

**MINUTES**  
**Oneida County Board of Supervisors**  
**Tuesday, April 18, 2023 – 9:30 a.m.**  
**County Board Meeting Room - 2<sup>nd</sup> Floor Oneida County Courthouse**

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**CALL TO ORDER:**

Chairman Holewinski called the meeting to order at 9:30 a.m. in the County Board Meeting Room of the Oneida County Courthouse. There was a brief moment of silence for our troops, law enforcement officers and emergency responders followed by the Pledge of Allegiance.

**Members Present:** Ted Cushing, Robb Jensen, Tom Kelly, Billy Fried, Jim Winkler, Mike Timmons, Debbie Condado, Thomas Ryden, Russ Fisher, Scott Holewinski, Anthony Rio, Mike Roach, Steven Schreier, Bob Almekinder, Robert Briggs, Diana Harris, Linnaea Newman, Chris Schultz, Collette Sorgel, Connor Showalter and Greg Oettinger.

**Members Present:** 21

**ANNOUNCEMENT OF IMMEDIATE RESIGNATION OF SUPERVISOR ROBERT THOME, JR FROM DISTRICT # 11:**

Chair Holewinski announced that Supervisor Thome had resigned due to health concerns. Holewinski announced the intent to appoint Robb Jensen. Jensen spoke regarding his past experience on the County Board.

*Supervisor Roach entered at 9:39 a.m.*

**APPOINTMENT/CONFIRMATION/SWEARING IN OF DISTRICT #11 SUPERVISOR ROBB JENSEN:**

**Motion/Second: Holewinski/Winkler** to appoint Robb Jensen to fill the term of District # 11, Wards 1 and 3 in the Town of Crescent of the Oneida County Board of Supervisors.

**Discussion:** Schreier expressed concerns with not opening this position up to the Town of Crescent. Schreier questioned the past process and the process for this appointment. Schreier expressed concern with the short timeframe with this appointment. Holewinski stated that there is no set policy on how appointments are done. Holewinski stated that his decision would be the same a month from now as it is today. Discussion regarding the process for replacement.

**Vote on motion:** 18 Aye; 1 Nay, Schreier; 1 Abstain, Newman; 1 Vacant, District # 11

**Motion:** Approved

**Jensen was sworn in as County Board representative of District # 11.**

**ANNOUNCEMENTS BY CHAIR, CORRESPONDENCE AND COMMUNICATIONS:**

- Please use a microphone when speaking.

**ACCEPT THE MINUTES OF THE MARCH 21, 2023 MEETING:**

**Motion/Second: Cushing/Winkler** to accept the amended minutes of the March 21, 2023 meeting. All "Aye", Motion carried.

**REPORTS/PRESENTATIONS:**

- Adisyn Schoeneck – Sugar Camp Elementary School – Adisyn Schoeneck did her presentation of "The Living Fossil".
- Recognition of Michael Fugle's 15 Years of Service – Chair Holewinski recognized Corporation Counsel Fugle for his 15 years of service to the county.
- Oneida County Health Department 2022 Annual Report – Public Health Director Linda Conlon went over some highlights of her report. Conlon stated that in 2022 there was more focus on other programs, in the past couple of years COVID was the focus.
- Oneida County Forestry, Land and Recreation Department 2022 Annual Report – Forest Director Paul Fiene went over the highlights of the Forestry annual report.

**PUBLIC COMMENT (must be present to give public comment and a time limit of three minutes):**

- Sign attendance form at the podium.

**CONSENT AGENDA:**

**Resolution # 40 – 2023:** Offered by the Supervisors of the Land Records Committee to convey excess county lands LR-386-11 to Joseph P. Schachinger and Town of Little Rice.

**Resolution to convey excess county lands to Schachinger and Town of Little Rice.**

**Resolution approved for presentation to the Oneida County Board by the Supervisors of the Land Records Committee.**

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

**WHEREAS**, Oneida County retained a 100 foot strip of land on each side of the center line of existing roads crossing the NE ¼ - NW ¼ of Section 25, Township 36 North, Range 5 East, as recorded in the Register of Deeds, Volume 64 of Deeds on Page 148, Document # 106396, recorded on December 15<sup>th</sup>, 1939; and,

**WHEREAS**, a request has been made to Oneida County from the adjoining landowner listed in Exhibit A below requesting that a portion of said strip of land described above adjacent to **Little Rice Dam Rd** be conveyed to the them as they are the present adjoining owners of the land, and they have paid the \$250.00 administrative fee to process this request; and,

**WHEREAS**, the Town of Little Rice has been notified of such request, and if the Town has no objection to conveying the excess lands to the adjoining landowner; and if the Town has no objection to accepting a conveyance for **Little Rice Dam Rd** right-of-way and other excess County lands abutting said strip, the Land Records Committee recommends that the parcels described in Exhibit A be conveyed to the adjoining landowner and the Town.

**THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors hereby approves conveying the parcel described in Exhibit A below to the adjoining landowner and the Town as listed in Exhibit A, and the Board authorizes the County Clerk, upon receipt of the \$30 deed recording fees, to issue a quit claim deed conveying any interest the County has in the description described in Exhibit A.

**Approved for presentation to the County Board by the Land Records Committee this 14<sup>th</sup> day of February, 2023.**  
**Offered and passage moved by:** Mike Timmons, Robert Briggs, Greg Oettinger, Connor Showalter, Chris Schultz.

**Resolution # 41 – 2023:** Offered by the Supervisors of the Land Records Committee to convey tax foreclosed property PL-458-100 to Jerome M. Hribar.

**Resolution to convey tax foreclosed property to Jerome M. Hribar.**

**Resolution approved for presentation to the Oneida County Board by the Supervisors of the Land Records Committee.**

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

**WHEREAS**, the tax foreclosed real estate in Judgement Document Number 824550, recorded on August 24<sup>th</sup>, 2021 in the Register of Deeds office, listed and identified as PL-458-100 in Exhibit A listed below has been offered for direct sale and has followed the procedures required in Chapter 18 of the General Code of Oneida County, WI; and,

**WHEREAS**, the Land Records Committee has determined it would be in the best interest of Oneida County to convey the parcel listed above and sell the property directly to Jerome M. Hribar, the adjoining landowner to the east, for access to his lands; and,

**WHEREAS**, the Land Records Committee has required that a signed and recorded agreement between the three adjoining landowners surrounding parcel PL-458-100 has been created and will be executed per agreement after the sale of Outlots 1 and 2 of CSM Number 5405, Document Number 841082 to Hribar for \$6,000.00; and,

**THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors hereby approves conveying the parcel described in Exhibit A below to Jerome M. Hribar upon the receipt of the required sale amount and the Board authorizes the County Clerk, upon receipt of the \$30 deed recording fee, to issue a quit claim deed conveying any interest the County has in the description described in Exhibit A.

