

**Oneida County Board of Supervisors
Regular Meeting January 19th 2010**

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, Larry Greschner, David Hintz, John Hoffman, Jack Martinson, Matt Matteson, David O'Melia, Sonny Paszak, Wilbur Petroskey, Tom Rudolph, Andrew Smith, Denny Thompson, Romelle Vandervest, Charles Wickman, Peter Wolk and John R. Young.

Supervisors Excused: Scott Holewinski, Patricia L. Peters and Jim Sharon.

Student Representatives: Ben Brusco, Laci McCann.

Others present: Robert Brusco, County Clerk, Mary Bartelt, Deputy County Clerk, Brian Desmond, Corporation Counsel and John Potters, County Coordinator.

Student Representative Mary Benbenek arrived at approximately 9:31 a.m.

Chairman Smith reminded Supervisors to use their microphones when addressing the floor and those addressing the Board to sign the attendance form at podium. Chairman Smith also reminded Supervisors to please turn in their 2009 personal expense vouchers this month.

Motion/second Hoffman/ Vandervest to accept the minutes of the November 10th, 2009 Annual Budget Meeting.

Motion/second Cushing/Petroskey to amend minutes on page 7 and change the motion tally from 13 aye to 14 aye. All "aye" on voice vote.

Motion/second Martinson/Baier to accept the amended minutes of the November 10th, 2009 Annual Budget. All "ayes" on voice vote.

Reports - NONE

Unfinished Business - NONE

Considerations of resolutions & ordinances

Postponed Resolution #100-2009/General Code/OA – offered by Supervisors of the Resolutions and Ordinances/Legislative Committee – regarding amending Section 2.01 – Rule #1 – Governing Body – Supervisory Districts.

Whereas, WI Statutes 59.10(3)(a)3 states: "Counties with a population of less than 50,000 but at least 25,000 shall have no more than thirty-one supervisors, and

Whereas, WI Statutes 59.10 continues: "...no later than July 1st. following the year of each decennial census, each board shall propose a tentative county supervisory district plan setting forth the number of supervisory districts and tentative boundaries...", and

Whereas, a Redistricting Committee will be appointed in 2010 and will be charged with creating a tentative plan for Supervisory Districts following the decennial census of 2010.

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

Section 1. Any existing ordinances, codes, resolutions, or portions thereof in conflict with this ordinance shall be and hereby are repealed as far as any conflict exists.

Section 2. This ordinance shall take effect ~~the day after passage and publication~~ as required by law.

Section 3. If any claims, provisions or portions of this ordinance are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. Section 2.01 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

2.01 RULE 1: GOVERNING BODY

(1) TITLE. The governing body of Oneida County as constituted by law shall be known as the "Oneida County Board of Supervisors," hereafter referred to as the "County Board" or "Board".

(2) SUPERVISORY DISTRICTS. The County Board shall consist of ~~24~~13 supervisors to be elected from

the supervisory districts as provided on the maps adopted by reference herein and available for inspection in the office of the County Clerk. created following the 2010 Decennial Census.

The balance of the section remains unchanged.

ONEIDA COUNTY POSSIBLE CONSOLIDATION OF COMMITTEES CHANGE TO 3 MEMBERS PER COMM AND 13 COUNTY BD MEMBERS

	# REGULAR MEETINGS'	MEMBERS	#MTGS TIMES #MEMB	PER DIEMS SAVED	PER DIEMS at \$45
PUBLIC WORKS					
Highway	24	5	120	48	2,160
Landfill	12	5	60	60	2,700
Buildings and Grounds	12	5	60	60	2,700
HEALTH AND HUMAN SERVICE					
Public Health	12	4	48	48	2,160
Social Services	12	5	60	24	1,080
Department on Aging	12	4	48	48	2,160
Veterans ???	12	1	12	12	540
PLANNING AND DEVELOPMENT"					
UW-Extension/Land Conservation	12	5	60	60	2,700
Planning and Zoning	24	5	120	48	2,160
Land Information	12	5	60	60	2,700
Register of Deeds			0		
Tourism	12	2	24	36	1,620
Forestry and Outdoor Recreation	12	5	60	60	2,700
Mining	12	5	60	60	2,700
PUBLIC SAFETY AND JUCIARY					
Emergency Management	12	5	60	24	1,080
Circuit Courts	12	5	60	60	2,700
Clerk of Courts			0		
Sheriff			0		
District Attorney			0		
Corporation Counsel			0		
Medical Examiner			0		
ADMINISTRATIVE					
Finance	24	5	120	48	2,160
ITS 0					
County Clerk			0		
County Treasurer			0		
LRES	24	5	120	120	5,400
Resolutions Review	12	3	36	36	1,620
			1188	912	41,040
					Committee Chairman's pay
					<u>1,560</u>
					42,600
					Fringes
					3,344
					Mileage ave 32 mi
					<u>14,738</u>
					Committee Potential Savings
					<u>60,682</u>
					County Bd meeting
					6,000
					Fringes
					471
					Mileage ave 32 mi
					<u>1,131</u>
					County Bd Potential SaVings
					<u>7,602</u>
					Total
					68,284

Approved by the Resolutions & Ordinances/Legislative Committee on September 17, 2009.
Offered and passage moved by Supervisors John R. Young, Andrew P. Smith and David O'Melia.

Motion/second Greschner/Wolk to table Postponed Res. #100-2009 until May, 2010.
Roll call vote: 14 aye 4 nay (Dean, O'Melia, Martinson, Young) 3 absent (Holewinski, Peters, Sharon)
Student Representatives: 3 aye.

