

**Oneida County Board of Supervisors  
Regular Meeting May 20<sup>th</sup> 2008**

Chair Smith 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, followed by the Pledge of Allegiance.

Members present: Supervisors Gary Baier, Ted Cushing, Paul Dean, Franklin H. Greb, Larry Greschner, John Hoffman, Scott Holewinski, Jack Martinson, Matt Matteson, David O'Melia, Sonny Paszak, Patricia L. Peters, Wilbur Petroskey, Tom Rudolph, Jim Sharon, Andrew Smith, Denny Thompson, Romelle Vandervest, Charles Wickman, Peter Wolk and John R. Young.

Others present: Robert Bruso, County Clerk, Mary Bartelt, Deputy County Clerk, Brian Desmond, Corporation Counsel and John Potters, County Coordinator, Teens Active in Government; Samantha Stelmack, , Keri Kerns, and Danielle Larson (alternate). Jessie Starke, alternate was present. Both Michael Geiger (alternate) and Eric Klemm were absent.

Chairman Smith reminded Supervisors to use their microphones when addressing the floor and those addressing the Board to sign the attendance form at podium.

Jim Winkler, 4-H and Youth Development Agent for the University of Wisconsin – Extension, along with the County Board Supervisors recognized the Teens Active in Government by presenting them with certificates. Those present to receive their certificates were: Keri Kerns, Samantha Stelmack, Danielle Larson and Jessie Starke.

**Motion/second Hoffman/Petroskey** to accept the minutes for April 15, 2008. All “ayes” on voice vote.

**Motion/second Cushing/Vandervest** to accept the 2007 Oneida County Public Health Annual Report, 2007 Oneida County Social Services Department Annual Report, 2007 Oneida County Forestry Department Annual Report and the 2007 Oneida County Veteran Service Department Annual report. All “ayes” on voice vote.

**Unfinished Business - NONE**

**Resolution #32-2008/OA#4-2008** - – offered by Supervisors of the Planning & Zoning Committee regarding Section 9.91 Shoreland-Wetland Zoning (District 11) This resolution, by motion on 4/15/2008, was removed for consideration, referred back to the P & Z Committee.

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

**WHEREAS**, the Planning & Zoning Committee, having considered Ordinance Amendment #4-2008, (copy attached) which was filed February 14, 2008, to amend the Oneida County Zoning and Shoreland Protection Ordinance, and having given notice thereof as provided by law and having held a public hearing thereon March 5, 2008 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 Oneida County Board of Supervisors, in 1984 (resolution #55-84), adopted Shoreland/Wetland maps pursuant to NR 115.05 (2) (b); and

**WHEREAS**, the Wisconsin Department of Natural Resources (DNR) has updated the Wetland Inventory Maps; and

**WHEREAS**, the new maps are more accurate than the 1984 maps in showing wetlands; and

**WHEREAS**, all Towns were provided with written notice of said changes and no Town objected; and

**WHEREAS**, the Planning & Zoning Committee has carefully studied the proposed changes after listening to comments made at the public hearing and recommends approval; and

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

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

**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:** 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 the ordinance shall not be affected thereby.

**Section 4:** Additions noted by underline; deletions noted by ~~striketrough~~.

Chapter 9 of the Oneida County Zoning & Shoreland Protection Ordinance is amended as follows:

9.91 SHORELAND-WETLAND ZONING (DISTRICT 11)

B. Designation

1. Shoreland-Wetlands of ~~5~~ 2 acres or more

This district shall include all shorelands within the jurisdiction of this ordinance which are wetlands of ~~five~~ two (2) acres or more on the Wisconsin Wetland Inventory Maps dated 4/9/98 and 4/23/98. Those portions of wetland located in the shoreland area that extends across the corporate limits of a municipality, across the County boundary, or across the shoreland limits in the unincorporated area of the County, shall be included in this district if the total is ~~five~~ two (2) acres or more.

2. Shoreland-Wetlands of less than ~~5~~ 2 acres

In those wetlands that are less than ~~five~~ two (2) acres in size but are located in whole or in part within 200 feet of a navigable lake or stream a shoreland alteration permit is required for filling, draining, or dredging them.

C. Shoreland-Wetland District Boundaries

A shoreland-wetland zoning district (District 11) is created under this ordinance as depicted on Wisconsin Department of Natural Resources Wetland Inventory Maps dated 4/9/98 and 4/23/98. Where an apparent discrepancy exists between the Shoreland-Wetland District boundary shown on the Wisconsin Wetland Inventory maps and actual field conditions at the time the maps were adopted, the Zoning Administrator shall contact the Northern Region Service Center of the DNR to determine if the Shoreland-Wetland District boundary, as mapped, is in error. If the DNR staff concur with the Zoning Administrator that a particular area was incorrectly mapped as a wetland, the Zoning Administrator shall have the authority to immediately grant or deny a ~~land use or building~~ permit in accordance with the regulations applicable to the correct zoning district. In order to correct wetland mapping errors shown on the Wisconsin Wetland Inventory maps, the Zoning Administrator shall be responsible for initiating a shoreland-wetland map amendment within a reasonable period of time.

**Remainder of section to remain unchanged.**

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment #4-2008 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to all Town Clerks and the Wisconsin Department of Natural Resources.

Approved by the Planning and Zoning Committee this 19<sup>th</sup> day of March, 2008  
Offered and passage moved by Supervisors Bob Metropulos, Larry Greschner and Scott Holewinski.

**Motion/second Cushing/Greschner** to waive the reading of the Resolution #32-2008. All "ayes" on voice vote.

**Roll call: 20 aye 1 nay (Martinson) 0 absent 0 abstain.**

**Student Representatives: 3 aye 0 nay 2 absent (Klemm, Geiger) 0 abstain.**

**Resolution #37-2008 - offered by Supervisors of the Finance and Insurance Committee regarding 2008 Line Item Transfers.**

**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 2008 transfers listed below,

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

Transfer from:	Comm: Finance and Insurance Applied Continuing Appn-Risk Management
Transfer to:	Capital Equipment
Amount:	\$20,000
Re:	To apply carryforward monies to 2008 budget

Transfer from:	Comm: Finance and Insurance Info Tech Services Hardware
Transfer to:	Applied Continuing Appn-Emergency Fund
Amount:	\$10,000
Re:	To cover emergency funds spent in 2007

Transfer from:	Comm: Law Enforcement Applied Continuing Appn-Dive Team
Transfer to:	Dive Team Expenses
Amount:	\$78,642
Re:	To apply carryforward monies to 2008 budget

Transfer from:	Comm: Law Enforcement Applied Continuing Appn-Radios
Transfer to:	Capital Equipment
Amount:	\$23,225
Re:	To apply carryforward monies to 2008 budget

Transfer from:	Comm: Social Services State Aid-Social Services
Transfer to:	Social Services Expenses
Amount:	\$1,272
Re:	To apply additional state aids to related expenses

Transfer from:	Comm: Social Services State Aid-Community Integration Program
Transfer to:	Community Integration Program Expenses
Amount:	\$165,357
Re:	To apply additional state aids to related expenses

Transfer from:	Comm: Commission on Aging State Aids-Commission on Aging
Transfer to:	Commission on Aging Expenses
Amount:	\$811
Re:	To apply additional state aids to related expenses

Transfer from:	Comm: Board of Health State Aid-Prenatal Care
Transfer to:	Prenatal Care Expenses
Amount:	\$8,000
Re:	To apply additional state aids to related expenses

Transfer from:	Comm: Board of Health Public Charges-Prenatal Care
Transfer to:	Prenatal Care Expenses
Amount:	\$100
Re:	To apply additional public charges to related expenses

Transfer from:	Comm: Board of Health Fund Balance Applied-Maternal Child Health
Transfer to:	Maternal Child Health Expenses
Amount:	\$2,086
Re:	To apply carryforward monies to 2008 budget

Transfer from:	Comm: Board of Health Fund Balance Applied-Prevention
Transfer to:	Prevention Expenses
Amount:	\$2,000
Re:	To apply carryforward monies to 2008 budget

Approved by the Finance Committee this 28th day of April 2008.

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

Offered and passage moved by Supervisors Ted Cushing, Frank H. Greb, John Hoffman, Andrew P. Smith and John R. Young.

**Motion/second Hoffman/Vandervest** to waive the reading of Resolution #37-2008. All "ayes" on voice vote.

**Roll call: 21 ayes 0 nay 0 absent 0 abstain.**

**Student Representatives: 3 aye 0 nay 2 absent (Klemm, Geiger) 0 abstain.**

**Resolution #38-2008 - offered by Supervisors of the Agriculture & Extension Education Committee regarding the development of an Oneida County Teen Court.**

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

**WHEREAS**, the AEEC has encouraged the development of an Oneida County Teen Court as a prevention and early intervention program; and

**WHEREAS**, Teen Court in Wisconsin and the United States has provided another option for first time juvenile offenders; and

**WHEREAS**, Judge Mark Mangerson and Judge Patrick O'Melia of the Oneida County Judicial System have given verbal support of the creation of a Teen Court Exploration Committee; and

**WHEREAS**, a collaboration of county departments, schools and interested parties have begun the study process.

**NOW, THEREFORE, BE IT RESOLVED**, the Oneida County Board of Supervisors does hereby extend the authorization of a Teen Court Exploration Committee for a period of not more than one (1) year; and

**BE IT FURTHER RESOLVED**, the Teen Court Exploration Committee shall bring to the 2008-2009 County Board meeting an Ordinance Amendment creating the Oneida County Teen Court, outlining the operation of such program.

Approved by the Agriculture & Extension Education Committee this 8<sup>th</sup> day of May 2008.

Offered and passage moved by Supervisors Paul Dean, Thomas D. Rudolph, Wilbur Petroskey and Denny Thompson.

**Motion/second Dean/Wolk** to postpone Resolution #38-2008 and bring back June 17, 2008.

**Roll call: 17 aye 4 nay (Baier, Wickman, Rudolph, Petroskey) 0 absent 0 abstain.**

**Student Representatives: 0 aye 3 nay (Kerns, Stelmack, Larsen) 2 absent (Klemm, Geiger) 0 abstain.**

**Resolution #39-2008 - offered by Supervisors of the Law Enforcement and Judiciary Committee regarding the Wireless Emergency 911 surcharges in the Budget Repair Bill.**

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

**WHEREAS**, the Wisconsin State Legislature allocates funding for Wireless Emergency 911 surcharges to the counties of the State of Wisconsin; and

**WHEREAS**, the current funding for Wireless Emergency 911 surcharges is scheduled to end on November 30, 2008; and

**WHEREAS**, the Wisconsin State Legislature has not passed legislation regarding Wireless Emergency 911 surcharges beyond November 30, 2008; and

**WHEREAS**, the Wireless Emergency 911 surcharge funds the maintenance of technology that locates wireless phone users who call 911 for emergency services; and

**WHEREAS**, approximately 61% of all calls that come into Oneida County's Communications Center are from wireless phones; and

**WHEREAS**, this technology greatly reduces response times to accident or crime scenes; and

**WHEREAS**, Oneida County will have a shortfall of \$1,130 in the Fiscal Year 2008 budget if the State Legislature does not include Wireless Emergency 911 surcharges in the Budget Repair Bill; and

**WHEREAS**, Oneida County will have a shortfall of \$13,561 in the Fiscal Year 2009 budget if the State Legislature does not include Wireless Emergency 911 surcharges in the Budget Repair Bill; and

**WHEREAS**, all of the various computer hardware and software equipment purchased for Wireless Emergency 911 will continue to need to be replaced and upgraded and funds should be made available by the State Legislature for this purpose; and

**WHEREAS**, all counties in the State of Wisconsin will be adversely affected by the elimination of the current Wireless Emergency 911 surcharges.