**Approved for presentation to the County Board by the Land Records Committee this 14<sup>th</sup> day of March, 2023.**  
**Offered and passage moved by:** Mike Timmons, Chris Schultz, Robert Briggs, Greg Oettinger.

**Resolution # 42 – 2023:** Offered by the Supervisors of the Land Records Committee to convey excess county lands PL-145-6 to Amy Ruth Steele.

**Resolution to convey excess county lands to Steele.**

**Resolution approved for presentation to the Oneida County Board by the Supervisors of the Land Records Committee.**

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

**WHEREAS**, Oneida County retained a 100 foot strip of land on each side of the center line of existing roads crossing the SE ¼ - SE ¼ of Section 24, Township 37 North, Range 8 East, as recorded in the Register of Deeds, Volume 64 of Deeds on Page 378, Document # 112091, recorded on December 27<sup>th</sup>, 1941; and, **WHEREAS**, a request has been made to Oneida County from the adjoining landowner listed in Exhibit A requesting that a portion of said strip of land described above adjacent to River Road be conveyed to them as they are the present adjoining owners of the land, and they have paid the \$250.00 administrative fee to process this request; and,

**WHEREAS**, the Town of Pine Lake has been notified of this request and the Land Records Committee recommends that the parcel described in Exhibit A be conveyed to the adjoining landowner, provided the Town of Pine Lake does not have any objection to said conveyance; and,

**THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors hereby approves conveying the parcel described in Exhibit A to the adjoining landowner, and authorizes the County Clerk, upon receipt of the \$30 deed recording fee, to issue a quit claim deed conveying any interest the County has in the description noted below in Exhibit A.

**Offered and passage moved by:** Mike Timmons, Connor Showalter, Chris Schultz, Greg Oettinger.

**Resolution # 43 – 2023:** Offered by the Supervisors of the Land Records Committee to convey excess county lands MI-2330-5 to Danielle A. Kloes and Bonita L. Kloes-Peters.

**Resolution to convey excess county lands to Kloes.**

**Resolution approved for presentation to the Oneida County Board by the Supervisors of the Land Records Committee.**

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

**WHEREAS**, Oneida County retained a 100 foot strip of land on each side of the center line of existing roads crossing the East ½ of the SE ¼ - NE ¼ of Section 23, Township 39 North, Range 6 East, as recorded in the Register of Deeds, Volume 64 of Deeds on Page 189, Document # 107304, recorded on May 13<sup>th</sup>, 1940; and,

**WHEREAS**, a request has been made to Oneida County from the adjoining landowner listed in Exhibit A, requesting that a portion of said strip of land described above adjacent to Narrows Road be conveyed to them as they are the present adjoining owners of the land, and they have paid the \$250.00 administrative fee to process this request; and,

**WHEREAS**, the Town of Minocqua has been notified of this request and the Land Records Committee recommends that the parcel described in Exhibit A be conveyed to the adjoining landowner, provided the Town of Minocqua does not have any objection to said conveyance; and,

**THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors hereby approves conveying the parcel described in Exhibit A to the adjoining landowner, and authorizes the County Clerk, upon receipt of the \$30 deed recording fee, to issue a quit claim deed conveying any interest the County has in the description noted below in Exhibit A.

**Offered and passage moved by:** Greg Oettinger, Chris Schultz, Connor Showalter.

**Resolution # 44 – 2023:** Offered by the Supervisors of the Public Works Committee designating the week of April 17 through April 21, 2023 as Work Zone Awareness Week in Oneida County.

**Resolution offered by the Supervisors of the Public Works Committee.**

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

**WHEREAS**, in 1999, the Federal Highway Administration partnered with the American Association of State Highway Officials and more recently the American Traffic Safety Services Association to create the National Work Zone Safety Awareness campaign which is held annually in April prior to construction season in much of the nation; and

**WHEREAS**, the Wisconsin County Highway Association is asking all seventy-two counties in the state to unite and kick off “Work Zone Safety Awareness Week” with a resolution and campaign to raise awareness for its workers, the traveling public, public safety workers, and those of various highway contractors performing work for the counties; and

**WHEREAS**, construction and maintenance activities on our streets and highways periodically require that work zones be established; and

**WHEREAS**, there has been over 2,000 work zone crashes in Wisconsin in each of the last three years; and

**WHEREAS**, in 2022, there were 857 fatalities in 774 work zone crashes in the United States; and

**WHEREAS**, in 2017, Wisconsin suffered from were nearly 2,700 crashes in road construction and maintenance zones, resulting in over 1,000 injuries and six fatalities; and

**WHEREAS**, between 2012 and 2017, there were 55 fatalities recorded as a result of crashes in Wisconsin work zones including three Wisconsin County Highway workers which were killed in work zones in 2015; with another recent fatality of a County Highway Worker in Milwaukee County in 2023; and

**WHEREAS**, through their enforcement activities and other participation, the Oneida County Sheriff’s Office, Wisconsin State Patrol, and Oneida County Highway Department are committed to working together in 2023 to make Work Zone Awareness Week a success, and

**WHEREAS**, the Federal Highway Administration has designated April 17 through April 21, 2023 as National Work Zone Awareness Week;

**NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that the week of April 17 through April 21, 2023 be designated as Work Zone Awareness Week in Oneida County.

The theme or slogan for 2023’s event is “You Play a Role in Work Zone Safety – Work With Us”.

**Approved by the Public Works Committee this 10<sup>th</sup> day of March, 2022.**

**Offered and passage moved by:** Ted Cushing, Bob Almekinder, Mike Timmons, Billy Fried.

**Resolution # 45 – 2023:** Offered by the Supervisors of the Administration Committee proclaiming April 2023 Fair Housing Month.

**Resolution to Proclaim April 2023 as Fair Housing Month.**

**Resolution approved for presentation to the Oneida County Board by the Supervisors of the Administration Committee.**

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

**Whereas**, The County of Oneida recognizes the passage of the Federal Fair Housing Act; Title VIII of the Civil Rights Act of 1968, as amended; and

**Whereas**, this law guarantees that housing throughout the United States should be made available to all citizens without regard to race, color, religion, sex, family status, disability or national origin; and

**Whereas**, equality of opportunity for all is a fundamental policy of this nation, state and county, and

**Whereas**, barriers which diminish the rights and limit the options of any citizen will ultimately diminish the right of all citizens;

**Whereas**, the cooperation, commitment and support of all the residents of the County of Oneida is necessary to removing barriers to the enjoyment of living where one chooses within one's means.

**Now, Therefore**, We, The Oneida County Board, do hereby proclaim the month of April, 2023 as FAIR HOUSING MONTH and request and encourage every citizen and business of our community to support and endorse Fair Housing; to reaffirm their commitment to Fair Housing for all, and wholeheartedly recognize these rights and responsibilities throughout the year.

**Approved for presentation to the County Board by the Administration Committee this 10<sup>th</sup> day of April, 2023.**

**Offered and passage moved by:** Ted Cushing, Billy Fried, Steven Schreier, Tom Kelly.

**Resolution # 46 – 2023/Ordinance Amendment # 03 – 2023:** Offered by the Supervisors of the Administration Committee to amend Section 3.09 Purchasing of the Oneida County Code to reflect procedural improvements to purchasing and vendor payment processes.