Resolution #01-2010 - offered by Supervisors of the Department on Aging Building Committee authorizing a six (6) month extension under the same terms and conditions as set forth in Res. #77-2007.

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 re-enacted by resolution #67-2009 for a six month period to accomplish these goals ; and

WHEREAS, the Department on Aging Building Committee will complete is allowed six months of operations (per Resolution #67-2009) in February of 2010 and will 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 August 2010 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 after the August 2010 Oneida County Board meeting unless the County Board grants a further extension of time to complete the goals set forth in Resolution #77-2007.

**ONEIDA COUNTY
FISCAL IMPACT
DEPARTMENT ON AGING BUILDING COMMITTEE**

Per Diem	12 meetings/4 Co Bd Members	2,280
Per Diem	12 meetings/1 Citizen Member	<u>420</u>
		2,700
Social Security		207
Workers Comp		<u>4</u>
Subtotal		5,611
Mileage estimated		<u>1,000</u>
		6,611

Mileage dependant on members selected

Funding Source: Commission and Committee Budget for Per Diems, Fringe Benefits and Mileage

Approved by the Department on Aging Committee this 29th day of December 2009.
Offered and passage moved by Supervisors Ted Cushing, Gary Baier, Peter Wolk and Nancy Schmidt.

Motion/second Paszak/Rudolph to amend Resolution #01-2010 on Line 47 and change "6" month period to "4" month period, Line #52 change (6) to (4) and Line #58 to strikethrough the word "~~August~~" and add the word "June".

Roll call to amend resolution: 18 aye 0 nay 3 absent (Holewinski, Peters, Sharon)
Student Representatives: 3 aye.
Roll call as amended: 18 aye 0 nay 3 absent (Holewinski, Peters, Sharon)
Student Representatives: 3 aye.

Resolution #02-2010 - offered by Supervisors of the Labor Relations and Employee Services Committee regarding proposed legislation which would make protective retirement a mandatory subject of collective bargaining.

WHEREAS, under current law, participants under the Wisconsin Retirement System whose principal duties involve law enforcement or fire suppression or prevention and require frequent exposure to a high degree of danger or peril and a high degree of physical conditioning are classified as protective occupation participants, and

WHEREAS, current law specifically classifies law enforcement officers, detectives and various other individuals as protective occupation participants; under the Wisconsin Retirement System (WRS), the normal retirement age of a protective occupation participant is lower than that of other participants and the percentage multiplier used to calculate retirement annuities is higher for protective occupation participants than for other employees.

WHEREAS, the proposed bill classifies county jail employees, county employees of a juvenile detention facility and state employees who are employed at state correctional institutions, juvenile correctional facilities, the mental health institutes at Mendota and Winnebago, the Wisconsin Resource Center, secure mental health units

or facilities for sexually violent persons, as protective occupation participants, but only if collective bargaining agreements covering the employees require the employees to become protective occupation participants.

WHEREAS, this bill makes protective occupation participant status under the WRS and a county retirement system, if such status is available, for these specific employees a mandatory subject of collective bargaining under the municipal Employment Relations Act and the State Employees labor Relations Act. This resolution opposes making protective retirement a mandatory subject of collective bargaining.

NOW, THEREFORE, BE IT RESOLVED, the undersigned members of the Labor Relations and Employee Services Committee recommend the adoption of the resolution.

BE IT FURTHER RESOLVED, that the Oneida County Board of Supervisors does oppose making protective retirement a mandatory subject of collective bargaining and that the County Clerk be directed to forward a copy of this resolution to all Wisconsin Counties and Wisconsin Counties Association.

Approved by the Labor Relations and Employee Services Committee this 14th day of December, 2009.

Offered and passage moved by Supervisors Paul Dean, Ted Cushing, Scott Holewinski and Charles Wickman.

Motion/second Rudolph/O'Melia to amend Resolution #02-2010 on Line 39 and add 12th Senate District, Jim Holperin, 34th Assy. District, Dan Meyer, 35th Assy. District, Donald Friske and Governor, Jim Doyle.

Roll call to amend resolution: 18 aye 0 nay 3 absent (Holewinski, Peters, Sharon)

Student Representatives: 3 aye.

Roll call as amended: 18 aye 0 nay 3 absent (Holewinski, Peters, Sharon)

Student Representatives: 3 aye.

Resolution #03-2010 – offered by Supervisors of the Labor Relations and Employee Services Committee regarding benefits for certain law enforcement officers or correctional officers.

WHEREAS, under current law, in a proceeding regarding the benefits for a fire fighter who dies or is disabled as the result of a heart or respiratory impairment, disease or of cancer, there is a presumption that the impairment or disease was caused by the employment as a fire fighter if the fire fighter served a minimum term in that employment (5 years for heart or respiratory impairment or disease and 10 years for cancer) and the qualifying medical examination given before his or her joining the department showed no evidence of the impairment or disease.

WHEREAS, under proposed legislation, in a proceeding regarding benefits for a fire fighter, a law enforcement officer, or a correctional officer who dies or is disabled as a result of certain infectious diseases, there is a presumption that the disease was caused by the person's employment. This proposal does not require a minimum term of employment to qualify for the presumption.

NOW, THEREFORE, BE IT RESOLVED, the undersigned members of the Labor Relations Employee Services Committee recommend adoption of this resolution.