**NOW, THEREFORE, BE IT RESOLVED:** That the Oneida County Board of Supervisors respectfully requests that the Wisconsin State Legislature include Wireless Emergency 911 surcharges in the Budget Repair Bill; and

**BE IT FURTHER RESOLVED** that the County Clerk shall forward a copy of this resolution to the Governor of the State of Wisconsin, the Majority Leader of the Wisconsin State Senate, the Speaker of the Wisconsin State Assembly, the Oneida County legislative representatives, the Wisconsin Counties Association, and to all counties in the State of Wisconsin.

Approved by the Law Enforcement & Judiciary Committee this 7th day of 2008.

Offered and passage moved by Supervisors David O'Melia, Ted Cushing, John R. Young, Peter Wolk and Paul Dean.

**Motion/second Rudolph/Matteson** to amend Line 34 and insert the word “be” after the word “need”.

**Roll call to amend resolution: 21 ayes 0 nay 0 absent 0 abstain.**

**Student Representatives: 3 aye 0 nay 2 absent (Klemm, Geiger) 0 abstain.**

**Roll call approving amended resolution: 21 ayes 0 nay 0 absent 0 abstain.**

**Student Representatives: 3 aye 0 nay 2 absent (Klemm, Geiger) 0 abstain.**

**Resolution #40-2008 - offered by Supervisor Gary Baier regarding the Continuation of the Department on Aging Building Committee.**

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

**WHEREAS**, the Oneida County Board, by enacting Resolution #77-2007, created the Department on Aging Building Committee to complete the following tasks:

1. Research, evaluate and recommend for approval by the Oneida County Board of Supervisors a suitable property for a Department on Aging facility, taking into consideration the cost of the purchase and development of the site, including utilities, and the indirect and continuing costs which will be incurred by the County, including personnel costs, and to allow for reasonably anticipated expansion of the facility in the future, so as to best serve the overall interests of Oneida County.
2. Recommend for approval by the Oneida County Board of Supervisors a necessary advance from the General Fund for the purchase of the property referred to in paragraph 2, site development, including the cost of bringing necessary utilities to the site or any other related site requirements.
3. Develop the Requests for Proposals necessary for the provision of architectural and engineering services relative to design, development of construction documents and construction contract administration, for the development of a Department on Aging facility, to be located in the Rhinelander, Wisconsin, area, the solicitation of appropriate architectural and engineering firms to provide such Statements of Qualifications, and the review and selection of an architectural and engineering firm for such project subject to final review and approval by the Oneida County Board of Supervisors.
4. Develop Requests for Proposals for financial services for such project for final review and approval by the Oneida County Board of Supervisors.
5. Retain a Project Advisor possessing demonstrated architectural and engineering training and construction experience to assist the Committee in defining the level of services which should be required from the architectural and engineering firm, subject to final review and approval by the Oneida County Board of Supervisors, to assist the committee in monitoring the contracts for architectural and engineering services and the construction project itself and to report to the committee any violations, changes or need to enforce the provisions of said contracts.; and

**WHEREAS**, the Department on Aging Building Committee was to complete their work and issue a report with its recommendations to the Oneida County Board of Supervisors within 6 months of their first meeting or return to the County Board for an extension of time to complete these tasks; and

**WHEREAS**, the Department on Aging Building Committee has completed its allowed six months of meetings and has not accomplished the goals set forth in Resolution #77-2007 (listed above); and

**WHEREAS**, the County Board recognizes the need for the continuation of the Department on Aging Building Committee in order to accomplish the above listed goals; and

**WHEREAS**, the Department on Aging Building Committee requires another 6 month period in order to accomplish the above listed goals;

**NOW, THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors does hereby extend the authorization of the Department on Aging Building Committee for a period of one (6) months under the same terms and conditions as set forth in Resolution #77-2007; and

**BE IT FURTHER RESOLVED**, that this the Department on Aging Building Committee shall bring to the October 2008 County Board meeting a report outlining its efforts to accomplish the tasks assigned to it in Resolution #77-2007; and

**BE IT FURTHER RESOLVED**, that the Department on Aging Building Committee shall then disband and cease operation effective at the close of business on the day of the October 2008 Oneida County Board meeting unless the County Board grants a further extension of time to complete the goals set forth in Resolution #77-2007.

Approved by Supervisor Gary Baier on April 8<sup>th</sup> 2008. Seconded by Supervisor Larry Greschner.

Offered and passage moved by Supervisor Gary Baier.

**Motion/second Baier/Greschner** to amend Line 54 to delete the work “one” and add the word “twelve” and delete (6) and insert (12) and on Lines 57 and 60 to delete “October 2008” and insert “May 2009”. All “ayes” on voice vote to amend resolution.

**Motion/second Baier/Greschner** to withdraw amended resolution and resubmit at a later date.

**Roll call: 21 ayes 0 nay 0 absent 0 abstain.**

**Student Representatives: 3 aye 0 nay 2 absent (Klemm, Geiger) 0 abstain.**

**Resolution #41-2008-General Code/OA - offered by Supervisors of the Land & Water Conservation Committee regarding Section 10.05 – Illegal Transport of Aquatic Plants and Invasive Animals.**

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

**Whereas**, the Oneida County Board of Supervisors recognizes tourism as a major source of income for Oneida County businesses and residents; and

**Whereas**, the Oneida County Board of Supervisors further recognizes that aquatic invasive species in Oneida County lakes, rivers and streams is a major threat to the tourism economy; and

**Whereas**, the Oneida County Board of Supervisors seeks to protect Oneida County lakes, rivers and streams from further infestation of aquatic invasive species for protection of the tourism based economy; and

**Whereas**, one of the main sources that contributes to the spread of aquatic invasive species is through their transport by boat, boat trailer, personal watercraft and its associated trailer, canoe, kayak, or boating equipment, fishing equipment, hunting and/or trapping equipment including but not limited to personal floatation devices, nets, anchors, fishing lines, decoys, and waders.

**Whereas**, the Oneida County Board of Supervisors seeks to control the spread of aquatic invasive species by making it illegal to transport aquatic invasive species on any boat, boat trailer, personal watercraft and its associated trailer, canoe, kayak, or boating equipment, fishing equipment, hunting and/or trapping equipment including but not limited to personal floatation devices, nets, anchors, fishing lines, decoys, and waders.

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

**10.05 ILLEGAL TRANSPORT OF AQUATIC PLANTS AND INVASIVE ANIMALS**

(1) PURPOSE AND STATUTORY AUTHORITY. The purpose of this ordinance is to prevent the spread of aquatic invasive species in Oneida County and surrounding water bodies in order to protect property values and the property tax base and ensure quality recreational opportunities. This ordinance is adopted under authority of Section 59.03 of the Wisconsin Statutes.

(2) DEFINITION OF AQUATIC PLANTS AND INVASIVE ANIMALS.

(a) “Aquatic plant” means a non-woody submergent, emergent, free-floating, or floating-leaf plant that normally grows in or near water and includes any part thereof. “Aquatic plant” does not mean wild rice when being harvested with a permit issued under NR 19.09 or any rights proffered by the Treaty of 1838.

(b) “Invasive animal” means all vertebrate and invertebrate species including zebra mussel, quagga mussel, rusty crayfish, spiny water flea, or any other aquatic invasive animal prohibited by the state.

(3) PROHIBITED TRANSPORT OF AQUATIC PLANTS AND INVASIVE ANIMALS. No person may operate a vehicle or transport any boat, boat trailer, personal watercraft and its associated trailer, canoe, kayak, or boating equipment, fishing equipment, hunting and/or trapping equipment including but not limited to personal floatation devices, nets, anchors, fishing

lines, decoys, and waders, from navigable waters onto any roadway open to the public if aquatic plants or invasive animals are attached.

All aquatic plants or invasive animals shall be removed before entering a roadway open to the public or before launching a boat or equipment or trailer in navigable water.

If in the course of removing a boat from water, the temporary existence of a boat and trailer creates a safety hazard if not immediately transported along a public roadway, a person may transport without violation of this ordinance to the first suitable and safe location and there clean and remove any remaining aquatic plants or invasive animals consistent with this ordinance.

(4) EXCEPTIONS TO TRANSPORT OF AQUATIC PLANTS AND INVASIVE ANIMALS. Unless otherwise prohibited by law, a person may transport aquatic plants:

- (a) for disposal as part of a harvest or control activity conducted under an aquatic plant management permit issued under ch. NR 109.
- (b) when transporting commercial aquatic plant harvesting equipment away from any water body to a suitable location for purposes of cleaning any remaining aquatic plants or animals.
- (c) when conducting an aquatic plant study for the purposes of vouchering specimen or conducting an educational workshop and in a closed container.
- (d) when harvested for personal or commercial use, such as to be used as compost or mulch, and in a closed container.
- (e) for purposes of shooting or observation blinds for waterfowl hunting during the waterfowl season, if the aquatic plants used for these blinds are emergent, cut above the waterline, and contain no aquatic invasive species. All other equipment shall have aquatic plants and invasive animals removed before entering a roadway open to the public.

(5) CITATION AND ENFORCEMENT.

- (a) Any person who violates a provision of this ordinance shall be subject to a forfeiture of not less than \$200 and not more than \$500 for the first offense and each subsequent offense. Said person shall be also subject to court costs for such violation.
- (b) Each violation shall be considered a separate offense.
- (c) Legal action may be initiated against a violator by the issuance of a citation pursuant to Sec. 66.0113(1)(a)(2005). Said citation may be issued by a law enforcement officer of Oneida County.
- (d) The citation shall contain the following:
  - i. The first, middle, and last name, address, and date of birth of the alleged violator.
  - ii. Factual allegations describing the alleged violation.
  - iii. The date, time and place of the offense.
  - iv. The ordinance and section of the violation.
  - v. A description of the offense in such a manner as can be readily understood by a person making a reasonable effort to do so.
  - vi. The date and time at which the alleged violator may appear in court.
  - vii. A statement which, in essence, informs the alleged violator:
    - (a) That a cash deposit based on the schedule established by this section may be made which shall be delivered to the Clerk of Courts prior to the time of the scheduled court appearance.
    - (b) That if a deposit is made, no appearance in court is necessary unless subsequently summoned.
    - (c) That if a cash deposit is made and the alleged violator does not appear in court, they will be deemed to have entered a plea of no contest or, if the court does not accept the plea of no

contest, a summons will be issued commanding them to appear in court to answer the complaint.

- (d) That if no cash deposit is made and the alleged violator does not appear in court at the time specified, an action may be commenced to collect the forfeiture.
- (e) A direction that if the alleged violator elects to make a cash deposit, the statement which accompanies the citation shall be signed to indicate that the statement required under Paragraph D.(7), above, has been read. Such statement shall be brought with the cash deposit.
- (f) Such other information as the County deems necessary.

(e) Section 66.0113(3), Wis. Stats. relating to violator's options and procedure on default, is hereby adopted and incorporated herein by reference.

Approved by the Land and Water Conservation Committee on this day of \_\_\_\_\_, 2008.

Offered and passage moved by Supervisors Thomas D. Rudolph, Gary Baier, Wilbur Petroskey, Rod Kucamarski, Jack Martinson and Matt Matteson.