**Resolution to Amend Section 3.09 Purchasing of the Oneida County Code to reflect procedural improvements to purchasing and vendor payment processes.**

**Ordinance Amendment offered by the Supervisors of the Administration Committee.**

**WHEREAS**, Oneida County current processes relative to purchasing and vendor payments are paper-driven, use legacy software solutions which are not integrated and at end-of-life, and therefore result in duplication of efforts, opportunities for human-error, and stale fiscal information; and

**WHEREAS**, Oneida County is investing in a fully-integrated Enterprise Resource Planning (ERP) system for financial processes including, but not limited to, accounts payables, accounts receivables, accounting, budgeting, cash receipting, and purchasing scheduled to “go live” during 2023; and,

**WHEREAS**, the ERP upgrade will permit the County to improve the efficiency of its fiscal processes while at the same time improving internal controls, and in doing so requires modifying outdated language in the current Oneida County Code;

**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 3.09 of the General Code of Oneida County, Wisconsin, “Purchasing” is amended as follows [additions noted by underline, deletions noted by ~~striketrough~~]:

§ 3.09. Purchasing.

(1) General Provisions.

(a) The purpose of this procedure is to ensure the County's funds are appropriately spent in the most-cost-effective manner and that the purchase has been approved by the required administrative hierarchy.

(b) The County will not enter into any procurement contracts or commitments with a suspended or debarred vendor or business. ~~Verification can be completed through the System Awards Management System (SAM). The County prohibits awarding any contract or purchase agreement with any suspended or debarred vendor.~~

(c) Purchases of supplies, materials, equipment or nonprofessional services by County departments and committees, except highway purchases which are covered by Subsection (2), shall be in conformity with prior budgetary approval for such expenditures by the County Board. If such purchases have been anticipated and are specifically itemized in the departmental budget, no additional County Board approval is necessary, and the committee of jurisdiction may authorize the purchase. If such purchases have been anticipated and are funded from continuing appropriations, funds carried-forward from a prior fiscal year budget, no additional County Board approval is necessary, and the committee of jurisdiction may authorize the purchase.

(d) If such purchases have not been anticipated and have not been specifically itemized in the departmental budget or

are not specifically funded from continuing appropriations, prior approval of the ~~Administration Committee~~ Committee of Jurisdiction shall be required if the anticipated purchase price does not exceed \$25,000. Upon obtaining such approval, the committee of jurisdiction may authorize the purchase.

(e) If the purchase has not been anticipated and has not been specifically itemized in the departmental budget, or is not specifically funded from continuing appropriations, prior approval of the County Board shall be required for purchases which are anticipated to cost in excess of \$25,000 through a separate resolution. ~~(excluding vehicles)~~.

(f) The Office of the Oneida County Sheriff may authorize purchases that do not exceed the Sheriff's Office annual budget and continuing appropriations accounts in order to maintain the highest level of public safety.

~~(f) Purchases that will be funded by a continuing appropriation should be approved by the committee of jurisdiction prior to the purchase. In an emergency situation, approval by the committee of jurisdiction Chair is allowed prior to purchase, provided that the committee of jurisdiction is thereafter given prompt written notice of the action.~~

(g) Purchase Orders

1. Departments may submit a Purchase Requisition to the Finance Department for contracts to purchase goods or services for a total annual amount under \$25,000. Splitting a single contract or purchase into two or more components so that each purchase requisition is under the \$25,000 threshold is prohibited.

2. Departments must obtain committee of jurisdiction approval for any Purchase Requisition for contracts to purchase goods or services for a total annual amount of \$25,000 or more, and after receiving such approval may then submit the Purchase Requisition to the Finance Department.

3. Appropriately Approved Purchase Requisitions submitted to the Finance Department will be converted to a Purchase Order which will encumber funding for use of the specified purposes.

4. Departments may request the Finance Department to cancel and or liquidate any or all a Purchase Order once a project or contract is completed and / or cancelled.

5. Departments may increase Purchase Orders via a Change Order request submitted to the Finance Department. Change Orders must receive prior committee of jurisdiction approval if original Purchase Order plus any subsequent Change Orders will result in the total value of the contract exceeding \$25,000.

6. Departments must confer with the Finance Department to identify Open Purchase Orders to be cancelled or liquidated at the close of the fiscal year.

(2) Highway Purchases.

(a) Pursuant to § 83.015(2), Wis. Stats., the Highway Committee shall purchase such highway equipment as it deems necessary to properly carry on the work of the department and trade or sell such used equipment as may be considered to be for the best interests of the County, subject to the following requirements:

1. Revolving funds accumulated for such purpose or appropriations made for such purpose are available.

2. Subject to the provisions of Subsection (2)(b) below, contemplated purchases of any complete unit of equipment having a value of \$100,000 or more shall require prior approval by the County Board.

(b) If the Highway Committee, after meeting to consider the alternatives available to it, determines that an emergency situation exists which can only be resolved by the immediate purchase of equipment, any one complete unit of which exceeds \$100,000, prior to when a County Board meeting is or can be timely scheduled, the Highway Committee may purchase such equipment, provided that members of the County Board are thereafter given prompt, written notice of the action.

(3) Procedure for the Purchase of Materials and Services.

(a) Unless otherwise permitted by Wisconsin Statutes or this Code, all contracts for public works shall be let pursuant to Wisconsin State Statutes, as amended from time to time.

(b) All contracts for non-public-works purchases up to \$3,000 (\$2,000 for purchases subject to the Davis-Bacon Act as amended) do not require quotes. An effort should be made to distribute these purchases evenly to qualified suppliers.

(c) All contracts for non-public-works purchases exceeding \$3,000, but less than \$50,000 (excluding vehicles), require written quotations from one or more vendors (if available). ~~Each department is required to keep a record of the quotes received. Departments shall keep a record of the quotes received.~~

(d) All contracts for non-public-works purchases exceeding \$50,000 will be required to be let by sealed bid, subject to Subsection (3)(e) below.

(e) Contracts for bid shall be advertised in the official County newspaper at least one time after being approved as to form and content by the committee of jurisdiction. Where the best interests of the County will be better served, the committee may instead advertise in other publications. Bids will be opened publicly. Fixed-price bids are usually awarded to the lowest bidder (based on fixed price) given all the material terms and conditions of the invitation for bids are met. Requests for proposals, usually for professional services and other non-public-works (such as, but not limited to, architectural, engineering and other professional services, or other non-public-works items or services, etc.), are awarded to the most qualified competitor, with compensation subject to negotiation. All bids submitted shall be filed with the County Clerk by the committee of jurisdiction after the purchase is completed.