BE IT FURTHER RESOLVED, that the Oneida County Board of Supervisors does oppose establishing a presumption for infectious diseases in proceedings regarding the benefits for a fire fighter, a law enforcement officer or a correctional officer and to direct the County Clerk to forward a copy of this resolution to all Wisconsin Counties and the Wisconsin Counties Association.

Approved by the Labor Relations and Employee Services Committee this 14th day of December, 2009.

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

Motion/second Rudolph/O'Melia to amend Line 16 and add "2009AB644, 2009SB429" and Line 29 add 12TH Senate District, Jim Holperin, 34th Assy. District, Dan Meyer, 35th Assy. District, Donald Friske and Governor Jim Doyle.

Roll call to amend: 18 aye 0 nay 2 absent (Holewinski, Peters, Sharon)

Student Representatives: 3 aye.

Roll call as amended: 18 aye 0 nay 3 absent (Holewinski, Peters, Sharon)

Student Representatives: 3 aye.

Resolution #04-2010 – offered by Supervisors of the Labor Relations and Employee Services Committee regarding the provisions of Chapter 40 of the Wisconsin Stats – Group Life Insurance Programs.

WHEREAS, that pursuant to the provisions of Chapter 40 of the Wisconsin Statutes such Oneida County Board of Supervisors hereby determines to be included under the following Group Life Insurance program(s) provided by Chapter 40 of the Wisconsin Statute for its eligible personnel:

Basic Group Insurance

Supplemental Group Life Insurance

Additional Group Life Insurance units 1, 2, and 3

Spouse & Dependent Group Life Insurance

Amount of insurance for any insured employee who attains age 65 on or after the effective date of this resolution shall be 50% rather than 25%.

NOW, THEREFORE, BE IT RESOLVED, that the proper officers are herewith authorized and directed to take all actions and make such deductions and submit such payments as are required by the Group Insurance Board of the State of Wisconsin to provide such group life insurance.

BE IT FURTHER RESOLVED, that the Oneida County WRS Agenda submit a certified copy of this resolution to the State of Wisconsin Department of Employee Trust Funds.

Approved by the Labor Relations and Employee Services Committee this 14th day of December, 2009.

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

Motion/second Greschner/Paszak to amend Resolution #04-2010, Line 24 and change "Agenda" to "Agent" and to remove Lines 63 thru 79.

Roll call to amend: 18 aye 0 nay 3 absent (Holewinski, Peters, Sharon)

Student Representatives: 3 aye.

Roll call as amended: 18 aye 0 nay 3 absent (Holewinski, Peters, Sharon)

Student Representatives: 3 aye.

Resolution #05-2010 – offered by Supervisors of the Highway Committee regarding using "Machinery" account funds to purchase a Quad Axle Dump Truck.

WHEREAS, the Oneida County Highway Committee and Department seek to purchase one (1) Quad Axle Dump Truck for snowplowing use in the winter months and construction use in the summertime; and

WHEREAS, the Highway Department has an account designated for the purchase of "Machinery" with \$350,000 available for 2010; and

WHEREAS, the Highway Committee has followed the proper bidding procedure in order to generate the lowest price for the Quad Axle Dump Truck; and

WHEREAS, Oneida County Code sec. 3.09(2) requires County Board approval of purchases over \$100,000; and

WHEREAS, based upon the bidding procedure the total price for the new Quad Axle Dump truck (complete with front plow, wing and underbody for snowplowing) is Two Hundred Twenty Seven Thousand Nine Hundred and Seventy-Five dollars (\$227,975.00); and

WHEREAS, the Highway Committee and Department have assessed their needs and determined that the purchase of this Quad Axle Dump Truck will serve to replace one Patrol Truck and One Dump Truck; and

WHEREAS, the Highway Committee and Department seek to use a portion of the available funds in the "Machinery" account to purchase the aforementioned Quad Axle Dump Truck.

NOW, THEREFORE, BE IT RESOLVED, the Highway Committee and Department are authorized to purchase the Quad Axle Dump Truck for the price of Two Hundred Twenty Seven Thousand Nine Hundred and Seventy-Five dollars (\$227,975.00); and

BE IT FURTHER RESOLVED that the Highway Committee and Department are authorized use the available funds in the "Machinery" account for the aforementioned purchase.

Approved by the Highway Committee this 10th day of December 2009.

Offered and passage moved by Supervisors Sonny Paszak, Scott Holewinski, John Hoffman, Peter Wolk and Jim Sharon.

Roll call vote: 18 aye 0 nay 3 absent (Holewinski, Peters, Sharon)

Student Representatives: 3 aye.

Resolution #06-2010/Ordinance Amendment #9-2009 – offered by Supervisors of the Planning and Zoning Committee amending the Oneida County Zoning and Shoreland Protection Ordinance – Section 9.42 General Standards for Approval of CUP (Conditional Use Permit).

WHEREAS, the Planning & Zoning Committee, having considered Ordinance Amendment #9-2009, (copy attached) which was filed October 15, 2009 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 November 4, 2009 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 believed the wording, "in any foreseeable manner", specified in Section 9.42 E of the Oneida County Zoning and Shoreland Protection Ordinance, General Standards for approval of a Conditional Use Permit was not reasonable and unobtainable by applicants; 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 ~~strikethrough~~.

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

9.42 E GENERAL STANDARDS FOR APPROVAL OF CUP

No application for a CUP shall be approved or conditionally approved, unless the Committee finds that the following standards are fulfilled.

1. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
2. The uses, values and enjoyment of neighboring property shall not ~~in any foreseeable manner~~ be substantially impaired or diminished by the establishment, maintenance or operation of the conditional use.
3. The proposed conditional use is compatible with the use of adjacent land and any adopted local plans for the area.
4. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
5. Adequate utilities, access roads, drainage and other necessary site improvements have been or will be provided for the conditional use.
6. Adequate measures have been or will be taken to provide ingress and egress so as to minimize traffic congestion in the public streets.
7. The conditional use shall conform to all applicable regulations of the district in which it is located.
8. The conditional use does not violate shoreland or floodplain regulations governing the site.
9. Adequate measures have been or will be taken to prevent and control water pollution, including sedimentation, erosion and runoff.

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment #9-2009 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 2nd day of December, 2009.

Offered and passage moved by Supervisors Scott Holewinski, Charles Wickman, Larry Greschner, David Hintz and Ted Cushing.

Motion/second Baier/Petroskey to waive the reading of Resolution #06-2010. All "aye" on voice vote.

Motion/second Baier/O'Melia to amend Resolution #06-2010, Line 47 and strikethrough the words "morals, comfort and general".

Brian Desmond, Corporation Counsel, stated that legally he thought we have an issue in making language changes in zoning ordinances. Mr. Desmond stated, "Legally, in order to change the language in a zoning ordinance, a public hearing must be held first regarding those changes."

Roll call to amend: 2 aye (Baier, Young) 16 nay 3 absent (Holewinski, Peters, Sharon)
Student Representatives: 0 aye 3 nay. Motion to amend FAILS.
Roll call vote: 16 aye 2 nay (Baier, Young) 3 absent (Holewinski, Peters, Sharon)
Student Representatives: 3 aye.

Resolution #07-2010/Ordinance Amendment #10-2009 – offered by Supervisors of the Planning and Zoning Committee amending the Oneida County Zoning and Shoreland Protection Ordinance – Section 9.52, Mobile Home, Manufactured Home and House Trailer Parks.

WHEREAS, the Planning & Zoning Committee, having considered Ordinance Amendment #10-2009, (copy attached) which was filed October 15, 2009 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 November 4, 2009 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 wanted the setback of a manufactured home, in a manufactured home park, to the right-of-way to be consistent with the setback of a structure to the right-of-way as specified in Section 9.70, Highway Setbacks of the Oneida County Zoning and Shoreland Protection Ordinance; and

WHEREAS, the setback of a structure to right-of-way is 20'; and

WHEREAS, staff removed outdated and inconsistent language in Section 9.52 (H) and (I); 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 ~~strikethrough~~.

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

Section 9.52, Mobile Home, Manufactured Home and House Trailer Parks

9.52 A To Remain Unchanged.

B. Yards and Setbacks

The following minimum setback regulations shall apply:

1. No building, structure, mobile home, manufactured home or house trailer shall be located within 100 feet of the adjacent property lines when the adjacent property is located in Use District #2, Single-Family Residential District, Use District #3, Multi-Family Residential District, Use District #14, Residential and Retail District, or Use District #15, Rural Residential District. For all other use districts, the distance shall be 50 feet.
2. No building, structure, mobile home, manufacture home or house trailer shall be closer than ~~75~~ 20 feet to any state, County or Township highway or road or arterial street or roadway right-of-way.
3. Mobile homes, manufactured homes and house trailers shall be setback a minimum of 15 feet from the traveled portion of any street or roadway within the park.
4. No part of any mobile home, manufactured home or house trailer, or any addition or appurtenance thereto, shall be located within 20 feet of any other mobile home, manufactured home or house trailer, or any addition or appurtenance thereto, nor within 50 feet of any accessory/service/community building.

9.52 C – G To Remain Unchanged

H. Location

- ~~1. Existing parks. The mobile homes, manufactured homes and house trailers in an existing park shall remain located pursuant to section 9.73. The space between the structure and the grade or slab shall be covered with materials compatible in design and appearance with the exterior of the structure. With the written consent of the park owner, the town in which the park is located may allow mobile homes, manufactured homes and house trailers to comply with the dwelling requirements in section 9.22(G) of this ordinance.~~
- ~~2. New parks. The Town in which the proposed park is to be located may require the mobile homes, manufactured homes, and house trailers in the proposed park to comply with the dwelling requirements in Section 9.21(A)(7) of this ordinance.~~

H.I. Placement Requirement

- ~~1. Manufactured homes, mobile homes or house trailers which may be permitted in parks after the effective date of this ordinance shall be located at its park site pursuant to the applicable provisions of section 9.73 of this ordinance at the park site in accordance with the manufacturer's installation instructions, if available, otherwise pursuant to accepted industry standards.~~
- ~~2. The space between the structure and the grade or slab shall be covered with materials compatible in design and appearance with the exterior of the structure~~

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment #2-2009 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 2nd day of December, 2009.

Offered and passage moved by Supervisors Scott Holewinski, Charles Wickman, David Hintz, Larry Greschner and Ted Cushing.

Motion/second Greschner/Vandervest to waive the reading of Resolution #07-2010/Ordinance #10-2009. All "aye" on voice vote.

Roll call vote: 16 aye 2 nay (Rudolph, Baier) 3 absent (Holewinski, Peters, Sharon)

Student Representatives: 3 aye.

