

**Oneida County Board of Supervisors  
Regular Meeting October 19, 2010**

County Board Chair Cushing called the meeting to order at 9:30 a.m. in the County Board Meeting Room at the Oneida County Courthouse. There was a brief moment of silence for our military here and overseas, followed by the Pledge of Allegiance.

**Members Present:** Supervisors Gary Baier, Greg Berard, Ted Cushing, Paul Dean, Billy Fried, David Hintz, John Hoffman, Jack Martinson, Matt Matteson, Bob Metropulos, David O'Melia, Sonny Paszak, Carol Pederson, Tom Rudolph, Jim Sharon, Denny Thompson, \*Michael Timmons, Romelle Vandervest, Peter Wolk, and John R. Young.

**Supervisors present:** 19

**Excused Supervisors:** 1 - Holewinski

**Student Representatives:** 5 – Melissa Scheffer, Erin Lawrence, Justin Bant, Eric Snyder and Marina Candela. – 1 excused – Laci McCann.

\*(appointed to serve as Supervisor for District #16 (see roll call below)

**Others Present:** Mary Bartelt, County Clerk, Brian Desmond, Corporation Counsel, John Potters, County Coordinator, Melodie Gauthier, Chief Deputy Clerk, Jim Winkler, Tom Wiensch, Mike Romportl, Dianne Jacobson, Honorable Judge Mark A. Mangerson and Michael Timmons.

**Appointment of Michael Timmons to County Board District #16.**

**Motion/second: Baier/Paszak to appoint Michael Timmons as County Board Supervisor for District #16. All "aye" on voice vote, motion carries.**

Honorable Judge Mark Mangerson administered the County Board oath of office for Mike Timmons.

**Introduction - "Teens Active in Government"**

Jim Winkler, 4-H Youth Development Educator, introduced the student representatives for "Teens Active in Government" as follows: Lakeland Union H.S - Erin Lawrence, Alternate – Justin Bant; Rhinelander H.S./Charter School - Melissa Scheffer –, Alternate – Eric Snyder and Three Lakes H.S - Laci McCann –, Alternate – Marina Candela.

**Announcements by Chair, Correspondence and Communications**

**Sign Attendance Form at the Podium**

**Please Use Microphones When Speaking**

**Accept the minutes of the September 21, 2010 regular meeting**

**Motion/second: John Hoffman / Romelle Vandervest to accept the September 21, 2010, minutes.**

No action taken.

Supervisor Rudolph pointed out errors to be corrected on the September 21, 2010 minutes

**Motion/second: Tom Rudolph/ Romelle Vandervest to accept the amended minutes of September 21, 2010. All "aye" on voice vote, motion carries.**

**Reports -** None

**Unfinished business -** None

**Public Comment -** None

**Consideration of resolutions & ordinances**

**Postponed Resolution #85-2010 -** Offered by Supervisors of the Finance Committee.

A RESOLUTION authorizing the submittal of a USEPA Brownfield Assessment Grant Application for a region-wide assessment of brownfield properties by the North Central Wisconsin Regional Planning Commissioner (NCWRPC) is forwarded to the full County Board without a recommendation.

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

**WHEREAS**, Federal monies are available under the US Environmental Protection Agency for the assessment and planning for brownfield; and

**WHEREAS**, Oneida County recognizes that the assessment, remediation and redevelopment of brownfields is an important part of protecting Wisconsin's resources; and

**WHEREAS**, the NCWRPC plans to submit a grant application to conduct environmental assessments and investigations of known and potential hazardous substance and petroleum product brownfields to initiate remediate planning, Oneida County declares its commitment to partner with NCWRPC, its constituent counties, and our local municipalities to complete the grant activities; and

**WHEREAS**, with this action the Oneida County Board has declared its commitment to participate in, support, and complete the Brownfield Assessment Grant activities described in the application if awarded funds; and

**WHEREAS**, it is necessary for the Oneida County Board of Supervisors to approve these actions; and

**WHEREAS**, the Oneida County Board has considered the need for the proposed activities and benefits to be gained;

**NOW, THEREFORE, BE IT RESOLVED,**

1. The Oneida County Board of Supervisors does approve and authorize the preparation and submittal of a USEPA Brownfield Assessment Grant Application for Hazardous Substances and Petroleum Products and the subsequent activities in support of an awarded grant; and

2. The Oneida County Board of Supervisors hereby authorizes the NCWRPC Executive Director to act on behalf of the County in matters concerning this project and to take the necessary steps to prepare, submit, and administer this program in accordance with this the grant application and this resolution.

Approved by the Finance Committee this 13<sup>th</sup> day of September, 2010.

Offered and passage moved by Supervisors: Ted Cushing and John R. Young.

**Motion/second: Gary Baier/ David O'Melia to table Postponed Resolution #85 indefinitely.  
(Follow-up if grant is received)**

**Roll Call Vote: 19 Ayes, 1 Nay, and 1 Absent (Holewinski)**

**Student Representatives: 3 Ayes, 0 Nays**

**Resolution # 86-2010** - offered by Supervisors of the Finance Committee.

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

**NOW, THEREFORE, BE IT RESOLVED THAT** the following Oneida County checks, being one year old or more, shall be written off the outstanding check record and shall be credited to the accounts of Oneida County by the Oneida County Treasurer with the exception that unclaimed wages outstanding longer than one year shall be reported and remitted pursuant to the State of Wisconsin's Unclaimed Property law, Chapter 177.

