

RESOLUTION #40-2018

Resolution to retain outside counsel William P. Scott to continue phase 2 of the revisions to Zoning Ordinance s. 9.61, which regulates metallic mining in Oneida County.

Resolution offered by Supervisors of the Administration Committee.

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

WHEREAS, Oneida County previously hired outside counsel to draft the now adopted ordinance section 9.61, which regulates metallic mining in Oneida County; and

WHEREAS, the State of Wisconsin has recently amended state statutes with regard to Metallic Mining (see, 2017 Wisconsin Act 134);

WHEREAS, the Planning and Development Committee has hired outside counsel with mining law experience to assist with a review of our current ordinance section 9.61 to ensure that the regulations contained therein are enforceable in light of the recent changes to State law and to provide legal advice regarding provisions that are unenforceable or vulnerable to challenge; and

WHEREAS, the Planning and Development Committee is in phase 2 of the process regarding the revisions to ordinance section 9.61 (which need to be effective by July 1st, 2018); and

WHEREAS, the Planning and Development Committee believes it is necessary to have Attorney William Scott continue to assist with the revisions to the ordinance and has passed a motion to that effect; and

WHEREAS, the Planning and Development Committee currently does not have within the operating budget the funds necessary for the completion of Phase 2 revisions or in person meetings with the Planning and Development Committee (a cost of fifteen hundred dollars per meeting according to the previous proposal); and

WHEREAS, the Planning and development committee believes that a budget of fifteen thousand dollars (\$15,000.00) would be sufficient to complete Phase 2, based on the current progress, current amount owed to Attorney William Scott, and estimate of work to be completed..

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors that Attorney William Scott continues to be retained to complete Phase 2 of the ordinance section 9.61 review and revisions project; and

BE IT FURTHER RESOLVED, that the Oneida County Budget be amended to include budget line items for the Planning and Development Committee for Legal Services and other costs; and

BE IT FURTHER RESOLVED, BE IT FURTHER RESOLVED by the Oneida County Board of Supervisors that the County budget for fiscal year 2018 shall be amended to reflect a transfer from the Contingency Fund to Mining-Legal Fees for fifteen thousand dollars (\$15,000.00) to complete Phase 2 of the revisions to Ordinance Section 9.61, which regulates metallic mining in Oneida County.

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



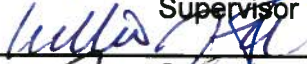

The County Board has the legal authority to adopt: Yes 36 No \_\_\_\_\_ as reviewed by the Corporation Counsel, \_\_\_\_\_, Date: 5/10/18

Consent Agenda Item: \_\_\_\_\_ YES \_\_\_\_\_ NO

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Approved by the Administration Committee this \_\_\_\_\_ day of April, 2018.

Offered and passage moved by:

  
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Supervisor  
  
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Supervisor  
  
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Supervisor  
  
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Supervisor  
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Supervisor

\_\_\_\_\_ Ayes

\_\_\_\_\_ Nays

\_\_\_\_\_ Absent

\_\_\_\_\_ Abstain

\_\_\_\_\_ Adopted

by the County Board of Supervisors this \_\_\_\_\_ day \_\_\_\_\_, 2018

\_\_\_\_\_ Defeated

\_\_\_\_\_  
Tracy Hartman, Clerk

\_\_\_\_\_  
Dave Hintz, County Board Chair