

**Oneida County Board of Supervisors
Regular Meeting June 15th 2010**

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

Members present: Supervisors Gary Baier, Greg Berard, Ted Cushing, Paul Dean, Billy Fried, Larry Greschner, David Hintz, John Hoffman, Jack Martinson, Matt Matteson, Bob Metropulos, David O'Melia, Sonny Paszak, Carol Pederson, Tom Rudolph, Jim Sharon, Denny Thompson, Romelle Vandervest, Peter Wolk.

Excused Supervisors: Scott Holewinski and John R. Young

Student Representatives: NONE

Others present: Mary Bartelt, Deputy County Clerk, Brian Desmond, Corporation Counsel, John Potters, County Coordinator and Lisa Charbarneau, LRES.

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

Motion/second Vandervest/Rudolph to accept the June 15th 2010 Amended Agenda. All "ayes" on voice vote. Motion carries.

Accept the minutes of the May 18th 2010 Regular meeting

Motion/second Hoffman/Metropulos to accept the minutes of the May 18th, 2010, Regular Meeting. **All "ayes" on voice vote.**

Supervisor Rudolph pointed out that on the first page of the minutes it stated that May 18th 2010 was an organizational meeting and that should be changed to "Regular". Also, on back of the first page towards the bottom, part of Postponed Resolution #100-2009 was missing from Line 27 on.

Mr. Cushing, Board Chair, stated that the word "Organizational" be removed and the word "Regular" be entered into the minutes along with the missing part of Postponed Resolution #100-2009. All "ayes" on voice vote. Motion carries.

Reports

Solid Waste – 2009 Annual Report
Department of Social Services – 2009 Annual Report
Emergency Management – 2009 Annual Report

Motion/second O'Melia/Vandervest to accept the Solid Waste, Social Services and Emergency Management 2009 Annual Reports as presented. All "ayes" on voice vote.

Unfinished Business - None

Public Comment – None

Considerations of resolutions & ordinances

Resolution #52-2010/General Code/OA – offered by Supervisors of the Law Enforcement and Judiciary Committee amending Section 10.06 – Smoking Prohibited and Section 25.04 Penalty Provisions.

Ordinance Amendment offered by Supervisors of the Law Enforcement and Judiciary Committee

Whereas, the State of Wisconsin has adopted Wis. Stat. s. 101.123 recognizing the risks associated with smoking and second-hand smoke; and

Whereas, the State of Wisconsin has also enacted restrictions on the locations and areas where smoking may now occur; and

Whereas, the Oneida County Sheriff department is charged with enforcing the new state regulations;

Whereas, by adopting this ordinance the citizens of Oneida County will have a clearer

understanding of parameters surrounding prohibited smoking areas and possible penalties for violation of the no-smoking law.

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

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

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

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

Section 4. Section 10.06 of the General Code of Oneida County, Wisconsin, repealed and recreated as follows [additions noted by underline, deletions noted by strikethrough]:

10.06 SMOKING PROHIBITED.

(1) PURPOSE AND AUTHORITY. The County of Oneida finds that smoking contributes to health problems of its employees and of members of the public, both directly through deliberate use of smoking materials and indirectly, to non-smokers, through involuntary inhalation of smoke in the air. This section is enacted to reduce that risk as much as possible in enclosed places, places of employment, and public places as well as in County buildings and vehicles. This section is enacted under the authority of §§59.07 and 101.123, Wis. Stats. and Federal Public Law 103-227.

(2) DEFINITIONS. As used in this section, the following words have the meanings indicated:

Assisted living facility means a community-based residential facility, a residential care apartment complex, or an adult family home.

Correctional facility means a state prison, a juvenile detention facility, a juvenile correctional facility, or a jail.

County building means any building owned, leased, contracted or operated by the County. County building does include space leased to the County in a building which has other tenants but the regulations set forth in this section shall apply only to that part of the leased space which is partitioned off from the remaining space, including common areas, by floor to ceiling walls. County building does not include any building which is both owned by the County and completely leased to another party.