<u>Check Number</u>	<u>Date</u>	<u>Check Amount</u>	<u>Name</u>
231174	10/02/08	48.96	Ratliff, Melissa L.
231411	10/09/08	44.85	Jorata%rRobt/Julia Jora,Melis
231875	10/16/08	23.60	Cline, Tonya
232193	10/30/08	15.00	Brown, Samantha
232207	10/30/08	34.00	Rheaume-Brand, Megan
233127	11/26/08	122.27	Winkler, Jim
233159	11/26/08	25.00	Cooper, Mark
234617	12/23/08	54.53	Prochnow, David J
234622	12/23/08	91.51	Staltenberg, Bryan L
235696	01/22/09	20.00	Preferred Title LLC
236129	02/12/09	275.00	Walmart Community/GEMB
237255	03/05/09	73.50	Burzynski, Mary
238563	04/09/09	20.53	Pardun, Gerald W
239122	04/23/09	17.00	Ampco System Parking
239428	04/30/09	28.80	Kristek, Abby
240378	05/28/09	5.50	Fink, Lois
241228	06/18/09	155.00	Natl Assoc of Counties
241256	06/18/09	15.00	Frankovis, Jerrold
241618	07/01/09	22.18	Hass, Debora L
242677	07/30/09	113.65	Gehrig, Nancy L
242867	08/06/09	9.65	Kunda, Eugene
243184	08/13/09	62.29	Home Depot, Inc
244135	09/03/09	12.00	Williston, Joyce
244249	09/03/09	19.43	Frane, Daniel D

244254	09/03/09	19.98	Hoppe, David J
244733	09/17/09	1.20	Miller, Rebecca

Approved by the Finance Committee this 11th day of October 2010.

Offered and passage moved by Supervisors: Ted Cushing, David Hintz, Peter Wolk, John Hoffman and John R. Young.

**Motion/second: Romelle Vandervest / David O'Melia to waive the reading of Resolution #86-2010.**

**All "aye" on voice vote, motion carries.**

**Motion/second: Ted Cushing / Tom Rudolph to amend Line 68 to delete "9<sup>th</sup>" and "November" and add "19<sup>th</sup>" and "October".**

**Roll call vote: 20 Ayes, 0 Nays, 1 absent (Holewinski). Student representatives: 3 Aye, 0 Nays.**

**Roll call vote on amended resolution: 20 Ayes, 0 Nays, 1 absent (Holewinski). Student representatives: 3 Ayes, 0 Nays.**

**Resolution # 87-2010** - offered by Supervisors of the Finance Committee.

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

**WHEREAS**, pursuant to sec. 59.62(1)(2), Wis. Stats., the Oneida County Board may delegate to any officer or employee any authority assigned by law to the Board to invest County funds. Further, if the Board delegates authority under this section, the Board shall periodically review the exercise of the delegated authority by the officer or employee.

**WHEREAS**, pursuant to Oneida County Code 1.13(6)(a), the Oneida County Board has delegated this authority to the Oneida County Auditor/Finance Director with the restriction that the County Board shall review the County Auditor/Finance Director's exercise of this authority annually at the November meeting of the Board.

**WHEREAS**, the Oneida County Board hereby confirms that they have reviewed their delegation of the authority to invest County funds.

**NOW, THEREFORE, BE IT RESOLVED** that the Oneida County Board affirms that the authority assigned by law to the Board to invest County funds is hereby delegated to the Oneida County Auditor/Finance Director.

Approved by the Finance Committee this 11th day of October 2010.

Offered and passage moved by Supervisors: David Hintz, Peter Wolk and John Hoffman.

**Motion/second: David O'Melia / Ted Cushing to amend Line 52 to delete "9<sup>th</sup>" and "November" and add "19<sup>th</sup>" and "October".**

**Roll call vote: 20 Ayes, 0 Nays, 1 absent (Holewinski). Student representatives: 3 Aye, 0 Nays.**

**Roll call vote on amended resolution: 20 Ayes, 0 Nays, 1 absent (Holewinski). Student representatives: 3 Ayes, 0 Nays.**

**Resolution # 88-2010** - offered by Supervisors of the Finance Committee.

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

**WHEREAS**, the governing body of each county is required by secs. 34.05 and 59.61, Wis. Stats. to designate, by resolution, one or more public depositories, organized and doing business under Wisconsin or U.S. laws and located in Wisconsin; and

**WHEREAS**, one or more county depositories is required to be designated as a "working bank" under sec. 59.61, Wis. Stats., and Associated Bank North located at 8 West Davenport Street in the City of Rhinelander, Wisconsin has been so designated; and

**WHEREAS**, every federal or state credit union, state bank, federal or state savings and loan association, savings and trust company and mutual savings bank and every national bank, located in this State which complies in all respects as to public deposits with Chapter 34, Wis. Stats. and which will accept payments made by the State under sec. 16.412, Wis. Stats., may be designated as a public depository and may receive and hold public deposits; and

**WHEREAS**, all those banks, credit unions, savings and loan associations, trust companies and mutual savings banks which are state and federally chartered and are located in the State of Wisconsin, are qualified to be a public depository of County funds not immediately needed which funds may be invested in time deposits by the Investment Officer under the authority granted by secs. 59.61, 59.62, Wis. Stats., and sec. 1.13 of the Oneida County General Code.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that it hereby designates all those banks, credit unions, savings and loan associations, trust companies and mutual savings banks chartered under state and U.S. laws and located in the State of Wisconsin, and the Local Government Investment Pool as County depositories under secs. 59.61 and 34.05, Wis. Stats.

