

RESOLUTION #50-2013

Resolution offered by the Supervisors of the Administration Committee

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

WHEREAS, Corporation Counsel Office represents the County in a variety of civil legal matters; and

WHEREAS, The Oneida County Planning Office is investigating / working on two matters concerning a landowner (Skye); and

WHEREAS, One matter relates to a driveway owned by the landowner which was allegedly paved in violation of the Oneida County Zoning Ordinance; and

WHEREAS, A similar problem may exist regarding the driveway of Attorney Mike Fugle of the Corporation Counsel's Office, who lives next door to the landowner; and

WHEREAS, a third matter relating to possible future paving of a private road leading to the Skye driveway is also pending with the zoning office; and

WHEREAS, In addition to the landowner, Attorney Fugle would benefit from pavement of that private road; and

WHEREAS, Attorney Fugle has discussed legal issues relating to these matters with the private attorney representing the landowner; and

WHEREAS, the aforementioned issues create a conflict of interest to have Oneida County Corporation Counsel Office involved in the investigation or enforcement of these issues.

WHEREAS, County Code requires County Board authorization to hire outside counsel to act a corporation counsel; and

WHEREAS, the law firm that acts as Corporation Counsel for Forest County (Sommer, Olk, Schroeder and Payant of Antigo, WI) has indicated a willingness to act as Corporation Counsel for Oneida County in these matters at the rate of \$85.00/hour.

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors that outside counsel is approved to investigate and take necessary enforcement action regarding the issues stated above; and

BE IT FURTHER RESOLVED that an initial budget of \$8500.00 shall be allotted for this representation; and

BE IT FURTHER RESOLVED by the Oneida County Board of Supervisors that the County budget for fiscal year 2013 shall be amended to meet all projected costs with monies to come from the contingency fund.

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:

Approved by the Administration Committee this _____ day of _____, 2013.

Consent Agenda Item: _____ YES _____ NO

Offered and passage moved by: _____ Supervisor

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Supervisor

Supervisor

Supervisor

Supervisor

_____ Ayes

_____ Nays

_____ Absent

_____ Abstain

_____ Adopted

by the County Board of Supervisors this _____ day _____, 2013.

_____ Defeated

Mary Bartelt, County Clerk

Ted Cushing, County Board Chair