

**Oneida County Board of Supervisors
Organizational Meeting April 15th 2008**

County Clerk Bruso 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, 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, Eric Klemm and Keri Kerns both absent.

Judge O'Melia administered the Oath of Office for all County Board Supervisors.

The Board proceeded with the election, by secret ballot, of the County Board Chair.

Supervisor Matteson nominated Supervisor Smith.

Supervisor Thompson nominated Supervisor Baier.

Supervisor Wolk nominated Supervisor Greb.

Motion/Greschner/O'Melia to close nominations. All aye on voice vote.

A secret ballot was cast providing these results.

Supervisor Smith received twelve votes.

Supervisor Baier received four votes.

Supervisor Greb received four votes.

Chairman Smith took his place as Chairman of the Board.

Supervisor Franklin H. Greb arrived at approximately 9:39 a.m. Chairman Smith called a five - minute recess to allow Greb to be sworn in.

Board recessed for approximately five minutes – 9:40 a.m.

Board reconvened – 9:45 a.m.

The Board proceeded with the election, by secret ballot, of the County Board Vice-Chair.

Supervisor Greschner nominated Supervisor Cushing.

Supervisor Martinson nominated Supervisor Baier.

Supervisor Dean nominated Supervisor Greb.

Motion/Greschner/Petroskey to close nominations. All aye on voice vote.

A secret ballot was cast providing these results.

Supervisor Cushing received eight votes.

Supervisor Baier received six votes.

Supervisor Greb received seven votes.

Chairman Smith and Corporation Counsel Brian Desmond reviewed the Oneida County General Code to confirm that a majority vote is required to elect a vice-chair to the Board.

A second secret ballot was cast providing these results.

Supervisor Cushing received eight votes.

Supervisor Greb received twelve votes.

Supervisor Baier received zero votes.

One rejected vote.

Supervisor Franklin H. Greb was declared Vice-Chairman of the Board with a majority of twelve votes.

The Board proceeded with the election of County Board Highway Committee members

Supervisor Wickman nominated Supervisor Wolk.

Supervisor Greschner nominated Supervisor Holewinski.

Supervisor Hoffman nominated Supervisor Sharon.

Supervisor Dean nominated Supervisor Paszak.
 Supervisor Martinson nominated Supervisor Baier.
 Supervisor Sharon nominated Supervisor Hoffman.
 Supervisor Wolk nominated Supervisor Martinson.
Motion/second O’Melia/Petroskey to close nominations. All aye on voice vote.

Ballots were read aloud. Baier questioned why a ballot could have only three or four votes cast on it when the directions state “Vote for five”. Discussion took place and it was determined that there is no statutory or local rule requiring that a supervisor must vote for 5 candidates. They may vote for any number up to 5 candidates.

Motion/second Peters/Martinson to throw out ballots that were cast and to vote again for up to 5 candidates.

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

Student Representatives: 1 aye 0 nay 2 absent (Kerns, Klemm) 0 abstain.

A second ballot was cast and the results were read:

- Supervisor Wolk received thirteen votes.
- Supervisor Holewinski received fourteen votes.
- Supervisor Sharon received eighteen votes.
- Supervisor Paszak received twelve votes.
- Supervisor Baier received nine votes.
- Supervisor Hoffman received fourteen votes.
- Supervisor Martinson received two votes.

Chairman Smith announced the Highway Committee members to be: Supervisors Sharon, Holewinski, Hoffman, Wolk and Paszak.

Announcements: Chairman Smith reminded Supervisors to use their microphones when addressing the floor. He instructed others to sign the attendance form at the podium.

Chairman Smith appointed Supervisors Greb and Cushing, to the Committee on Committees - noting that Committee would convene in Committee Room #2 approximately ten minutes following the adjournment of this meeting.

Chairman Smith announced two separate seminars - 2008 UWEX Local Government County Officials Workshop scheduled for May 15th 2008 in Rhinelander; and the 2008 WCA North Central District Meeting scheduled for May 5th 2008 in Keshena, WI. Supervisors were instructed to sign up in the Clerk’s office.

Motion/second Hoffman/Petroskey to accept the minutes for March 18, 2008. All “aye” on voice vote.

Motion/second Cushing/Greschner to accept the minutes for March 26, 2008. All “aye” on voice vote.

Motion/second O’Melia/Cushing to accept the 2007 Highway Operations Financial report, 2007 Planning and Zoning Annual Report and the 2007 Solid Waste Department Annual report. All “aye” on voice vote.

Resolution #24-2008 - offered by Supervisors of the Finance and Insurance Committee regarding 2007 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 2007 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: Commission on Aging Program Income-Home Delivered Meals
Transfer to:	Home Delivered Meal Expense
Amount:	\$570
Re:	To apply additional revenues received to related expenses

Transfer from:	Comm: Commission on Aging Program Income-Senior Center
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Transfer to:	Senior Center Expenses
Amount:	\$1,592
Re:	To apply additional revenues received to related expenses

Transfer from:	Comm: Commission on Aging Program Income-Administration
Transfer to:	Administration Expenses
Amount:	\$1,980
Re:	To apply additional revenues received to related expenses

Transfer from:	Comm: Finance and Insurance Applied Continuing Appn-Land Rec Fees
Transfer to:	Information Technology Expenses
Amount:	\$11,759
Re:	To apply carryforward balances to related expenses

Transfer from:	Comm: UW-Extension State Aids/Fees for Services-UW-EX
Transfer to:	UW-Extension Expenses
Amount:	\$4,455
Re:	To apply additional revenues received to related expenses

Transfer from:	Comm: Solid Waste Public Charges-Landfill
Transfer to:	Landfill Expenses
Amount:	\$563,712
Re:	To apply additional revenues received to related expenses

Transfer from:	Comm: Board of Health State Aid-Women, Infants and Children
Transfer to:	Women, Infants and Children Expenses
Amount:	\$1,778
Re:	To apply additional revenues received to related expenses

Transfer from:	Comm: Board of Health Public Charges-Public Health
Transfer to:	Public Health Expenses
Amount:	\$14
Re:	To apply additional revenues received to related expenses

