

RESOLUTION # 26-2011

1 Resolution offered by Supervisors of the Ag. & Extension/Land & Water Conservation
2 Committee

3 Resolved by the Board of Supervisors of Oneida County, Wisconsin:
4

5 WHEREAS, Oneida County received a petition from the Lake Nokomis group
6 regarding the formation of the proposed Lake Nokomis Inland Lake Protection and
7 Rehabilitation District hereinafter referred to as the "Lake District"; and
8

9 WHEREAS, Oneida County staff, utilizing the 2009 tax roll data of Oneida and
10 Lincoln County, determined the total number of eligible landowners located in the
11 boundary of the proposed Lake District was 1,618 with 51% of the required signatures
12 being 826; and
13

14 WHEREAS, 826 signatures were needed to meet the 51% requirement, and only
15 768 signatures were eligible; and
16

17 WHEREAS, the Committee, after reviewing staff reports, determined that the
18 petitioners failed to meet the required signatures from 51% of the proposed Lake District
19 landowners; and
20

21 WHEREAS, the Committee after reviewing maps prepared by the Oneida County
22 Land Information Office showing the landowners who had signed the petition,
23 determined that the petitioners met the required signatures of landowners from 51% of
24 the land area within the proposed Lake District; and
25

26 WHEREAS, the Oneida County Board considered a resolution to approve the
27 proposed Lake District at their meeting on March 15th; and
28

29 WHEREAS, the County Board voted 13-5 to deny the formation of the proposed
30 Lake District; and
31

32 WHEREAS, Wisconsin Statute s. 33.26(3) the County Board is required to declare
33 its findings and issue a written order denying the petition ; and
34

35 WHEREAS, it was determined that the proposed district is not necessary, that
36 the public health, comfort, convenience, necessity or public welfare will not be promoted
37 by the establishment of the district, and that the property included in the district would
38 not be benefited by the district's establishment; and
39

40 WHEREAS, the Oneida County Board found the formation of the proposed lake
41 district to be unnecessary because the Lake Nokomis Concerned Citizens (LNCC) are
42 already working to address lake issues as they have organized an eradication effort to
43 eliminate Eurasian Water Milfoil, completed a comprehensive lake study, placed "no
44 wake" buoys in high traffic areas, and provided shoreline information to area residents;
45 and
46

47 WHEREAS, the public welfare will not be promoted by the formation of the Lake
48 District because it would unnecessarily burden the landowners located in the proposed
49 District with another tax in these economic times; and

50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

WHEREAS, the County Board found it to be unfair to the taxpayers in the proposed Lake District to have the requirement of signatures from 51% of the land area within the proposed Lake District be met by inclusion of Wisconsin Valley Improvement Company (who owns 46% of the land in the proposed area), a tax exempt corporation, i.e. not subject to the additional tax burden associated with the creation of the proposed lake district.

NOW, THEREFORE, BE IT RESOLVED, that the Oneida County Board formally denies the petition seeking the formation of the proposed Lake District for Lake Nokomis.

BE IT FURTHER RESOLVED THAT, the Oneida County Board of Supervisors hereby adopts the aforementioned reasons for denial as their findings for denial of the petition.

BE IT FURTHER RESOLVED THAT, this resolution shall serve as the written order of denial for purposes of Wisconsin Statute s. 33.26(3); and

BE IT FURTHER RESOLVED THAT, a copy of this resolution be provided to Ron Ament who represented the Lake Nokomis Concerned Citizens Group.

Approved by the Oneida County Ag. & Extension/Land and Water Conservation Committee this 11th day of April 2011.

Vote Required: Majority = _____ 2/3 Majority = _____ 3/4 Majority = _____

The County Board has the legal authority to adopt: Yes _____ No _____ as reviewed by the Corporation Counsel, _____, Date: _____

Offered and passage moved by: _____
Supervisor

Supervisor

Supervisor

Supervisor

Supervisor

Supervisor

101
102 _____ **Ayes**

103
104 _____ **Nays**

105
106 _____ **Absent**

107
108 _____ **Abstain**

109
110 _____ **Adopted**

111
112
113 **by the County Board of Supervisors this 19th day of April, 2011.**

114
115 _____ **Defeated**

116
117
118 _____
Mary Bartelt, Clerk **Ted Cushing, County Board Chair**