County vehicle means all self-propelled vehicles owned or leased by Oneida County.

Educational Facility means any building used principally for educational purposes in which a school is located or course of instruction or training program is offered that has been approved or licensed by a state agency or board.

Enclosed place means a structure or area that has all of the following: a roof and more than 2 substantial walls. The definition of substantial wall is a wall with no opening or with an opening that either does allow air in from the outside or that is less than 25% or more of the wall's surface area.

Inpatient health care facility means a hospital, a county home, a county infirmary, a nursing home, a hospice, a Wisconsin veterans home, or a treatment facility.

Joint use building means a building which is owned by Oneida County, part of which is leased to another party.

Lodging Establishment means a bed and breakfast establishment, a hotel, motel, or a tourist rooming house.

Person in Charge means the person or his or her agent who ultimately controls, governs, or directs the activities aboard a public conveyance or at a location where smoking is prohibited or regulated

Place of employment means any enclosed place that employees normally frequent during the course of employment including an office, work areas, employee lounge, restroom, conference room, meeting room, classroom, elevator, stairway, lobby, common area, vehicle, cafeteria, or hallway.

Private Club means a facility used by an organization that limits its membership and is organized for a recreational, fraternal, social, patriotic, political, benevolent, or athletic purpose.

Public Conveyance means a mass transit vehicle, a school bus, or any other device by which persons are transported, for hire, on a highway or by rail, water, air, or guidewire within this state, but does not include such a device while providing transportation in interstate commerce.

Public place means any enclosed place that is open to the public regardless of whether a fee is charged or a place to which the public has lawful access or may be invited.

Retail establishment means any store or shop in which retail sales is the principal business conducted.

Retail tobacco store means a retail establishment that does not have a "Class B" intoxicating liquor license or a "Class B" fermented malt beverages license and that generates 75 percent or more of its gross annual income from the retail sale of tobacco products and accessories.

Smoking has the meaning set forth in §101.123(1)(h), Wis. Stats.

Sports arena means any stadium, pavilion, gymnasium, swimming pool, skating rink, bowling center, or other building where spectator sporting events are held.

Tavern means an establishment, other than a restaurant, that holds a "Class B" intoxicating liquor license or "Class B" fermented malt beverages license.

Tobacco Bar means a tavern that generates 15 percent or more of its annual gross income from the sale on the tavern premises, other than from a vending machine, of cigars and tobacco for pipes.

(3) PROHIBITED CONDUCT.

(a) It shall be unlawful and a violation of this section for any person, whether employed by Oneida County or a member of the public, to smoke in enclosed public places, places of employment, in any County building, County vehicle or joint use building. Those areas specifically prohibited in 101.123(2). No person may smoke in any of the following enclosed places:

(1) The state capitol.

(2) Residence halls or dormitories owned or operated by a college or university.

(3) Day care centers.

(4) Educational facilities.

(5) Inpatient health care facilities.

(6) Theaters.

(7) Correctional facilities.

(8) State institutions.

(9) Restaurants.

- (10) Taverns.
- (11) Private clubs.
- (12) Retail establishments.
- (13) Common areas of multiple-unit residential properties.
- (14) Lodging establishments.
- (15) State, county, city, village, or town buildings.
- (16) All enclosed places, other than those listed in subds. 1 to 15, that are public places.

No person may smoke at any of the following outdoor locations:

- (a) In the immediate vicinity of the state capitol.
- (b) Anywhere on the premises of a day care center when children who are receiving day care services are present.
- (c) A location that is 25 feet or less from a residence hall or dormitory that is owned or operated by the Board of Regents of the University of Wisconsin System.

No person may smoke in any of the following:

- (a) a sports arena.
- (b) a bus shelter.
- (c) a public conveyance.