Transfer from:	Comm: Board of Health Public Charges-Family Planning
Transfer to:	Family Planning Expenses
Amount:	\$2,469
Re:	To apply additional revenues received to related expenses

Transfer from:	Comm: Buildings and Grounds Applied Continuing Appn-Equipment
Transfer to:	Buildings and Grounds Expenses
Amount:	\$4,789
Re:	To apply additional revenues received to related expenses

Transfer from:	Comm: Finance and Insurance State Aid-Human Service Center
Transfer to:	Human Service Center Expenses
Amount:	\$466,487
Re:	To apply additional revenues received to related expenses

Transfer from:	Comm: Finance and Insurance Building Rent Received
Transfer to:	Buildings-Human Service Center
Amount:	\$11,825
Re:	To apply additional revenues received to related expenses

Transfer from:	Comm: Social Services State Aid-Community Integration Program
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Transfer to:	Community Integration Program Expenses
Amount:	\$3,769
Re:	To apply additional revenues received to related expenses

Transfer from:	Comm: Social Services Child Support Fees
Transfer to:	Child Support Expenses
Amount:	\$421
Re:	To apply additional revenues received to related expenses

Transfer from:	Comm: Social Services State Aid-Community Options Program Waiver
Transfer to:	Community Options Program Expenses
Amount:	\$7,473
Re:	To apply additional revenues received to related expenses

Transfer from:	Comm: Social Services State Aid-Residential Care Centers
Transfer to:	Residential Care Centers Expenses
Amount:	\$199,492
Re:	To apply additional revenues received to related expenses

Approved by the Finance Committee this 24th day of March 2008.
Vote Required: Majority = _____ 2/3 Majority = XX 3/4 Majority = _____
Offered and passage moved by Supervisors Andrew P. Smith, John Hoffman and Ted Cushing.
Motion/second Vandervest/Greschner to waive the reading of the resolution. All “aye” on voice vote.
Roll call: 21 aye 0 nay 0 absent 0 abstain.
Student Representatives: 1 aye 0 nay 2 absent (Kerns, Klemm) 0 abstain.

Resolution #25-2008 - offered by Supervisors of the Finance and Insurance Committee regarding transfer of funds. Resolved by the Board of Supervisors of Oneida County, Wisconsin:

WHEREAS, the Oneida County Board of Supervisors has been advised by the Finance and Insurance Committee and the Finance Director that the accounts set forth below are overdrawn for the year ended December 31, 2007, and the County Board has determined that a transfer of funds as noted below is necessary to pay claims which have been made or which are anticipated,

NOW, THEREFORE, BE IT RESOLVED, the Oneida County Board of Supervisors authorized and directs the transfer of funds into the 2007 accounts noted below from the accounts set forth below:

TRANSFER TO:	
1) Circuit Court Branch II	\$7,410
2) Tax Deed Expenses	3,703
TRANSFER FROM:	
Contingency Fund	\$11,113

1) Guardian ad Litem expenses exceeded budget
2) Tax Deed expenses exceeded budget
Approved by the Finance Committee this 24th day of March 2008.
Vote Required: Majority = _____ 2/3 Majority = XX 3/4 Majority = _____
Offered and passage moved by Supervisors Andrew P. Smith, Ted Cushing and John Hoffman.
Roll call: 21 aye 0 nay 0 absent 0 abstain.
Student Representatives: 1 aye 0 nay 2 absent (Kerns, Klemm) 0 abstain.

Resolution #26-2008 - offered by Supervisors of the Highway Committee regarding a quit claim deed for specific jurisdictional transfer – Town of Monico.

Resolved by the Board of Supervisors of Oneida County, Wisconsin:
WHEREAS, the functional/jurisdictional relationship of the proposed county and local highway systems has been cooperatively reviewed by the Town and County; and
WHEREAS, changes in the jurisdiction of this highway system in the Township has been agreed to by the Town and the County; and
WHEREAS, consistent with those agreed to changes, the Town of Monico has also passed a resolution dated 30th day of July 2007 approving the specific jurisdictional transfer described herein.

NOW, THEREFORE, BE IT RESOLVED, the parties hereto do mutually agree to transfer jurisdictional responsibility for the highway and under the conditions described below;

Current Highway Designation CTH V	New Designation to be determined by Town of Board
From – To	USH 8 to USH 8
Distance	.88 Miles
Receiving Jurisdiction	Town of Monico

(SEE ATTACHED MAP)

BE IT FURTHER RESOLVED, that upon approval from the Wisconsin Department Transportation the County shall Execute a Quit Claim Deed to the Township of Monico transferring all underlying lands described above, known as the right-of-way of current County Highway V.

BE IT FURTHER RESOLVED, the effective date of this jurisdictional transfer shall be the date of approval by the Wisconsin Department of Transportation.

Approved by the Highway Committee this 13th day of March 2008.

Offered and passage moved by Supervisors Gary Baier, John Hoffman, Scott Holewinski and Peter Wolk.

Roll call: 21 aye 0 nay 0 absent 0 abstain.

Student Representatives: 1 aye 0 nay 2 absent (Kerns, Klemm) 0 abstain.

Resolution #27-2008 - offered by Supervisors of the Land Records Committee regarding the withdrawal of lands from the Managed Forest Law Program – Town of Crescent.

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

WHEREAS, Oneida County acquired lands located in the Town of Crescent at the recommendation of the Oneida County Economic Development Corporation (OCEDC), for the purpose of developing a new business park, and;

WHEREAS, the above mentioned lands are described in Document Number 628628 recorded in the Register of Deeds Office on February 3rd, 2006, and those lands are presently entered into the Managed Forest Law (MFL) program, and;

WHEREAS, The OCEDC requests that all of the above mentioned lands be withdrawn from the MFL program and that the lands also be annexed to the City of Rhinelander, and;

WHEREAS, the Land Records Committee seeks authorization from the County Board to proceed with the process of MFL withdraw and annexation of the above mentioned lands to the City of Rhinelander, and to have the County Clerk sign the necessary papers on behalf of the County.