(f) Bid specifications approved by the committee of jurisdiction setting forth standards of quality and quantity, terms, conditions and reservations shall be prepared, and a notice of availability of the same shall be published as part of the advertisement required by Subsection (3)(b). Bid specifications shall include the minimum insurance coverage as established by the Administration Committee pursuant to § 2.36(5) of this Code of General Ordinances, except that such coverages may be changed by the committee of jurisdiction with the approval of the Administration Committee after

consultation with the County's insurance risk counselors. In the case of all contracts, the County's risk counselor's opinion shall be obtained concerning the types and amounts of insurance to be carried. The best interests of the County shall be given primary consideration under this section.

(g) Any variance from the procedures listed in Subsection (3)(a) through (f) above must be preapproved by the Corporation Counsel Office.

(h) The following contract agreements are exceptions and shall be executed as provided:

1. Landfill contracts with haulers and users of the Oneida County Landfill and contracts with other landfills or solid waste operations shall be executed by the Chairman of the Public Works and Solid Waste Committee and the Solid Waste Administrator.

2. Service contract agreements for the Department of Social Services shall be entered into by the Social Services Director where they involve confidential matters, and otherwise by the Social Services Director with the approval of the Social Services Committee.

3. Collective bargaining agreements shall be executed by the Labor Relations/Employee Services Committee and the ~~Labor Relations/Employee Services~~ Human Resources Director upon ratification by the County Board.

4. Individual employment contracts, including contracts for professional services, shall be entered into by the Chairman of the supervising committee with the approval of the committee and with the approval of the Labor Relations/Employee Services Committee.

5. Multidepartment service/maintenance contracts shall be entered into by the Buildings and Grounds Committee; service/maintenance contracts for equipment unique to a specific department shall be entered into by the department head with the approval of the committee of jurisdiction.

6. Contracts between County departments shall be entered into by the respective department heads, when fiscal conditions are identified within those contracts they shall also require with the approval of the committees of jurisdiction.

7. Except as otherwise stated in the General Code of Ordinances for Oneida County, contracts between County departments and entities outside the County structure (not including those contracts in Subsection (3)(h)10 below) shall be entered into by the County Board Chairman and the Chairman of the committee of jurisdiction or by the department head if expressly authorized by the County Board. ~~Any County elected or appointed official or employee who is required to provide their social security number or other personal information as part of a contract or grant agreement process shall be indemnified and held harmless by the County from any consequences resulting from either the disclosure of such information or the mismanagement of such contract or grant by others.~~

8. The Public Works and Solid Waste Highway Committee may enter into any contract authorized by the provisions of Ch. 83, Wis. Stats.

9. All deeds, conveyances or leases of real estate and contracts and agreements relating to deeds, conveyances or leases of real estate shall be made at the direction of the County Board and shall be signed by the County Clerk with a County Seal attached. Access permits across County Forest Lands shall be executed by the Forest Director.

10. Contracts with the State of Wisconsin or any of its various agencies shall be signed by the appropriate department head after following the County contract review procedure.

Central Purchasing. Consumable office supplies and materials for the County may be ordered through and by the Finance Department. ~~Departments shall first check pricing under central purchasing contracts established by the Finance Department, and only make purchases outside of those contracts if the Department is able to secure more favorable pricing, or must procure an item which is not in stock under the central purchasing contract,~~

~~(4) Central Purchasing. All consumable office supplies and materials for the County shall be ordered through and by the Finance Department. Exceptions to the foregoing must be approved in advance by the Finance Director.~~

~~(a) Contracts for office supplies shall be entered into by the Finance Director with the approval of the Administration Committee.~~

(4) Disbursement of Funds; Exception.

(a) Submitting Invoices for Payment.

1. Invoices submitted related to an open Purchase Order may be processed for payment by the Finance Department, and disbursed by the County Treasurer, upon review and approval of the requesting department. The requesting department shall submit to their committee of jurisdiction all Purchase Order activity in the previous month

2. Invoices of \$25,000 or less for goods or services may be processed for payment by the Finance Department, and disbursed by the County Treasurer, upon review and approval of the requesting department. Splitting invoices or purchases into two or more components so that each invoice is under the \$25,000 threshold is prohibited. The requesting department shall submit to their committee of jurisdiction all invoice payment activity in the previous month

3. Invoices which are not related to an open Purchase Order, and are in excess of \$25,000, require the Department obtain committee of jurisdiction approval prior to being submitted to the Finance Department for payment. The requesting department shall submit to their committee of jurisdiction all invoice payment activity in the previous month.

4. If the payment of an invoice causes any line item to exceed the amount budgeted for that line item, the department head shall follow the procedure as set forth in Chapter 3.11.

§ 3.11.

(b) Exceptions. Emergency Purchase Orders may be issued for direct payment of invoices for fuel and utilities; employee benefit obligations; court-ordered payment (e.g. juror payments, child support garnishments, youth/adult placements via the Department of Social Services); bona fide operating and / or public safety emergencies; and / or

settlements related to insurance claims or law suits if the due date is prior to the next scheduled meeting of the committee of jurisdiction. The amounts shall be paid immediately upon the written recommendation of the department head. Such invoices shall then be reported to the appropriate committee of jurisdiction for at its next meeting.

~~(5) Audit; Exception.~~

~~(a) Submitting Invoices for Payment. Invoices for payment for all construction, repair, building, furnishing of supplies or materials, equipment and services shall be reviewed for recommendation by the department head and approved by the appropriate committee of jurisdiction. All invoices shall then be submitted to the Finance Department for payment. If the payment of an invoice causes any line item to exceed the amount budgeted for that line item, the department head shall promptly notify their committee of jurisdiction and the Finance and Insurance Committee following the procedure as set forth in § 3.11.~~

~~(b) Exceptions. Direct payment of invoices for vehicles, fuel and utilities, supplies, materials, equipment and services which are subject to a discount if paid by a date prior to the next scheduled meeting of the committee of jurisdiction shall be paid immediately upon the written recommendation of the department head and approval of the Finance Director. Such invoices shall then be submitted to the appropriate committee of jurisdiction for approval at its next meeting. Direct payment of claims shall also be paid immediately when authorized by specific committee of jurisdiction or County Board approval or both if necessary.~~

(5) Ethical procurement. All parties involved with the procurement of goods and services on behalf of Oneida County shall promote good governance. Activities which violate the public trust are prohibited.

(6) Noncompliance. Purchases or orders for construction, repairs, building, furnishing of supplies or materials, equipment, vehicles or services in violation of this section by any employee, department head or elected official shall not be considered the property or the responsibility of Oneida County, unless ratified by specific County Board action.

**Approved for presentation to the County Board by the Administration Committee this 10<sup>th</sup> day of April, 2023.**

**Offered and passage moved by:** Billy Fried, Ted Cushing, Steven Schreier, Tom Kelly, Scott Holewinski.

**Resolution # 47 – 2023/Ordinance Amendment # 04 – 2023:** Offered by the Supervisors of the Administration Committee to amend Section 3.11 Budget Responsibility of the Oneida County Code to enhance budgetary reporting and controls.