(b) No person in charge may allow any person to smoke in violation of (2) at a location that is under the control or direction of the person in charge. A person in charge may not provide matches, ashtrays, or other equipment for smoking at the location where smoking is prohibited. A person in charge shall make reasonable efforts to prohibit persons from smoking at a location where smoking is prohibited by doing all of the following:

- (1) Posting signs setting forth the prohibition and providing other appropriate notification and information concerning the prohibition.
- (2) Refusing to serve a person, if the person is smoking in a restaurant, tavern, or private club.
- (3) Asking a person who is smoking to refrain from smoking and, if the person refuses to do so, asking the person to leave the location.
 - (a) If a person refuses to leave a location after being requested to do so as provided in par. (3)., the person in charge shall immediately notify an appropriate law enforcement agency of the violation

(4) EXCEPTIONS. The prohibition against smoking in sub. (3)(a) does not apply to the following:

- (a) A private residence.
- (b) A room used by only one person in an assisted living facility as his or her residence.
- (c) A room in an assisted living facility in which 2 or more persons reside if every person who lives in that room smokes and each of those persons has made a written request to the

person in charge of the assisted living facility to be placed in a room where smoking is allowed.

(d) A retail tobacco store that is in existence on June 3, 2009, and in which only the smoking of cigars and pipes is allowed.

(e) A tobacco bar that is in existence on June 3, 2009, and in which only the smoking of cigars and pipes is allowed.

(5) PENALTIES.

(a) Any person who violates sub. (3)(a) be subject to a forfeiture of not less than \$100 nor more than \$250 for each violation.

(b) A violation of this section does not constitute negligence as a matter of law.

(c) Except as provided in par. (d) or (e) any person in charge who violates sub. (3)(b) (1) to (3) shall be subject to a forfeiture of \$100 for each violation.

(d) For violations subject to the forfeiture under par. (c) , if the person in charge has not previously received a warning notice for a violation of sub. (3)(b) (1) to (3), the law enforcement officer shall issue the person in charge a warning notice and may not issue a citation.

(e) No person in charge may be required under par. (c) to forfeit more than \$100 in total for all violations of sub. (3)(b) (1) to (3) occurring on a single day.

(f) Second and subsequent violations within one year shall be subject to a forfeiture of \$250 for each violation.

(g) Any County employee found in violation of this section shall be subject to the County's positive disciplinary process.

(5) INJUNCTION. Not withstanding §165.60, Wis. Stats., State or local officials or any affected party may institute an action in Oneida County Circuit Court to enjoin such conduct where a person has been subject to penalties, as set forth above, on two or more occasions.

25.04 PENALTY PROVISIONS.

Table Inset:

10.06	Smoking in prohibited area	100.00	263.50
	2 nd /Subsequent within 1 year	250.00	452.50

[All other sections of 25.04 and the Table Inset are to remain unchanged

Motion/second Baier/Greschner to waive the reading of Resolution #52-2010/General Code/OA. All "ayes" on voice vote. Motion carries.

Approved by the Law Enforcement and Judiciary Committee this 2nd day of June 2010.
Offered and passage moved by Supervisors David O'Melia, William Fried and Bob Metropulos.

Roll call vote: 19 aye 0 nay 2 absent (Holewinski, Young)

Resolution #53-2010/General Code/OA – offered by Supervisors of the Resolutions/Ordinances and Legislative Committee amending Section 3.10 (7) Procedures for Per Diem and Expense Payment.

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

Whereas, The Oneida County Board of Supervisors has adopted "A Guide to Parliamentary Procedure for Local Governments in Wisconsin" by Larry Larmer as its official Rule of Order, and

Whereas, Larmer suggests that rules of procedure specific to their own situation should be

adopted by local governments, and

Whereas, the Resolutions & Ordinances/legislative committee is suggesting adopting the following rule.

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 3.10(7) of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

3.10 REIMBURSEMENT FOR EXPENSES.

Sections (1) through (6) remain unchanged.

(7) PROCEDURES FOR PER DIEM AND EXPENSE PAYMENT.