For purposes of enumeration, the financial institutions named below have made a specific request to be named an Oneida County depository and are so designated by way of this resolution:

Associated Bank NA, 8 W Davenport St., Rhinelander, WI 54501  
Associated Bank, Minocqua Branch, 8751 Highway 51N & 70W, Minocqua, WI 54548  
Citizens Bank, 5597 Highway 10E, Stevens Point, WI 54481  
CoVantage Credit Union, 502 W Pioneer St., Crandon, WI 54520-0365  
LaSalle St Securities, 10 E Courtney St., Rhinelander, WI 54501  
M&I Marshall & Ilsley Bank, 7 N Brown St., Rhinelander, WI 54501  
M&I Marshall & Ilsley Trust Company, 500 Third St., Wausau, WI 54402-0209  
Mid-Wisconsin Bank, 2170 Lincoln St., Rhinelander, WI 54501-0619  
Northwoods National Bank, 1255 Lincoln St., Rhinelander, WI 54501  
Park City Credit Union, 151 S. Courtney St., Rhinelander, WI 54501  
Peoples State Bank, 8 E Anderson St., Rhinelander, WI 54501  
Ripco Credit Union, 121 Sutliff Ave., Rhinelander, WI 54501  
River Valley Bank, 8590 Hwy 51 N, Minocqua, WI 54548  
US Bank, N.A., 9670 Hwy 70 W, Minocqua, WI 54548  
First National Bank of Eagle River, 400 East Wall St., Eagle River 54521  
First National Bank of Eagle River, 1811 Superior St. Three Lakes, WI 54562  
First National Bank of Eagle River, 240 Hwy 70 W, St. Germain, WI 54558  
First National Bank of Eagle River, 4534 County E. Phelps, WI 54555  
Tomahawk Community Bank, SSB, 15 East Washington Ave, Tomahawk, WI 54487

This resolution shall be effective for the term of one year, beginning November 9, 2010.

Approved by the Finance Committee this 11th day of October 2010.

Offered and passage moved by Supervisors: Ted Cushing, David Hintz, Peter Wolk, John Hoffman and John R. Young.

**Motion/second: David O'Melia / John Young to amend line 82 to delete "9<sup>th</sup>" and "November" and add "19<sup>th</sup>" day of "October".**

**Roll call vote: 20 Ayes, 0 Nays, 1 absent (Holewinski). Student representatives: 3 Aye, 0 Nays.**

**Roll call vote to approve as amended: 19 Ayes, 0 Nays, 2 absent (Holewinski and Baier). Student representatives: 3 Ayes, 0 Nays.**

**Resolution # 89-2010** - offered by Supervisors of the Finance and Insurance Committee.

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

**WHEREAS**, Section 65.90(5)(a) dictates that appropriations in the Oneida County budget may not be changed unless authorized by a vote of two-thirds of the entire membership of the County Board of Supervisors, and

**WHEREAS**, the Finance and Insurance Committee has reviewed and does recommend the 2010 transfers listed below,

**NOW, THEREFORE, BE IT RESOLVED**, the Oneida County Board of Supervisors authorizes and directs the budget transfers as listed below:

**APPLY CARRYFORWARD BALANCES TO 2010 BUDGET**

Public Health	21,000
Information Technology Services	25,601
Building and Grounds	75,000
Information Technology Services	13,193
Register of Deeds	9,533

**APPLY ADDITIONAL REVENUES RECEIVED TO RELATED EXPENSES**

Public Health	2,327
Department on Aging	14,166
Emergency Management	14,619
Department of Social Services	18,578

**REDUCE BUDGET TO REFLECT REVISED REVENUE PROJECTIONS**

Public Health	797
Department on Aging	2,638

Approved by the Finance and Insurance Committee this 11<sup>th</sup> day of October, 2010.

Offered and passage moved by Supervisors: Ted Cushing, David Hintz, Peter Wolk, John Hoffman and John R. Young.

**Motion/second: Romelle Vandervest / Tom Rudolph to waive the reading of Resolution #89 – 2010.**

**All “aye” on voice vote, motion carries.**

**Roll call vote: 20 Ayes, 0 Nays, 1 absent (Holewinski). Student representatives: 3 Ayes, 0 Nays.**

**Resolution # 90 – 2010 General Code/OA** - offered by Supervisors of the Large Assembly Committee.

**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 12.04 of the General Code of Oneida County, Wisconsin, is repealed and recreated as follows:

#### **12.04 LARGE ASSEMBLIES, REGULATION OF**

**(1) Intent. (a)** The purpose of this ordinance is to regulate the assemblage of large numbers of people, in excess of those normally needing the health, sanitary, fire, police, transportation and utility services regularly provided in this County, in order that the public peace and good order, the health, safety and welfare of all persons in this County, residents and visitors alike, may be protected.

**(b)** It is the intent of the Oneida County Board of Supervisors that all sections and provisions of this ordinance have an independent existence, and, should any section or provision be declared invalid or unconstitutional by a court of competent jurisdiction, it is the intent of the Board of Supervisors that any section or provision so declared shall be severable from and shall not affect the validity of the remainder of this ordinance.

**(c)** This ordinance shall be effective in all unincorporated areas of Oneida County. This ordinance shall not be effective in any incorporated municipality of Oneida County unless the governing body of that incorporated municipality passes an ordinance expressly authorizing the enforcement of this chapter within its corporate boundaries, and forwards a copy of said ordinance to the Oneida County Clerk.