NOW, THEREFORE, BE IT RESOLVED, that the Oneida County Board of Supervisors hereby authorizes the Committee to proceed with the process of MFL withdraw and annexation of the above mentioned lands to the City of Rhinelander and hereby authorizes the County Clerk to sign the necessary papers on behalf of the County.

Approved by the Land Records Committee this 19th day of March 2008.

Offered and passage moved by Supervisors Gary Baier, David O’Melia, Peter Wolk and Frank H. Greb.

Roll call: 21 aye 0 nay 0 absent 0 abstain.

Student Representatives: 1 aye 0 nay 2 absent (Kerns, Klemm) 0 abstain.

Resolution #28-2008/OA#19-2007 - offered by Supervisors of the Planning and Zoning Committee regarding 9.78 Sign Regulations.

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

WHEREAS, the Planning & Zoning Committee, having considered Ordinance Amendment #19-2007, (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 Planning and Zoning Committee wants to limit the size of a free standing sign for a home occupation business; and

WHEREAS, the Planning and Zoning Committee wanted to clarify recent revisions to the Sign Ordinance for flat mounted and hanging signs attached to a business; 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:

9.78 Sign Regulations

B. On-Premise Signs

No sign(s) shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted, or structurally altered without an approved sign permit unless specifically exempted by this ordinance. It may be necessary to obtain local, state or federal permits.

1. a. A business shall be permitted one freestanding sign exposure visible and designed to be read from each direction of travel. An on-premise free standing sign shall be no greater than 250 sq. ft. per face.

b. A Home Occupation as allowed by 9.43 of this ordinance shall be permitted one free standing sign no greater than 12 sq. ft. per face.

2. In addition:

a. Every business shall be permitted a building signs as follows:

(1) Two "flat" signs a maximum of 32 sq. ft. mounted flat against the building or on the roof for a building with a face of 1250 sq. ft. in area or less OR a maximum of 64 sq. ft. sign mounted flat against the building or on the roof for a building with a face of greater than 1250 sq. ft. area. No part of this sign including supports shall be more than 30 ft. from ground level. Only one flat sign per building face.

(2) ~~Two "projecting" signs with each face area of the projecting signs not to exceed 16 sq. ft. each, it cannot extend more than 5 ft. from the wall which it is attached, the bottom of such sign shall be at least 8 ft. above the grade directly below the sign and top of such sign shall not extend above the building's roof. Projecting signs must comply with the requirements of Section 9.70, 9.71, and 9.94, highway, side yard and waterfront setbacks.~~

(2) And one projecting sign not to exceed 16 square feet and cannot extend more than 5 feet from the wall which it is attached, the bottom of such sign shall be at least 8 feet above the grade directly below the sign and the top of such sign shall not extend above the buildings roof. Projecting signs must comply with the requirements of Section 9.70, 9.71 and 9.94 highway, side yard and waterfront setbacks.

(3) A Home Occupation as allowed by 9.43 of this Ordinance shall be allowed one sign mounted flat against the building no greater than 12 sq. ft.

Remaining portion of section B to remain unchanged.

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment #19-2007 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to all Town Clerks and to the Wisconsin Department of Natural Resources.

Approved by the Planning and Zoning Committee this 19th day of March, 2008.

Offered and passage moved by Supervisors Bob Metropulos, Larry Greschner and Scott Holewinski.

Motion/second Greschner/Baier waive the reading of the resolution. All "aye" on vice vote.

Roll call: 21 aye 0 nay 0 absent 0 abstain.

Student Representatives: 1 aye 0 nay 2 absent (Kerns, Klemm) 0 abstain.

Resolution #8-2008/OA#14-2007 (as amended) At the 2/19/08 County Board Mtg. this resolution was amended by motion (see highlighted area) and to be brought back to the County Board in April 2008.

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

WHEREAS, the Planning & Zoning Committee, having considered Ordinance Amendment # 14-2007, (copy attached) which was filed August 31, 2007, 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 October 3, 2007 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 at their August 21, 2007 meeting directed the Planning and Zoning Committee to have another Public Hearing to either amend or delete Section 9.73, Dwelling Overlay Districts; and

WHEREAS, the Planning and Zoning Committee held a Public Hearing and an overwhelmingly majority of individuals that attended favored deletion of 9.73, Dwelling Overlay Districts; and

WHEREAS, on November 13, 2007 the Oneida County Board of Supervisors defeated Resolution #99/2007 which called for the deletion of Section 9.73, Overlay Districts. ~~and;~~

~~**WHEREAS**, the Planning and Zoning Committee is forwarding two options to the Board for consideration.~~

~~Option one: Reconsider the elimination of Section 9.73 Overlay Districts.~~

~~Option two: Retain Section 9.73 Overlay Districts and amend as proposed.~~

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:

Section 9.73 Dwelling Overlay Districts (#19-2001, #66-2002, #10-2004)

The territory included within the boundaries of each of the Towns of Oneida County that come under the jurisdiction of this ordinance as provided in Section 9.12 (B), shall be placed into one or more of the location and occupancy overlay district by official action of the respective town boards following a public hearing for which a Class 2 notice has been published in compliance with Chapter 985, Wis. Stats. Such official town board action shall become effective upon the filing of a certified copy of the same with the Office of the Oneida County Clerk.

After the initial designations of overlay districts have been established subsequent changes may be made similar to the re-zoning process.

A. DWELLING OVERLAY DISTRICT #1 – ~~limited site built dwelling, manufactured building and manufactured home location and occupancy overlay district location and occupancy overlay districts and related requirements. Any site built dwelling, manufactured building or double wide manufactured home shall be permitted in this area subject to the following minimum requirements.~~

1. The minimum width of the dwelling unit shall be 24 20 feet between the longest exterior sides of the structure is 24 feet.
2. The footprint of the dwelling ~~must~~ shall be 720 600 square feet or greater in size.
3. ~~The structure has a shingled pitched roof with a minimum pitch of 2.3 to 12 with a minimum roof overhang of not less than 6 inches on all sides. The minimum roof overhang requirement may be waived if that applicant demonstrates that the roof overhang component of the designed structure would exceed the maximum width of a structure which can be legally transported over public highways and roads between the manufacturing site and the intended location and occupancy site.~~

3. Open decks, open porches or patios, garages, breezeways, storage appurtenances, carports, and basements shall not be included in calculating the minimum width or minimum square footage.
4. All dwellings and dwelling units in place prior to the adoption of the overlay districts shall be allowed to be replaced with the same size or larger structure.