(a) Per Diem. (Am. #102-2007) Qualified persons who incur per diem expenses shall submit vouchers to the Finance Department. The Finance Department shall pay the per diem vouchers submitted after confirming the business has been authorized by a committee or the Board. Any such qualified person who receives per diem expenses or other compensation from another entity will not be entitled to receive a per diem from the county. Attendance at County Board meetings and the meetings of committees, commissions or special boards shall be in person; attendance shall not be allowed by telephonic or other electronic means.

The balance of the section remains unchanged.

Approved by the Resolutions/Ordinances and Legislative Committee this 13th day of May, 2010.

Offered and passage moved by Supervisors David O'Melia and Ted Cushing.

Motion/second Vandervest/Paszak to waive the reading of Resolution #53-2010 General Code/OA. All "ayes" on voice vote. Motion carries.

Motion/second O'Melia/Vandervest to amend Resolution #53-2010 General Code/OA on Line 39, remove the words "or special boards".

NOTE: Supervisor John R. Young arrives at approximately 9:50 a.m.

Roll call to amend resolution: 20 aye 0 nay 1 absent (Holewinski)

Motion/second O'Melia/Greschner to amend the amended Resolution #53-2010 General Code/OA at Line #39 to strike out the word "~~not~~" and add after the word "means" "per diem shall not be allowed."

Roll call on resolution amended twice: 12 aye 7 nay 1 abstain (Dean) 1 absent (Holewinski)

Motion/second O'Melia/Paszak to refer the amended resolution back to the Resolutions & Ordinances/Legislative Committee and bring back to the County Board, August 17, 2010.

Roll call: 17 aye 3 nay (Young, Baier, Cushing) 1 absent (Holewinski)

Resolution #54-2010 – offered by Supervisors of the Finance and Insurance Committee regarding Budget Transfers to the 2010 Budget.

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

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

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

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

APPLY CARRYFORWARD BALANCES TO 2010 BUDGET

Register of Deeds	\$	5,929
Public Health		16,000

Department on Aging	2,339
UW-Extension	545

APPLY ADDITIONAL REVENUES RECEIVED TO RELATED EXPENSES

Emergency Management	\$ 25,239
Public Health	129,270
Social Services	10,922

REDUCE BUDGET TO REFLECT REVISED REVENUE PROJECTIONS

Social Services	\$ 42,287
Department on Aging	5,265
Landfill	109,876

Vote Required: Majority = _____ 2/3 Majority = _____ XX 3/4 Majority = _____

Approved by the Finance Committee this 24th day of May 2010.
Offered and passage moved by Supervisors Ted Cushing, John Hoffman, David Hintz and Peter Wolk.

Motion/second Greschner/Vandervest to waive the reading of Resolution #54-2010. All “ayes” on voice vote. Motion carries.

Roll call vote: 20 aye 0 nay 1 absent (Holewinski)

Resolution #55-2010 – offered by Supervisors of the Planning and Zoning Committee regarding inspection fee increase.

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

WHEREAS, the Oneida County Board of Supervisors passed Resolution #18-2010 on February 16, 2010 adopting the new Chapter 15, Oneida County Subdivision Control Ordinance; and

WHEREAS, the Oneida County Planning and Zoning Department has the responsibility to review all land divisions that are considered a Minor, Town, County, or State level plat in addition to all Access and Utility Review Subdivisions in Oneida County pursuant to Chapter 15, Oneida County Subdivision Control Ordinance; and

WHEREAS, the Oneida County Subdivision Control Ordinance has been rewritten to include the review of Access and Utility Review Subdivisions; and

WHEREAS, the Oneida County Planning and Zoning Committee recommends the fee schedule be changed to reflect a \$100.00 fee for the review of any Access and Utility Review Subdivision that is brought before the Planning and Zoning Department; and

NOW, THEREFORE, BE IT RESOLVED, the Oneida County Board of Supervisors adopts the attached fee schedule with an effective date commencing on July 1, 2010.