**(2) License Required. (a)** No person shall permit, maintain, conduct, undertake or manage an actual or reasonably anticipated assembly of 1,000 or more people which continues or can reasonably be expected to continue for 8 or more consecutive hours, of 5000 persons for 4 or more consecutive hours, or 10,000 or more persons for 1 or more consecutive hours, with or without an admission fee, whether on public or private property, unless a license to hold the assembly has first been issued by the governing body of this County as hereinafter provided; application for which must be made at least thirty (30) days in advance of the assembly. A license to hold an assembly issued to one person shall permit any person to engage in any lawful activity in connection with the holding of the licensed assembly. Any person receiving a license under this ordinance shall, in preparation for, and while conducting the licensed assembly, comply with all applicable federal, state, and local codes of regulations, statutes, ordinances and other applicable laws. Such entities shall also ensure that all of their officers, board members, employees and agents shall comply with all such laws.

**(b)** As used in this ordinance:

(1) “Person” means an individual natural human being, partnership, corporation, firm, company, university, school, association, society or group;

(2) “Assembly” means a company of persons gathered together at any location at any single time for any purpose.

(3) “Law Enforcement Official” means the Oneida County Sheriff, deputy sheriff or deputized local police officer, police officer of another police or sheriff’s department with jurisdiction or providing mutual assistance under the law, the Oneida County Emergency Management Director, Oneida County Clerk, Oneida County Department Director, Oneida County Zoning Director, Oneida County Corporation Counsel, Oneida County Solid Waste Administrator, any fire chief, assistant fire chief or other fire department official of a jurisdiction in which the assembly is being held, an employee of any department or agency named above, and any other local, county, state or federal employee whose responsibility it is to enforce public safety laws or other laws within a jurisdiction within which the assembly is being held.

(4) "Responsible Person" means a natural person or persons, of at least eighteen years of age, designated by the applicant, at least one of whom shall be at the assembly at all times during the assembly, and each of whom shall severally have authority to make decisions and to commit necessary financial resources as reasonably required by the county to ensure compliance with this ordinance, accept notices, summonses and other legal process issued with respect to violations of statutes, ordinances, regulations and other laws.

(c) A separate license shall be required for each event and each location in which an assembly of the size and duration regulated by this ordinance is held; the fee for each license shall be \$100.00.

(d) A license shall permit the assembly of only the maximum number of people stated in the license. The licensee shall not sell tickets to nor permit to assemble at the licensed location more than the maximum permissible number of people.

(e) The license shall not permit the sound of the assembly to carry unreasonably beyond the enclosed boundaries of the location of the assembly.

(f) The license shall not permit cinders, noxious odors, fumes or gases to unreasonably emanate beyond the property line of the assembly.

(g) This ordinance shall not apply to any regularly established, permanent place of worship, stadium, athletic field, arena, auditorium, coliseum, or other similar permanently established place of assembly for assemblies which do not exceed by more than 250 people the maximum seating capacity of the structure where the assembly is held.

(h) This ordinance shall not apply to government financially sponsored fairs such as are held on regularly established fairgrounds nor to assemblies required to be licensed by other ordinances and regulations of this County.

(i) An applicant shall execute and file with the County Clerk's Office:

(1) An agreement which shall indemnify and hold harmless this County or any of its agents, officers, officials, servants and employees from any liability or causes of action which might arise by reason of granting this license;

(2) Certificates of insurance issued by insurance companies licensed to transact business with the State of Wisconsin providing that the applicant and the assembly are covered by a comprehensive general liability policy providing a minimum coverage of \$2,000,000 aggregate coverage; fire legal liability policy in the amount of \$2,000,000; and worker's compensation insurance as required by Wisconsin law.

**(3) Conditions for Issuing.** Before a license may be issued pursuant to this ordinance, the applicant shall first demonstrate compliance with the following requirements:

(a) Indicate the maximum number of people which will be assembled or admitted to the location of the assembly, provided that the maximum number shall not exceed the maximum number which can reasonably assemble at the location of the assembly in consideration of the nature of the assembly and provided that, where the assembly is to continue overnight, the maximum number shall not be more than is allowed to sleep within the boundaries of the location of the assembly by the zoning or health ordinances of this County.

(b) Provide proof that the applicant will furnish at his/her own expense before the assembly commences:

(1) A fence or other easily recognizable boundary marking system that completely encloses the proposed location; a fence may be required by the Large Assembly Committee if it is reasonably determined to be necessary to protect the health, safety and welfare of the attendees, the community, and/or neighboring property owners;

(2) Potable water, meeting the purity and safety standards of Wisconsin Admin. Code Chapter NR 809, for safe drinking water of less than the maximum contaminant level goals as set forth therein, sufficient to provide safe drinking water for the maximum number of people to be assembled;

(3) Separate enclosed toilets for males and females, meeting all state and local specifications, in numbers sufficient to comply with the requirements of Table 55.32, Wisconsin Admin. Code Chapter COMM 55, conveniently located throughout the grounds, together with an efficient, sanitary means of disposing of waste matter deposited; a supply of running water and a continuous supply of soap, or other type of hand washing station that is reasonably effective and sanitary, and paper towels shall be provided with each toileting area;

(4) A reasonable, sanitary and legal means of disposing of waste water from any portable water stations, portable washing stations and showers, with such waste water to be stored in containers of sufficient size that they need not be emptied more often than once every 24 hours, with no such waste water to be stored in uncovered containers, or to be stored in containers comprised of materials that are not reasonably durable and reasonably capable of resisting cutting, puncturing, rupturing and leaking;