B. DWELLING OVERLAY DISTRICT #2 – ~~GENERAL SITE BUILT MANUFACTURED BUILDING AND MANUFACTURED HOME LOCATION AND CCUPANCY OVERLAY DISTRICT.~~

1. The minimum width of the dwelling unit shall be 13 feet between the longest exterior sides of the structure.
- ~~2.1. The footprint of the dwelling must shall be 720 420 square feet or greater in size.~~
- ~~2. The roof of the dwelling must have a minimum pitch ratio of 2.3 to 12. Eave overhangs of 6 inches or greater are required. Finished roofing material shall be shingles or other acceptable roofing materials.~~
- ~~3. Any space between the dwelling and the grade or slab shall be enclosed with materials compatible in design and appearance with the exterior of the dwelling.~~
2. Open decks, open porches or patios Porches, garages, breezeways, storage appurtenances, carports, and basements shall not be included in calculating the minimum width or minimum square footage.
4. All dwellings and dwelling units placed prior to the adoption of the overlay districts shall be allowed to be replaced with the same size or larger structure.

C. DWELLING OVERLAY DISTRICT #3 – ~~GENERAL LOCATION AND OCCUPANCY OVERLAY DISTRICT.~~

1. The minimum width of the dwelling unit must shall be 10 feet between the longest exterior sides of the structure.
- ~~2. The roof of the dwelling must have a minimum pitch ration of 2.3 to 12. Eave overhangs of 6 inches or greater are required. Finished roofing materials shall be shingles or other acceptable roofing materials.~~
- ~~3. Any space between the dwelling and the grade or slab shall be enclosed with materials compatible in design and appearance with the exterior of the dwelling.~~
- ~~2.4. Open decks, open porches or patios Porches, garages, breezeways, Storage appurtenances, carports, and basements shall not be included in calculating the minimum width.~~
3. All dwellings and dwelling units placed prior to the adoption of the overlay districts shall be allowed to be replaced with the same size or larger structure.

D. DWELLING OVERLAY DISTRICT #4 – ~~OPEN LOCATION AND OVERLAY DISTRICTS.~~ No minimum requirements. For dwellings, the space between the dwelling and the grade or slab shall be enclosed with materials compatible in design and appearance with the exterior or the dwelling.

~~E. Subject to the limitations of Section 9.52, 9.53, and Article 9 of this ordinance, a landowner will be allowed to replace a house trailer, mobile home, manufactured home, or stick built home not in full compliance with the overlay district requirements. The replacement structure shall be the same square footage or larger, location, and use that immediately existed prior to replacement. An applicant must provide a completed zoning permit application showing the size and location of the proposed replacement house trailer, mobile home, manufactured home, or stick built home. The Town in which the proposed structure is to be located must approve of said waiver in writing prior to permit issuance. Furthermore:~~

E. Rebuilding or replacing any dwelling, in any of the four (4) dwelling overlay districts, that is destroyed by a catastrophic event shall not be bound by the minimum dwelling size requirements of the overlay district in which that dwelling was located prior to destruction. All dwellings and dwelling units placed prior to the adoption of the overlay district shall be allowed to be replaced with the same size or larger structure.

~~F. Site built dwellings, manufactured buildings and double wide manufactured homes and certain single wide manufactured homes.~~

Site built dwellings, manufactured buildings and double wide

~~manufactured homes and single wide manufactured buildings and double wide manufactured homes and single wide manufactured homes shall be permanently attached to footings or foundations meeting the applicable provisions of Wis. Admin. Code COMM 21.14, 21.15, 21.16, 21.17 and such double wide and single wide manufactured homes shall be permanently attached to their footings or foundations pursuant to the manufacturer's installation instructions.~~

- G. ~~Single wide manufactured homes, mobile homes and house trailers. Single wide manufactured homes and mobile homes and house trailers shall be set in place at the site in accordance with the manufacturer's installation instructions, if available, otherwise pursuant to accepted industry standards.~~

Article 10 – Definitions

Building Footprint: The area enclosed by the lines formed by connecting all points where the building's walls, or the foundation supporting the walls, meet the ground. For the purpose of this definition, chimneys, decks, patios, ~~dermer~~, cantilevered walls or other appurtenances shall not be considered as part of the building footprint. The County Clerk shall within seven (7) days after adoption of Ordinance Amendment #23-2006 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to all Town Clerks. The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment # 14-2007 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to all Town Clerks. Approved by the Planning and Zoning Committee this 6th day of February 2008.

Offered and passage moved by Supervisors Scott Holewinski, Frank H. Greb and Larry Greschner.

Motion/second Holewinski/Greschner to withdraw this resolution.

Roll call: 21 aye 0 nay 0 absent 0 abstain.

Student Representatives: 1 aye 0 nay 2 absent (Kerns, Klemm) 0 abstain.

Resolution #29-2008/OA#14-2007 – offered by Supervisors of the Planning and Zoning Committee regarding the elimination of Section 9.73 – Dwelling Overlay Districts.

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

WHEREAS, the Planning & Zoning Committee, having considered Ordinance Amendment # 14-2007, (copy attached) which was filed August 31, 2007, 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 October 3, 2007 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 at their August 21, 2007 meeting directed the Planning and Zoning Committee to have another Public Hearing to either amend or delete Section 9.73, Dwelling Overlay Districts; and

WHEREAS, the Planning and Zoning Committee held a Public Hearing and an overwhelmingly majority of individuals that attended favored deletion of 9.73, Dwelling Overlay Districts; and

WHEREAS, on November 13, 2007 the Oneida County Board of Supervisors defeated Resolution #99/2007 which called for the deletion of Section 9.73, Overlay Districts and;

WHEREAS, the Planning and Zoning Committee has again reviewed the issue and is recommending the elimination of Section 9.73, Dwelling Overlay Districts.

