

**Amended
Oneida County Board of Supervisors
January 19, 2016 - Regular Meeting - 9:30 a.m.
Oneida County Courthouse
County Board Meeting Room 2nd Floor**

CALL TO ORDER:

Chairman Hintz called the meeting to order at 9:30 a.m. in the County Board Meeting Room of the Oneida County Courthouse

Chairman Hintz stated Supervisor Rudolph would like to say a word regarding Jean Hansen, **County Conservationist**. Supervisor Rudolph stated Jean passed away January 4, 2016. Jean fought a courageous battle with cancer. She was passionate and dedicated about Land, Water, and Conservation. Jean will be sadly missed.

Chairman Hintz would also like to include Judson Mangerson who also passed away stating he served on the County Board 1972-1980. At that time if you served on the City **Council** you would also serve on the County Board. Jud served in the Army from 1955 to 1958, he was an Eagle Scout and also served as Constable of the Town of Pelican. Jud also owned the Texaco Station on Lincoln Street.

There was a brief moment of silence for Jean Hansen, Judson Mangerson and for our troops here and overseas, followed by the Pledge of Allegiance.

MEMBERS PRESENT: Supervisors: Ted Cushing, Bill Freudenberg, Billy Fried, David Hintz, Jim Intrepidi, Mitchell Ives, Robb Jensen, Tom Kelly, Bob Metropulos, Bob Mott, Greg Oettinger, Sonny Paszak, Carol Pederson, Tom Rudolph, Jack Sorensen, Michael Timmons, Alan VanRaalte, and Lisa Zunker.

OF MEMBERS PRESENT: -18

SUPERVISORS EXCUSED: - 3 Supervisors: Holewinski, Krolczyk and Young

STUDENT REPRESENTATIVES PRESENT: 2 - Marie Aguirre and Amanda Morgan.

OTHERS PRESENT: Mary Bartelt, County Clerk; Melodie Gauthier, Chief Deputy Clerk; Brian Desmond, Corporation Counsel; Mike Romportl, Land Information; Dan Hess, Sherriff's Office, Karl Jenrich, Planning and Zoning; Freeman Bennett, Highway Department and Lisa Charbarneau, Labor Relations/Employee Services.

ANNOUNCEMENTS BY CHAIR, CORRESPONDENCE AND COMMUNICATIONS

- Sign Attendance Form at the Podium
- Please Use Microphones When Speaking
- The Finance Department is requesting all 2015 expenses/vouchers to be turned in as soon as possible.

ACCEPT THE MINUTES OF THE NOVEMBER 10, 2015 ANNUAL BUDGET MEETING AND NOVEMBER 18, 2015 SPECIAL MEETING .

MOTION/SECOND: **Cushing/Fried** to approve the November 10, 2015 Annual Budget meeting minutes and November 18, 2016 special meeting as presented.

Additions, deletions, corrections: Supervisor VanRaalte stated page 2 – under preliminary changes to the gross tax levy for 2016, under changes – line 5, after the word “due” insert the word “to”. Page 5 – Resolution #93-2015 in the minutes is an earlier version than the one sent to the County Board members and the correct one needs to be replaced in the minutes. Page 9 – On “Roll Call” on Amending the Motion”, it was questioned if Supervisor Mott voted nay, according to Supervisor Mott he did not vote nay and a correction to “Aye” will change the Roll Call Vote to 2 Ayes, 16 Nays, 3 Absent.

Supervisor Rudolph stated Page 2, under Budget Summary, line 6, “taxes” should read “tax” and under preliminary changes to the gross tax levy for 2016, under “Changes” line 10, “Exchanges” should be “Changes”. Under Capital Improvement Program Summary, line 4, strike the word “road”. On the November 18, 2016 minutes Supervisor Rudolph stated under Adjournment the time of adjournment is not entered. All “Aye” on voice vote to approve the adjusted minutes, motion carries.

REPORTS/PRESENTATIONS: - none.

