

Minutes
Oneida County Board of Supervisors
Tuesday, March 21, 2017 – 9:30 a.m.
Oneida County Courthouse
County Board Meeting Room - 2nd Floor

CALL TO ORDER:

Chairman Hintz called the meeting to order at 9:30 am in the County Board Meeting Room of the Oneida County Courthouse. There was a brief moment of silence for our troops here and overseas followed by the Pledge of Allegiance.

Members Present: Supervisors: Ted Cushing, Bill Freudenberg, Billy Fried, David Hintz, Jim Winkler, Robb Jensen, Tom Kelly, Bob Metropulos, Bob Mott, Greg Oettinger, Sonny Paszak, ~~Tom Rudolph~~ Greg Pence, Jack Sorensen, Michael Timmons, Alan Van Raalte, Alex Young and Lisa Zunker.

OF MEMBERS PRESENT: 17

SUPERVISORS EXCUSED: Mitchell Ives, Carol Pederson, Lance Krolczyk, Scott Holewinski

STUDENT REPRESENTATIVES PRESENT: Bridget Billings, Amanda Morgan

OTHERS PRESENT: Tracy Hartman, Oneida County Clerk; Heidi Nehls, Chief Deputy Clerk; Brian Desmond, Corporation Counsel; Mike Romportl, Land Information Director; Dan Butkus; Tom Johansen; John Bilogan, Forestry Director and Lisa Charbarneau, Human Resources Director.

ANNOUNCEMENTS BY CHAIR, CORRESPONDENCE AND COMMUNICATIONS:

- Sign Attendance Form at the Podium.
- Please Use Microphones When Speaking.
- Donation of the book Blue Mind by Wallace J. Nichols, this is available for check out at the County Clerk's office.
- Department of Justice – Wisconsin Open Meetings Law Compliance Guide was handed out.
- Annual Work Safety Zone Week is April 3rd-7th, a short video was shown on work zone safety.

ACCEPT THE MINUTES OF THE FEBRUARY 21, 2017 MEETING.

MOTION/SECOND: Jensen/Cushing to accept the February 21, 2017 regular County Board Minutes. All Ayes on voice vote, motion passes.

Additions, deletions, corrections: Supervisor Van Raalte requested that on Page 1 Andrew Smith of Mallery and Zimmerman be added as others present. Andrew Smith should also be added to closed session portion of the February 21, 2017 Minutes.

REPORTS/PRESENTATIONS:

* **PUBLIC COMMENT:** No comment.

CONSENT AGENDA:

Resolution #25-2017 offered by the Supervisors of the Administration Committee authorizing and directing budget transfers.

Resolution #26-2017 offered by the Supervisors of the Land Records Committee approving the conveyance of part of PL 218-2 to Richard F. Kawleski and Helen A. Kawleski.

Resolution #27-2017 offered by the Supervisors of the Land Records Committee approving the conveyance of part of LT 36-9 to Edmund G. Coffen.

Resolution #28-2017 offered by the Supervisors of the Land Records Committee approving the conveyance of part of MI 356-4 to Peter R. Benedetto and part of MI 356-4 to the Town of Minocqua.

• **APPOINTMENTS TO COMMITTEES, COMMISSIONS AND OTHER ORGANIZATIONS:**

Appoint Paul Kaiser to serve on the Library Board with a term ending December 2017.

Appoint Jean Mejerle to serve on the Library Board with a term ending December 2017.

Appoint Dennis E. Carriere to serve on the Library Board with a term ending December 2019.

Appoint Ronald Winquist to serve on the Law Enforcement Grievance Committee with a term ending April 2019.

Appoint Brad Kowieski to serve on the Rhinelander/Oneida County Airport Commission with a term ending April 2021.

MOTION/SECOND Sorensen/Van Raalte: To accept the consent agenda. All ayes on voice vote, motion carries.

CONSIDERATION OF RESOLUTIONS & ORDINANCES:

Resolution #29-2017 offered by the Supervisors of the Conservation and UWEX Education Committee declaring the organization of the proposed Squash Lake Protection & Rehabilitation District.

WHEREAS, Oneida County received a petition from the Squash Lake Association regarding the formation of the proposed Squash Lake Protection & Rehabilitation District hereinafter referred to as the "Lake District"; and

WHEREAS, the Oneida County Board of Supervisors assigned the tasks associated with reviewing the petition to the Oneida County Conservation & UWEX Education Committee hereinafter referred to as the "Committee"; and

WHEREAS, the Committee held a public hearing on December 3, 2016 at the Crescent Town Hall which was within 30 days of receipt of the completed petition; and

WHEREAS, pursuant to Wis. Stat. s. 33.25 a lake district can be formed by the County Board if the petitioners for said district present a petition "signed by persons constituting 51 percent of the landowners or the owners of 51 percent of the lands within the proposed district."; and

WHEREAS, Oneida County staff, utilizing the 2015 tax roll data, determined the total number of eligible landowners located in the boundary of the proposed Lake District was 280 with 51% of the required signatures being 143; and

WHEREAS, 156 signatures or 55.7% of the landowners in the proposed Lake District were deemed acceptable on the petition sheets provided by the Squash Lake Association; and