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 ~~strikethrough~~.

Chapter 9 of the Oneida County Zoning & Shoreland Protection Ordinance is amended as follows: Section 9.73, Dwelling Overlay Districts is hereby deleted.

~~9.73 DWELLING OVERLAY DISTRICTS (#1 2001, #66 2002, #10 2004)~~

~~A. DWELLING OVERLAY DISTRICT #1 LIMITED SITE BUILT DWELLING, MANUFACTURED BUILDING AND MANUFACTURED HOME LOCATION AND OCCUPANCY OVERLAY DISTRICT LOCATION AND OCCUPANCY OVERLAY DISTRICTS~~

~~AND RELATED REQUIREMENTS. The territory included within the boundaries of each of the Towns of Oneida County that come under the jurisdiction of this ordinance as provided in Section 9.12 (B), shall be placed into one or more of the location and occupancy overlay district by official action of the respective town boards following a public hearing for which a Class 2 notice has been published in compliance with Chapter 985, Wis. Stats. Such official town board action shall become effective upon the filing of a certified copy of the same with the Office of the Oneida County Clerk. Any site built dwelling, manufactured building or double wide manufactured home shall be permitted in this area subject to the following minimum requirements.~~

- ~~1. The minimum width between the longest exterior sides of the structure is 24 feet.~~
- ~~2. The footprint of the dwelling must be 720 square feet or greater in size.~~
- ~~3. The structure has a shingled pitched roof with a minimum pitch of 2.3 to 12 with a minimum roof overhang of not less than 6 inches on all sides. The minimum roof overhang requirement may be waived if that applicant demonstrates that the roof overhang component of the designed structure would exceed the maximum width of a structure which can be legally transported over public highways and roads between the manufacturing site and the intended location and occupancy site.~~

~~B. DWELLING OVERLAY DISTRICT #2—GENERAL SITE BUILT MANUFACTURED BUILDING AND MANUFACTURED HOME LOCATION AND OCCUPANCY OVERLAY DISTRICT.~~

- ~~1. The footprint of the dwelling must be 720 square feet or greater in size.~~
- ~~2. The roof of the dwelling must have a minimum pitch ratio of 2.3 to 12. Eave overhangs of 6 inches or greater are required. Finished roofing material shall be shingles or other acceptable roofing materials.~~
- ~~3. Any space between the dwelling and the grade or slab shall be enclosed with materials compatible in design and appearance with the exterior of the dwelling.~~
- ~~4. Porches, garages, breezeways, storage appurtenances, carports, and basements shall not be included in calculating the minimum square footage.~~

~~C. DWELLING OVERLAY DISTRICT #3—GENERAL LOCATION AND OCCUPANCY OVERLAY DISTRICT.~~

- ~~1. The minimum width of the dwelling must be 10 feet between the longest exterior sides.~~
- ~~2. The roof of the dwelling must have a minimum pitch ratio of 2.3 to 12. Eave overhangs of 6 inches or greater are required. Finished roofing materials shall be shingles or other acceptable roofing materials.~~
- ~~3. Any space between the dwelling and the grade or slab shall be enclosed with materials compatible in design and appearance with the exterior of the dwelling.~~
- ~~4. Porches, garages, breezeways, storage appurtenances, carports, and basements shall not be included in calculating the minimum width.~~

~~D. DWELLING OVERLAY DISTRICT #4—OPEN LOCATION AND OVERLAY DISTRICTS.~~

~~Requirements. For dwellings, the space between the dwelling and the grade or slab shall be enclosed with materials compatible in design and appearance with the exterior of the dwelling.~~

~~E. Subject to the limitations of Section 9.52, 9.53, and Article 9 of this ordinance, a landowner will be allowed to replace a house trailer, mobile home, manufactured home, or stick built home not in full compliance with the overlay district requirements. The replacement structure would have to be the same square footage or larger, location, construction and use that immediately existed prior to replacement. An applicant must provide a completed zoning permit application showing the size and location of the proposed replacement house trailer, mobile home, manufactured home, or stick built home. The Town in which the proposed structure is to be located must approve of said waiver in writing prior to permit issuance. Furthermore, rebuilding or replacing any dwelling, in any of the four (4) dwelling overlay districts, that is destroyed by a catastrophic event shall not be bound by the~~

~~minimum dwelling size requirements of the overlay district in which that dwelling was located prior to destruction.~~

~~F. Site built dwellings, manufactured buildings and double wide manufactured homes and certain single wide manufactured homes.~~

~~Site built dwellings, manufactured buildings and double wide manufactured homes and single wide manufactured homes shall be permanently attached to footings or foundations meeting the applicable provisions of Wis. Admin. Code COMM 21.14, 21.15, 21.16, 21.17 and 21.18. Such double wide and single wide manufactured homes shall be permanently attached to their footings or foundations pursuant to the manufacturer's installation instructions.~~

~~G. Single wide manufactured homes, mobile homes and house trailers. Single wide manufactured homes and mobile homes and house trailers shall be set in place at the site in accordance with the manufacturer's installation instructions, if available, otherwise pursuant to accepted industry standards.~~

Article 10 – Definitions

Building Footprint: The area enclosed by the lines formed by connecting all points where the building's walls, or the foundation supporting the walls, meet the ground. For the purpose of this definition, chimneys, decks, patios, ~~berms~~, cantilevered walls or other appurtenances shall not be considered as part of the building footprint.

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment # 14-2007 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to all Town Clerks.

Approved by the Planning and Zoning Committee this 5th day of March 2008.

Offered and passage moved by Supervisors Scott Holewinski and Larry Greschner.

Motion/second Matteson/Wickman to postpone this resolution indefinitely.

