$4,000 paid for from the sale of the property); and (c). authorize County Staff to work with the City of Rhinelander and the Hodag Sports Club to work out details in order to create a binding offer to purchase; and (d). authorize the County Clerk, Chair of the Land Records Committee, and the County Board Chair to sign the necessary documents for the offer to purchase by August 1, 2015, and to sign the necessary documents for closing, with an anticipated date of closing on the various parcels by March 1, 2016, or earlier. (e). release the County appraisal to the City of Rhinelander and the Hodag Sports Club.

Supervisor Jensen stated he would like to reveal the synopsis of findings on the 272 acre Heal Creek Tract. Market value stated on the 272 acreage is valued at \$272,000 (\$1,000/Acre).

ROLL CALL VOTE ON MOTION: 20 Ayes, 0 Nays, 1 Absent – Fried

STUDENT REPRESENTATIVE: 1 Aye, 1 Absent – Nichols

MOTION: passes.

County Board did not enter into a closed session.

Closed Session:

It is anticipated that the County Board may go into closed session pursuant to sec. 19.85 (1)(e) of the Wisconsin statutes for deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business whenever competitive or bargaining reasons require a closed session. Motion will be made to enter into closed session.

a) Heal Creek Property Proposal

Upon completion of this portion of the meeting, it is anticipated the County Board will make a motion to return to open session to consider the remainder of the meeting agenda.

Announcement of action taken in closed session [*NOTE: If the announcement of action taken in closed session would compromise the need for the closed session the action taken will not be announced. Any action taken in closed session will be announced when the need for the closed session has passed*].

NEXT MEETING DATE AND TIME: June 16, 2015 @ 9:30 a.m.

(unless a motion is made to change the starting time).

ADJOURNMENT:

MOTION/SECOND: Cushing/Sorensen to adjourn at 7:30 p.m. All “ayes” on voice vote, motion carries.