(5) A sanitary method of disposing of solid waste, in compliance with state and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people to be assembled at the rate of at least 2.5 lbs. of solid waste per person per day, together with a plan for holding and a plan

for collecting all such waste at least once each day of the assembly and sufficient trash cans with tight fitting lids and personnel to perform the task;

(6) An emergency medical station capable of providing emergency treatment and first aid to the assemblage. Such station shall be staffed with personnel trained to, at minimum, the proficiency of a Wisconsin certified emergency medical technician (CEMT), at a level of two staff persons for an assembly of up to five thousand persons expected to assemble, and an additional staff person for each additional 2,500 people or portion thereof expected to assemble, and at least one emergency ambulance on site at all times whenever 10,000 or more people are assembled. The applicant shall also have a demonstrated means of contacting local emergency service providers in the event of an emergency that exceeds the capabilities of the onsite medical station;

(7) If the assembly is to continue during hours of darkness, illumination sufficient to light the main activity area of the assembly, toileting and washing areas, and areas of ingress, egress and parking at levels sufficient to ensure safety, but not to shine unreasonably beyond the boundaries of the location of the assembly.

(8) Reasonable parking for vehicles with space sufficient to provide parking space for the maximum number of people to be assembled at the rate of at least one parking space for every four persons.

(9) A minimum of either one hard wired telephone line, that shall be operational during the entire period that the event is being held or, in the alternative, the applicant may represent in writing that the applicant will have two (2) or more cellular phones that have been tested and found to function in the area and that will be in constant operation the entire period the event is held. The applicant shall include this phone number or numbers in the application. Additional wireless communications devices may be used as necessary to ensure that the event operators can contact emergency services at all times;

(10) If the assembly is to continue overnight, camping facilities in compliance with all state and local requirements as set forth in the Wisconsin Admin. Code and ordinances of this County, sufficient to provide camping accommodations for the maximum number of people camping;

(11) Security guards sufficient to provide adequate security for the maximum number of people to be assembled. A primary security officer, who is a licensed security officer in the State of Wisconsin or has other similar credentials, shall be designated, whose name, address and telephone number shall be provided to local law enforcement. As a condition of the license, local law enforcement officials shall be granted access to the site to ensure public safety;

(12) Fire protection, including but not limited to alarms, extinguishing devices and fire lanes and escapes sufficient to meet all state and local standards for the location of the assembly as set forth in the Wisconsin Admin. Code, ordinances of the County, and any other applicable law;

(13) All reasonable necessary precautions to ensure that the sound of the assembly will not unreasonably carry beyond the boundaries of the location of the assembly; and that the use of sound amplification devices shall be prohibited and shall not be used between the hours of twelve o'clock midnight and eight o'clock a.m., except in emergency situations which otherwise require such use;

**(4) Application. (a)** Application for a license to hold an actual or anticipated assembly of 1,000 or more persons shall be made in writing, on the County's approved application form, to the County Clerk of this County at least thirty (30) days in advance of such assembly. Within three (3) business days after receipt of any application, the County Clerk shall send a copy of such application and the time, date and place of their meeting at which the application shall be considered to the chair of the town in which the proposed assembly will be held, and to each agency listed under the definition of law enforcement official herein. The clerk shall also notify the applicant of the date, time, and location of the meeting at which the Large Assembly Committee will consider the application. Failure to provide a copy of the application, or notice to the town chair or any law enforcement official as required herein shall not preclude issuance of a license to an applicant.

**(b)** The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant and shall be signed and sworn to or affirmed by the individual making application in the case of an individual natural human being, by all officers in the case of a corporation, by all partners in the case of a partnership or by all officers of any unincorporated association, society or group or, if there be no officers, by all members of such association, society or group.

**(c)** The application shall contain and disclose:

(1) The name, residential and mailing addresses of all persons required by this ordinance to sign the application and, in the case of a corporation, a certified copy of the articles of incorporation together with the name, residence and mailing address of the primary officers of said corporation, and the name, residential and mailing addresses and telephone numbers of each responsible person as that term is defined herein;