**Resolution to Amend Section 3.11 Budget Responsibility of the Oneida County Code to enhance budgetary reporting and controls.**

**Ordinance Amendment offered by Administration Committee**

**WHEREAS**, , Oneida County current processes relative to budget management and control are paper-driven, use legacy software solutions which are not integrated and at end-of-life, and therefore result in duplication of efforts, opportunities for human-error, and stale fiscal information ; and

**WHEREAS** Oneida County is investing in a fully-integrated Enterprise Resource Planning (ERP) system for financial processes including, but not limited to, accounts payables, accounts receivables, accounting, budgeting, cash receipting, and purchasing scheduled to “go live” during 2023; and,

**WHEREAS**, the ERP upgrade will permit the County to improve the efficiency of its fiscal processes while at the same time improving internal controls, and in doing so requires modifying outdated language in the current Oneida County Code

**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 3.11 of the General Code of Oneida County, Wisconsin, “Budget Responsibility” is amended as follows [additions noted by underline, deletions noted by ~~strike through~~]:

§ 3.11 Budget Responsibility.

(1) It is the policy of the Oneida County Board that its adopted budget represents the anticipated revenues and expenditures of the County government for an entire fiscal year.

(2) Each department head, whether elected or appointed, shall be responsible for the timely preparation of the budget for his department, according to procedures established by the Finance Administration Committee. Budget requests shall be based upon authorized staff levels and shall be limited to programs that have been authorized by the County Board or are mandated programs which shall be provided in the budget request.

(3) Each department head shall be responsible for establishing and maintaining the approved level of services and programs for the fiscal year that can be funded by the budget approved for that department and shall strictly control staff levels, staff hours and use of overtime to stay within the budget. ~~Written certification to this effect shall be furnished by the department head prior to effective implementation of the budget. Such certification will not be required for levels of services and programs mandated by State or federal law or by specific written court order, provided that the department head so advises the Finance Committee in the budget request or within 10 working days of being informed of the newly mandated services~~

and programs or of the specific written court order.

(4) All department heads, elected and appointed officials having responsibility for a budget account shall submit a written monthly budget-to-actual report to their committee of jurisdiction detailing expenditures by budgetary line item for the year to date. If it is anticipated that an overdraft of any line item in a budget will occur, the department head shall promptly report the overdraft to their committee of jurisdiction. A line item transfer addressing the overdraft shall be prepared for and approved by the committee of jurisdiction and forwarded to the Finance and Insurance Committee through the Finance Director. If it is anticipated that said overdraft of a line item will cause a program budget to be exceeded by 5% or \$20,000, whichever is less, the department head shall immediately inform the Finance and Insurance Committee, through the Finance Director, of the overdraft. The Finance and Insurance Committee, committee of jurisdiction, department head and Finance Director shall meet to discuss the overdraft and take whatever action they deem necessary. The same procedure shall be followed whenever anticipated revenues will have a shortfall of 5% of the original program budget or \$20,000, whichever is less.

(a) The monthly report shall include actual revenues and expenditures to date, annual budget, remaining budget, and a detailed listing of budget line item transfers made during the month.

(b) If it is anticipated that an overdraft of any line item in a budget will occur, the department head shall take necessary action to correct the issue promptly.

1. If it is anticipated that said overdraft of a line item will cause a line item to be exceeded, then the Department Head shall submit the line item transfer(s) request to reallocate budget funding within the Department's budget to the Finance Director for execution.

2. If it is anticipated that said overdraft of a line item will cause a line item to be exceeded and there is no funding otherwise available in the Department's budget or Department's continuing appropriations accounts, then the Department Head may seek guidance from their committee of jurisdiction, and shall thereafter submit a line item transfer(s) request to Finance Director to present to the Administration Committee for consideration and action. Such line item transfer, if approved by Administration Committee, will then be executed by the Finance Director.

(c) The same procedures shall be followed whenever anticipated revenues will have a shortfall from the original program budget.

(5) The department head shall fully cooperate in the implementation of any changes in levels of services and programs necessary to meet revisions in the departmental budget that may be made. If it is determined by the Finance Administration Committee that a supplemental budget appropriation is required, a timely report or if appropriate, a resolution concerning the same shall be prepared for the next meeting of the Board of Supervisors, pursuant to § 65.90(5), Wis. Stats.

(6) Should the Finance Administration Committee determine that the current rate of expenditure of funds is in excess of that provided by the approved budget, it may direct the department head to reduce to budgeted levels or eliminate specified services and programs provided the same are not mandated by State or federal law or specific written court order. Should the Finance Administration Committee determine that personnel may have to be laid off or that the number of positions within the department may have to be reduced, it shall promptly advise the Labor Relations/Employee Services Committee in writing. Thereafter, the department head shall review the matter with the Labor Relations/Employee Services Committee at its next meeting and the Chair of the Finance Administration Committee and of the committee of jurisdiction shall also attend. Thereafter, the Labor Relations/Employee Services Committee shall submit its recommendation to the County Board.

(7) Expenditures incurred, including labor costs, in the provision of services and programs authorized by the department head which have not been approved by the County Board in the applicable departmental budget or which are no longer approved as a result of direction by the Finance Administration Committee to reduce or eliminate specified services and programs pursuant to Subsection (6), shall not be the responsibility of the County and may subject such department head to a penalty as provided in § 25.04 of this Code. Provided the department head has complied with the provisions of Subsection (3), he shall not be responsible for expenditures incurred, including labor costs, in the provision of services and programs mandated by State or federal law or by specific written court order.

(8) Pursuant to Subsection (2), departmental budget requests shall be based upon authorized staff levels. To address monies that may become available during the budget year due to vacancies of authorized positions or position elimination, the Finance and Insurance Administration Committee may create an account to anticipate the tax levy savings due to these vacancies. If the Administration Committee determines it necessary during the fiscal to execute vacancy dollar sweeps, then when a vacancy occurs, the department with the vacancy will assist the Finance Director to determine the amount of vacancy dollars available, taking into consideration any additional costs that may be incurred or any reduced revenues due to the vacancy. Subsequent to the determination of the vacancy dollars available in a departmental budget, a transfer of available monies from the departmental budget with the vacancy to the account created by the Finance and Insurance Administration Committee shall occur. Vacancies that occur in the Solid Waste Department or nonmanagement positions of the Highway Department will not be included in this process as the positions are directly supported by fees.