**Motion/second Greschner/Petroskey** to waive the reading of Resolution #41-2008. All "ayes" on voice vote.

**Motion/second Greb/Greschner** to remove Lines 65 thru 68.

**Roll call: 10 ayes 11 nays (Hoffman, Paszak, Matteson, O'Melia, Rudolph, Martinson, Wickman, Peters, Baier, Sharon, Smith. 0 absent 0 abstain.**

**Student Representatives: 1 aye 2 no 2 absent (Klemm, Geiger) 0 abstain.**

**Motion to amend failed.**

**Roll call: 14 aye 7 nay (Baier, Peters, O'Melia, Wolk, Sharon, Greschner, Holewinski) 0 absent 0 abstain.**

**Student Representatives: 3 aye 0 nay 2 absent (Klemm, Geiger) 0 abstain.**

**Resolution #42-2008-General Code/OA – offered by Supervisors of the Forestry, Land and Outdoor Recreation Committee regarding amending**

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

**WHEREAS**, over of course of the past 18 months, the Forestry, Land, and Outdoor Recreation Department has been developing a recreational campground facility located in the Enterprise Block of the Oneida County Forest; and

**WHEREAS**, the aforementioned campground will be the first formally designated campground facility managed by the Forestry, Land, and Outdoor Recreation Department; and

**WHEREAS**, no campground regulations or campground administrative policies currently exist in Oneida County General Code Chapter 14 Forestry and Outdoor Recreation or Chapter 25, Section 25.04; and

**WHEREAS**, the Forestry, Land, and Outdoor Recreation Committee and Department have recognized that the management of a specialized public recreation facility such as a campground requires the establishment of specialized regulations and administrative policies to be successful; and

**WHEREAS**, the Forestry, Land, and Outdoor Recreation Department, has developed a comprehensive list of regulations and administrative policies for the management of a campground facility, and

**WHEREAS**, the Forestry, Land, and Outdoor Recreation Committee has reviewed the proposed campground regulations and administrative policies and have determined that Chapter 14 and Chapter 25, Section 25.04 of the Oneida County General Code should be amended to include said regulations and administrative policies.

**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 14 and Chapter 25, Section 25.04 of the General Code of Oneida County, Wisconsin, are amended as follows [additions noted by underline, deletions noted by strikethrough]:

**14.01 FORESTRY, LAND AND OUTDOOR RECREATION COMMITTEE.**

(2) **DEFINITIONS.**

Camping, means the use of any shelter such as a tent, trailer, motor vehicle, tarpaulin, bedroll, or sleeping bag for temporary residence or sleeping purposes.

County forest road system. That system on which Oneida County receives State of Wisconsin, Department of Transportation road aids and are indicated as County Forest roads in the County Forest ~~Ten~~ Fifteen-Year Plan.

County forest fifteen-year plan. The Oneida County Forest Fifteen-Year Comprehensive Land Use Plan.

(5) ADMINISTRATION OF OUTDOOR RECREATION.

- (b) Subject to budget limitations and in accordance with the Outdoor Recreation Plan approved by the Board and provisions of this chapter, the Committee shall establish, construct and maintain, wherever the County deems desirable within the forest and on County Forest Special Use Lands, recreation areas, including but not limited to, picnic grounds, designated campgrounds, waysides, public access roads and boat landings, scenic areas, and trail networks, and shall designate, mark and preserve places of natural or historic interest and significance. Management and regulatory control of all County recreation areas is specifically designated to this Committee.

**14.07 FOREST USE REGULATIONS.** (Am. #107-2005)

(1) TIMBER CUTTING. (Am. #107-2004)

- (b) Noncommercial cutting.

2. The cutting and/or removal of trees or wood products including, but not limited to, branches, tree tops, logging residue, firewood, pulpwood, boltwood or sawlogs from County-owned land is prohibited unless the person doing the cutting or removal is the holder of a valid written permit that has been issued by the Department, except registered campers staying at a designated campground may collect dead and down woody material for use as firewood during their registered stay at the campground.

(2) GENERAL USE.

- (a) No overnight camping including tents, trailers, cars, trucks, portable hunting or fishing cabins is permitted in the County forests or its developed recreation areas. They are to be considered day use facilities. Except as follows:

2. ~~2.~~ During the deer rifle hunting season camping will be allowed in the County forest from the Thursday prior to the opening weekend until the Sunday following Thanksgiving Day. Campers staying in areas other than a designated campground must register with the Department's Courthouse Office.

Registered campers staying at a designated campground. See section 14.18 of this code for regulations related to designated campgrounds.

- (d) Collection of materials prohibited. Collection or removal of materials, such as but not limited to, nuts fruits, berries, wildflowers, ground pines, mosses or mushrooms for resale or for commercial purposes is prohibited. Conifer cones may be collected for resale to nurseries for reforestation purposes. See section 14.18 of this code for regulations related to collection of materials in County campgrounds.

**14.10 DEFINITIONS.**

Unless the context specifically indicated otherwise, the meaning of the terms used in this subchapter shall be as follows:

- (1) RECREATION AREAS. (Am. #107-2005) All lands and water heretofore and hereafter acquired by the County or placed under the jurisdiction of the Committee and designated by ~~signing~~ signage or, as a matter of record, as a distinct unit for special recreational functions to include swimming areas, picnicking areas, fishing areas, nature study areas, campgrounds, and general recreation areas. The following are designated as County recreation areas:

- (f) Enterprise Forest Campground

#### **14.13 RULES AND REGULATIONS.**

- (1) CLOSING HOURS. No person shall enter or be in any County recreation area between the hours of sunset and the following sunrise. All County recreation areas, waysides, boat landings and special use areas, shall only be considered day use facilities, and no overnight camping shall be allowed. County campgrounds are exempt from closing hour regulations. Regulations pertaining to designated campground use are listed in section 14.18 of this code. Persons transporting watercraft to and from designated boat landings are permitted at any hour.
- (10) GLASS PROHIBITED. No glass containers are allowed in any County recreation areas except in designated campgrounds.
- (11) VEHICLES AND BOAT RESTRICTIONS.
  - (a) Excessive speed prohibited. No person shall operate any vehicle at a speed in excess of ~~45~~ 10 mph or contrary to official traffic signs in any County recreation area.
  - (e) Parking restricted. No person shall park, stop or leave standing, whether attended or unattended, any vehicle, obstruction, or watercraft:
    4. In any recreation area between the hours of sunset and the following sunrise, except in designated campgrounds. Vehicles used to transport watercraft are permitted at designated boat landings at any time. Regulations pertaining to campground parking are listed in section 14.18 (4)(f) of this code.
- (12) FIRES. No person shall start, tend or maintain any fire except for cooking or heating and then only in designated fireplaces, fire-rings, or grills in any County recreation area, boat landing and public access area. Further, no person shall leave any fire unattended at designated fireplaces or grills or throw away any matches, cigarettes, cigars, pipe ashes or any embers without extinguishing them, and then only in the proper receptacle.
- (13) FIREWORKS, ROCKETS, EXPLOSIVE DEVICES. No person shall possess, fire, discharge, explode, or set off ~~any~~ a pyrotechnic device, firecracker, fireworks or other explosive material on any County forest lands, ~~or~~ boat landings, recreational areas and public access area ~~special use areas~~, except exhibitions of fire works given under the direction or by the permission of the Committee or its authorized agent.
- (14) FIREARMS. No person shall possess or have under their control any firearm, airgun, bow, crossbow, slingshot or dangerous weapon as defined in §939.22, Wis. Stats., unless it is unloaded and enclosed in a carrying case, in any County recreation area. Firearms, bows, and crossbows used for the purpose of participating in a State hunting season with a valid State hunting license are authorized at boat landings and public access areas, special use areas, and ski trail facilities, and other County forest lands. ~~Other uses must have specific Committee approval.~~ See section 14.18 of this code for regulations related to hunting and trapping in County owned campgrounds.
- (15) PETS. (Am. #107-2005) No person shall allow pets to enter any public building, bathing beach, picnic grounds, or playgrounds, or to be on a concrete pad surrounding a water pump within any County Recreation Area, or to run at large at any time on County Recreation Area grounds. Regulations pertaining to pets at formally designated Non-Motorized Trail Facilities are listed under 14.13 (20)(e). Regulations pertaining to pets at designated campgrounds are listed under 14.18 (4)(c). In other County facilities, pets are permitted provided they are effectively restrained or under the owner's control at all times, No person shall allow their pet to deprive or disrupt the enjoyment or use of any area by others.
- (16) HORSES. (Am. #107-2005) No person shall ride a horse on any non-motorized trails or have a horse in any County recreation area. Organized events or commercial rides will require Committee approval as set forth in §525.5 of the current County Forest ~~Ten~~ Fifteen-Year Plan.

## 14.18 CAMPGROUNDS AND CAMPING.

### (1) DEFINITIONS.

Camping Party. means any individual, family or, unorganized group, occupying a single campsite. A camping party may not exceed six individuals.

Campground. means any tract of County Forest Land designated by Oneida County and managed by the Oneida County Forestry, Land, and Outdoor Recreation Department exclusively for camping purposes. The boundaries of campgrounds shall be marked with signs stating "Campground Boundary".

Camping. means the use of any shelter such as a tent, trailer, motor vehicle, tarpaulin, bedroll, or sleeping bag for temporary residence or sleeping purposes.

Camping Season. means that period from May 23<sup>rd</sup> to December 2<sup>nd</sup>.

Camping Unit. means a single shelter used for camping by a camping party, except those used exclusively for dining purposes. A single shelter is defined as a recreational camping trailer, pop-up camping trailer, motor home, truck camper, or tent.

Campsite. means a portion of a campground that is designated for use by a camping unit.

Fireworks, as defined in Wis Stats. 167.10 to include anything manufactured, processed, or packaged for exploding, emitting sparks, or combustion, which does not have another common use.

Occupancy. means a camping unit, as defined, has been set up in a useable condition for camping.

Pet. means a domesticated dog or cat.

### (2) CAMPSITE REGISTRATION.

(a) Campsite use shall be on a first come, first serve basis. No sites will be reserved.

(b) Campsites designated as being accessible for the physically disabled.

1. Campsites designated as being accessible for the physically disabled can be registered by a camping party if one or more members of said camping party have in their possession a valid, state issued, Identification Card indicating that the card holder is Physically Disabled. Motor vehicles with a physically disabled license plate, and/or a motor vehicle that has a physically disabled sign or placard displayed on or within it will not be considered sufficient proof that a member of the camping party is physically disabled in and of itself.

2. When a campsite designated as being accessible for the physically disabled is the last unoccupied site in the campground, a camping party with or without a physically disabled member can register said site.

(c) An individual or a camping party may register only one campsite.

(d) The fee for an individual campsite is \$10.00/night.

(e) Campsite Registration Form.

1. Prior to setting up a camping unit a Campsite Registration Form must be properly filled out in its entirety and deposited in the Campsite Registration Receptacle.

2. Satisfactory completion of the following items, as determined by a designated Oneida County Official, shall constitute a properly filled out Campsite Registration Form:

- a. All information requested on the Campsite Registration Form must be provided in full, in a neat and legible manner. Any missing, falsified, or non-legible responses to the requested information on the Campsite Registration Form could result in said form being considered invalid.
- b. The individual registering the campsite, as determined by the name of the individual listed on the Campsite Registration Form, must be 18 years of age or older and must occupy the campsite.
- c. The appropriate campsite registration fee, in the form of either a personal check made out to the Oneida County Forestry Department or cash, must be enclosed within said Registration Form.
- d. Upon completion of the Campsite Registration Form, said form must be deposited in the Campsite Registration Receptacle less the Campsite Registration Receipt.

(f) Campsite Registration Receipt

- 2. The individual registering the campsite must detach and retain the Campsite Registration Receipt from the Campsite Registration Form.