- (2) The address and legal description of all property upon which the assembly is to be held together with the name, residence and mailing address of the record owner(s) of all such property;
- (3) Proof of ownership of all property upon which the assembly is to be held, or a valid, written lease executed by the property owner, and a statement made upon oath or affirmation by the record owner(s) of all such property that the applicant has permission to use such property for an assembly of 1,000 or more persons. If the property is owned by a corporation, proof that the person purporting to act for the corporation has actual authority of the shareholders of said corporation to authorize the use of the corporate real estate for the proposed purpose;
- (4) The nature or purpose of the assembly;
- (5) The total number of days and/or hours during which the assembly is to last;
- (6) The maximum number of persons which the applicant shall permit to assemble at any time, not to exceed the maximum number which can reasonably assemble at the location of the assembly, in consideration of the nature of the assembly, or the maximum number of persons allowed to sleep within the boundaries of the location of the assembly by the zoning ordinances of the County if the assembly is to continue overnight;
- (7) The maximum number of tickets to be sold, if any;
- (8) The plans of the applicant to limit the maximum number of people permitted to assemble;
- (9) The plans, including an accurate description of the means to be used, for marking the boundaries of the location of the assembly;
- (10) The plans for supplying potable water including the source, amount available and location of outlets;
- (11) The plans for providing toilet and lavatory facilities including the source, number and location, type, and the means of disposing of waste deposited;
- (12) The plans to provide for medical services and on-site first aide, to include the names and hours of availability of the medical support personnel, and provisions for contacting emergency medical service;
- (13) The plans, if any, to illuminate the location of the assembly as required by this ordinance;
- (14) The plans for parking vehicles including size and location of lots, how traffic flow and traffic control is to be maintained, points of highway access and interior roads including routes between highway access and parking lots;
- (15) The plans for telephone service including the source, number and location of the hard wired telephone;
- (16) The plans for camping facilities, if any, including facilities available and their location;
- (17) The plans for security including the number of guards and the name, address and telephone number of the primary security officer, along with certification that such information has been provided to local law enforcement agencies;
- (18) The plans for fire and severe weather protection and emergency response, including onsite capabilities to respond to fire or severe weather emergencies;
- (19) The plans for sound control and sound amplification, if any;
- (20) The plans for the sale, preparation and distribution of food and beverages, including a statement as to whether alcohol will be allowed, and/or served, and whether it will be sold or given away, and the method of disposal of solid waste, including but not limited to recyclables, garbage, trash, rubbish or other refuse accumulated as a result of such activities. If any person other than the person applying for the permit shall engage in the sale of food or beverages, the names, addresses, and license or permit number of such persons shall be included on the application. If such information is not known at the time of the application, a list shall be provided at least 15 days prior to the start of the assembly. All recyclables, garbage, trash rubbish and other refuse shall be stored in securely covered containers until removed from the assembly area. Such containers shall be maintained in a sanitary condition, shall not be over-filled, and shall be emptied at least once daily. Nothing herein shall be deemed to guarantee the issuance of any alcohol beverage license, or be deemed to be a waiver of any requirement for such license under any ordinance or other law.
- (21) If any tattooing or body piercing shall take place at the assembly, the plans to ensure that such practices are done in a safe and sanitary way, and in structures which have walls, ceilings and floors which are not composed of fabric, vinyl, or any other easily pliable material that is not durable, easily cleanable and which are such that there are no unreasonable openings to the outdoors which would allow the entry of dust, airborne contaminants, insects or other pests. Any such structures and artists shall also be licensed by the Oneida County Health Department, unless the code providing for such licensure provides an exception to the licensing requirement.
- (22) A map of the location of the assembly, which may be handwritten, but must be legible. The map need not be precisely to scale, but shall be reasonably close to scale. The map shall include all of those of the following things which will exist at the time of the assembly:
  1. Vehicular traffic routes.
  2. Fire Lanes.

3. Parking areas.
4. Camping areas.
5. Admissions areas.
6. Stage/performance areas.
7. Vendor areas.
8. Seating areas.
9. Office headquarters.
10. Emergency/medical stations.
11. Security/law enforcement areas.
12. Structures.
13. Sanitary facilities.
14. Potable water locations.
15. Any areas containing combustible or hazardous materials.
16. Fencing including accesses and gates."

**(d)** The application shall include: the above information in sufficient detail to determine the applicant's compliance with the requirements for issuance of a license hereunder.

**(e)** Applicants applying for licenses for assemblies which are substantially similar to licensed assemblies previously held by the same applicant may attach a copy of the previous application, however, all differences between the previous assembly, and the assembly for which the application is being made, must be clearly described in writing in the application.

**(5) Issuance.** The application for a license shall be processed within twenty (20) days of receipt. The application shall be reviewed by the Large Assembly Committee, with the assistance of law enforcement officials, to ensure compliance with this ordinance. The license shall be issued by the County Clerk if all conditions are complied with as determined by the Large Assembly Committee.

**(6) Revocation.** The license may be revoked by the governing body of Oneida County, the Large Assembly Committee, or any committee thereof designated by the governing body to so act at any time if any of the conditions necessary for the issuing of or contained in the license are not complied with, or if any condition previously met ceases to be complied with.

**(7) Enforcement. (a)** The provisions of this ordinance may be enforced by injunction of any court of competent jurisdiction and by citation issued by local law enforcement officials or officers and/or by designated County enforcement personnel.

**(b)** The holding of an assembly in violation of any provision or condition contained in this ordinance or any license issued hereunder shall be deemed a public nuisance and may be abated as such.

**(c)** Any person, firm, company or corporation, which or who violates 12.04(2), or who violates any condition upon which license is granted may be fined not less than \$1,000.00 or more than \$10,000.00 for each violation. Each day of violation shall be considered a separate offense.

Approved by the Large Assembly Committee this 20<sup>th</sup> day of September 2010.

Offered and passage moved by Supervisors: Matt Matteson, Jim Sharon and Bob Metropulos

**Motion/second: David O'Melia/Romelle Vandervest to waive the reading of Resolution # 90 – 2010 General Code/OA. All "aye" on voice vote, motion carries.**

**Roll call vote: 19 Ayes, 1 Nay (Martinson), 1 absent (Holewinski). Student representatives: 3 Ayes, 0 Nays.**

**Resolution # 91-2010** - offered by the Department on Aging Building Committee and the Finance and Insurance Committee.

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

**WHEREAS**, the Oneida County Board of Supervisors has agreed with Trygve Solberg to purchase the Northern Advantage Job Center for the price of \$1,358, 265.71; and

**WHEREAS**, the County has also agreed to pay for other costs associated with the transaction such as a survey, title insurance, etc; and

**WHEREAS**, the 2010 Oneida County budget will need to be amended in order to accomplish the purchase of the Northern Advantage Job Center;

**WHEREAS**, the County Finance Director has recommended that \$1,400,000.00 be allocated for the purchase (exclusive of any cost for remodeling); and

**WHEREAS**, Oneida County will also be required to pay relocation assistance claims to the current tenants of the Northern Advantage Job Center at an estimated cost of \$50,000 upon the purchase of the Northern Advantage Job Center.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors hereby authorizes the Department on Aging Building Committee, as its agent, to purchase the Northern Advantage Job Center building as set forth above, with the costs not to exceed \$1,400,000.00; and

**BE IT FURTHER RESOLVED**, that the Oneida County Board of Supervisors does hereby create a non-lapsing fund of \$50,000.00 to be used exclusively for payment of Relocation Assistance claims.