Resolution #08-2010/Ordinance Amendment #11-2009 – offered by Supervisors of the Planning and Zoning Committee amending the Oneida County Zoning District Boundary Map and the Oneida County Shoreland Protection Ordinance by changing the zoning district classification from District #11 Shoreland Wetland to District #2 Single Family Residential – Town of Three Lakes.

WHEREAS, the Planning & Zoning Committee, having considered Petition 11-2009, (copy attached) which was filed October 8, 2009, to amend the Oneida County Zoning District Boundary Map and the Oneida County Shoreland Protection Ordinance, and having given notice thereof as provided by law and having held a public hearing thereon on December 16, 2009, pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

This request was filed to allow for placement of fill material into a shoreland wetland to rebuild a section of an old forest road that has reverted to wetland. The area involves approximately 3233 square feet. This area to be filled is depicted on a map supplied by Genisot and Associates and is included with this submittal.

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

The petitioners, landowner and neighboring landowners were provided with a public hearing notice of this request. The area to be filled is or situated on an easement for ingress / egress for the petitioners use. The Three Lakes Town board supports this rezoning request. No written objections were received and no one appeared at the public hearing in opposition to said request. The Wisconsin Department of Natural Resources has approved this request. The US Army Corp of Engineers has also approved this request. Copies of both approvals are included in this request.

WHEREAS, the Planning and Zoning Committee understood the necessity for placement of the fill to allow for road rebuilding to gain access to the petitioners lake lot. The Planning and Zoning Committee realized the request disrupted the least amount of wetlands. The Planning and Zoning Committee affirmed that the standards for rezoning shoreland wetlands identified in Section 9.91(F) of the Oneida County Zoning and

Shoreland Protection Ordinance were satisfied. Therefore the Planning and Zoning Committee unanimously urges passage of this request.

NOW THEREFORE, BE IT RESOLVED, that the Oneida County Board of Supervisors hereby accepts and approves Petition # 11-2009 and ordains as follows:

Section 1: Any existing ordinances, codes, resolutions, or portion thereof in conflict with this ordinance shall be and are hereby are repealed as far as any conflict exists.

Section 2: 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 3: Ordinance Amendment #11-2009 is hereby adopted amending the Oneida County Zoning District Boundary Map by changing the zoning district classification from District #11 Shoreland Wetland to District #2 Single Family Residential on the property described as follows:

Part of Gov't Lot 3, Section 15, T38N, R10E. Said area consists of 3233 square feet (.07 acre) as depicted on Genisot and Associates Map #10994

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment #11-2009 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Three Lakes Town Clerk and to the Department of Natural Resources. Ordinance Amendment #11-2009 shall become effective immediately upon passage and publication as provided by law.

Approved by the Planning and Zoning Committee this 8th day of January, 2010.
Offered and passage moved by Supervisors Scott Holewinski, David Hintz, Charles Wickman, Larry Greschner and Ted Cushing.

Motion/second Cushing/Petroskey to waive the reading of Resolution #08-2010/Ordinance Amendment #11-2009. All "aye" on voice vote.

Roll Call Vote: 17 aye 1 nay (Baier) 3 absent (Holewinski, Peters, Sharon)
Student Representatives: 3 aye.

Resolution #09-2010 – offered by Supervisors of the Finance and Insurance Committee regarding 2009 Line Item Transfers.

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 2009 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: Comm on Aging State Aid-Congregate/Home Delivered Meals
Transfer to:	Congregate/Home Delivered Meal Expenses
Amount:	\$3,268
Re:	To apply additional state aids received to related expenses

Transfer from:	Comm: Board of Health State Aid-Public Health Preparedness
Transfer to:	Public Preparedness Expenses
Amount:	\$19,168
Re:	To apply additional state aids received to related expenses

Transfer from:	Comm: Land Records Applied Continuing Appn-Land Record Fees
Transfer to:	Register of Deed Expenses
Amount:	\$3,978
Re:	To apply carryforward monies to the 2009 budget

Transfer from:	Comm: Social Services State Aid-MA Transportation
Transfer to:	MA Transportation Expense
Amount:	\$20,000
Re:	To apply additional state aids received to related expenses

Transfer from:	Comm: Social Services State Aid-Community Options Program
Transfer to:	Community Options Program Expenses
Amount:	\$8,331
Re:	To apply additional state aids received to related expenses

Transfer from:	Comm: Social Services State Aid-Burials
Transfer to:	Burial Expenses
Amount:	\$10,000
Re:	To apply additional state aids received to related expenses

Transfer from:	Comm: Law Enforcement Dive Team Donations
Transfer to:	Dive Team Expenses
Amount:	\$2,732
Re:	To apply additional revenues received to related expenses

Transfer from:	Comm: Law Enforcement State Aid-Radio Project
Transfer to:	Radio Project Expenses
Amount:	\$16,836
Re:	To apply additional state aids received to related expenses

Transfer from:	Comm: Law Enforcement Recreational Fees
Transfer to:	Crime Prevention
Amount:	\$164
Re:	To apply additional revenues received to related expenses

Transfer from:	Comm: Law Enforcement Continuing Appn-Water Patrol
Transfer to:	Water Patrol Expenses
Amount:	\$12,500
Re:	To apply carryforward balance to 2009 expenses

Transfer from:	Comm: Law Enforcement State Aid-Patrol Technology
Transfer to:	Patrol Capital Equipment
Amount:	\$7,438
Re:	To apply additional state aids received to related expenses