Each camping party must display their Campsite Registration Receipt on the campsite marking post that identifies the campsite for which they have registered.

- (g) No refunds shall be given on camping permits, except in the case of an emergency as determined by the forest Director. Said decision can be reviewed by the FLORC.

(3) CAMPSITE OCCUPANCY AND USE REGULATIONS.

- (b) Only one camping party may occupy a single campsite.
- (c) Unless accompanied by a parent or legal guardian, all persons not having obtained the age of 18, occupying a campsite shall have in their possession a statement of consent signed by a parent or legal guardian.
- (d) All camping parties must set up a camping unit, as defined, in a useable condition for the entire period of registered occupancy. Sleeping in cars or on the ground in the open is not permitted.
- (e) A maximum of two camping units, with only one being a truck camper, motor home, pop-up camping trailer or recreational camping trailer, may occupy a single site.
- (f) No camping party shall start setting up or taking down its camping unit between the hours of 10 p.m. and 7 a.m., except in the case of an emergency.
- (g) All camping permits expire at 2:00 P.M. on the last day of the registered period. The campsite must be completely vacated by 2:00 P.M. on the last day of the registered period.
- (h) All camping units must be set up within the graveled portion of the campsite.
- (i) It is unlawful to park any motor vehicle, including ATV's, at any campsite except upon the graveled parking area therein provided, and no more than two motor vehicles (not including ATV's) shall be permitted at any one campsite including the camping unit if said is a motor vehicle.
- (j) A maximum of one ATV per person in a registered camping party is allowed at a single site. All ATV's must be parked within the graveled parking area of the site.
- (k) No registered camping party shall move from its assigned campsite to another campsite in a designated campground.

- (l) No person shall camp and no camping unit shall remain in a campground for a period in excess of 14 nights in succession. Thereafter, the camping unit must be removed from the property for at least 5 days before the camping party is eligible to return.

(3) CAMPGROUND USE REGULATIONS.

(a) General Campground Use Regulations:

1. Quiet hours are 10:00 pm to 7:00 am. Gas powered generators may not be used during quite hours.
2. Only members of registered camping parties are allowed in the campground between the hours of 10:00 pm and 7:00 am.
3. Lewd, vulgar, boisterous, unnecessarily loud behavior, disorderly conduct, littering, unauthorized selling or destructive acts and tampering with County property is strictly prohibited.
4. The removal of trees or wood products including, but not limited to, branches, tree tops, logging residue, firewood, pulpwood, boltwood or sawlogs from campgrounds owned by Oneida County is prohibited unless the individual or group removing said wood products holds a valid written permit to do so that has been issued by the County Forest Director.
5. The washing of cars, persons, pets, cooking utensils or clothing is prohibited within 50-feet of any water pump, water fountain, or drinking water outlet within Campgrounds.
6. The cleaning and/or field dressing of fish and game is prohibited within Campgrounds.
7. No sewer or grey water waste shall be permitted to drain to the ground surface. Said waste must be disposed of at a licensed disposal facility.
8. Picnicking in campgrounds is prohibited except for registered camping parties and their guests.
9. With the exception of edible fruits, nuts, wild mushrooms and wild asparagus for personal consumption no person may destroy, molest, deface, remove or attempt to remove any living natural vegetative growth from campgrounds.
10. Registered campers and their guests are required to deposit all refuse and recyclable waste material they generated while staying at an Oneida County campground, in receptacles designated for said materials, prior to their final departure from the campground.
11. Only refuse and recyclables generated by registered campers and their guests, during the course of their stay at a campground managed by the Oneida County Forestry Department, may be deposited in the designated waste and recyclable receptacles provided in the campground.
12. Screws, nails, lag screws, screw steps, spikes, or other similar devices are prohibited for use in trees on Oneida County Forest land and within Oneida County Forest Campgrounds.
13. No person shall ride a horse, or have a horse in any County owned campground.

(b) Campfires And Firewood Regulations:

1. To reduce the risks of introducing harmful non-native invasive species, no firewood may be brought into the Oneida County Forest, including recreational areas and campgrounds, from outside Oneida County.
2. Registered campers staying at a designated County owned campground may collect dead and down woody material located within said campground for use as firewood during their

registered stay at the campground. No limbs, branches or bark may be taken from standing trees, nor shall any standing trees be felled.

3. No person shall start, tend or maintain any fire except for cooking or heating and then only in designated fireplaces, fire-rings, or grills in any County owned campground.
4. The removal of trees or wood products including, but not limited to, branches, tree tops, logging residue, firewood, pulpwood, boltwood or sawlogs from County owned campgrounds is prohibited unless the individual or group removing said wood products holds a valid written permit to do so that has been issued by the County Forest Director.
5. No firewood may be removed from another campsite whether occupied or not.
6. No person shall leave any fire unattended at designated fireplaces, fire-rings, or grills or throw away any matches, cigarettes, cigars, pipe ashes or any embers without extinguishing them, and then only in the proper receptacle.
7. During periods of elevated fire danger, further fire restrictions may be imposed. In the event further fire restrictions are imposed, a notice will be posted at the campground registration station.

(c) Campground Pet Regulations:

1. The number of pets, as defined, that a registered camping party may bring into a campground managed by the Oneida County Forestry Department is limited to a maximum of 2.
2. Within campgrounds managed by the Oneida County Forestry Department, pets must be kept on a leash not exceeding eight feet in length.
3. Excessive noise created by pets will be considered a nuisance and the owner of said pets may be subject to expulsion from the campground without refund and may be given citation.
4. Within campgrounds managed by the Oneida County Forestry Department, it is unlawful for any person to allow their pet to run, roam, or walk at large at any time.
5. Within campgrounds managed by the Oneida County Forestry Department, pets must be attended by and be under the control of a member of the registered camping party to which the pet belongs at all times.
6. The owner of any pet within campgrounds managed by the Oneida County Forestry Department, must ensure that all droppings from their pet are cleaned up immediately and disposed of in the trash receptacle located in the campground.
7. Pets are prohibited from entering any building except working dogs such as seeing-eye dogs.
8. Pets are prohibited from being on the concrete pads surrounding water pumps.

(d) Firearm, Fireworks, And Pyrotechnic Device Regulations

1. No person shall possess, fire, discharge, explode, or set off a firearm, fireworks, pyrotechnic device, or any other explosive material within campgrounds owned by Oneida County.
2. Within campgrounds owned by Oneida County, it is unlawful for any person to have in his or her possession or under his or her control any firearm or air gun as defined in Section 939.22(2), State Stats. unless it is unloaded and enclosed in a carrying case, or any bow, crossbow or slingshot, unless it is unstrung and/or enclosed in a carrying case.

(e) Hunting And Trapping Regulations:

1. It is unlawful for any person to take, catch, kill, hunt, trap, pursue, or otherwise capture any wild animals or birds within the boundary of campgrounds managed by the Oneida County Forestry Department.
2. The feeding or baiting of any wild animals within the boundary of campgrounds managed by the Oneida County Forestry Department is prohibited.

(f) Vehicle Operation, Parking, and Road Use Regulations within County Forest Campgrounds are as follows:

1. It is unlawful for any person to park, stop, or leave standing whether attended or unattended, any vehicle in a manner which is blocking, obstructing or limiting the use of any campground road, trail, sidewalk, formally designated parking area, or contrary to posted notice within campgrounds managed by the Oneida County Forestry Department.
2. No person shall operate any vehicle at a speed in excess of 10 miles per hour or contrary to official traffic signs within any campground managed by the Oneida County Forestry Department.
3. No person shall operate any motor vehicle in a reckless or dangerous manner or contrary to any federal or state law or any County ordinance.
4. ATV use is restricted to the graveled campground road except where signed closed to ATV's, parking areas, graveled portions of camp sites and the designated, signed ATV trail.
5. No vehicles may be parked within the campground except those owned, leased or rented by members of registered camping parties between the hours of 10:00 pm and 7:00 am.
6. It is unlawful to park any motor vehicle, including ATV's, at any campsite except upon the graveled parking area therein provided, and no more than two motor vehicles (not including ATV's) shall be permitted at any one campsite including the camping unit if said is a motor vehicle.

(5) EVICTIONS.

Any person or persons may be evicted from the campground for violation of any State Law, Federal Law, Oneida County Ordinance or Campground Regulation. The period of time for which a person may be expelled is 48 hours, or for the period of their camping permit, whichever is longer. No evicted person may return to the property before the eviction period has elapsed. Persons evicted are not eligible for refund of any unused camping fees.

25.04 Penalty Provisions

FORESTRY AND OUTDOOR RECREATION		Forfeiture	Total
14.07(1)(a)(2)	Transportation of wood past lock box without proper documentation	350.00	564.00
14.07(1)(b)(2)	Cutting or removal of wood from county land	100.00	249.00
14.07(1)(b)(3)	Cutting or removal of wood permit violations	100.00	249.00
<del>14.07(1)(c)</del> 13(21)(a)(b)(c)	Elevated platform, nails, lag screws, screw steps prohibited. Portable tree stands to be removed each day	100.00	249.00

14.07(1)( <del>d</del> ) <u>13(22)(a)(b)(c)</u>	Construction or use of ground blind or stand constructed of other than natural materials prohibited	100.00	249.00
14.07(1)( <del>ec</del> )	Defacement of county property/trees	100.00	249.00
14.07(1)( <del>fd</del> )	Collection of materials for resale or commercial purposes prohibited	100.00	249.00
14.07(1)( <del>ge</del> )	Cutting or tapping trees prohibited	100.00	249.00
14.07(1)( <del>hf</del> )	Removal of rocks, sand, gravel, topsoil, or clay prohibited except as provided in 14.01(2)(f)	100.00	249.00
14.07(2)(a)	Overnight camping prohibited	100.00	249.00
14.07(2)(b)	Motorized vehicles prohibited from the use of roads and trails not authorized	100.00	249.00
14.07(2)(c) <u>14.17(2)(j)</u>	Damage, manipulation, or circumvention of a gate, sign, rock or earthen berm is prohibited	100.00	249.00
14.07(2)(d)	Motorized vehicles prohibited from traveling off-road, off-trail, or cross country	100.00	249.00
<del>14.07(2)(e)</del> <u>17(2)(i)</u>	ATVs, off-road motorcycles, minibikes, go-carts, and other non-street vehicles prohibited	100.00	249.00
14.07(2)( <del>fe</del> )	Dumping of litter, rubbish, debris. Posting of signs, handbills, markers, all prohibited	100.00	249.00
14.13(1)	County recreation area closing hours	100.00	249.00
14.13(2)	County recreation areas closed during the winter months	100.00	249.00
14.13(3)	Disorderly conduct, intoxication on county-owned property	100.00	249.00
14.13(4)	Destruction/removal of personal property of another	100.00	249.00
14.13(5)	Unnecessary Noise	100.00	249.00
14.13(6)(a)	Destruction/removal of trees, shrubs, plants or natural growth	100.00	249.00