WHEREAS, the Committee, after reviewing staff reports, determined that the petitioners met the required signatures from over 51% of the proposed Lake District landowners; and

WHEREAS, the Committee reviewed maps prepared by the Oneida County Land Information Office showing the landowners who had signed the petition and the calculation of the land information office indicating that the petitioners secured signatures from owners of 57.08% of the land in the proposed Lake District; and

WHEREAS, based on the review of the map and the calculations by the Oneida County Land Information Office determined that the petitioners additionally met the required signatures of owners of over 51% of the land area within the proposed Lake District; and

WHEREAS, the Committee's recommendation was to approve the formation of the proposed Lake District because the petition was signed by over 51% of the proposed Lake District landowners, and alternatively, to approve the formation of the proposed Lake District as the petition was signed by the owners of over 51% of the lands within the proposed Lake District, as set forth in WI Stat 33.25; and

WHEREAS, the proposed Lake District is necessary, that the public health, comfort, convenience, necessity or public welfare will be promoted by the establishment of the Lake District, and that the property included in the Lake District will be benefited by the establishment of the proposed Lake District; and

WHEREAS, the Squash Lake Association is unable to meet their financial needs to address invasive species control, including Eurasian Water Milfoil; and

WHEREAS, a lake district has the ability to ensure that a secure base of partners (district members) and finances will be available to conduct lake management activities to protect aquatic resources, personal investments, and values including property values that are greatly affected by the health of the water body; and

WHEREAS, a lake district is a unit of government that can acquire financial assistance through grants for lake projects and management plans, and protect lake habitat through restoration efforts.

NOW, THEREFORE, BE IT RESOLVED, that the Oneida County Board of Supervisors formally declares the organization of the proposed Lake District.

BE IT FURTHER RESOLVED THAT, a certified copy of this resolution shall be the County Board's Order establishing the Lake District pursuant to Wis. Stat. s. 33.26; and

BE IT FURTHER RESOLVED THAT, the Lake District shall be known as The Squash Lake Protection & Rehabilitation District; and

BE IT FURTHER RESOLVED THAT, the boundaries of The Squash Lake Protection & Rehabilitation District shall be the same as presented as part of the petition; and

BE IT FURTHER RESOLVED THAT, the County Board Chairman shall appoint four of the five members of the initial Board of Commissioners of The Squash Lake Protection & Rehabilitation District as follows:

1. Three owners of land within the Lake District (with one being a resident of the Lake District)
2. One member of the Conservation & UWEX Education Committee (or a person nominated by that Committee); and

BE IT FURTHER RESOLVED, that the County Clerk shall provide a certified copy of this resolution to the Town of Crescent (the Town with the highest assessed value within the Lake District) to appoint a fifth representative to the Board of Commissioners within 30 days of the Lake District's establishment and in conformity with the requirements of Wis. Stat. s. 33.27(2); and

BE IT FURTHER RESOLVED THAT a copy of this resolution be provided to Dan Butkus who represented the Squash Lake Association.

Discussion: Supervisor Mott gave a brief overview of the history of this resolution. Discussion with input from Supervisors Mott, Jensen, Hintz, Fried, Winkler, Van Raalte. Additional comment and input from Dan Butkus, Brian Desmond and Thomas Johansen. Dan Butkus, Thomas Johansen, Bob Mott and Jarrod Bennet were appointed to the Squash Lake Protection and Rehabilitation District board per Chairman Hintz.

Roll Call Vote: 17 Aye, 0 Nay, 4 Absent

STUDENT REPRESENTATIVE: 2 Aye

Resolution #29-2017: Adopted

Resolution #30-2017 offered by the Supervisors of the Administration and Land Records Committee urging Governor and State Legislature to protect homeowners and main street businesses from having even more of the property tax burden shifted to them by passing legislation that clarifies property valuation.

WHEREAS, homeowners in Wisconsin already pay 70% of the total statewide property tax levy; and

WHEREAS, the disproportionate burden is about to get much worse unless the Legislature addresses tax avoidance strategies that national chains like Walgreens, and big box establishments like Target and Lowes are using across the country to gain dramatic reductions in their property tax bills at the expense of homeowners and other taxpayers; and

WHEREAS, a carefully-orchestrated wave of hundreds of lawsuits in Wisconsin is forcing assessors to slash the market value of thriving national retail stores, shifting their tax burden to local mom and pop shops and homeowners; and

WHEREAS, Walgreens and CVS stores in Wisconsin have argued in communities across the state that the assessed value of their property for property tax purposes should be less than half of their actual sale prices on the open market; and

WHEREAS, in many cases the courts have sided with Walgreens and CVS, requiring communities to refund tax revenue back to the stores; and

WHEREAS, there are over 200 Walgreens stores located in Wisconsin; and.

WHEREAS, Target, Lowes, Meijer, Menards and other big box chains are using what is known as the "Dark Store Theory" to argue that the assessed value of a new store in a thriving location should be based on comparing their buildings to sales of vacant stores in abandoned locations for a different market segment; and

WHEREAS, the Indiana Legislature has on two occasions in the last two years overwhelmingly passed legislation prohibiting assessors from valuing new big box stores the same as nearby abandoned stores from a different market segment; and

WHEREAS, the Michigan State House overwhelmingly passed similar legislation in May of 2016.