Approved by the Planning and Zoning Committee this 2nd day of June 2010.
Offered and passage moved by Supervisors Scott Holewinski, David Hintz, Gary Baier, Larry Greschner and William Fried.

Effective Date: 07/01/10
Resolution: # 55-2010

APPLICATION REVIEW FEE SCHEDULE

**ONEIDA COUNTY ZONING & SHORELANDS PROTECTION ORDINANCE
ONEIDA COUNTY PRIVATE SEWAGE SYSTEM ORDINANCE**

STAFF REVIEW FEE ASSOCIATED WITH:

1. **Zoning Permits:** based on square footage as follows with a minimum fee of \$75.00 (*Note: Always round cents to nearest dollar)

A. **Dwelling units**

Each full story, unfinished or finished basement, ½ story
or loft area sq ft X
.14

B. **Commercial structures (including apartment bldgs & duplexes)**

Each full story, unfinished or finished basement,

½ story or loft area sq ft X
 .16
 Commercial cold storage. sq ft X
 .14

C. Accessory buildings - garages, storage buildings, barns; additions, alterations or remodeling to same
 Each full story, finished or unfinished basement,
 ½ story, loft area sq ft X
 .12

D. Boathouses
 One story only sq ft X
 .20

E. Pole buildings
 Each full story, basement, ½ story or loft area. sq ft X
 .12

F. Other
 1. Residential additions, alterations, remodeling
 Each full story, unfinished or finished basement,
 ½ story or loft area. sq ft X
 .14

2. Commercial additions, alterations, remodeling
 Each full story, unfinished or finished basement,
 ½ story or loft area. sq ft X
 .16

3. Change of Use sq ft X
 .14

4. Anything that cannot be figured on square footage such as adding
 a
 fireplace, change pitch of roof, etc. fee shall be \$75.00.

5. Deck. sq ft X
 .12

6. Footings or crawl space sq ft X
 .10

7. Early Start \$75.00

8. Raze Structure No
 Charge
 A permit is required to remove/raze structure from a
 property, but there will be no charge for the permit.

- 2. ~~SUBDIVISION OF LAND - \$100.00 per lot; \$100.00 per outlot; \$100.00 per lot and outlot for a Minor, Town, County, or State level subdivision; Access and Utility Review Subdivision - \$100.00~~
- 3. CONDITIONAL USE PERMITS - \$500.00
- 4. MINING
 - A. SPECIAL CONDITIONAL USE PERMIT - \$50,000.00
 - B. EXPLORATION PERMIT - \$1,500 Annually
- 5. ADMINISTRATIVE REVIEW PERMIT - \$250.00
- 6. SEXUALLY ORIENTED BUSINESS PERMIT - \$250.00; BI-ANNUAL RENEWAL FEE - \$75.00
- 7. SHORELAND ALTERATION PERMIT - \$150.00
- 8. HOME OCCUPATION COMPLIANCE CHECKLIST - \$50.00

9. **SIGN APPLICATION** - \$100.00 per sign
10. **AFTER THE FACT APPLICATION** - Triple the application fee.
11. **APPEALS TO THE BOARD OF ADJUSTMENT** - \$500.00; Contested case appeals - minimum fee of \$500.00 plus actual costs incurred as determined by the Oneida County Board of Adjustment. Rescheduling of an appeal - \$350.00 for each rescheduled event.
12. No fee is required for any structure or use by any municipality, public school, state or federal governmental agency. These agencies must, however, submit application for a permit.
13. A \$500.00 fee shall be charged to any individual or corporation, firm, etc., for filing a petition for amending the Ordinance. No fee shall be charged for any petition filed by a town, the Oneida County Planning and Zoning Committee, or the Oneida County Zoning Administrator.
14. **RENEWALS** - On or after 3/25/03 permits are good for two years from the date of issuance and may not be renewed. (Resolution #25-2003)
15. **COPY WORK or FAX** - \$.25 each page
16. **SEARCH REQUEST/SANITARY MAINTENANCE PROGRAM** - \$1.00/request
17. **CONDOMINIUM FEES** - \$100.00 for each unit.
18. **STAFF ONSITE INSPECTION** - As requested by public - \$125.00 and \$125.00 for each return inspection.