Roll call: 6 aye (Dean, Rudolph, Sharon, Petroskey, Matteson, Wickman) 14 nay (O'Melia, Hoffman, Thompson, Martinson, Greschner, Baier, Vandervest, Greb, Young, Peters, Wolk, Cushing, Holewinski, Smith) 0 absent 1 abstain (Paszak).

Student Representatives: 0 aye 1 nay 2 absent (Kerns, Klemm) 0 Abstain.

Motion Fails.

Roll call to eliminate: 13 aye 7 nay (Dean, Young, Petroskey, Vandervest, Wickman, Rudolph and Matteson) 0 absent 1 abstain (Paszak).

Student Representatives: 1 aye 0 nay 2 absent (Kerns, Klemm) 0 abstain.

Resolution #30-2008/OA#14-2007 – offered by Supervisors of the Planning and Zoning Committee regarding amending Section 9.73 – Dwelling Overlay Districts.

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

WHEREAS, the Planning & Zoning Committee, having considered Ordinance Amendment # 14-2007, (copy attached) which was filed August 31, 2007, 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 October 3, 2007 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 at their August 21, 2007 meeting directed the Planning and Zoning Committee to have another Public Hearing to either amend or delete Section 9.73, Dwelling Overlay Districts; and

WHEREAS, the Planning and Zoning Committee held a Public Hearing and an overwhelmingly majority of individuals that attended favored deletion of 9.73, Dwelling Overlay Districts; and

WHEREAS, on November 13, 2007 the Oneida County Board of Supervisors defeated Resolution #99/2007 which called for the deletion of Section 9.73, Overlay Districts,

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:

Section 9.73 Dwelling Overlay Districts (#19-2001, #66-2002, #10-2004)

The territory included within the boundaries of each of the Towns of Oneida County that come under the jurisdiction of this ordinance as provided in Section 9.12 (B), shall be placed into one or more of the location and occupancy overlay district by official action of the respective town boards following a public hearing for which a Class 2 notice has been published in compliance with Chapter 985, Wis. Stats. Such official town board action shall become effective upon the filing of a certified copy of the same with the Office of the Oneida County Clerk. After the initial designations of overlay districts have been established subsequent changes may be made similar to the re-zoning process.

E. DWELLING OVERLAY DISTRICT #1 – ~~limited site built dwelling, manufactured building and manufactured home location and occupancy overlay district location and occupancy overlay districts and related requirements.~~ Any site built dwelling, manufactured building or double wide manufactured home shall be permitted in this area subject to the following minimum requirements.

5. The minimum width of the dwelling unit shall be 24 20 feet between the longest exterior sides of the structure ~~is 24 feet.~~
6. The footprint of the dwelling ~~must~~ shall be ~~720~~ 600 square feet or greater in size.
7. ~~The structure has a shingled pitched roof with a minimum pitch of 2.3 to 12 with a minimum roof overhang of not less than 6 inches on all sides. The minimum roof overhang requirement may be waived if that applicant demonstrates that the roof overhang component of the designed structure would exceed the maximum width of a structure which can be legally transported over public highways and roads between the manufacturing site and the intended location and occupancy site.~~
3. Open decks, open porches or patios, garages, breezeways, storage appurtenances, carports, and basements shall not be included in calculating the minimum width or minimum square footage.
4. All dwellings and dwelling units in place prior to the adoption of the overlay districts shall be allowed to be replaced with the same size or larger structure.

F. DWELLING OVERLAY DISTRICT #2 – ~~GENERAL SITE BUILT MANUFACTURED BUILDING AND MANUFACTURED HOME LOCATION AND CCUPANCY OVERLAY DISTRICT.~~

3. The minimum width of the dwelling unit shall be 13 feet between the longest exterior sides of the structure.
- ~~2.1.~~ The footprint of the dwelling ~~must~~ shall be ~~720~~ 420 square feet or greater in size.
2. ~~The roof of the dwelling must have a minimum pitch ratio of 2.3 to 12. Eave overhangs of 6 inches or greater are required. Finished roofing material shall be shingles or other acceptable roofing materials.~~
4. ~~Any space between the dwelling and the grade or slab shall be enclosed with materials compatible in design and appearance with the exterior of the dwelling.~~
4. Open decks, open porches or patios Porches, garages, breezeways, storage appurtenances, carports, and basements shall not be included in calculating the minimum width or minimum square footage.
8. All dwellings and dwelling units placed prior to the adoption of the overlay districts shall be allowed to be replaced with the same size or larger structure.

G. DWELLING OVERLAY DISTRICT #3 – ~~GENERAL LOCATION AND OCCUPANCY OVERLAY DISTRICT.~~

4. The minimum width of the dwelling unit ~~must~~ shall be 10 feet between the longest exterior sides of the structure.
5. ~~The roof of the dwelling must have a minimum pitch ration of 2.3 to 12. Eave overhangs of 6 inches or greater are required. Finished roofing materials shall be shingles or other acceptable roofing materials.~~
6. ~~Any space between the dwelling and the grade or slab shall be enclosed with materials compatible in design and appearance with the exterior of the dwelling.~~

~~2.4. Open decks, open porches or patios Porches, garages, breezeways, Storage appurtenances, carports, and basements shall not be included in calculating the minimum width.~~

~~3. All dwellings and dwelling units placed prior to the adoption of the overlay districts shall be allowed to be replaced with the same size or larger structure.~~

~~H. DWELLING OVERLAY DISTRICT #4 – OPEN LOCATION AND OVERLAY DISTRICTS. No minimum requirements. For dwellings, the space between the dwelling and the grade or slab shall be enclosed with materials compatible in design and appearance with the exterior or the dwelling.~~

~~E. Subject to the limitations of Section 9.52, 9.53, and Article 9 of this ordinance, a landowner will be allowed to replace a house trailer, mobile home, manufactured home, or stick built home not in full compliance with the overlay district requirements. The replacement structure shall be the same square footage or larger, location, and use that immediately existed prior to replacement. An applicant must provide a completed zoning permit application showing the size and location of the proposed replacement house trailer, mobile home, manufactured home, or stick built home. The Town in which the proposed structure is to be located must approve of said waiver in writing prior to permit issuance. Furthermore:~~