**Approved for presentation to the County Board by the Administration Committee this 10<sup>th</sup> day of April , 2023.**

**Offered and passage moved by:** Billy Fried, Ted Cushing, Steven Schreier, Tom Kelly.



**Resolution # 48 – 2023:** Offered by the Supervisors of the Administration Committee to Return Coronavirus Local Fiscal Recovery Fund (CLFRF) back to Oneida County American Rescue Plan Act (ARPA) Contingency which were previously allocated in Resolution # 61 – 2022 for the purpose of Tourist Rooming House Licensing and Enforcement Infrastructure. **Resolution to Return Coronavirus Local Fiscal Recovery Fund (CLFRF) back to Oneida County American Rescue Plan Act (ARPA) Contingency which were previously allocated in Resolution # 61 – 2022 for the purpose of Tourist Rooming House Licensing and Enforcement Infrastructure.**

**Resolution approved for presentation to the Oneida County Board by the Supervisors of the Administration Committee.**

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

**WHEREAS**, The American Rescue Plan Act (ARPA) amends Title VI of the Social Security Act by adding Sections 602 and 603 establishing the Coronavirus Local Fiscal Recovery Fund (CLFRF); and

**WHEREAS**, Oneida County receives funds through CLFRF to assist the County in responding to the public health emergency or its negative economic impacts; to provide premium pay to eligible workers; to make necessary investments in infrastructure; and/or to provide government services; and

**WHEREAS**, certain restrictions of the use of these funds are determined by the United States Treasury (UST) Department including the prohibition of depositing the funds into any pension fund; directly or indirectly offsetting tax revenue; and does limit the amount of CLFRF funding to be used for “government services” to a not-to-exceed revenue reduction cap; and

**WHEREAS**, in order to outsource and expedite the licensing and complaint process to properly regulate tourist rooming in private residences, a request for \$100,000 in CLFRF funds was approved on May 17, 2022; and

**WHEREAS**, the Planning & Zoning Department and Planning & Development Committee has determined that the outsourced program is not meeting its desired outcome and has submitted notification of contract cancellation; therefore committed but unspent funding will not be needed for this project, and

**THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that \$90,216.00 in CLFRF funds be returned to the ARPA Contingency for future allocation; and

**BE IT FURTHER RESOLVED**, by the Oneida County Board of Supervisors that by Adoption of this resolution the project / program will be reevaluated annually as part of the budget process to determine need and available funding for future years.

**Approved for presentation to the County Board by the Administration Committee this 10<sup>th</sup> day of April, 2023.**

**Offered and passage moved by:** Billy Fried, Ted Cushing, Steven Schreier, Tom Kelly, Scott Holewinski.

**Motion/Second: Timmons/Cushing** to approve the consent agenda as presented.

**Roll Call Vote:** 21 Aye

**Motion:** Adopted

**CONSIDERATION OF RESOLUTIONS & ORDINANCES:**

**Resolution # 49 – 2023:** Offered by the Supervisors of the Administration Committee to amend the 2023 Budget to Add Underground Conduit Project to the Capital Improvement Plan.

**Resolution to Amend the 2023 Budget to Add Underground Conduit Project to the Capital Improvement Plan.**

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

**WHEREAS**, the Oneida County Board of Supervisors has been advised by the Administration Committee, upon recommendation of the Capital Improvement Program Subcommittee, that a project be added to the 2023 budget, and the County Board has determined that a transfer of funds as noted below is necessary to fund the project.

| <u>PROJECT</u> | <u>DEPARTMENT</u> | <u>FUND</u> | <u>AMOUNT</u> | <u>FUNDING</u> |
|----------------|-------------------|-------------|---------------|----------------|
| Underground    | Information       | Capital     |               | General Fund   |
| Conduit from   | Technology        | Improv.     | \$60,000      | Reserves       |
| Courthouse to  | Systems           | Fund 404    |               | Transfer       |

**WHEREAS**, the Wisconsin Statutes require a resolution adopted by the County Board under section 65.90 (5)(b) for the transfer of money for any purpose in excess of funds appropriated; and

**WHEREAS**, appropriations available in the 2023 Capital Improvement Fund funded via General Fund Reserves Transfers are \$1,624,000, but the balance is programmed for other projects underway, and therefore insufficient to cover this new project, and

**WHEREAS**, an additional transfer of \$60,000 from the General Fund is required to cover the budget that is over.

**THEREFORE, BE IT RESOLVED**, the Oneida County Board of Supervisors approves an amendment to the 2023 Capital Improvement Plan and further authorizes a transfer from the General Fund Unrestricted Reserves of \$60,000 as a supplemental appropriation.

**Approved for presentation to the County Board by the Administration Committee this 10<sup>th</sup> day of April, 2023.**

**Offered and passage moved by:** Billy Fried, Ted Cushing, Steven Schreier, Tom Kelly.

**Discussion:** Fried discussed that this is an opportunity for the county. Fried explained that when the technology consultant Sweeney was investigating for broadband this opportunity was discovered. Fried discussed the benefits of this project. Fried noted that the city streets were already going to be under construction. Fried stated that this project was something that we were unaware of when the budget was passed. Sweeney discussed the history of how this project was determined.

**Roll Call Vote on Resolution # 49 – 2023:** 21 Aye

**Resolution # 49 – 2023:** Adopted

**Resolution # 50 – 2023:** Offered by the Supervisors of the Administration Committee to amend the 2023 Budget to add Paving of Landfill Entry and Parking Lot, and to Add Courthouse Annexed Roof Replacement Project to the American Rescue Plan Act (ARPA) Program.

**Resolution to Amend the 2023 Budget to Add Paving of Landfill Entry and Parking Lot, and to Add Courthouse Annexed Roof Replacement Project to the American Rescue Plan Act (ARPA) Program.**

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

**WHEREAS**, the Oneida County Board of Supervisors has been advised by the Administration Committee, upon recommendation of the Capital Improvement Program Subcommittee, that two projects be added to the 2023 budget, and the County Board has determined that a transfer of funds as noted below is necessary to fund the projects.

| PROJECT                        | DEPARTMENT  | FUND          | AMOUNT           | FUNDING          |
|--------------------------------|-------------|---------------|------------------|------------------|
| Landfill Entry & Parking Lot   | Solid Waste | ARPA Fund 203 | \$370,000        | ARPA Contingency |
| Courthouse Buildings & Annexed | Grounds     | ARPA Fund 203 | \$375,000        | ARPA Contingency |
| <b>TOTAL</b>                   |             |               | <b>\$745,000</b> |                  |

**WHEREAS**, the Wisconsin Statutes require a resolution adopted by the County Board under section 65.90 (5)(b) for the transfer of money for any purpose in excess of funds appropriated; and

**WHEREAS**, appropriations available in the 2023 ARPA Fund supported by the federal Coronavirus State and Local Fiscal Recovery Fund (SLFRF) program are \$6,913,911, but \$6,273,974 of that amount has already been expended, committed or for other projects, and

**WHEREAS**, contingency SLFRF fund balance is \$639,937 as of March 30, 2023 and therefore insufficient to cover these new projects in total, and

**WHEREAS**, an additional transfer up to \$105,063 from the General Fund may be required to cover the budget that is over, and

**WHEREAS**, previously approved projects may return unspent SLFRF funds when complete, and in doing so the Finance Director may return transferred funds back to the General Fund, and

**THEREFORE, BE IT RESOLVED**, the Oneida County Board of Supervisors approves an amendment to the 2023 ARPA Plan and further authorizes a transfer from the General Fund Unrestricted Reserves of up to \$105,063, to be returned if possible at the discretion of the Finance Director, as a supplemental appropriation.