**BE IT FURTHER RESOLVED**, by the Oneida County Board of Supervisors that the County budget for fiscal year 2010 shall be amended to meet all projected costs as set forth in the fiscal impact statement, which is attached hereto and made a part hereof.

Approved by the Department on Aging Building Committee this 4<sup>th</sup> day of September, 2010.

Approved by the Finance and Insurance Committee this 11<sup>th</sup> day of October, 2010.

Offered and passage moved by Supervisors: (DOA Building Committee) Gary Baier, Ted Cushing Matt Matteson and Peter Wolk. (Finance & Insurance Committee) Ted Cushing, John Hoffman, Peter Wolk and David Hintz.

**Roll call vote: 20 Ayes, 0 Nays, 1 Absent (Holewinski). Student representatives: 3 Ayes, 0 Nays.**

ONEIDA COUNTY  
PURCHASE OF JOB ADVANTAGE CENTER BUILDING  
OCTOBER 2010

Building and Land Acquisition Cost	1,400,000
Relocation Assistance Fund	<u>50,000</u>
	1,450,000

Funding Sources

Transfer from DOA Donations	60,000
Transfer from DOA Fund Raiser Activities	90,000
Tax Levy from 2007 and 2008 Budget	400,000
Transfer from General Fund	<u>900,000</u>
	1,450,000

**Resolution # 92-2010** - offered by Supervisors of the Labor Relations Employee Services Committee.  
**Resolved by the Board of Supervisors of Oneida County, Wisconsin:**

**WHEREAS**, Resolution #62-2009 did create a non-represented Solid Waste Supervisor position, and

**WHEREAS**, the Solid Waste Director evaluated the staffing levels in the Department after the resignation of the Chemist position and reassigned administrative duties from the Hazmat Program to the Solid Waste Supervisor position and packing duties to limited term employee positions within the department and has recommended to the LRES Committee that the Solid Waste Supervisor position should increase from 1950 hours per year to 2080 hours per year in order to accommodate the addition of job duties, and

**WHEREAS**, the Labor Relations Employee Services Committee did discuss and concur with the recommendation of the Solid Waste Director.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that effective October 20, 2010 the Solid Waste Supervisor position, shall be increased to 2080 hours per year.

**BE IT FURTHER RESOLVED**, by the Oneida County Board of Supervisors that by adoption of this resolution it shall be deemed that an amendment has been made to the County budget for fiscal year 2010 to reflect all projected cost savings for the position as set forth in the fiscal impact statement which is attached hereto and made a part hereof.

Approved by the Labor Relations Employee Services Committee this 6<sup>th</sup> day of October, 2010.

Offered and passage moved by Supervisors: John R Young, Paul Dean, Ted Cushing, Scott Holewinski and Sonny Paszak.

**Roll call vote: 20 Ayes, 0 Nays 1 Absent (Holewinski). Student representatives: 3 Ayes, 0 Nays.**

**ONEIDA COUNTY  
FISCAL IMPACT  
Solid Waste Supervisor  
Increase Annual Hours from 1950 to 2080**

**2010 Wage Rates, 2010 Health Insurance Rates**

**Solid Waste Supervisor, Grade 10, Step 2**

	Annual Current 2010	Increase from 1950 to 2080 Hrs.	Annual Proposed 2010
Wages	39,506	2,634	42,140
Social Security	3,022	202	3,224
Retirement-er	2,291	153	2,444
Retirement-ee	2,449	163	2,612
Health Insurance	20,333		20,333
Life Insurance	32		32
Workers Compensation	1,126	68	1,194
Income Continuation Ins	<u>93</u>	<u>8</u>	<u>100</u>
	68,851	3,228	72,079
Less: 48% Chemist/Scale Operator in 2010 Budget		<u>(22,286)</u>	
Net Change		(19,059)	

Revenue Source: Solid Waste Fees

**Resolution # 93-2010-General Code/OA** - offered by Supervisors of the Labor Relations and Employee Services Committee .

**Whereas**, the Labor Relations and Employee Services Committee have met with the Deputy Sheriff Association and have ratified and implemented a successor labor agreement for 2009, 2010 and 2011, and

**Whereas**, the successor labor agreement contains an increase in the employees contribution to health insurance premiums from five percent to eight percent effective January 1, 2011, and

**Whereas**, the Labor Relations and Employee Services Committee has reviewed the health insurance contributions for Non-represented employees and Elected Officials and has determined the employee portion of premium should be increased to eight percent.

**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 4.50 Health Insurance of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

#### 4.50 HEALTH INSURANCE.

(1) Eligible employees shall be entitled to health insurance through the County's group health plan(s). Family plans shall be provided for employees requiring such coverage. The County will pay ~~ninety-five~~two percent (~~95~~2%) of the premium for regular full-time employees.

(a) The County may continue to offer coverage under a standard policy or offer dual choice options at its discretion. The County's financial responsibility shall be limited to pay ~~ninety-five~~two percent (~~95~~2%) of the least expensive dual choice or standard policy option.

(b) Employees on an unpaid leave of absence of greater than three (3) days may continue health insurance coverage at their own expense, except as otherwise provided.