~~E. Rebuilding or replacing any dwelling, in any of the four (4) dwelling overlay districts, that is destroyed by a catastrophic event shall not be bound by the minimum dwelling size requirements of the overlay district in which that dwelling was located prior to destruction. All dwellings and dwelling units placed prior to the adoption of the overlay district shall be allowed to be replaced with the same size or larger structure.~~

~~H. Site built dwellings, manufactured buildings and double wide manufactured homes and certain single wide manufactured homes.~~

~~Site built dwellings, manufactured buildings and double wide manufactured homes and single wide manufactured buildings and double wide manufactured homes and single wide manufactured homes shall be permanently attached to footings or foundations meeting the applicable provisions of Wis. Admin. Code COMM 21.14, 21.15, 21.16, 21.17 and such double wide and single wide manufactured homes shall be permanently attached to their footings or foundations pursuant to the manufacturer's installation instructions.~~

~~I. Single wide manufactured homes, mobile homes and house trailers. Single wide manufactured homes and mobile homes and house trailers shall be set in place at the site in accordance with the manufacturer's installation instructions, if available, otherwise pursuant to accepted industry standards.~~

Article 10 – Definitions

Building Footprint: The area enclosed by the lines formed by connecting all points where the building's walls, or the foundation supporting the walls, meet the ground. For the purpose of this definition, chimneys, decks, patios, ~~berms~~, cantilevered walls or other appurtenances shall not be considered as part of the building footprint. The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment # 14-2007 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to all Town Clerks.

Approved by the Planning and Zoning Committee this 5th day of March 2008.

Offered and passage moved by Supervisors Scott Holewinski and Larry Greschner.

Motion/second Greschner/Baier to withdraw Resolution #30-2008.

Roll call: 21 aye 0 nay 0 absent 0 abstain.

Student Representatives: 1 aye 0 nay 2 absent (Kerns, Klemm) 0 abstain.

Resolution withdrawn.

Resolution #31-2008/OA#2-2008 – offered by Supervisors of the Planning and Zoning Committee regarding 9-9.42 (H) Lapse of a CUP (Conditional Use Permit)

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

WHEREAS, the Planning & Zoning Committee, having considered Ordinance Amendment # 2-2008, (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, larger development projects could not be “substantially commenced” in 2 years due to marketing, permitting and financing; 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:

9.42 (H) Lapse of a CUP

A CUP shall lapse and be void unless the use permitted by the CUP has been substantially commenced within ~~two~~^{three} years from the date of issuance of the CUP and has been completed within the time period specified in the CUP.

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment # 2-2008 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to all Town Clerks and to the Wisconsin Department of Natural Resources.

Approved by the Planning and Zoning Committee this 19th day of March 2008.

Offered and passage moved by Supervisors Bob Metropulos, Larry Greschner and Scott Holewinski.

Motion/second Cushing/Wolk to waive the reading of the resolution. All “aye” on voice vote.

Roll call: 21 aye 0 nay 0 absent 0 abstain.

Student Representatives: 1 aye 0 nay 2 absent (Kerns, Klemm) 0 abstain.

Resolution #32-2008/OA#4-2008 – offered by Supervisors of the Planning and Zoning Committee regarding 9.91-Shoreland-Wetland Zoning (District 11).

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 (5)~~ 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 (5)~~ two (2) acres or more.

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

In those wetlands that are less than ~~five (5)~~ 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 19th day of March, 2008

Offered and passage moved by Supervisors Bob Metropulos, Larry Greschner and Scott Holewinski.

Motion/second O'Melia/Vandervest to waive the reading of the resolution. All "aye" on voice vote.

Motion/second Holewinski/Greschner to remove resolution, send back to the Planning and Zoning Committee and come back with a report at the June County Board meeting.

Roll call: 21aye 0 nay 0 absent 1 abstain (Smith).

Student Representatives: 1 aye 0 nay 2 absent (Kerns, Klemm) 0 abstain.

Resolution #33-2008/General Code – offered by Supervisors of the Resolutions and Ordinances/Legislative Committee regarding Section 1.22 (Corporation Counsel) and Section 2.52 (Law Enforcement and Judiciary Committee)

Whereas, the Resolutions and Ordinances/Legislative Committee continually reviews the County Code of Ordinances, and

Whereas, from time to time, the Committee recommends changes to the code, and

Whereas, the Committee is recommending an amendment to sections 1.22 & 2.52.

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. Sections 1.22 and 2.52 of the General Code of Oneida County, Wisconsin, are amended as follows [additions noted by underline, deletions noted by strikethrough.

1.22 CORPORATION COUNSEL. (Am. #35-81; Rep. & recr. #37-94)

(1) APPLICABLE STATUTES. See §59.07(44), Wis. Stats.

(2) DUTIES PRESCRIBED BY COUNTY BOARD. The Corporation Counsel shall perform such other duties as prescribed by resolution of the County Board. He shall specifically:

Sections (a) through (g) remain unchanged.

~~(h) Serve as a member of the Resolutions and Ordinances Legislative Committee.~~

Sections (i) and (j) remain unchanged.

2.52 LAW ENFORCEMENT AND JUDICIARY COMMITTEE. (Rep. & recr. #52-2003)

(1) COMPOSITION AND APPOINTMENT. This Committee shall consist of five members appointed by the County Board Chair; ~~with one member to be selected from each of the following Committees: Finance and Insurance, Labor Relations/Employee Services, Planning and Zoning, Social Services Committee and one Board member at large.~~

The balance of the section remains unchanged.

Approved by the Resolutions & Ordinances/Legislative Committee on April 8, 2008.

Offered and passage moved by Supervisors Andrew P. Smith and John R. Young.

Roll call: 21 aye 0 nay 0 absent 0 abstain.

Student Representatives: 1 aye 0 nay 2 absent (Kerns, Klemm) 0 abstain.