Transfer from:	Comm: Emergency Mgmt Continuing Appn-Tower and Repeater Maint
Transfer to:	Emergency Mgmt Capital Equipment
Amount:	\$4,890
Re:	To apply carryforward balance to 2009 expenses

Transfer from:	Comm: Emergency Mgmt Sale of Materials and Supplies
Transfer to:	Weather Radios
Amount:	\$364
Re:	To apply additional revenues received to related expenses

Transfer from:	Comm: Emergency Mgmt State Aid-Domestic Preparedness
Transfer to:	Domestic Preparedness Expenses
Amount:	\$10,000
Re:	To apply additional state aids received to related expenses

Transfer from:	Comm: Social Services State Aid-Kinship Care
Transfer to:	Kinship Care Expenses
Amount:	\$1,680
Re:	To apply additional state aids received to related expenses

Transfer from:	Comm: Land Records Continuing Appn-Land Records Fees and Project
Transfer to:	Land Records Expenses
Amount:	\$16,596
Re:	To apply carryforward monies to 2009 expenses

Approved by the Finance Committee this 14th day of December 2009.
Offered and passage moved by Supervisors David Hintz, Ted Cushing and John Hoffman.

Motion/second Hoffman/Cushing to waive the reading of Resolution #09-2010. All “aye” on voice vote.
Roll call vote: 18 aye 0 nay 3 absent (Holewinski, Peters, Sharon)
Student Representatives: 3 aye.

Resolution #10-2010 – offered by Supervisors of the Agriculture and Extension Committee approving the “Cancellation of Lease Agreement” for the Oneida County Fair.

WHEREAS, the Oneida County Fair Board has recommended to move the Oneida County Fair to the Pioneer Park location because of the success of the 2009 County Fair; and

WHEREAS, Oneida County currently has a lease with “Hodag 50” to use their grounds the Oneida County fair which runs through 2014; and

WHEREAS, the “Hodag 50” has agreed to the terms in the attached “Cancellation of Lease Agreement” as a fair and equitable resolution to end the current lease agreement; and

WHEREAS, the Agriculture and Extension Committee recommends that the County Board adopt this resolution and approve the attached agreement so that the Oneida County Fair can move to Pioneer Park.

NOW, THEREFORE, BE IT RESOLVED, the Oneida County Board of Supervisors does hereby approve the attached “Cancellation of Lease Agreement”; and

BE IT FURTHER RESOLVED, the Oneida County Board of Supervisors does hereby approve the moving the Oneida County Fair to Pioneer Park.

Approved by the Ag. And Extension Committee this 11th day of January, 2010.
Offered and passage moved by Supervisors Paul Dean, Thomas D. Rudolph, Romelle Vandervest, Wilbur Petroskey and Denny Thompson.

CANCELLATION OF LEASE AGREEMENT

This cancellation of lease agreement made in quadruplicate original, this _____ day of _____, 2009 and should read: WITNESSETH, that the “Hodag 50” Corporation, by Gerry VanHarpen, Dawn Eckert and Dixie Nieuwenhuis, co-owners, herein called lessor, and Oneida County, Wisconsin, a municipal corporation, herein called Lessee, agree to the cancellation of the original lease agreement as previously amended, for the use of the “Hodag 50” property signed by the parties in April of 2005. By signing this agreement, both parties acknowledge that they have had representation by counsel or the opportunity to seek counsel to review the cancellation to the original lease agreement as previously amended.

The following provisions constitute the agreed upon terms for cancellation of the original lease agreement:

1. Lessor agrees to terminate the lease with the Lessee for the use of the Hodag 50 property for the Oneida County Fair and release any and all rights in relation to that lease Agreement for payments, rents, profits etc. from the Lessee.
2. In consideration of Lessor’s agreement as stated in paragraph #1, above, the Lessee agrees to transfer all rights, interest and control of the Lessee’s pole barn constructed and affixed to the Lessors’s property to the Lessor.
3. The Lessee agrees to remove from the Lessors property two (2) semi-truck trailers previously used by the Lessee for additional storage.

IN WITNESS THEREOF, the Lessor has hereunto affixed his signature and seal and the Lessee has duly executed this instrument, all in quadruplicate, the day and year as noted by each party’s signature.

HODAG “50” CORPORATION BY:

Gerry VanHarpen, Co-Owner
Hodag “50” Corporation

Dated: _____

Dawn Eckert, Co-Owner
Hodag "50" Corporation

Dated:_____

Dixie Nieuwenhuis, Co-Owner
Hodag "50" Corporation

Dated:_____

ONEIDA COUNTY BY:

Andrew P. Smith, Charman
Oneida County Board

Dated:_____

Robert Brusio, County Clerk

Dated:_____

Motion/second Rudolph/O'Melia to amend Resolution #10-2010, Line #9 to read **WHEREAS**, Oneida County currently has a lease which runs through 2014 with "Hodag 50" to use their grounds for the Oneida County fair; and"

Roll call to amend: 18 aye 0 nay 3 absent (Holewinski, Peters, Sharon)

Student Representatives: 3 aye.

Roll call on amended resolution: 18 aye 0 nay 3 absent (Holewinski, Peters, Sharon)

Student Representatives: 3 aye.

Resolution #11-2010 – offered by Supervisors of the Land Records Committee regarding right-of-way on Sutton Road be conveyed to adjoining landowners– Town of Minocqua.