14.13(6)(b)	Carving on rocks, archeological features, signs or wall structures	100.00	249.00
14.13(6)(c)	Driving nails, placing screws, or other metal into trees	100.00	249.00
14.13(6)(d)	Destruction/removal of buildings, fences, tables, or any other county property	100.00	249.00
14.13(7)(a)	Entry of any building, installation or area under construction or closed to public use	100.00	249.00
14.13(7)(b)	Molest or manipulate any water control structure, dam, or culvert	100.00	249.00
14.13(7)(c)	Entry to any building, installation or area after the posted closing time or before the posted opening time	100.00	249.00
14.13(8)	Cleaning restricted-washing	100.00	249.00
14.13(9)	Disposal of refuse	100.00	249.00
14.13(10)	Glass containers prohibited in county recreation areas	100.00	249.00
14.13(11)(a)	Excessive speed prohibited	100.00	249.00
14.13(11)(b)	Reckless driving prohibited	100.00	249.00
14.13(11)(c)	Operation/parking of motor vehicle restrictions	100.00	249.00
14.13(11)(d)	Use of motor boats restricted (Buck Lake, Town of Pelican, and Perch Lake, Town of Woodboro)	100.00	249.00
14.13(11)(e)1,2,3,4	Parking restrictions	<del>100.00</del> <u>20.00</u>	<del>249.00</del> <u>148.20</u>
14.13(12)	Unauthorized/unattended fires	100.00	249.00
14.13(13)	Illegal fireworks prohibited	100.00	249.00
14.13(14)	Firearms prohibited in county recreation area	100.00	249.00
14.13(15)	Pets prohibited in county recreation area playgrounds, picnic areas, beaches, and buildings	100.00	249.00
14.13(16)	Horses prohibited in county recreation area	<del>100.00</del> <u>50.00</u>	<del>249.00</del> <u>186.00</u>

14.13(17)	Bicycles only in established area of county recreation facility	<del>100.00</del> <u>20.00</u>	<del>249.00</del> <u>148.20</u>
14.13(18)	Athletics prohibited in county recreation area	<del>100.00</del> <u>20.00</u>	<del>249.00</del> <u>148.20</u>
14.13(19)(a)	Bathing dress in county recreation area	100.00	249.00
14.13(19)(b)	Bathing, changing clothes only in beach house or enclosed area	100.00	249.00
14.13(20)(a)	Motorized vehicle prohibited on ski-trail network	100.00	249.00
14.13(20)(b)	Damage to groomed portion of ski trail is prohibited	100.00	249.00
14.13(20)(c)	Skiing contrary to sign directions	<del>100.00</del> <u>20.00</u>	<del>249.00</del> <u>148.20</u>
<u>14.13(20)(d)</u>	<u>Trail pass required</u>	<u>50.00</u>	<u>186.00</u>
14.14(1)	Permits for use of county recreation facility structures	100.00	249.00
14.14(2)	Peddling or soliciting, or using county land as a base, is prohibited	100.00	249.00
14.15(2)(a)	Restricted use of snowmobiles-driving past gate or posting	100.00	249.00
14.15(2)(b)	Restricted use of snowmobiles-speed in excess of 10 mph in area posted slow, steep hill, dip, turn, or other caution	100.00	249.00
14.15(2)(c)	Restricted use of snowmobiles-must stop at stop signs	100.00	249.00
14.15(3)(a)	Restricted use of snowmobile trails-other motorized vehicle traffic prohibited unless authorized	100.00	249.00
14.15(3)(b)	Restricted use of snowmobile trails-riding before trails are open	100.00	249.00
14.15(3)(c)	Restricted use of snowmobile trails-riding after trails are closed	100.00	249.00
14.15(3)(d)	Restricted use of snowmobile trails-destroying of signs prohibited	100.00	249.00

14.15(3)(e)	Restricted use of snowmobile trails-posting of unauthorized signs on trail is prohibited	100.00	249.00
14.15(3)(f)	Restricted use of snowmobile trails-unattended vehicles or obstructions on the trail prohibited	100.00	249.00
14.15(3)(g)	Restricted use of snowmobile trails-pedestrian, skiers must yield to snowmobiles	100.00	249.00
14.15(3)(h)	Restricted use of snowmobiles-youthful operation only in accordance with state law	100.00	249.00
14.15(3)(i)	Restricted use of snowmobile trails-careless and reckless operation, speed, prohibited	100.00	249.00
14.15(3)(j)	Restricted use of snowmobile trails-riding off the leased right of way prohibited	100.00	249.00
14.15(3)(k)	Restricted use of snowmobile trails-no person shall operate contrary to state laws	100.00	249.00
14.17(2)(a)	Restricted use of ATV-no other motorized traffic on designated ATV trail	100.00	249.00
14.17(2)(b)	Restricted use of ATV-speed faster than 10 mph in area of yellow caution sign	100.00	249.00
14.17(2)(c)	Restricted use of ATV-must stop at stop sign	100.00	249.00
14.17(2)(d)	Restricted use of ATV-studded tires, chains prohibited on county forest law land and special use designation lands	100.00	249.00
14.17(2)(e)	Restricted use of ATV-travel on snowmobile/ATV trail prohibited by ATVs when >28 degree F	100.00	249.00
14.17(2)(f)	Restricted use of ATV-removal, destruction, or defacement of ATV trail sign prohibited	100.00	249.00

14.17(2)(g)	Restricted use of ATV- unreasonable or improper speed, careless driving prohibited	100.00	249.00
14.17(2)(h)	Restricted use of ATV- operation of mechanically altered ATV prohibited	100.00	249.00
<u>Campgrounds</u>			
14.18(2)(b) through (f)	<u>Campsite Registration</u>	<u>20.00</u>	<u>148.20</u>
14.18(3)(a) through (k)	<u>Campsite Occupancy</u>	<u>50.00</u>	<u>186.00</u>
14.18(4)(a)1	<u>Quite Hours</u>	<u>100.00</u>	<u>249.00</u>
14.18(4)(a)2	<u>Non-registered person in campground between 10:00pm and 7:00am</u>	<u>20.00</u>	<u>148.20</u>
14.18(4)(a)3	<u>Disruptive, lewd behavior and destructive acts</u>	<u>100.00</u>	<u>249.00</u>
14.18(4)(a)4	<u>Removal of trees or wood products from campground</u>	<u>100.00</u>	<u>249.00</u>
14.18(4)(a)5	<u>Washing within 50' of water source</u>	<u>20.00</u>	<u>148.20</u>
14.18(4)(a)6	<u>Cleaning/field dressing of fish and game</u>	<u>100.00</u>	<u>249.00</u>
14.18(4)(a)7	<u>Dumping of sewage and wastewater</u>	<u>100.00</u>	<u>249.00</u>
14.18(4)(a)8	<u>Picnicking by non- registered person</u>	<u>20.00</u>	<u>148.20</u>
14.18(4)(a)9	<u>Removal/destruction of live plants</u>	<u>100.00</u>	<u>249.00</u>
14.18(4)(a)10 & 11	<u>Depositing refuse</u>	<u>100.00</u>	<u>249.00</u>
14.18(4)(a)12	<u>Screws, nails, spikes in trees</u>	<u>100.00</u>	<u>249.00</u>
14.18(4)(b)4&5	<u>Firewood gathering</u>	<u>100.00</u>	<u>249.00</u>
14.18(4)(b)3&6	<u>Campfires</u>	<u>100.00</u>	<u>249.00</u>
14.18(4)(c)1 through 8	<u>Pets</u>	<u>50.00</u>	<u>186.00</u>
14.18(4)(d)	<u>Firearms and fireworks prohibited</u>	<u>100.00</u>	<u>249.00</u>
14.18(4)(e)1	<u>Injure, kill, pursue, hunt, trap wildlife prohibited</u>	<u>100.00</u>	<u>249.00</u>
14.18(4)(e)2	<u>Feeding/baiting wildlife prohibited</u>	<u>100.00</u>	<u>249.00</u>
14.18(4)(f)1, 5 & 6	<u>Parking</u>	<u>20.00</u>	<u>148.20</u>
14.18(4)(f)2 & 3	<u>Reckless operation, speeding motor vehicle</u>	<u>100.00</u>	<u>249.00</u>
14.18(4)4	<u>ATV use restricted</u>	<u>100.00</u>	<u>249.00</u>

All other sections of Chapter 14 and Chapter 25 not specifically referenced above are to remain unchanged.

Approved by the Forestry, Land and Outdoor Recreation Committee on May 7, 2008.

Offered and passage moved by Supervisors Wilbur Petroskey, Patricia L. Peters, Denny Thompson, Thomas D. Rudolph and Gary Baier.

**Motion/second Petroskey/Martinson** to waive the reading of Resolution #42-2008. All “aye” on voice vote.

**Roll call: 9 aye 12 nay (Cushing, Paszak, Greschner, Sharon, Greb, Holewinski, O’Melia, Martinson, Dean, Young, Hoffman, Wolk) 0 absent 0 abstain.**

**Student Representatives: 0 aye 3 nay 2 absent (Klemm, Geiger) 0 abstain.**

**Resolution #42-2008 fails.**

**Resolution #43-2008 – offered by Supervisors of the Labor Relations and Employee Services Committee regarding Elected Officials salary.**

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

**WHEREAS**, it is the opinion of the Oneida County Corporation Counsel that after the earliest time for filing nomination papers, the County cannot enact any salary increase pertaining to the elected positions of County Clerk, County Treasurer and Register of Deeds, and

**WHEREAS**, it is appropriate to provide fair and equitable wage increases to the Offices of the County Clerk, County Treasurer and Register of Deeds, for the term of office, and

**WHEREAS**, the Labor Relations and Employee Services Committee, having reviewed the internal and external wage comparables of the elected positions, does recommend a wage adjustment for each calendar year 2009, 2010, 2011 and 2012.

**NOW, THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors authorizes and directs that the annual salaries for the positions of County Clerk, County Treasurer and Register of Deeds be established as of January 1<sup>st</sup> of the year indicated below.

<u>ELECTED OFFICIAL</u>	<u>ANNUAL RATE</u>			
	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>
County Treasurer	46,464	47,858	49,294	50,773
County Clerk	52,412	53,984	55,604	57,272
Register of Deeds	52,412	53,984	55,604	57,272

**BE IT FURTHER RESOLVED**, that an employee in one of the positions identified above who takes the County’s health plan shall pay 5% of the monthly premium towards the cost of the health plan.

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

**ONEIDA COUNTY  
FISCAL IMPACT  
SELECTED ELECTED OFFICIALS**

**2009**

**Change in Annual Cost**

	<b>County Clerk</b>	<b>County Treas</b>	<b>Reg of Deeds</b>	<b>Total</b>
Wages	1,527	(4,421)	1,527	(1,367)
Social Security	117	(338)	117	(105)
Retirement-er Share	145	(420)	145	(130)
Retirement-ee Share	46	(133)	46	(41)
Income Continuation Ins	5	(13)	5	(3)
Workers Comp	3	(8)	3	(3)
	<u>1,843</u>	<u>(5,333)</u>	<u>1,843</u>	<u>(1,648)</u>

**2010**

**Change in Annual Cost**

	<b>County Clerk</b>	<b>County Treas</b>	<b>Reg of Deeds</b>	<b>Total</b>
Wages	1,572	1394	1,572	4,538
Social Security	120	107	120	347
Retirement-er Share	149	132	149	431
Retirement-ee Share	47	42	47	136
Income Continuation Ins	5	5	5	15
Workers Comp	<u>3</u>	<u>3</u>	<u>3</u>	<u>9</u>
	1,897	1,683	1,897	5,476

**2011**

**Change in Annual Cost**

	<b>County Clerk</b>	<b>County Treas</b>	<b>Reg of Deeds</b>	<b>Total</b>
Wages	1,620	1436	1,620	4,676
Social Security	124	110	124	358
Retirement-er Share	154	136	154	444
Retirement-ee Share	49	43	49	140
Income Continuation Ins	5	5	5	15
Workers Comp	<u>3</u>	<u>3</u>	<u>3</u>	<u>9</u>
	1,955	1,733	1,955	5,642

**2012**

**Change in Annual Cost**

	<b>County Clerk</b>	<b>County Treas</b>	<b>Reg of Deeds</b>	<b>Total</b>
Wages	1,668	1479	1,668	4,815
Social Security	128	113	128	368
Retirement-er Share	158	141	158	457
Retirement-ee Share	50	44	50	144
Income Continuation Ins	5	5	5	15
Workers Comp	<u>3</u>	<u>3</u>	<u>3</u>	<u>9</u>
	2,012	1,785	2,012	5,809

Revenue Source: Tax Levy

Approved by the Labor Relations and Employee Services Committee this 15<sup>th</sup> day of May 2008.