**Approved for presentation to the County Board by the Administration Committee this 10th day of April, 2023.**

**Offered and passage moved by:** Billy Fried, Ted Cushing, Steven Schreier, Tom Kelly.

**Discussion:** Cushing discussed the need for this project and that the Solid Waste committee approved this. Solid Waste Director Lisa Jolin stated that this came up after budget and this project may be done in conjunction with a Highway project. Jolin explained that some of the potholes are beyond repair. Discussion regarding the poor quality of the road. Facilities Director Troy Huber stated that the annex roof is in need of replacement. Huber stated it is a 40 year old rubber roof and there is a lot of damage. Huber stated he has been asking for this for 8 years and there is a need. Fried stated that these are great projects but was concerned with the process. Fried stated that this will exceed the amount of ARPA funds and deplete the full amount. Fried stated that his concern is approving these projects without looking at all of the projects to determine highest need. Fried explained that Solid Waste is a business unit and a lot of funds have been put into this department in the last year. Discussion regarding the need for each of the projects. Discussion regarding money that was returned to the ARPA fund.

**Roll Call Vote on Resolution # 50 – 2023:** 20 Aye; 1 Nay, Fried

**Resolution # 50 – 2023:** Adopted

**Resolution # 51 – 2023/Ordinance Amendment # 06 – 2022:** Offered by the Supervisors of the Planning and Development Committee to Amend Chapter 9 of the Oneida County Zoning and Shoreland Protection Ordinance Section 9.74 Fences, Walls and Hedges.

**Resolution to amend 9.74 Fences, Walls and Hedges.**

**Ordinance Amendment offered by the Planning and Development Committee.**

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

**WHEREAS**, the Planning & Development Committee, having considered Ordinance Amendment #06-2022, which was filed March 8, 2023 (copy attached) to amend Article 7, Section 9.74 and Article 10 of the Oneida County Zoning and Shoreland Protection Ordinance, and having given notice thereof as provided by law and having held a public hearing thereon March 29, 2023 pursuant to Wis. Stat. §59.69(5), and having been informed of the facts pertinent to the changes which are as follows:

**WHEREAS**, the Planning and Zoning Department received a letter from the Wisconsin Department of Natural Resources (WDNR) informing the County of a new exemption for a fence as spelled out in s. 59.692(1n)(d)7, Wis. Stats.; and

**WHEREAS**, the Department suggested changes to delete unused sections, incorporate new fencing materials, define what an open fence is, and make changes to the snow fencing language; and

**WHEREAS**, the Planning and Development Committee held a public hearing and nobody spoke in favor or against the proposed changes; and

**WHEREAS**, the Planning and Development Committee has carefully studied the proposed changes

**THEREFORE, BE IT RESOLVED, 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. Chapter 9 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

9.74 FENCES, WALLS, AND HEDGES

Fences, walls and hedges erected, placed or maintained on a lot line or adjacent thereto shall be regulated by the following:

- A. No fence, wall or hedge shall be constructed that would constitute a nuisance, pursuant to ~~see~~ s. 844.10, Wis. Stats.
- B. No fence, wall or hedge shall exceed a height of six (6) feet, except as provided in the following circumstances.
  1. There shall be no height limitation for fences that protect playgrounds, baseball backstops, tennis courts and similar activities.
  2. There shall be an eight (8) foot height limit to act as a screen between residential districts and any land use that would require a conditional use permit.
  3. ~~No fence, wall, hedge or shrubbery shall be erected, maintained or grown to a height exceeding three feet above the road or street grade nearest thereto, where the lot is bound by intersecting roads or streets, within 20 feet of the intersection of any road or street line or road or street lines projected.~~
- C. Fences erected may be decorative fences of either wood, ~~or~~ wire, plastic, composite, or similar materials, and shall have a smooth surface on the side facing the adjacent property, and shall be kept neat and in good repair, except as provided in Section 9.74(F). Barbed wire fences are forbidden, except as provided in Section 9.74(E).
- D. No fence shall be erected in the waterfront setback that would parallel the waterfront, except as provided in Section 9.74(E), or 9.74(H).
- E. No barbed wire fence shall be used except to fence livestock, protect crops, industrial junk yards, utility or municipal property. Open fences that do not obstruct vision and are used to fence livestock, protect crops, industrial, utility or municipal property may be in both the highway and waterfront setback areas and may exceed the height restrictions.
- F. Wood, ~~or~~ plastic, or similar material snow fencing may be erected and maintained only on a temporary basis during the months of October, November, December, January, February and March and must be removed within three (3) weeks after road limits have been lifted for a town.
  1. Snow fence of any type is not allowed within 200 feet of the ordinary high water mark, except as provided in Section 9.74(H).
  2. Snow fence is also permitted on a temporary basis in the months referenced above, for designated snowmobile trails.
- G. Anyone erecting a fence or wall must have a zoning permit, pursuant to Article 3.
- H. Fences near Public Highways (s. 59.692(1n)(d)7, Wis. Stats.)
  1. Fences that border highways are permitted, that meet all of the following criteria:
    - a. No taller than 15 feet;
    - b. Located no less than two (2) feet landward of the ordinary high water mark;

c. Located entirely outside of a highway right-of-way, no less than ten (10) feet from the edge of a roadway, and no more than 40 feet from the edge of a roadway or highway right-of-way, whichever is greater;  
d. Generally perpendicular to the shoreline;  
e. Can be "open" or "privacy" type fencing.  
Note: "Roadway" means that portion of a highway between the regularly established curb lines or that portion which is improved, designed or ordinarily used for vehicular travel, excluding the berm or shoulder. In a divided highway the term "roadway" refers to each roadway separately, but not to all such roadways collectively.  
(s. 340.01(54), Wis. Stats.)

Article 10 remains the same except:

Fence: An independent structure forming a barrier at grade between lots, between a lot and a street or road, or between portions of a lot or lots.

Fence, Open: a fence that is constructed that at least 80% of the total vertical area of the fence permits visibility.

The County Clerk shall, within seven (7) days after adoption of Ordinance Amendment #06-2023 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Town Clerks of Oneida County and the Wisconsin Department of Natural Resources.

**Approved for presentation to the County Board by the Planning and Development Committee this 5<sup>th</sup> day of April, 2023.**

**Offered and passage moved by:** Scott Holewinski, Mike Timmons, Bob Almekinder.

**Discussion:** Planning and Zoning Director Karl Jennrich Planning and Zoning Director discussed the amendment. Jennrich stated that a memo was sent out with an explanation also. Jennrich stated there have been no public comment for or against these amendments.