* **PUBLIC COMMENT:** - none.

CONSENT AGENDA

- **Resolution #1-2016** offered by the Public Works Committee regarding county aid for the cost of installing a culvert of \$30,036.19 to be paid to the Town of Lynne. Money to come from the County Bridge Aid. (Removed from Consent Agenda) per Supervisor Rudolph.
- **Resolution #2-2016** offered by the Public Works Committee regarding county aid for the cost of installing a culvert of \$22,056.75 to be paid to the Town of Three Lakes. Money to come from the County Bridge Aid.
- **Resolution #3-2016** offered by Forestry, Land and Recreation Committee regarding the approval of the 2016 Oneida County Forest Work Plan.
- **Resolution #4-2016** offered by the Administration Committee authorizing 2015 budget transfers.
- **Resolution #5-2016** offered by the Administration Committee regarding borrowing from the Trust Funds of the State of Wisconsin the sum of \$360,000. For the purpose of refinancing General Obligations Bonds.
- **Resolution #6-2016** offered by the Labor Relations Employee Services Committee (LRES) regarding the creation of a new Community Health Specialist position.
- **Resolution #7-2016** offered by Land Records Committee regarding public sale of tax foreclosed parcels to the successful bidders. Parcel Identification Numbers: CA 574-5, CA 1291, CA 1293, MI 1813-7, NO 541-5B, and RH 1768.

Appointments to committees, commissions and other organizations

- To appoint Virgil Davis to the Law Enforcement Grievance Committee to finish Evelyn Hartlep's term ending April 2016.
- To reappoint Brian Jopek to the Veterans Service Commission for a term ending January 2019.

MOTION/SECOND: Cushing/Fried to accept the Consent Agenda.

Supervisor Rudolph would like to remove Resolution #1-2016 for discussion.

All "Aye" on voice vote to approve the Consent Agenda with the removal of Resolution #1-2016, motion carries.

Supervisor Jensen would like to compliment the Forestry Department on their 2016 work plan stating it was very informative. Supervisor Mott stated he would also like to compliment the Forestry Department on a record harvest and stumpage revenue this year; stating they are one of the few departments that brings money into the County, approximately 1.7 million. Well done Forestry Department!

CONSIDERATION OF RESOLUTIONS & ORDINANCES

RESOLUTION # 1-2016

Resolution offered by the Supervisors of the Public Works Committee.

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

WHEREAS, the Town of Lynne has filed a petition for County aid for the cost of installing a culvert under Section 82.08 over Gurgle Creek on Willow Road and

WHEREAS, the total cost of the labor, materials, and equipment was \$60,072.37 and the County share under Section 82.08 would be 50% of the \$60,072.37 or \$30,036.19

NOW, THEREFORE, BE IT RESOLVED, that \$30,036.19 be paid to the Town of Lynne, and the money to come from the County Bridge Aid Account.

Approved by the Public Works Committee this 24th day of November, 2015.

Consent Agenda Item: X YES NO

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

Freeman Bennett, Highway Department, stated this resolution is part of the town bridge aid in which \$25,000 of the Public Works budget is set aside for bridge aid. Townships apply for bridge aid and they are reimbursed 50% of the total cost. This culvert was in Gurgle Creek on Willow Road. The total cost of

the labor, materials, and equipment was \$60,072.37. The County's share under Section 82.08 would be 50% of the \$60,072.37 or \$30,036.19.

Supervisor Rudolph stated on the back of the Resolution #1-2016 they actually ask for an arch and not a culvert. Freeman Bennett stated they did install a bottomless arch and anything less than 21 feet is considered bridge aid for the townships and anything over is considered bridge. This falls under the 21 feet and is considered bridge aid. Culvert and arch are interchangeable and the word "culvert" in the resolution does not need to be replaced by the word "arch".

Roll Call Vote: 18 Ayes, 0 Nays, 3 Absent- Krolczyk, Young and Holewinski.

Student Representatives: 2 Ayes.