Offered and passage moved by Supervisors John R. Young, Paul Dean, Charles Wickman and Scott Holewinski.

**Motion/second Greschner/Vandervest** to waive the reading of Resolution #43-2008. All "aye" on voice vote.

**Roll call: 20 aye 1 nay (Matteson) 0 absent 0 abstain.**

**Student Representatives: 3 aye 0 nay 0 absent 0 abstain.**

**Resolution #44-2008** – offered by Supervisors of the Labor Relations and Employee Services Committee regarding Oneida County Social Worker Association contract.

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

**WHEREAS**, the Labor Relations and Employee Services committee (hereinafter, "Committee), Attorney John Prentice, County Coordinator and Employee Services Manager have met on several occasions with representatives of the Oneida County Social Worker Association employees bargaining unit represented by the Law Enforcement Employee Relations Division of the Wisconsin Professional Police Association (hereinafter, "Association"); and

**WHEREAS**, the Committee and the Association have reached a tentative agreement concerning the contract for calendar years 2007 and 2008; and

**WHEREAS**, the principal changes, modifications and improvements to the contract, set forth below, have been recommended by the Committee; and

**WHEREAS**, the Oneida County Board of Supervisors have reviewed the proposed changes for the purposes of ratification of the agreement between the Committee and the Association, and

**WHEREAS**, the County Board previously approved resolution #110-2007 that only dealt with an across the board wage increase, this resolution contains other tentative agreements between the parties.

**NOW, THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors does hereby ratify and approve the contract agreement referred to above for calendar years 2007 and 2008 as negotiated between the Committee and the Association, and

**BE IT FURTHER RESOLVED** by the Oneida County Board of Supervisors that the County budget for fiscal year 2008 shall be amended to meet the projected costs as set forth in the fiscal impact statement, which is attached hereto and made a part hereof, with monies to come from the Contingency Fund, and

**BE IT FURTHER RESOLVED**, The Association's contract for the years of 2007/2008 shall incorporate the following principal changes, modifications and improvements:

#### **SCHEDULE A**

All 2006 rates of pay set forth in Schedule A of the 2004-2006 Agreement for each classification shall be increased by the following rate:

Effective January 1, 2007 – 3%

Effective January 1, 2008 – 3%

#### **ARTICLE 9 – INSURANCE – RETIREMENT**

Section H: The County shall sponsor and provide to employees optional supplemental life, vision, and dental insurance programs with the employee paying 100% of the premiums through payroll deductions. \*(Specific terms of each optional plan developed by a committee composed of one representative from each participating union group.)

#### **ARTICLE 16 – WORKER'S COMPENSATION (Modify to read)**

Section A: In the event an employee is injured while on the job, said employee shall continue to be paid at the base hourly rate of the employee's classification based on a normal workweek (excluding overtime and premium pay) for up to six months from date of injury. The employee may for an additional six month period elect to use earned Paid Time Off (PTO), old accrued sick leave or comp. time to supplement the employee's Worker's Compensation benefit amount. ~~Paycheck for an additional six months. During the first six month period,~~ The employee shall sign over to the County his/her Worker's Compensation paychecks. The employee shall use earned Paid Time Off (PTO) or old accrued sick leave for the first three calendar days, except Sundays, while off on Worker's Compensation. This sick time or Paid Time Off shall be re-credited to the employee if the employee is disabled for 7 calendar days after he/she leaves work because of the injury. When an employee is on Worker's Compensation, all benefits continue to accrue.

When an employee is on Worker's Compensation, the employee's health plan benefits continue in the same manner as prior to the injury. In other words, the employee is responsible for making the employee's premium payment and County is responsible for the County's portion. When a person ceases to be an employee, other procedures, such as C.O.B.R.A., laws apply.

#### **ARTICLE 18 – CHECK OFF OF DUES – FAIR SHARE AGREEMENT**

Section A: The County agrees to deduct from the paycheck of each employee who has signed an authorized payroll deduction card a sum certified by the Secretary of Local 358, which are dues for the Association and the Wisconsin Professional Police Association ~~the Association dues~~. Deduction will be made from the second payroll period and the total dues will be sent to the Wisconsin Professional Police, WPPA/LEER. ~~Deductions may be terminated by the employee giving 30 days written notice to the Association and the Employer or upon termination of employment.~~

Section B: The employer agrees that it will deduct from the monthly earnings of ~~all~~ each employee in the collective bargaining unit who has not signed an authorization card as referred to in Section A, above, the employee's fair share of the total monthly dues for the Association and the Wisconsin Professional Police Association the monthly dues as certified by association as the current dues uniformly required of all members, and pay said amount to the Wisconsin Police Professional Police Treasurer of the Association on or before the end of the month in which such deduction was made. The deduction shall be made from the ~~last-second~~ payroll period each month.

Section C: Changes in the amount of dues to be deducted shall be certified by the Association thirty (30) days before the effective date of the change.

Section D: As to new employees, such deduction shall be made from the first paycheck following ~~the first six (6) months of employment.~~ (Remainder of Article unchanged).

## **NEW ARTICLE – DISCIPLINARY PROCEDURES**

- a) The following procedure outlines, in general, the steps to be taken in administering employee discipline. These procedures are not all inclusive and therefore other discipline methods may be appropriate. The employee may request and have a representative of their choosing present at all investigative interviews, which the employee reasonably believes might result in disciplinary action.
- b) The following procedures constitute a progressive disciplining process. The principle objective of this process is to correct the inappropriate or unacceptable behavior of an employee. All employee discipline must be for just cause. Though this method is progressive, should the supervisor or Department Head determine the conduct of the employee warrants it, they may take more severe disciplinary action without first employing the lesser discipline options available.
- c) Employee discipline procedures:
  - 1) Oral reprimand. This involves a face to face meeting between the first line supervisor and the employee to discuss the unsatisfactory areas of their work performance or conduct and suggestions for improvements. The employee should be warned of future disciplinary action if the situation is not corrected.
  - 2) Written reprimand. In cases where the oral reprimand has not been successful or where the circumstances are more extreme or unusual a written reprimand may be used. The written statement should include the causes of the reprimand and indicate that further disciplinary action will result if not corrected. Where applicable, reference to previous oral reprimands should be noted. The written reprimand should be filed with the employee's permanent record. A copy shall also be sent to the employee's Union Representative.
  - 3) Suspension. For serious infractions or in cases where oral and written reprimands have not corrected the problem a suspension may be imposed on the employee. The notice of suspension must be in writing with copies going to the employee, the bargaining unit which represents the employee, the LRES Office and the employee's personnel record. The notice should contain the reason for the action, the length and dates of the suspension and the department head's signature. The suspension should be discussed with the employee at the time they are presented with a copy of the notice.
  - 4) Discharge: In cases where all previous disciplinary action has been unsuccessful or in cases involving extreme or unusual circumstances, discharge of the employee may be imposed. The action to discharge shall be initiated by a suspension "pending discharge" to provide adequate time for additional investigation. If the facts continue to warrant discharge the notice of the discharge shall be issued in order to effectuate the discharge. The notice discharge must be in writing with copies going to the employee, the bargaining unit which represents the employee and the LRES Office and the employee's personnel record. The notice should contain the reason for the action, the effective date of the discharge and the department head's signature.
- d) Employees shall have a right to appeal disciplinary actions under the grievance procedures. Appeals regarding suspensions, demotions or discharges shall be initiated at Step 2 of the grievance procedures, all others at Step 1.

## **ARTICLE 20 – MISCELLANEOUS PROVISIONS (Amend to read)**

Section B: Social Workers shall receive straight time pay for time worked in excess of the work day and work week, but less than forty (40) hours. Employees shall receive time and one-half (1.5) pay for time worked in excess of 40 hours per week. Employees who are called to do an investigation and are not at the present time on call shall receive time and one-half (1.5) pay for all time worked. All paid time shall be considered time worked for the purposes of computing overtime. For the purpose of computing overtime, the workweek shall commence at 12:01 a.m. on Saturday and end at 12:00 midnight the following Friday. Newly hired employees with Oneida County shall be allowed to accumulate and use compensatory time up to 37.5 hours per calendar year within the first year of employment. On the employee's first year anniversary date all compensatory time in the employee's bank shall be paid out.

For employees for the Department of Social Services who are on call pursuant to rules and regulations adopted under the provisions of Chapter 48, Wisconsin Statutes, Juvenile Code, a daily per diem payment of ~~\$35.00~~ \$50.00 shall be paid, with a minimum of call time of two (2) hours, provided that any call received requires off-premises work activity and in such event the employee shall be paid at the rate of time and one-half pay.

Section H: Employee shall have the right to inspect the entire content's of their personnel record. Employees shall be provided a copy of any material placed in their personnel record at no cost to the employee. Employees may request the correction of a record or attach a written statement to the record explaining their position. There will be only one official personnel record per employee, which shall be maintained by the LRES Office.

Section I: Job/Position Descriptions: Whenever Job/Position Descriptions are modified or changed the Association and affected employees shall be provided with a copy of the updated description(s).

Incorporate Letter of Agreement regarding Paid Time Off accruals prorated for unpaid leaves of absences.

Modify all provisions to reflect the change from WPPA/LEER to WPPA/CERD.

Implementation of tentative agreements will be the day following County Board ratification.

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

Approved by the Labor Relations and Employee Services Committee this 15<sup>th</sup> day of May 2008.  
Offered and passage moved by Supervisors John R. Young, Paul Dean, Charles Wickman and Scott Holewinski.

**Motion/second Vandervest/Wolk** to waive the reading of Resolution #44-2008. All "aye" on voice vote.  
**Motion/second Young/Cushing** to amend Line 18 by deleting the word "and" and inserting the words: with the exception of retiree health insurance which will be arbitrated, and at Line 86, to delete the words NEW ARTICLE and add the words ARTICLE 24 – DISCIPLINARY PROCEDURES.

**Roll call to amend: 19 aye 0 nay 2 absent (Cushing, Vandervest) 0 abstain.**  
**Student Representatives: 3 aye 0 nay 2 absent (Klemm, Geiger) 0 abstain.**  
**Roll call on amended resolution: 20 aye 0 nay 1 absent (Cushing) 0 abstain.**  
**Student Representatives: 3 aye 0 nay 2 absent (Klemm, Geiger) 0 abstain.**

**Resolution #45-2008 – offered by Supervisors of the Labor Relations and Employee Services Committee regarding Oneida County Public Health Nurse and Advanced Practice Nurse Association contract. Resolved by the Board of Supervisors of Oneida County, Wisconsin:**

**WHEREAS**, the Labor Relations and Employee Services committee (hereinafter, "Committee), Attorney John Prentice, County Coordinator and Employee Services Manager have met on several occasions with representatives of the Oneida County Public Health Nurses Association employees bargaining unit represented by the Law Enforcement Employee Relations Division of the Wisconsin Professional Police Association (hereinafter, "Association"); and

**WHEREAS**, the Committee and the Association have reached a tentative agreement concerning the contract for calendar years 2007, 2008 and 2009; and

WHEREAS, the principal changes, modifications and improvements to the contract, set forth below, have been recommended by the Committee; and

WHEREAS, the Oneida County Board of Supervisors have reviewed the proposed changes for the purposes of ratification of the agreement between the Committee and the Association, and

WHEREAS, the County Board previously approved resolution #109-2007 that only dealt with an across the board wage increase, this resolution contains the exact wage schedule and other tentative agreements between the parties.

