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**RESOLUTION #57-2012**

**GENERAL CODE OF ONEIDA COUNTY, WISCONSIN  
ORDINANCE AMENDMENT #**

**Ordinance Amendment offered by Supervisor Jack Martinson**

**WHEREAS**, the Lac du Flambeau Band of the Lake Superior Chippewa have reservation lands in Oneida County; and

**WHEREAS**, the Lac du Flambeau Band of the Lake Superior Chippewa have rights to the ceded territory of Wisconsin, which includes all of Oneida County; and

**WHEREAS**, the proposed mining project in the Town of Lynne could impact on the rights of the Lac du Flambeau Band of the Lake Superior Chippewa to the ceded territory; and

**WHEREAS**, because the rights of the Lac du Flambeau Band of the Lake Superior Chippewa may be affected they should have a seat at the table with the Forestry, Land and Outdoor Recreation Committee as an *ex officio* member in order to participate in the discussion and express their views.

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existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.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

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

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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 representatives of affected units of government, business and industry, 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 and a designee of the Lac du Flambeau Band of the Lake Superior Chippewa.

(f) A designee of any town in which mineral exploration, prospecting mining or reclamation 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.

Approved by Supervisor Jack Martinson this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

Vote Required: Majority = \_\_\_\_\_ 2/3 Majority = \_\_\_\_\_ 3/4 Majority = \_\_\_\_\_

The County Board has the legal authority to adopt: Yes \_\_\_\_\_ No \_\_\_\_\_ as

103 reviewed by the Corporation Counsel, \_\_\_\_\_, Date:  
104 \_\_\_\_\_  
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107 Offered and passage moved by: \_\_\_\_\_  
108 Supervisor  
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111 Seconded By: \_\_\_\_\_  
112 Supervisor  
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116 \_\_\_\_\_ Ayes

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118 \_\_\_\_\_ Nays

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120 \_\_\_\_\_ Absent

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122 \_\_\_\_\_ Abstain

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125 \_\_\_\_\_ Enacted

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128 by the County Board of Supervisors this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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130 \_\_\_\_\_ Defeated  
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133 \_\_\_\_\_  
134 Mary Bartelt, County Clerk Ted Cushing, County Board Chair  
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ONEIDA COUNTY  
FISCAL IMPACT  
PER DIEM FOR ONE EX OFFICIO MEMBER

	ANNUAL ESTIMATED # OF PER DIEMS	ESTIMATED COST
Committee Per Diem	12	420
Social Security		32
Workers Compensation		<u>1</u>
		453
Mileage	Estimated 75 mi	<u>410</u>
		862

Revenue Source: Commissions and Committees  
budget