WHEREAS, Oneida County retained a 100 foot strip of land on each side of the center line of existing roads crossing the S ½ of the NE ¼ - NE ¼ of Section 30, Township 39 North, Range 6 East, recorded as Document Number 113166 in Volume 64 of Deeds, Page 456 on May 12th, 1942; and,

WHEREAS, a request by Kelly P Sparks and Juan Shu Sparks has been made to Oneida County on behalf of the landowners set forth below, asking that the portion of the 100 foot strip of land on each side of the centerline of existing roads located in the S ½ of the NE ¼ - NE ¼ of Section 30, Township 39 North, Range 6 East in excess of 33 feet from each side of the centerline of Sutton Road be conveyed to the adjoining landowners set forth below; and,

WHEREAS, the Town of Minocqua has been notified and has no objection to conveying the land in excess of 33' from each side of the centerline of the road; so,

NOW, THEREFORE, BE IT RESOLVED, that the Oneida County Board of Supervisors hereby approves conveying the following described parcels of land and authorizes the County Clerk, upon receipt of \$982.50 total land value, plus \$500.00 administration fee, plus the deed recording fees, to issue a quit claim deed to the adjoining landowners as set forth below, conveying any interest the County has in the following descriptions and to also issue a quit claim deed to the Town of Minocqua for the town road right of way also set forth and described below.

To: Vernon W. Myers and Elizabeth B. Myers, Trustees of the Vernon and Elizabeth Myers Trust dated November 25, 1997.

A parcel of land located in the Northeast Quarter of the Northeast Quarter, Section 30, Township 39 North, Range 6 East, Town of Minocqua, Oneida County, Wisconsin, being the "-B- Road" parcel shown of Map No. 03-231 by Wilderness Surveying, Inc., dated December 12, 2003, and revised September 2, 2004 & December 28, 2009, more particularly described as follows: Commencing at the northeast corner of Section 30, marked by a capped aluminum monument; South 01 degrees 44 minutes 51 seconds East for a distance of 646.81 feet along the east line of Section 30 to an iron pipe; thence North 89 degrees 22 minutes 53 seconds West for a distance of 357.22 feet to an iron pipe, the place of beginning; thence along a curve to the left, having a radius of 309.40 feet and an arc length of 175.76 feet, being subtended by a chord of South 01 degrees 54 minutes 10 seconds West for a distance of 173.41 feet; thence South 14 degrees 22 minutes 18 seconds East for a distance of 127.56 feet; thence along a curve to the right, having a radius of 473.00 feet and an arc length of 193.07 feet, being subtended by a chord of South 02 degrees 40 minutes 42 seconds East for a distance of 191.73 feet; thence South 09 degrees 00 minutes 55 seconds West for a distance of 160.94 feet to an iron pipe on the south line of the Northeast Quarter of the Northeast Quarter; thence North 89 degrees 31 minutes 51 seconds West for a distance of 67.75 feet; thence North 09 degrees 00 minutes 55

seconds East for a distance of 171.01 feet; thence along a curve to the left, having a radius of 406.00 feet and an arc length of 165.72 feet, being subtended by a chord of North 02 degrees 40 minutes 42 seconds West for a distance of 164.57 feet; thence North 14 degrees 22 minutes 18 seconds West for a distance of 127.56 feet; thence along a curve to the right, having a radius of 376.40 feet and an arc length of 192.80 feet, being subtended by a chord of North 00 degrees 18 minutes 09 seconds East for a distance of 190.70 feet; thence South 89 degrees 22 minutes 53 seconds East for a distance of 69.66 feet to the place of beginning. The above described parcel of land is to be attached to the lands westerly of this parcel described in Document Number 606330 Oneida County Register of Deeds, Parcel Identification Number MI 2425-3.

To: Thomas J. Koziol and Victoria L. Koziol, husband and wife as joint tenants.

A parcel of land located in the Northeast Quarter of the Northeast Quarter, Section 30, Township 39 North, Range 6 East, Town of Minocqua, Oneida County, Wisconsin, being the "-3- Road" parcel shown of Map No. 03-231 by Wilderness Surveying, Inc., dated December 12, 2003, and revised September 2, 2004 & December 28, 2009, more particularly described as follows: Commencing at the northeast corner of Section 30, marked by a capped aluminum monument; thence South 01 degrees 44 minutes 51 seconds East for a distance of 1293.62 feet along the east line of Section 30 to the North Sixteenth Corner, marked by an iron pipe bearing South 38 degrees 41 minutes 18 seconds West for a distance of 0.52 feet; thence North 89 degrees 31 minutes 51 seconds West for a distance of 232.80 feet along the south line of the Northeast Quarter of the Northeast Quarter to the place of beginning. Thence continuing, North 89 degrees 31 minutes 51 seconds West for a distance of 67.75 feet to an iron pipe; thence North 09 degrees 00 minutes 55 seconds East for a distance of 151.03 feet to an iron pipe; thence along a curve to the left, having a radius of 539.00 feet and an arc length of 110.92 feet, being subtended by a chord of North 03 degrees 07 minutes 10 seconds East for a distance of 110.73 feet, to an iron pipe; thence South 89 degrees 31 minutes 51 seconds East for a distance of 67.10 feet; thence along a curve to the right, having a radius of 606.00 feet and an arc length of 120.91 feet, being subtended by a chord of South 03 degrees 17 minutes 57 seconds West for a distance of 120.71 feet; thence South 09 degrees 00 minutes 55 seconds West for a distance of 140.96 feet to the place of beginning. The above described parcel of land is to be attached to the lands easterly of this parcel described in Document Number 617032 Oneida County Register of Deeds, Parcel Identification Number MI 2425.