ONEIDA COUNTY PRIVATE SEWAGE SYSTEM FEE SCHEDULE IS SUBJECT TO CHANGE IF FEES ARE INCREASED BY DEPT OF COMMERCE OR THE DNR

1. Conventional sewage system and/or septic tank	\$300.00
2. Alternate design: mound, at grade	\$410.00
3. In-ground pressure	\$410.00
4. Holding tank	\$425.00
5. Drip irrigation	\$425.00
6. Pretreatment units, sand filters, aerobic treatment units, etc	\$425.00
7. Soil remediation	\$100.00
8. Privy	\$200.00
9. Transfer fee (between owners only)	\$ 50.00
10. Renewal fee (can only be renewed once)	\$ 50.00
11. Reconnect or repair	\$ 75.00
12. Revisions (change in plans or change of plumber)	\$ 75.00
13. Filter installation	\$175.00
14. Administrative fee for receipt of the Wisconsin Fund Grant Program	\$125.00
15. Sewage system inspection fee for building additions or Remodeling	\$ 75.00
16. Return septic inspection fee (excluding regular alternative system inspections)	\$ 75.00
17. Existing POWTS Evaluation submittal for "55" record	\$ 50.00
18. Large scale sewage systems (over 2,000 gallons based on daily wastewater flow) charged at \$.13 cents X gallonage (rounded off to the nearest dollar) In addition to the original permit cost.	
18. Copy work or FAX: \$.25 each page	

ONEIDA COUNTY POWTS PLAN REVIEW FEE SCHEDULE IS SUBJECT TO CHANGE IF FEES ARE INCREASED BY DEPT OF COMMERCE OR THE DNR

Plan review non-pressurized in-ground system, public or commercial

- A. 1000 gallons per day or less \$175.00
- B. 1001 - 5000 gallons per day. \$225.00

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Motion/second Vandervest/Pederson to waive the reading of Resolution #55-2010. All “ayes” on voice vote. Motion carries.

Roll call vote: 20 aye 0 nay 1 absent (Holewinski)

Resolution #56-2010 – offered by Supervisors of the Department on Aging Building Committee regarding purchasing of the “Northern Advantage Job Center.”

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

WHEREAS, in the fall of 2006 the Oneida County Board of Supervisors commissioned a space needs study for the Department on Aging Facilities; and

WHEREAS, that space needs study indicated that the current Department on Aging facilities were inadequate for the anticipated future needs of the Department on Aging; and

WHEREAS, in 2007, subsequent to the space needs study, the Oneida County Board of Supervisors created the Department on Aging Building Committee in order to assist the Board in determining how to meet the future space needs of the Department on Aging; and

WHEREAS, after an exhaustive search of buildings and vacant properties in the Rhinelander area the Department on Aging Building Committee has located a building, the “Northern Advantage Job Center”, that they believe to be suitable for the future needs of the Department in Aging; and

WHEREAS, the Department on Aging Building Committee does hereby recommend to Oneida County Board of Supervisors that Oneida County pursue the purchase of the “Northern Advantage Job Center”.

NOW, THEREFORE, BE IT RESOLVED, the Oneida County Board of Supervisors does hereby authorize the pursuit of the purchase of the “Northern Advantage Job Center” for the Department on Aging facilities; and

BE IT FURTHER RESOLVED, that the Oneida County Board of Supervisors authorizes the Corporation Counsel and County Clerk, along with other necessary County staff, draft, sign and submit an offer to purchase to Trig Solberg, owner of the “Northern Advantage Job Center.”

Approved by the Department on Aging Building Committee this 7th day of June 2010.

Offered and passage moved by Supervisors Gary Baier, Ted Cushing and Peter Wolk.

Motion/second Hoffman/Matteson to postpone Resolution #56-2010 until after closed session today at 11:45 a.m.