NOW, THEREFORE, BE IT RESOLVED that Oneida County does hereby urge the Governor and State Legislature to protect homeowners and main street businesses from having even more of the property tax burden shifted to them by passing legislation clarifying that:

1. Leases are appropriately factored into the valuation of leased properties; and
2. When using the comparable sale method of valuation, assessors shall consider as comparable only those sales within the same market segment exhibiting a similar highest and best use rather than similarly sized but vacant properties in abandoned locations.

Discussion: Hintz gave a brief overview of what the Dark Store Concept is and how this could potentially affect Oneida County. Mike Romportl discussed how this is currently affecting Oneida County with additional input from Alex Young.

Roll Call Vote: 17 Aye, 0 Nay, 4 Absent

STUDENT REPRESENTATIVE: 2 Aye

Resolution #30-2017: Adopted

Resolution #31-2017 offered by the Supervisors of the Forestry Land and Recreation Committee approving the purchase of parcel WB 172-2 with the funds coming from the 2017 Forestry Department Budget.

WHEREAS, the Oneida County Forestry Department has identified parcel WB 172-2 as a key parcel for the development of a permanent haul road that would span the distance between Washburn Lake Road to Trout Creek Road/County Hwy K (see Attachment A); and

WHEREAS, the development of said road would aid with the transport of harvested timber products from county forest land, and help minimize the impact of forest management activities within the Washburn Silent Sport Area; and

WHEREAS, the county has negotiated with the owners of parcel WB 172-2 and have agreed on a sale price of \$16,300.00; and

WHEREAS, the sale of parcel WB 172-2 is contingent upon approval of the County Board; and

WHEREAS, the Forestry Department has the funds required to purchase parcel WB 172-2 in the department's 2017 budget; and

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors that Oneida County approves the purchase of parcel WB 172-2; and

BE IT FURTHER RESOLVED, the funds required to purchase of parcel WB 172-2 shall come from the 2017 Forestry Department Budget.

BE IT FURTHER RESOLVED, that the County Clerk is authorized to sign any and all documents necessary to complete this transaction.

Discussion: John Bilogan Forestry Director gave an overview of the potential land purchase and what the advantages would be to purchase. Comments from Winkler, Jensen and Sorenson.

Roll Call Vote: 17 Aye, 0 Nay, 4 Absent

STUDENT REPRESENTATIVE: 2 Aye

Resolution#31-2017: Adopted

Resolution #32-2017 offered by the Labor Relations Employee Services Committee to reclassify the Forestry Director position to a Grade Level O of the Exempt Wage Schedule.

WHEREAS, the Forestry Director and the Human Resources Director did discuss the placement of the Forestry Director position on the Exempt Wage Schedule based on rankings done by Carlson Dettmann; and

WHEREAS, the Forestry Director and the Human Resources Director did review comparable wage data and job descriptions of Counties that were included in the Carlson Dettmann wage study as well as internal equity positions as well; and

WHEREAS, the Human Resources Director did recommend to the Forestry, Land and Recreation Committee that based on how the position was rated during the Carlson Dettmann Wage Study verses current comparable County data and internal equity data, the position should be moved to Grade Level O of the Exempt Wage Schedule; and

WHEREAS, the Forestry, Land and Recreation Committee does support and recommends to the LRES Committee to place the Forestry Director position at Grade Level O of the Exempt Wage Schedule; and

WHEREAS, the LRES Committee did agree that based on the review of comparable County data and internal equity placement the Forestry Director position should be placed at Grade Level O of the Exempt Wage Schedule.

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors effective March 25, 2017 the Forestry Director position shall be placed at Grade Level O of the Exempt Wage Schedule; and

BE IT FURTHER RESOLVED, by the Oneida County Board of Supervisors that by adoption of this resolution it shall be deemed that all projected costs for the positions as set forth in the fiscal impact statement which is attached hereto and made a part hereof shall come from the Forestry Department 2017 budget.

Discussion: Lisa Charbarneau discussed the classification of the wage schedule for this position and how this was evaluated by the Carlson Dettmann study. She explained why there was a determination to reclassify the Grade level for this position. Comment from Fried, Mott, Sorensen, Van Raalte and Cushing.

Roll Call Vote: 16 Aye. 1 Nay- Billy Fried, 4 Absent

STUDENT REPRESENTATIVE: 2 Aye

Resolution #32-2017: Adopted

OTHER BUSINESS: Supervisor Fried reminded Supervisors that there is a survey in their mail box from a UW Wisconsin student, Tracy Hartman advised to please turn it in. Supervisor Mott stated that Saturday is National History day at Lakeland High School and judges are needed.

NEXT MEETING DATE AND TIME: April 18, 2017@ 9:30 am.
(unless a motion is made to change the starting time).

ADJOURNMENT: MOTION/SECOND Cushing/ Winkler to adjourn at 10:47 am. All ayes on voice vote, motion carries.