Resolution #34-2008/General Code – offered by Supervisors of the Resolutions and Ordinances/Legislative Committee regarding General Code of Oneida County update.

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

WHEREAS, it is deemed expedient and necessary that the General Code of the County of Oneida, Wisconsin be brought up-to-date; and

WHEREAS, resolutions and ordinances adopted through December 11th 2007 and changes necessitated by changes in State law have been incorporated into the General Code by the Revisor, which has provided Oneida County with corrected printed revisions, pursuant to Statute 25.08 of the General Code of Oneida County, Wisconsin; and

WHEREAS, a copy of such amended General Code of Oneida County, Wisconsin, has been on file and open for public inspection in the office of the County clerk for not less than two weeks, as required by Statute 66.035, Wis. Stats., and notice thereof has been provided by publication on March 9th 2008 in the Rhinelander Daily News;

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

Section 1. The Code of Ordinances in book form entitled: General Code of Oneida County, Wisconsin, as amended through December 11th 2007 shall be and hereby is adopted as the general ordinances in and for the County of Oneida, Wisconsin.

Section 2. Any ordinance in conflict with this ordinance shall be and hereby is repealed as far as any conflict exists.

Section 3. This ordinance shall take effect the day after passage and publication as provided by law.

Approved by the Resolutions & Ordinances/Legislative Committee this 13th day of March 2008.

Offered and passage moved by Supervisors David O'Melia and Andrew P. Smith.

Roll call: 21 aye 0 nay 0 absent 0 abstain.

Student Representatives: 1 aye 0 nay 2 absent (Kerns, Klemm) 0 abstain.

Resolution #35-2008 – offered by Supervisors of the Land Records Committee regarding correction to a deed – James Larson.

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

WHEREAS, On June 28th, 1972 Oneida County, through its tax deed process, issued a Quit Claim Deed that is recorded in Volume 334 Page 657 to James Larson for a parcel whose description is: NE NE Pt. East and South of Bearskin Creek, Des. In V.171, P. 541 Sec 2 Town 36N Range 6E, and;

WHEREAS, it has recently been determined that the deed should have also listed Walter Doman and Elsie Doman, and Kenneth Doman who were also owners of the property along with James Larson at the time the tax deed was recorded, and;

WHEREAS, the attached affidavit list details of the recordings and related information.

NOW, THEREFORE, BE IT RESOLVED, in order to correct the deed, the Oneida County Board of Supervisors hereby authorizes and directs the Oneida County Clerk to sign and record the attached affidavit and to record a correction quit claim deed listing the owners who were in title to the property at the time the tax deed was recorded, those being James Larson, Walter Doman and Elsie Doman, and Kenneth Doman.

Approved by the Land Records Committee this 9th day of April 2008.

Offered and passage moved by Supervisors Gary Baier, David O'Melia, James Sharon and Peter Wolk.

Roll call: 21aye 0 nay 0 absent 0 abstain.

Student Representatives: 1 aye 0 nay 2 absent (Kerns, Klemm) 0 abstain.

Resolution #36-2008/General Code/0A – offered by Supervisors of the Solid Waste Committee regarding 8.06 – Prohibited Activities and 8.08 – Penalties.

Whereas, cathode ray tubes (CRTs) have been identified as the greatest source of lead in sanitary landfills, and

Whereas, the market trend to flat screen technology is rapidly rendering CRT technology obsolete, and

Whereas, the State of Wisconsin has failed to ban CRTs from residential sources from Wisconsin landfills, but does ban landfilling of CRTs from businesses, and

Whereas, it is estimated that over 10,000 CRTs will be disposed of in Oneida County alone in the next three years

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

8.06 PROHIBITED ACTIVITIES.

No person shall:

(12) Dispose of Cathode Ray Tubes (CRTs) or fluorescent light bulbs in any landfill or transfer station located in Oneida County. CRTs and fluorescent bulbs must be separated from garbage and properly recycled.

8.08 PENALTIES.

(1)Illegal burning; littering; covered loads; illegal salvage; failure to follow solid waste directions; yard wastes; closed hours; mandatory recycling. Any person who violates subs. (1), (2), (3), (4), (5), (6), ~~(7)~~ or (12) of §8.06 or subs. (1), (2), (3) or (4) of §8.07 shall forfeit not less than \$50 nor more than \$200 for each such violation. The minimum forfeiture for the 2nd offense within a 12 month period from the date of issuance of a first citation for a like offense shall be not less than \$100 nor more than \$300. The minimum forfeiture for the 3rd and subsequent offenses within a 12 month period from the date of issuance of a first citation for a like offense shall be not less than \$200 nor more than \$400.

Approved by the Solid Waste Committee on March 12, 2008.

Offered and passage moved by Supervisors Matt Matteson, Charles Wickman Jack Martinson and Guy Hansen.

Motion/second Holewinski/Matteson to amend resolution and underline language on Lines thirty-four thru thirty-six.

Roll call to amend: 21aye 0 nay 0 absent 0 abstain.

Student Representatives: 1 aye 0 nay 2 absent (Kerns, Klemm) 0 abstain.

Roll call on amended resolution: 21aye 0 nay 0 absent 0 abstain.

Student Representatives: 1 aye 0 nay 2 absent (Kerns, Klemm) 0 abstain.

Other business - NONE

Appointments to committees, commissions and other organizations.

- Re-appoint Alan Lewis to serve on the Oneida County Law Enforcement Grievance Committee for a three-year term to expire April 2011.
- Re-appoint William J. Schell, Jr. to serve on the Oneida County Commission on Aging for a three-year term to expire April 2011.
- Re-appoint Jeanette Pederson to serve on the Oneida County Commission on Aging for a three-year term to expire April 2011.

Motion/second Martinson/Vandervest to approve all of the appointments above.

Roll call: 21aye 0 nay 0 absent 0 abstain.

Student Representatives: 1 aye 0 nay 2 absent (Kerns, Klemm) 0 abstain.

Adjournment

Motion/second Rudolph/Petroskey to adjourn at 12:14 p. m. All “ayes” on voice vote.