Roll call vote: 6 aye (Wolk, Hintz, Martinson, Hoffman, Sharon, Matteson) 14 nay (O’Melia, Rudolph, Metropulos, Young, Pederson, Paszak, Dean, Greschner, Thompson, Berard, Fried, Baier, Vandervest, Cushing) 1 absent (Holewinski) Motion Fails

Motion/second Greschner/Hintz to amend Resolution #56-2010 and omit Lines 24, 25 and 26 along with the word “and” at the end of Line 23.

Roll call vote to amend resolution: 20 aye 0 nay 1 absent (Holewinski)

Roll call on resolution as amended: 19 aye 1 nay (Dean) 1 absent (Holewinski)

Resolution #57-2010 – offered by Supervisors of the Highway Committee and the Labor Relations and Employee Services Committee regarding eliminating the positions of Stockroom Clerk and Shop Foreman and the position of Shop Superintendent be created.

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

WHEREAS, as a result of the Stockroom Clerk position becoming vacant, the Highway Commissioner and Highway Committee have reviewed the management structure at the Highway Department; and

WHEREAS, based upon the review of the Highway Department management structure the Highway Committee has recommended changes thereto; and

WHEREAS, resolution 136-2004 eliminated the Shop Superintendent position and created the Shop Foreman position, and

WHEREAS, the existing Shop Foreman position will be taking on additional duties and responsibilities which include effectively recommending the hire, transfer, suspension, layoffs, recalls, promotions, discharge and the ability to assign, reward or discipline other employees and,

WHEREAS, the restructuring will incorporate all duties and responsibilities of the Stockroom Clerk and Shop Forman into one supervisory position

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors effective June 16, 2010 the positions of Stockroom Clerk and Shop Foreman shall be eliminated; and

BE IT FURTHER RESOLVED, that the position of Shop Superintendent will be created and based upon the significant change of duties and responsibilities will be classified at Grade Level eleven of the Non-represented Classification and Pay Plan

BE IT FURTHER RESOLVED, by the Oneida County Board of Supervisors that all changes made are to be consistent with the fiscal impact statement attached hereto and incorporated by reference.

Approved by the Oneida County Highway Committee this 3rd day of June 2010. Approved by the Labor Relations and Employee Services Committee this 9th day of June 2010.

Offered and passage moved by Supervisors of the Highway Committee John Hoffman, Scott Holewinski, Peter Wolk, Jim Sharon, Sonny Paszak and Supervisors of the Labor Relations and Employee Services Committee John R. Young, Ted Cushing, Peter Wolk and Sonny Paszak.

**ONEIDA COUNTY
FISCAL IMPACT
CREATE SHOP SUPERINTENDANT
ELIMINATE SHOP FOREMAN AND STOCK ROOM CLERK**

2010 Wage Rates

2010 Fringe Benefit Rates

**Annual Cost
Grade 11, Step One**

**Annual Cost
Grade 11, Step 6**

Create Shop Superintendent

Wages	43,591	51,082
Social Security	3,335	3,908
Retirement	5,231	6,130
Health Ins-Maximum	20,333	20,333
Life Ins-Estimated	300	300
Income Continuation Ins	110	130
Workers Comp	<u>1,417</u>	<u>1,660</u>
	74,317	83,543

Eliminate Shop Foreman

**Annual Cost
After Probationary Rate**

Wages	(45,633)	
Social Security	(3,491)	
Retirement	(5,476)	
Health Ins (incumbent)	(13,974)	
Life Ins (incumbent)	(26)	
Income Continuation Ins	(115)	
Workers Comp	<u>(1,483)</u>	
	(70,198)	(70,198)

Eliminate Stock Room Clerk

**Annual Cost
After Probationary Rate**

Wages	(40,758)
Social Security	(3,118)
Retirement	(4,891)
Health Ins (incumbent)	(7,807)
Life Ins (incumbent)	(49)
Income Continuation Ins	(103)

Workers Comp	(1,325)	
	(58,050)	(58,050)
Annual Total	(53,931)	(44,705)
Total June 19-December 31	(30,077)	(24,932)

Revenue Source: Fees from State, County and Towns

Motion/second Baier/Martinson to waive the reading of Resolution #57-2010. All “ayes” on voice vote. Motion carries.