Resolution #1-2016: Adopted

RESOLUTION #8-2016 - REZONE PETITION #11-2015

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 #11-2015, (copy attached) which was filed August 3, 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 October 7, 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 land from District #02-Single Family to District #15-Rural Residential on property described as SW NW, Section 7, T38N, R8E, being PIN# LT 563, Town of Lake Tomahawk, Oneida County, Wisconsin.

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

WHEREAS, the owner of the property would like to rezone their property to allow for the housing of horses and;

WHEREAS, the request conforms to Lake Tomahawks future Land Use Plan and;

WHEREAS, The Town of Lake Tomahawk approved the rezone request and;

WHEREAS, On October 7, 2015, the Planning and Development Committee held a Public Hearing and the adjoining landowners were provided with a written notice of the change, one letter of support was received, and members of the public in attendance were in support and;

WHEREAS, The Planning & Development Committee has reviewed the general standards as specified in Section 9.86(F) 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 #11-2015:

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 #11-2015 is hereby adopted amending the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, by changing the zoning district classification from District #02-Single Family to District #15-Rural Residential on property described as follows:

SW NW, Section 7, T38N, R8E, being PIN# LT 563, Town of Lake Tomahawk, Oneida County, Wisconsin.

The County Clerk shall, within seven (7) days after adoption of Rezone Petition #11-2015 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to Lake Tomahawk Town Clerk.

Approved by the Planning and Development Committee this 4th day of November, 2015.

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

Roll Call Vote: 18 Ayes, 0 Nays, 3 Absent- Krolczyk, Young and Holewinski.

Student Representatives: 2 Ayes.

Resolution #8-2016: Adopted.

**RESOLUTION #9-2016 - GENERAL CODE OF ONEIDA COUNTY, WISCONSIN ORDINANCE
AMENDMENT #12-2015**

Ordinance Amendment offered by the Planning and Development Committee

WHEREAS, the Planning & Development Committee, having considered Ordinance Amendment #12-2015, (copy attached) which was filed September 16, 2015, (copy attached) to add Section 9.57, Moratorium on Livestock Facilities Licensing of the Oneida County Zoning and Shoreland Protection Ordinance, and having given notice thereof as provided by law and having held a public hearing thereon October 7, 2015 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

WHEREAS, the purpose of the ordinance is to allow Oneida County to impose a moratorium providing adequate time to study, review, consider, and determine whether amendments to the Oneida County Zoning and Shoreland Protection Ordinance or creation of a Livestock Facilities Zoning Ordinance is required to protect public health or safety in Oneida County; and

WHEREAS, the moratorium would prohibit new livestock facilities that will have 500 or more animal units; and

WHEREAS, the Planning and Development Committee held a public hearing and no one testified in opposition.

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

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

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

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

Section 4. Chapter 9 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

9.57 MORATORIUM ON LIVESTOCK FACILITIES LICENSING

A. Purpose and Intent

The purpose of this ordinance is to allow Oneida County to impose a moratorium providing adequate time to study, review, consider, and determine whether amendments to the Oneida County Zoning and Shoreland Protection Ordinance or creation of a Livestock Facilities Zoning Ordinance is required to protect public health or safety in Oneida County. Further, the imposition of a moratorium will allow Oneida County to determine whether it has adequate resources to enforce any new or existing livestock facility ordinance.

B. Authority

The Oneida County Board has the specific authority under Wisconsin Statutes including but not limited to §59.02(2) and §59.68 Wis. Stats.

C. Adoption

This ordinance, adopted by a majority vote of the Oneida County Board of Supervisors with a quorum present and proper notice having been given, provides for the imposition of a moratorium on the licensing of new livestock facilities that will have 500 or more animal units, and on the licensing of pre-existing livestock facilities that are undergoing an expansion if the number of animal units kept at the expanded facility will be 500 or more, provided that the moratorium does not apply to an applicant who has acquired legally vested rights to the issuance of a license prior to the adoption of this ordinance.