NOW, THEREFORE, BE IT RESOLVED, that the Oneida County Board of Supervisors does hereby ratify and approve the contract agreement referred to above for calendar years 2007, 2008 and 2009 as negotiated between the Committee and the Association,

BE IT FURTHER RESOLVED by the Oneida County Board of Supervisors that the County budget for fiscal year 2008 shall be amended to meet the projected costs as set forth in the fiscal impact statement, which is attached hereto and made a part hereof, with monies to come from the Contingency Fund, and

BE IT FURTHER RESOLVED, The Association's contract for the years of 2007/2008/2009 shall incorporate the following principal changes, modifications and improvements:

#### **ARTICLE 8 – WAGES (New Section)**

Section D: Employees required to report to work outside of their normal scheduled work day or on weekends, shall be compensated the equivalent of two (2) hours pay in addition to pay for actual hours worked. This does not include an extension of the workday. Excluded are conferences and trainings, including travel time for said conferences and trainings.

#### **ARTICLE 9 – INSURANCE – RETIREMENT**

Section H: The County shall sponsor and provide to employees optional supplemental life, vision, and dental insurance programs with the employee paying 100% of the premiums through payroll deductions. \*(Specific terms of each optional plan developed by a committee composed of one representative from each participating union group.)

#### **ARTICLE 16 – WORKER'S COMPENSATION (Modify to read)**

Section A: In the event an employee is injured while on the job, said employee shall continue to be paid at the base hourly rate of the employee's classification based on a normal workweek (excluding overtime and premium pay) for up to six months from date of injury. The employee may for an additional six month period elect to use earned Paid Time Off (PTO), old accrued sick leave or comp. time to supplement the employee's Worker's Compensation benefit amount. ~~Paycheck for an additional six months. During the first six month period,~~ The employee shall sign over to the County his/her Worker's Compensation paychecks. The employee shall use earned Paid Time Off (PTO) or old accrued sick leave for the first three calendar days, except Sundays, while off on Worker's Compensation. This sick time or Paid Time Off shall be re-credited to the employee if the employee is disabled for 7 calendar days after he/she leaves work because of the injury. When an employee is on Worker's Compensation, all benefits continue to accrue.

When an employee is on Worker's Compensation, the employee's health plan benefits continue in the same manner as prior to the injury. In other words, the employee is responsible for making the employee's premium payment and County is responsible for the County's portion. When a person ceases to be an employee, other procedures, such as C.O.B.R.A., laws apply.

#### **ARTICLE 18 – CHECK OFF OF DUES – FAIR SHARE AGREEMENT**

Section A: The County agrees to deduct from the paycheck of each employee who has signed an authorized payroll deduction card a sum certified by the Treasurer of the Public Health Department Employee's Association, which are dues for the Association and the Wisconsin Professional Police Association ~~the Association dues~~. Deduction will be made from the second payroll period and the total dues will be sent to the Treasurer of the Association. ~~Deductions may be terminated by the employee giving 30 days written notice to the Association and the Employer or upon termination of employment.~~

Section B: The employer agrees that it will deduct from the monthly earnings of ~~all each~~ employee in the collective bargaining unit who has not signed an authorization card as referred to in Section A, above, the employee's fair share of the total monthly dues for the Association and the Wisconsin Professional Police Association ~~the monthly dues~~ as certified by association as the current dues uniformly required of all members, and pay said amount to the Treasurer of the Association on or before the end of the month in which such deduction was made. The deduction shall be made from the ~~last second~~ payroll period each month.

Section C: Changes in the amount of dues to be deducted shall be certified by the Association thirty (30) days before the effective date of the change.

Section D: As to new employees, such deduction shall be made from the first paycheck following ~~the first six (6) months~~ of employment. (Remainder of Article unchanged).

#### **NEW ARTICLE – DISCIPLINARY PROCEDURES**

- e) The following procedure outlines, in general, the steps to be taken in administering employee discipline. These procedures are not all inclusive and therefore other discipline methods may be appropriate. The employee may request and have a representative of their choosing present at all investigative interviews, which the employee reasonably believes might result in disciplinary action.
- f) The following procedures constitute a progressive disciplining process. The principle objective of this process is to correct the inappropriate or unacceptable behavior of an employee. All employee discipline must be for just cause. Though this method is progressive, should the supervisor or Department Head determine the conduct of the employee warrants it, they may take more severe disciplinary action without first employing the lesser discipline options available.
- g) Employee discipline procedures:
  - 5) Oral reprimand. This involves a face to face meeting between the first line supervisor and the employee to discuss the unsatisfactory areas of their work performance or conduct and suggestions for improvements. The employee should be warned of future disciplinary action if the situation is not corrected.
  - 6) Written reprimand. In cases where the oral reprimand has not been successful or where the circumstances are more extreme or unusual a written reprimand may be used. The written statement should include the causes of the reprimand and indicate that further disciplinary action will result if not corrected. Where applicable, reference to previous oral reprimands should be noted. The written reprimand should be filed with the employee's permanent record. A copy shall also be sent to the employee's Union Representative.
  - 7) Suspension. For serious infractions or in cases where oral and written reprimands have not corrected the problem a suspension may be imposed on the employee. The notice of suspension must be in writing with copies going to the employee, the bargaining unit which represents the employee, the LRES Office and the employee's personnel record. The notice should contain the reason for the action, the length and dates of the suspension and the department head's signature. The suspension should be discussed with the employee at the time they are presented with a copy of the notice.
  - 8) Discharge. In cases where all previous disciplinary action has been unsuccessful or in cases involving extreme or unusual circumstances, discharge of the employee may be imposed. The action to discharge shall be initiated by a suspension "pending discharge" to provide adequate time for additional investigation. If the facts continue to warrant discharge the notice of the discharge shall be issued in order to effectuate the discharge. The notice discharge must be in writing with copies going to the employee, the bargaining unit which represents the employee and the LRES Office and the employee's personnel record. The notice should contain the reason for the action, the effective date of the discharge and the department head's signature.
- h) Employees shall have a right to appeal disciplinary actions under the grievance procedures. Appeals regarding suspensions, demotions or discharges shall be initiated at Step 2 of the grievance procedures, all others at Step 1.

Incorporate Letter of Agreement regarding Paid Time Off accruals prorated for unpaid leaves of absences.

Modify all provisions to reflect the change from WPPA/LEER to WPPA/CERD.

Wage schedule should be updated as follows:

#### **PUBLIC HEALTH NURSE WAGE RATES**

	<u>HIRE</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 5</u>	<u>Year 7</u>	<u>Year 9</u>	<u>Year 11</u>	<u>Year 13</u>
2007	\$ 19.91	\$ 20.59	\$ 21.27	\$ 21.94	\$ 22.62	\$ 23.52	\$ 24.46	\$ 25.44	\$ 26.46
2008	\$ 20.51	\$ 21.21	\$ 21.91	\$ 22.60	\$ 23.30	\$ 24.23	\$ 25.20	\$ 26.21	\$ 27.25
2009	\$ 21.12	\$ 21.84	\$ 22.56	\$ 23.28	\$ 24.00	\$ 24.96	\$ 25.95	\$ 26.99	\$ 28.07

ADVANCED PRACTICE NURSE WAGE RATES

2007	\$ 24.40	\$ 25.10	\$ 25.80	\$ 26.50	\$ 27.21	\$ 27.69	\$ 29.14	\$ 30.64
2008	\$ 25.13	\$ 25.85	\$ 26.57	\$ 27.30	\$ 28.03	\$ 28.52	\$ 30.01	\$ 31.56
2009	\$ 25.88	\$ 26.63	\$ 27.37	\$ 28.12	\$ 28.87	\$ 29.38	\$ 30.91	\$ 32.51

Implementation of tentative agreements will be the day following County Board ratification.

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

Approved by the Labor Relations and Employee Services Committee this 15<sup>th</sup> day of May 2008.  
Offered and passage moved by Supervisors John R. Young, Paul Dean, Charles Wickman and Scott Holewinski.

**Motion/second Greschner/Vandervest** to waive the reading of Resolution #45-2008. All “aye” on voice vote.  
**Motion/second Young/Greb** to amend Line #18 by deleting the word “and” and inserting the words with the exception of retiree health insurance which will be arbitrated: and. Also to amend Line #87 by deleting the words NEW ARTICLE and inserting the words, ARTICLE 23.

**Roll call: 20 aye 0 nay 1 absent (Cushing) 0 abstain.**  
**Student Representatives: 3 aye 0 nay 2 absent (Klemm, Geiger) 0 abstain.**

**Resolution #46-2008 - offered by Supervisors of the Labor Relations and Employee Services Committee regarding Oneida County Non-Sworn Sheriff’s Association contract.**

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

**WHEREAS**, the Labor Relations and Employee Services Committee (hereinafter, “Committee”), Attorney John Prentice, County Coordinator and Employee Services Manager have met on several occasions with representatives of the Oneida County Non-Sworn Sheriff’s Association employees bargaining unit represented by the Law Enforcement Employee Relations Division of the Wisconsin Professional Police Association (hereinafter, “Association”); and

**WHEREAS**, the Committee and the Association have reached a tentative agreement concerning the contract for calendar years 2006 and 2007; and

**WHEREAS**, the principal changes, modifications and improvements to the contract, set forth below, have been recommended by the Committee; and

**WHEREAS**, the Oneida County Board of Supervisors have reviewed the proposed changes for the purposes of ratification of the agreement between the Committee and the Association, and

**WHEREAS**, the County Board previously approved resolution #29-2007 that only dealt with an across the board wage increase, this resolution contains other tentative agreements between the parties.

**NOW, THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors does hereby ratify and approve the contract agreement referred to above for calendar years 2006 and 2007 as negotiated between the Committee and the Association amending resolution #29-2007, and

**BE IT FURTHER RESOLVED**, The Association’s contract for the years of 2006 & 2007 shall incorporate the following principal changes, modifications and improvements:

**ARTICLE VII – SALARIES (Amend to include)**

Section 7.04 – Acting Pay: Whenever an employee is specifically assigned to a higher classification and is relieved of his/her normal duties by the Sheriff or Chief Deputy, he/she shall be entitled to the starting next higher hourly pay rate of that position classification for the hours worked ~~or his/her current hourly pay, whichever is higher.~~

**ARTICLE VIII – HOURS OF WORK (amend to read)**

Section 8.01 – Hours of Work: ~~Excluding 7/7 employee and Telecommunicators,~~ The Normal scheduled workday for the Finance Technicians, Evidence Technicians, Payroll Technicians, and Secretaries shall be eight (8) hours. ~~The normal scheduled workweek shall be prepared by the Sheriff and posted in advance. The normal scheduled workweek shall be so established as to provide for regular work schedules, which will permit the employees to obtain the hours per day and hours per week necessary to provide for a normal scheduled workday of eight (8) hours and a normal scheduled workweek of forty (40) hours.~~ Telecommunicators will work a 4/3 schedule. The normal scheduled workday for Telecommunicators shall be ten (10) hours. Corrections Officers and Lead Corrections Officers, excluding the Huber Officer will work a 4 on/4 off schedule. The normal scheduled workday for Corrections Officers and Lead Corrections Officers shall be twelve (12) hours, except the Huber Officer shall be eight (8) hours. The employees shall report for duty 15 minutes prior to the regular shift for muster and assignments and shall be compensated at the regular shift rate for this time.