Roll call vote: 20 aye 0 nay 1 absent (Holewinski)

Other business –

County Clerk Appointment: William Korrer, Kevin Jenkins, Mary Bartelt

(It is anticipated that the candidates will make a statement to the County Board prior to the selection process.)

Cushing, Board Chairman, explained to the Board that we have three candidates here to replace the former County Clerk, Mr. Brusco and that each candidate will say a few words to the Board. If the Board wishes to enter into a closed session to discuss the qualifications of the candidates they may or following the presentations of the candidates will take a vote by ballot.

Brian Desmond, Corporation Counsel explained to the Board that all ballots must be initialed and that the closed session is not necessary but urges the Board to discuss any of the candidates qualifications or what occurred in the interviews.

All three candidates gave their presentations and ballots were handed out to the Board for voting.

Results: Bartelt	17 votes
Korrer	3 votes
Jenkins	0 votes

County Board Chair, Cushing announced the appointment of Ms. Mary Bartelt as County Clerk.

It is anticipated that the Board may meet in Closed Session pursuant to Wisconsin Statutes, Section 19.85(1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which this body has jurisdiction or responsibility; Wisconsin Statutes, Section 19.85(1)(e) deliberating or negotiation the purchase of public properties, the investing of public funds, or conduction other specified public business whenever competitive or bargaining reasons require a closed session; Wisconsin Statutes, Section 19.85(1)(g), conferring with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is or is likely to become involved.

Topics:

1. County Clerk
2. Northern Advantage Job Center
3. Attorney/Client Opinion on Ordinance Sec. 9.78
4. Eagle Cove Lawsuit

Motion/second O’Melia/Martinson stating that 19.85(1)(c) is no longer applicable and would make a motion to enter into closed session under Section 19.85 (1)(e) deliberating or negotiation the purchase of public properties, the investing of public funds, or conduction other specified public business whenever competitive or bargaining reasons require a closed session and Section 19.85(1) (g), conferring with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is or is likely to become involved.

Roll Call: 20 aye 0 nay 1 absent

Time: 11:28 a.m.

Motion/second Hoffman/Greschner to return to open session

Roll Call: 16 aye 0 nay 5 absent

Time: 12:35 p.m.

Announcement of any action taken in closed session/act on any discussion in closed session.

Chairman Cushing, announced that the County Board Supervisors discussed some of their strategies in regards to the Northern Advantage Job Center. These strategies will be released to the public soon.

- a. County Clerk Report of zoning petitions - None
- b. County Treasurer declaration of unlawful taxes - None
- c. Appointments to committees, commissions and other organizations
 - Re-appoint Marge Saari to serve on the Board of Health for a three-year term to expire June 2013.
 - Re-appoint Elmer Goetsch to serve on the Zoning Board of Adjustment for a term which will expire July 2013.
 - Re-appoint Robert Rossi to serve on the Zoning Board of Adjustment for a term which will expire July 2013.
 - Approve appointing Donald Werra as a "Regular Member" replacing Dick Meehan for a term to expire July 2013.
 - Appoint Guy Hansen to the Zoning Board of Adjustment as an Alternate with a term expiring July 2012. (filling the balance of Donald Werra's term as an alternate)
 - Designate new Alternate Member Guy Hansen as Second Alternate.
 - Designate current Alternate Member John Bloom as First Alternate with a term to expire July 2011.

Motion/second Greschner/Baier to approve all appointments listed under 10.c.on the agenda. All "ayes" on voice vote.

Adjournment

Motion/second Hoffman/Hintz to adjourn at 12:38 p.m. All "ayes" on voice vote.