D. Definitions

1. Livestock Facility - A feedlot, dairy farm, or other operation where livestock are or will be fed, confined, maintained, or stabled for a total of 45 days or more in any twelve (12) month period. A "livestock facility" includes all of the tax parcels of land on which the facility is located, but does not include a pasture or winter grazing area. Related livestock facilities are collectively treated as a single "livestock facility" for purposes of this chapter.

except that an operator may elect to treat a separate species facility as a separate "livestock facility."

2. Related Livestock Facilities - Livestock facilities that are owned or managed by the same person, and related to each other in at least one of the following ways:
 - a. They are located on the same tax parcel or adjacent tax parcels of land.
 - b. They use one or more of the same livestock structures to collect or store manure.
 - c. At least a portion of their manure is applied to the same land spreading acreage.
3. Animal Unit - Has the meaning that was given in s. NR 243.03(3) as of April 27, 2004.

E. Moratorium Imposed

The Oneida County Board of Supervisors hereby imposes a moratorium on the licensing of new livestock facilities that will have 500 or more animal units and on the licensing of pre-existing livestock facilities that are undergoing an expansion if the number of animal units kept at the expanded facility will be 500 or more, provided that the moratorium does not apply to an applicant who has acquired legally vested rights to the issuance of a license prior to the adoption of this ordinance.

F. Duration of Moratorium

This moratorium shall be in effect for a period of twelve (12) months from the date this ordinance is passed by the County Board unless the County Board rescinds this moratorium at an earlier date. This moratorium may be extended for up to six (6) more months by a majority vote of the Oneida County Board of Supervisors.

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment #12-2015 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Town Clerks of Oneida County and the Wisconsin Department of Natural Resources.

Approved by the Planning and Development Committee this 4th day of November, 2015.
Offered and passage moved by: Supervisors Holewinski, Sorensen, Timmons and Fried.

Roll Call Vote: 18 Ayes, 0 Nays, 3 Absent- Krolczyk, Young and Holewinski.

Student Representatives: 2 Ayes.

Resolution #9-2016: Enacted.

RESOLUTION #10-2016 - REZONE PETITION #13-2015

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 #13-2015, (copy attached) which was filed October 27, 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 November 18, 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 land from District #02-Single Family to District #5-Recreational on property described as follows in the Town of Schoepke, Oneida County, Wisconsin:

That part of the SW NE and part of Government Lot 4, lying west of County Highway Q being part of parcel number SC 131, Section 13, T35N, R10E, PIN SC 131, Town of Schoepke.

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

WHEREAS, the land in question is currently being used as part of a commercial campground which has been in existence for over twenty (20) years and;

WHEREAS, this request was sponsored by the Town of Schoepke and;

WHEREAS, On November 18, 2015, the Planning and Development Committee held a Public Hearing and the adjoining landowners were provided with a written notice of the change and nobody had concerns against the change and;

WHEREAS, The Planning & Development Committee has reviewed the general standards as specified in Section 9.86(F) 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 #13-2015:

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 #13-2015 is hereby adopted amending the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, by changing the zoning district classification from District #02-Single Family to District #05-Recreational property described as follows:

That part of the SW NE and part of Government Lot 4, lying west of County Highway Q being a part of parcel number SC 131, Section 13, T35N, R10E, PIN SC 131, Town of Schoepke. Oneida County, Wisconsin.

The County Clerk shall, within seven (7) days after adoption of Rezone Petition #13-2015 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to Schoepke Town Clerk.

Approved by the Planning and Development Committee this 9th day of December, 2015.

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

Roll Call Vote: 18 Ayes, 0 Nays, 3 Absent- Krolczyk, Young and Holewinski.

Student Representatives: 2 Ayes.

Resolution #10-2016: Adopted.