(c) Health insurance coverage shall begin on the first day of the month following thirty (30) days of employment.

(2) In the event that two (2) individuals in the same household are employed by Oneida County and who could, under the rules of health insurance plan(s), qualify for coverage under one (1) family health insurance plan, the two (2) employees will be entitled to their choice of one (1) family plan or two (2) single health plans. In the event that employee should terminate his/her employment with the County for whatever reason, the remaining employee shall be entitled to convert to the family plan without:

a. Loss of coverage.

b. Proof of insurability.

c. Medical underwriting.

d. Incurring inclusions for preexisting conditions for the employee and any member of the employee's family previously covered under a policy with Oneida County.

(3) It shall be the employee's responsibility to notify the County Coordinator of any change in family status for any medical insurance with Oneida County. This shall include, but not be limited to, changing from family to single coverage. Such notification shall take place within 30 days of the change in family status. Failure to notify the County shall result in the employee assuming responsibility for the additional cost until proper notice is given. It shall also be the employee's responsibility to notify the County Coordinator of any change in family status due to marriage, divorce, death or change in the number of dependent children for health insurance coverage.

(4) The County may, from time to time, change health insurance carriers or self fund coverage. In the event that the County is contemplating a change in coverage, the bargaining groups will be notified of the proposed change and given the opportunity for input ten (10) days prior to the decision of the County Board.

(5) All disputes relating to insurance coverage are deemed as disputes between the employee and the insurance carrier and are not subject to any grievance provisions.

Approved by the Labor Relations Employee Services Committee this 6<sup>th</sup> day of October 2010.

Offered and passage moved by Supervisors: John R. Young, Paul Dean, Ted Cushing, Scott Holewinski and Sonny Paszak.

**Motion/second: David O'Melia/Romelle Vandervest to waive the reading of Resolution # 93-2010-General Code/OA. All "aye" on voice vote, motion carries.**

**Roll call vote: 20 Ayes, 0 Nays 1 Absent (Holewinski). Student representatives: 3 Ayes, 0 Nays.**

**Resolution # 94-2010** - offered by Supervisor Peter Wolk.

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

**WHEREAS**, the Housing Authority of the County of Oneida (the "Authority") is a public body corporate and politic duly created by the County of Oneida (the "County") and organized under and pursuant to Section 59.075, Wisconsin Statutes, as amended (the "Act"); and

**WHEREAS**, the Authority owns and operates a twenty-two unit low-income housing complex named "Woodland Lake Estates" in the Town of Woodruff, Wisconsin on Highway 51 in the County of Oneida (the "Facility"); and

**WHEREAS**, on September 1st, 2000, the Authority issued its \$325,000 Housing Revenue Bond (the "Bond") to M&I Merchants Bank to provide financing for the Facility; and

**WHEREAS**, the Bond has come due and the Authority is now in need of additional funds to refinance the remaining balance of the Bond; and

**WHEREAS**, the Authority proposes to borrow \$140,936.35 (the "Borrowing") from M&I Marshall & Ilsley Bank (the "Bank") for the purpose of refinancing the balance of the Bond; and

**WHEREAS**, such Borrowing will be payable solely from the revenues to be derived by the Authority from the operation of the Facility, and will not constitute an indebtedness of the Authority or the County and will not constitute or give rise to a pecuniary liability of the County or a charge against its general credit or taxing power; and

**WHEREAS**, the Bank has indicated that it is unwilling to make a loan in the amount of the Borrowing to the Authority without the additional security provided by a mortgage on the Facility; and

**WHEREAS**, pursuant to Wis. Stat. s. 66.1201, loans issued to a housing authority may be additionally secured by a mortgage of the housing project being financed, but only if such project is financed in whole or in part, or otherwise aided by a "government" within the meaning of Wis. Stat. s. 66.1201; and

**WHEREAS**, Oneida County, which is a "government" within the meaning of Wis. Stat. s. 66.1201, has previously, pursuant to a resolution adopted by the County Board of Supervisors on May 9, 1994, aided the housing project by the appropriation and donation of \$5000 to pay for feasibility and consulting services need in connection with the facility; and

**WHEREAS**, the County of Oneida now finds it necessary and desirable to approve the Borrowing by the Authority and certain other details with respect thereto.

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors  
Section 1. Approval of the Borrowing. The Borrowing by the Authority from the Bank is approved. The Borrowing is payable exclusively from the revenues derived by the Authority from the Facility, and does not in any way constitute or give rise to a pecuniary liability of the County or a charge against the general credit or taxing power.

Section 2. Requirement of Mortgage. The County approves and requests that the Authority grant a mortgage on the Facility, as additional security for the Borrowing in order to make it possible for the Authority and the Bank to proceed with the Borrowing.

Section 3. Certifications. The officers of the County are authorized to provide an appropriate certificate of the County with respect to the matters covered in this Resolution.

Section 4. Signatures. That the Chairperson of the Housing Authority and Secretary of the Housing Authority shall execute all documents necessary for the above referenced mortgage.  
Approved by the Supervisor Peter Wolk this 13<sup>th</sup> day of October, 2010.

Seconded by: Supervisor Gary Baier

**Roll call vote: 20 Ayes, 0 Nays 1 Absent (Holewinski). Student representatives: 3 Ayes, 0 Nays.**

**10. Other business** – None

**11. Adjournment**

**Motion/second: Tom Rudolph / Romelle Vandervest to adjourn the meeting at 11:25 a.m. All "aye" on voice vote, motion carries.**