Annual shift selections shall be based on seniority. Mid year shift vacancies shall be posted and filled on a seniority basis. The normal scheduled workweek shall be prepared by the Sheriff and posted in advance. The normal scheduled workweek shall be so established as to provide for regular work schedules, which will permit the employees to obtain the hours per day and hours per week necessary to provide for a normal scheduled workweek of forty (40) hours.

Section 8.02 – Shift Schedule: ~~The Correction Officer and Lead Correction Officer~~ Shifts are to be scheduled in the following manner:

- a) Finance Technicians, Evidence Technicians and Payroll Technicians: As mutually agreed, based on the needs of the Department.
- b) Secretaries:
  - 1<sup>st</sup> Shift from 8:00 a.m. to 4:00 p.m. Monday thru Friday
  - 2<sup>nd</sup> Shift from 2:00 p.m. to 10:00 p.m. Monday thru Friday

Shift start times may vary according to the needs of the Department, or as mutually agreed between the Sheriff and employees. The Sheriff reserves the right to schedule a Sunday thru Thursday 3rd Shift. Management may require Secretaries to work up to four (4) hours overtime to cover unanticipated 2<sup>nd</sup> shift absences, or Secretaries to change shift to cover for scheduled 2<sup>nd</sup> shift absences of three (3) days or more on a seniority basis.
- c) Telecommunicators and Lead Telecommunicators:
  - 1<sup>st</sup> Shift from 7:00 a.m. to 5:00 p.m.
  - 2<sup>nd</sup> Shift from 5:00 p.m. to 3:00 a.m.
  - 3<sup>rd</sup> Shift from 9:00 p.m. to 7:00 a.m.
  - X Shift from 11:00 a.m. to 9:00 p.m.
- d) Corrections Officer and Lead Corrections Officers:
  - The X Shift from 6:30 a.m. to 6:30 p.m.
  - The Y Shift from 6:30 p.m. to 6:30 a.m.
  - The Z Shift from 10:00 a.m. to 10:00 p.m., (staffed by one (1) officer on each rotation)
  - The Huber Officer will be scheduled eight (8) hours/five (5) days a week, specific hours as determined by the Jail Administrator.

Section 8.04 – Kelly Days: Kelly Days will be granted to Correctional Officers and Lead Correctional Officers working the 4 on/4 off schedule. The number of days will be determined based on the total hours scheduled minus 2080, converted to full twelve hour days, and excess hours. One (1) Officer may take off on a Kelly Day each shift, per day. Kelly Days must be scheduled on weekdays, avoiding weekends. Each Officer shall in order of seniority pick one (1) day per month until all Kelly Days are scheduled.

#### **ARTICLE IX – OVERTIME (Amend to include)**

Section 9.07 – Hold-Over Pay: When an employee is required to work greater than one (1) hour beyond their normal scheduled hours of work due to minimum manpower requirements, they shall receive hold-over pay of two (2) hours straight time, plus pay for actual time worked. This section shall not apply if the employee is given notice on the previous day worked, or with a twenty-four (24) hour notice.

Incorporate Letter of Agreement regarding overtime.

#### **ARTICLE XII – INSURANCE**

Section 12.06 – Optional Coverage: The County shall sponsor and provide to employees optional supplemental life, vision, and dental insurance programs with the employee paying 100% of the premiums through payroll deductions. \*(Specific terms of each optional plan developed by a committee composed of one representative from each participating union group.)

\*Association agrees to require Direct Deposit no later than July 1, 2007.

#### **ARTICLE XIV – CLOTHING AND MAINTENANCE ALLOWANCE (Amended to read)**

- a) Section ~~14.04~~ 14.01 – Finance Technician, Evidence Technician, and Payroll Technician, Secretary: Finance Technicians, Evidence Technicians, Payroll Technicians, and Secretaries are not required to wear uniforms.
- b) Section 14.02 – Telecommunicators: The County shall provide new Telecommunicators hired into the Sheriff's Department with an initial uniform as prescribed in Appendix "C" for his/her first year, and ~~\$200.00~~ \$300.00 per year thereafter, the same to be used as a clothing and maintenance allowance, including dry cleaning expenses which shall be paid in two separate checks designated as payment for "clothing and dry cleaning allowance" in the sums of ~~\$100.00~~ \$150.00 each on the paydays next following the first day of January and the first day of July of the contract

year. The clothing and maintenance allowance may be used only for acquiring, replacing or cleaning those items, which are approved for the employee's uniform as set forth in Appendix "C".

- c) ~~Section 14.03 – Clerk/Matron/Correction Officers:~~ The County shall provide a new ~~Clerk/Matron and a new~~ Correction Officer hired into the Sheriff's Department with an initial uniform as prescribed in Appendix "C" for his/her first year, and ~~\$350.00~~ \$450.00 per year thereafter, the same to be used as a clothing and maintenance allowance, including dry cleaning expense which shall be paid in two separate checks designated as payment for "clothing and dry cleaning allowance" in the sum of ~~\$175.00~~ \$225.00 each on the paydays next following the first day of January and first day of July of the contract year. The clothing and maintenance allowance may be used only for acquiring, replacing or cleaning those items, which are approved for the employee's uniform as set forth in Appendix "C".

#### **NEW ARTICLE – DISCIPLINARY PROCEDURES**

- a) The following procedure outlines, in general, the steps to be taken in administering employee discipline. These procedures are not all inclusive and therefore other discipline methods may be appropriate. The employee may request and have a representative of their choosing present at all investigative interviews, which the employee reasonably believes might result in disciplinary action.
- b) The following procedures constitute a progressive disciplining process. The principle objective of this process is to correct the inappropriate or unacceptable behavior of an employee. All employee discipline must be for just cause. Though this method is progressive, should the supervisor or Department Head determine the conduct of the employee warrants it, they may take more severe disciplinary action without first employing the lesser discipline options available.
- c) Employee discipline procedures:
- 1) Oral reprimand. This involves a face to face meeting between the first line supervisor and the employee to discuss the unsatisfactory areas of their work performance or conduct and suggestions for improvements. The employee should be warned of future disciplinary action if the situation is not corrected.
  - 2) Written reprimand. In cases where the oral reprimand has not been successful or where the circumstances are more extreme or unusual a written reprimand may be used. The written statement should include the causes of the reprimand and indicate that further disciplinary action will result if not corrected. Where applicable, reference to previous oral reprimands should be noted. The written reprimand should be filed with the employee's permanent record. A copy shall also be sent to the employee's Union Representative.
  - 3) Suspension. For serious infractions or in cases where oral and written reprimands have not corrected the problem a suspension may be imposed on the employee. The notice of suspension must be in writing with copies going to the employee, the bargaining unit which represents the employee, the LRES Office and the employee's personnel record. The notice should contain the reason for the action, the length and dates of the suspension and the department head's signature. The suspension should be discussed with the employee at the time they are presented with a copy of the notice.
  - 4) Discharge. In cases where all previous disciplinary action has been unsuccessful or in cases involving extreme or unusual circumstances, discharge of the employee may be imposed. The action to discharge shall be initiated by a suspension "pending discharge" to provide adequate time for additional investigation. If the facts continue to warrant discharge the notice of the discharge shall be issued in order to effectuate the discharge. The notice discharge must be in writing with copies going to the employee, the bargaining unit which represents the employee and the LRES Office and the employee's personnel record. The notice should contain the reason for the action, the effective date of the discharge and the department head's signature.
- d) Employees shall have a right to appeal disciplinary actions under the grievance procedures. Appeals regarding suspensions, demotions or discharges shall be initiated at Step 2 of the grievance procedures, all others at Step 1.

Implementation of tentative agreements will be the day following County Board ratification.

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

Approved by the Labor Relations and Employee Services Committee this 15th day of May 2008.

Offered and passage moved by Supervisors John R. Young, Paul Dean, Charles Wickman and Scott Holewinski.

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**ONEIDA COUNTY  
 FISCAL IMPACT  
 NON-PROTECTIVE UNION**

**This fiscal impact amends resolution 29-2007**

<b>2006 Wage Increase</b>		<b>Percentage Increase</b>
Wages-Dispatch	46,585	11.7%
Wages-Non-Dispatch	<u>32,724</u>	<u>3.0%</u>
Total Wages	79,309	5.3%
Social Security	6,067	5.3%
Retirement-er	4,362	5.3%
Retirement-ee	4,679	5.3%
Workers Comp	1,020	5.3%
Income Continuation Ins	<u>200</u>	<u>5.3%</u>
	95,637	5.3%
<b>Amendment</b>		
Holdover Pay	6,500	0.4%
Acting Pay	<u>3,500</u>	<u>0.2%</u>
Total Wages	10,000	0.6%
Social Security	765	0.6%
Retirement-er	550	0.6%
Retirement-ee	590	0.6%
Workers Comp	819	0.6%
Income Continuation Ins	<u>25</u>	<u>0.6%</u>
	12,749	0.6%
Clothing Allowance	<u>3,900</u>	0.2%
Revised Total with Adjustments	112,286	6.1%

<b>2007 Wage Increase</b>		<b>Percentage Increase</b>
Wages-Dispatch	13,301	3.0%
Wages-Non-Dispatch	<u>33,578</u>	<u>3.0%</u>
Total Wages	46,879	3.0%
Social Security	3,586	3.0%
Retirement-er	2,625	3.0%
Retirement-ee	2,813	3.0%
Workers Comp	653	3.0%
Income Continuation Ins	<u>118</u>	<u>3.0%</u>
	56,674	3.0%

Revenue Source: Tax Levy

**Motion/second Greschner/Vandervest** to waive the reading of Resolution #46-2008. All “ayes” on voice vote.

**Motion/second Young/O’Melia** to amend resolution #46-2008 at Line 128 by deleting the words “NEW ARTICLE and inserting the words ARTICLE 23.

**Roll call to amend resolution: 20 aye 0 nays 1 absent (Cushing) 0 abstain.**

**Student Representatives: 3 aye 0 nay 2 absent (Klemm, Geiger) 0 abstain.**

**Roll call on amended resolution: 20 aye 0 nays 1 absent (Cushing) 0 abstain.**

**Student Representatives: 3 aye 0 nay 2 absent (Klemm, Geiger) 0 abstain.**

**Other business** - NONE

**Appointments to committees, commissions and other organizations.**

- **Appoint Maxine Meyer to replace Janice Miller to serve on the Oneida County Commission on Aging as a citizen for a three-year term to expire April 2011.**
- **Appoint Jack Martinson to serve as an Oneida County Board representative for Bear Lake District.**
- **Appoint Tom Rudolph to serve as an Oneida County Board representative for Horsehead Lake District.**
- **Appoint Wilbur Petroskey to serve as an Oneida County Board representative for Mid Lake District.**
- **Appoint Gary Baier to serve as an Oneida County Board representative for Thunder Lake District.**

**Motion/second Greschner/Hoffman** to approve all of the appointments above. All “ayes” on voice vote.

Board recessed from 11:30 a.m. until 11:35 a.m.

**Presentation - Aegis Corporation – “Harassment in the Workplace Training”**

Ms. Jodi L. Traas gave a brief presentation to the County Board regarding “harassment in the workplace”. See Exhibit A in the County Clerk’s office, County Board minutes folder.

**Adjournment**

**Motion/second Vandervest/Martinson** to adjourn at 12:20 p. m. All “ayes” on voice vote.