RESOLUTION #11-2016

Resolution offered by the Supervisors of the Public Safety Committee

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

WHEREAS, Wisconsin Administrative Code § DOC 350.20 provides that a jail may use cells for double occupancy and specifically requires that the County Board and Sheriff jointly shall determine the adequate staffing needs when using cells for double occupancy; and

WHEREAS, the Sheriff has consulted with the Wisconsin Department of Corrections and discussed the matter with the Public Safety Committee,

WHEREAS, the Sheriff and the Public Safety Committee recommend that the minimum staffing requirements for double cell occupancy shall be as follows: Monday through Friday five (5) jailers on first shift, four (4) jailers on second shift; Saturdays and Sundays five (5) jailers on first shift, four (4) jailers on second shift.

NOW, THEREFORE, BE IT RESOLVED THAT the Oneida County Board Chairman shall enter into an agreement with the Oneida County Sheriff consistent with the terms of this Resolution to meet the requirements of Wisconsin Administrative Code § DOC 350.20.

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

Roll Call Vote: 18 Ayes, 0 Nays, 3 Absent- Krolczyk, Young and Holewinski.

Student Representatives: 2 Ayes.

Resolution #11-2016: Adopted.

RESOLUTION #12-2016

Resolution offered by Bob Mott and Bill Freudenberg.

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

WHEREAS, pursuant to Resolution 27-2015, Oneida County became a member of a multi-county transit commission known as the Forest-Oneida-Vilas Transit Commission, as authorized by Wis. Stat. Sec. 59.58(2) and Wis. Stat. Sec. 66.0301; and,

WHEREAS Forest County has since formally withdrawn from the Transit Commission; and,

WHEREAS, An amendment to the Transit Commission's Charter reflecting the new name of the

Transit Commission, "Oneida-Vilas Transit Commission," is required through approval of the Transit Commissions current member municipalities, Oneida County, and Vilas County.

NOW, THEREFORE, BE IT RESOLVED THAT the Forest-Oneida-Vilas Transit Commission Charter is amended, effective upon signature by the proper representatives of each county, changing the name of the commission to "Oneida-Vilas Transit Commission, both at the beginning of the Charter, and in all places in the charter in which the name occurs, in the form which is attached hereto.

BE IT FURTHER RESOLVED THAT the transit commission amended charter shall be signed by the County Board Chair and the Chair of the County Health and Aging Committee.

Offered and passage moved by: Supervisors Mott and Freudenberg.

Roll Call Vote: 18 Ayes, 0 Nays, 3 Absent- Krolczyk, Young and Holewinski.

Student Representatives: 2 Ayes.

Resolution #12-2016: Adopted.

RESOLUTION # 13-2016

Resolution offered by the Labor Relations Employee Services Committee.

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

WHEREAS, the Labor Relations Employee Services Committee (hereinafter LRES Committee), has reviewed the wage schedules for all general municipal employees for calendar year 2016 and the CPIU increase of .73%, as prepared by the Wisconsin Employment Relations Commission; and

WHEREAS, the wage increase set forth below has been recommended by the LRES Committee and included in the 2016 approved budget.

NOW, THEREFORE, BE IT RESOLVED, that the Oneida County Board of Supervisors does hereby approve the adjustments for calendar year 2016 based upon what has been recommended by the LRES Committee; and

BE IT FURTHER RESOLVED, that the general municipal employees shall receive the following:

- Exempt and Non-exempt wage schedules shall include an increase of .73% to the control point (Step 6) with all other steps to be calculated based on such increase effective January 2, 2016.

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

Approved by the Labor Relations Employee Services Committee this 13th day of January 2016.

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

Roll Call Vote: 17 Ayes, 1 Nay- Rudolph, 3 Absent- Krolczyk, Young and Holewinski.

Student Representatives: 2 Ayes.

Resolution #13-2016: Adopted.

OTHER BUSINESS:-none.

NEXT MEETING DATE AND TIME: March 15, 2016

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

ADJOURNMENT: MOTION/SECOND: Cushing/Rudolph to adjourn at 10:20 a.m. All "aye" on voice vote, motion carries.