To: Juan Shu Sparks, previously known as Juan Shu Sebestyen, a/k/a Shu Juan Sebestyen.

A parcel of land located in the Northeast Quarter of the Northeast Quarter, Section 30, Township 39 North, Range 6 East, Town of Minocqua, Oneida County, Wisconsin, being the "-2- Road" parcel shown of Map No. 03-231 by Wilderness Surveying, Inc., dated December 12, 2003, and revised September 2, 2004 & December 28, 2009, more particularly described as follows: Commencing at the northeast corner of Section 30, marked by a capped aluminum monument; thence South 01 degrees 44 minutes 51 seconds East for a distance of 646.81 feet along the east line of Section 30 to an iron pipe; thence North 89 degrees 22 minutes 53 seconds West for a distance of 216.63 feet to the place of beginning. Thence South 19 degrees 40 minutes 13 seconds West for a distance of 37.83 feet; thence along a curve to the left, having a radius of 176.40 feet and an arc length of 104.81 feet, being subtended by a chord of South 02 degrees 38 minutes 57 seconds West for a distance of 103.27 feet; thence South 14 degrees 22 minutes 18 seconds East for a distance of 127.56 feet; thence along a curve to the right, having a radius of 606.00 feet and an arc length of 126.44 feet, being subtended by a chord of South 08 degrees 23 minutes 39 seconds East for a distance of 126.21 feet; thence North 89 degrees 31 minutes 51 seconds West for a distance of 67.10 feet to an iron pipe; thence along a curve to the left, having a radius of 539.00 feet and an arc length of 109.08 feet, being subtended by a chord of North 08 degrees 34 minutes 26 seconds West for a distance of 108.90 feet, to an iron pipe; thence North 14 degrees 22 minutes 18 seconds West for a distance of 127.56 feet to an iron pipe; thence along a curve to the right, having a radius of 243.40 feet and an arc length of 144.61 feet, being subtended by a chord of North 02 degrees 38 minutes 57 seconds East for a distance of 142.50 feet, to an iron pipe; thence North 19 degrees 40 minutes 13 seconds East for a distance of 14.69 feet to an iron pipe; thence South 89 degrees 22 minutes 53 seconds East for a distance of 70.88 feet to the place of beginning. The above described parcel of land is to be attached to the lands easterly of this parcel described in Document Number 558748 Oneida County Register of Deeds, Parcel Identification Number MI 2425-2.

To: Town of Minocqua, Oneida County, Wisconsin.

A parcel of land located in the Northeast Quarter of the Northeast Quarter, Section 30, Township 39 North, Range 6 East, Town of Minocqua, Oneida County, Wisconsin, being the "SUTTON ROAD" parcel shown of Map No. 03-231 by Wilderness Surveying, Inc., dated December 12, 2003, and revised September 2, 2004 & December 28, 2009, more particularly described as follows: Commencing at the northeast corner of Section 30, marked by a capped aluminum monument; thence South 01 degrees 44 minutes 51 seconds East for a

distance of 646.81 feet along the east line of Section 30 to an iron pipe; thence North 89 degrees 22 minutes 53 seconds West for a distance of 287.51 feet the place of beginning, marked by an iron pipe. Thence South 19 degrees 40 minutes 13 seconds West for a distance of 14.69 feet to an iron pipe; thence along a curve to the left, having a radius of 243.40 feet and an arc length of 144.61 feet, being subtended by a chord of South 02 degrees 38 minutes 57 seconds West for a distance of 142.50 feet, to an iron pipe; thence South 14 degrees 22 minutes 18 seconds East for a distance of 127.56 feet to an iron pipe; thence along a curve to the right, having a radius of 539.00 feet and an arc length of 220.00 feet, being subtended by a chord of South 02 degrees 40 minutes 42 seconds East for a distance of 218.48 feet to an iron pipe; thence South 09 degrees 00 minutes 55 seconds West for a distance of 151.03 feet to an iron pipe on the south line of the Northeast Quarter of the Northeast Quarter; thence North 89 degrees 31 minutes 51 seconds West for a distance of 66.74 feet along the south line of the Northeast Quarter of the Northeast Quarter to an iron pipe; thence North 09 degrees 00 minutes 55 seconds East for a distance of 160.94 feet; thence along a curve to the left, having a radius of 473.00 feet and an arc length of 193.07 feet, being subtended by a chord of North 02 degrees 40 minutes 42 seconds West for a distance of 191.73 feet; thence North 14 degrees 22 minutes 18 seconds West for a distance of 127.56 feet; thence along a curve to the right, having a radius of 309.40 feet and an arc length of 175.76 feet, being subtended by a chord of North 01 degrees 54 minutes 10 seconds East for a distance of 173.41 feet, to an iron pipe; thence South 89 degrees 22 minutes 53 seconds East for a distance of 69.71 feet to the place of beginning.

Approved by the Land Records Committee this 13th day of January 2010.

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

Motion/second Cushing/Rudolph to waive the reading of Resolution #11-2010. All "aye" on voice vote.

Roll call vote: 18 aye 0 nay 3 absent (Holewinski, Peters, Sharon)

Student Representatives: 3 aye.

County Treasurer declaration of unlawful tax WI Stats 74.35/74.33 - NONE

Other business - NONE

Appointments to committees, commissions and other organizations - NONE

Adjournment

Motion/second Rudolph/Cushing to adjourn at 11:56 a.m. All "ayes" on voice vote.