**Roll Call Vote on Resolution # 51 – 2023/Ordinance Amendment # 06 – 2022:** 21 Aye

**Resolution # 51 – 2023/Ordinance Amendment # 06 – 2022:** Adopted

**Resolution # 52 – 2023:** Offered by Supervisor Mike Roach to Limit Telephonic or other Electronic Connection During County Board Meetings, Committee Meetings to public viewing only, and to Cease Telephonic or other Electronic Connection during Closed Session Except in Exceptional Circumstances.

**Seconded by Condado.**

**Resolution to ~~Cease-Limit a~~ Telephonic or Other Electronic Connection During a County Board Meetings, Committee Meetings, or a Closed Session to public viewing only, and to cease telephonic or other electronic connection during closed session Except in Exceptional Circumstances .**

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

**WHEREAS**, prior to the COVID-19 pandemic Supervisors were not permitted to make a remote appearance at a meeting; and

**WHEREAS**, there is no longer a necessity of meetings being held by telephonic or other electronic means or for Supervisors to attend meetings remotely through the use of technology as a matter of course except in exceptional circumstances; and

**WHEREAS**, meetings of the County Board and Committees are most efficient and effective when members appear in-person; and,

**WHEREAS**, a Closed Session is for the unfettered and confidential exchange of information related to County business, the disclosure of which could prejudice Oneida County; and,

**WHEREAS**, electronic and telephonic information may be intercepted or disclosed without authorization; and,

**WHEREAS**, the only way to ensure communications are only among Supervisors and those permitted to be present

**BE IT RESOLVED**, that any telephonic or other electronic connection be ~~severed-limited to public viewing only~~ during any County Board Meetings and ~~Committee Meetings~~, and that said communication will be severed for a Closed Session except when such attendance is approved by County Board Chair or Committee of Jurisdiction Chair, prior to the meeting and only for extenuating circumstances, which are of temporary or short term difficulty, or a problem affecting the supervisor.

**Offered and passage moved by:** Mike Roach, Debbie Condado.

**Motion/Second: Roach/Cushing** to amend line 26 to insert the word Chair after the Committee of Jurisdiction.

**Roll Call Vote on Amendment to Resolution # 52 – 2023:** 19 Aye; 2 Nay, Newman, Sorgel

**Amendment to Resolution # 52 – 2023:** Adopted

**Discussion:** Roach stated that the intent is to go back to pre-COVID processes. Roach noted that on Zoom it is hard to understand due to connectivity or background noise. Roach stated that he is concerned during closed session meetings

using Zoom that sometimes the cameras are turned off. Roach stated it is cumbersome and there have been issues. Discussion of streaming versus zoom. Roach explained that it is important to be transparent and this is not taking the ability to view away. Rio stated that this would affect the non-voting property owners. Holewinski stated there are 21 representatives of each District, their job is to represent their constituents. Holewinski clarified participation via zoom and approval from the chair. Fugle clarified the wording in the Resolution, discussion ensued regarding the wording.

*Fisher left at 11:18 a.m.*

**Roll Call Vote on Amended Resolution # 52 – 2023:** 17 Aye; 3 Nay, Newman, Rio, Sorgel; 1 Absent, Fisher  
**Amended Resolution # 52 – 2023:** Adopted

**Resolution # 53 – 2023/Ordinance Amendment # 05 – 2023:** Offered by Supervisor Mike Roach to amend Section 3.10(7)(a) of the General Code of Oneida County – Reimbursement for Expenses.

**Seconded by Showalter.**

**Resolution to Amend Oneida County Ordinance 3.10(7).**

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

**WHEREAS**, prior to the COVID-19 pandemic Supervisors did not receive any per diem for a remote appearance at a meeting; and

**WHEREAS**, there is no longer a necessity of meetings being held by telephonic or other electronic means or for Supervisors and other qualified individuals to be able to receive per diem payments for attending meetings remotely through the use of technology as a matter of course; and

**WHEREAS**, meetings of the County Board and Committees are most efficient and effective when members appear in-person; and,

**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)(a) 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

....

(7) Procedures for Stipend and Expense Payment.

(a) Stipend. Qualified persons who incur stipend expenses shall submit documentation to the Finance Department. The Finance Department shall pay the stipend submitted after confirming the business has been authorized by a committee or the Board. Any such qualified person who receives reimbursement for expenses or other compensation from another entity will not be entitled to receive a stipend from the County. Attendance at County Board meetings and the meetings of committees or commissions ~~shall may~~ be allowed in person or by telephonic or other electronic means. ~~When attending a meeting by telephonic or other electronic means, stipends shall be allowed.~~ Stipends shall only be allowed for meetings attended by telephone or other electronic means ~~dating back to June 16, 2020.~~ dating back to June 16, 2020 when such attendance is approved by County Board Chair or Committee of Jurisdiction Chair prior to the meeting and only for extenuating circumstances which are a temporary or short term difficulty or problem affecting the supervisor.

[The remainder of section 3.10 remains unchanged]

**Offered and passage moved by:** Mike Roach, Connor Showalter.

**Discussion:** Roach stated that this Resolution is regarding the Supervisor stipend for attending meetings, this takes away the stipend if it is an unapproved attendance request.

**Roll Call Vote on Resolution # 53 – 2023/Ordinance Amendment # 05 – 2023:** 19 Aye; 1 Abstain Newman; 1 Absent, Fisher

**Resolution # 53 – 2023/Ordinance Amendment # 05 – 2023:** Adopted

*Briggs left at 11:30 a.m.*

**OTHER:**

Motion by Billy Fried to Suspend the Rules and permit the Administration Committee to award the contract for conduit as appropriated in Resolution # 49 – 2023.

**Seconded by Cushing.**

**Discussion:** Fried

**Vote:** 19 Aye; 2 Absent, Fisher, Briggs

*Recess called at 11:32 a.m.*

*Return from recess at 11:40 a.m.*

*Cushing did not return from recess.*

**CLOSED SESSION:** It is anticipated that a motion will be made, seconded and approved by roll call vote to enter into closed session pursuant to Section 19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (Topic: Airport PFAS update and expenses AND Update Case: 3:22-cv-00460-wmc). It is anticipated that the County Board will return to open session by roll call vote to consider the remainder of the meeting agenda.

Announcement of action taken in closed session, or take action based on closed session (NOTE: If the announcement of action taken in closed session would compromise the need for the closed session, the action taken will not be announced. Any action taken in closed session may be announced when the need for the closed session has passed).

**Motion/Second: Sorgel/Newman** to go into Closed Session at 11:42 a.m.

**Roll Call Vote:** 18 Aye; 3 Absent, Cushing, Fisher, Briggs

**Motion/Second: Roach/Timmons** to return to Open Session at 12:28 p.m.

**Roll Call Vote:** 18 Aye; 3 Absent, Cushing, Fisher, Briggs

**Announcement:** Chairman Holewinski stated there was no announcement.

**NEXT MEETING DATE AND TIME** May 16, 2023 @ 9:30 a.m.

Unless a motion is made to change the starting time.

**ADJOURNMENT:**

Chairman Holewinski adjourned the meeting at 12:29 p.m.