

**MINUTES**  
**Notice of Regular Meeting**  
**Oneida County Board of Supervisors**  
**Tuesday, January 21, 2020 – 9:30 a.m.**  
**County Board Meeting Room - 2<sup>nd</sup> Floor Oneida County Courthouse**

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**CALL TO ORDER**

Chairman Hintz 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, William Liebert, Steven Schreier, Mitch Ives, Scott Holewinski, Russ Fisher, Greg Oettinger, Robb Jensen, Jim Winkler, Jack Sorensen, Sonny Paszak, Dave Hintz, Mike Timmons, Greg Pence, Bob Mott, Alan VanRaalte, Billy Fried, Lance Krolczyk and Bob Almekinder.

**Members Present:** 19

**Excused Absent:** Tom Kelly

**Vacant:** District # 15

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

- Sign attendance form at the podium.
- Please use a microphone when speaking.

**ACCEPT THE MINUTES OF THE NOVEMBER 12, 2019 MEETING.**

**Motion/Second: Sorensen/Cushing** to accept the minutes of the November 12, 2019 Meeting. All "Aye", motion approved.

**CONSENT AGENDA**

**Resolution # 1 – 2020:** Offered by the Supervisors of the Land Records Committee approving the conveyance of PIN RH 945 to Five Sisters Coffee, LLC.

**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 and other county real estate parcels identified in Exhibit A listed below have been offered for public sale pursuant to the procedures 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 parcels by quit claim deed to the successful bidders listed in Exhibit A.

**THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of Oneida County hereby approve the sale of the parcels listed in Exhibit A below to the successful bidders listed with any condition or terms listed in Exhibit A; and,

**BE IT FURTHER RESOLVED**, that upon receipt of the bid amount and recording fee from the successful bidders listed in Exhibit A, the County Clerk is authorized to sign and place the county seal upon a quit claim deed for the parcels listed in Exhibit A; and,

**BE IT FURTHER RESOLVED**, that the County Treasurer is authorized and instructed to assign to the successful bidder, at the time of issuance of the quit claim deed, all county certificates on the property sold.

Approved for presentation to the County Board by the Land Records Committee this 14<sup>th</sup> day of January, 2020.

Offered and passage moved by: Sonny Paszak, Bill Liebert, Mike Timmons and Greg Pence.

**Resolution # 2 – 2020:** Offered by the Supervisors of the Land Records Committee granting an easement across tax parcel number PL 551-4 to Wisconsin Public Service Corporation.

**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**, Wisconsin Public Service Corporation is in the process of obtaining easements from landowners to improve reliability by converting overhead electric lines to underground; and,

**WHEREAS**, Wisconsin Public Service Corporation has requested an easement from Oneida County across tax parcel numbers Town of Pine Lake PL 551-4 as shown in Exhibit A attached hereto; and

**WHEREAS**, the Land Records Committee has determined it would be in the best interest of the residents of Oneida County dependent on Wisconsin Public Service Corporation to grant such easements at no cost.

**THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of Oneida County hereby approve granting an easement for no costs, across those lands as described in Exhibit A below to Wisconsin Public Service Corporation; and,  
**BE IT FURTHER RESOLVED**, that the County Clerk is authorized to sign and place the county seal upon the easement documents and other documents necessary to complete such transaction.

Approved for presentation to the County Board by the Land Records Committee this 14<sup>th</sup> day of January, 2020.  
Offered and passage moved by: Sonny Paszak, Bill Liebert, Mike Timmons and Greg Pence.

**Resolution # 3 – 2020:** Offered by the Supervisors of the Land Records Committee approving the conveyance of part of PIN CA 933-1 & CA 1001-1 to Bradley J. Wiedenhoeft, Gregory T. Wiedenhoeft, Chad J. Wiedenhoeft and Todd K. Wiedenhoeft and part of PIN CA 933-1 & CA 1001-1 to the Town of Cassian.

**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 part of the Southwest ¼ - Southeast ¼ of Section 28, Township 37 North, Range 7 East, as recorded in Volume 64 of Deeds, Page 236, and part of the Northwest ¼ - Northeast ¼ of Section 33, Township 37 North, Range 7 East, as recorded in Volume 64, Page 224, together with timber rights on said lands, recorded in the Register of Deeds in 1941; 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 **Horsehead Lake RD** be conveyed to them as they are the present adjoining owner of the land, and have paid a \$200.00 administrative fee to process this request; and,  
**WHEREAS**, the Town of Cassian 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 the Horsehead Lake Rd right-of-way, 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 January, 2020.  
Offered and passage moved by: Sonny Paszak, Bill Liebert, Mike Timmons and Greg Pence.

**Resolution # 4 – 2020:** Offered by the Supervisors of the Land Records Committee approving the conveyance of part of PIN LT 146-4 to Timothy C. Willett.

**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 part of Government Lot 3, of Section 12, Township 38 North, Range 7 East, as recorded in Volume 64 of Deeds, Page 126, Document Number 106318, together with timber rights on said land, recorded in the Register of Deeds on December 6<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 **River RD** be conveyed to them as they are the present adjoining owner of the land, and have paid the administrative fee to process this request; and,  
**WHEREAS**, the Town of Lake Tomahawk has been notified of such request, and if the Town has no objection to conveying the excess lands, the Land Records Committee recommends that the parcel described in Exhibit A be conveyed to the adjoining landowner.  
**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 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 January, 2020.  
Offered and passage moved by: Sonny Paszak, Bill Liebert, Mike Timmons and Greg Pence.

**Resolution # 5 – 2020:** Offered by the Supervisors of the Land Records Committee approving the conveyance of part of PIN NE 680-1 & part of PIN NE 699-1 to Piper A Sheahan and part of PIN NE 680-1 & part of PIN NE 699-1 to the Town of Newbold.

**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 part of the Northeast ¼ – Northeast ¼ of Section 21, Township 38 North, Range 8 East, as recorded in Volume 64 of deeds, Page 282; and part of the Northwest ¼ - Northwest ¼ of Section 22, Township 38 North, Range 8 East, as recorded in Volume 64 of deeds, Page 282, April 29<sup>th</sup>, 1941; and part of the Southwest ¼ - Northwest ¼, Section 22, Township 38 North, Range 8 East as recorded in Volume 64 of deeds, Page 463, May 19<sup>th</sup>, 1942; 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 **Brown Lake Rd, Ranch RD & Muskellunge Lake RD** be conveyed to them as they are the present adjoining owner of the land, and have paid a \$200.00 administrative fee to process this request; and,

**WHEREAS**, that the County desires to also convey the road right-of-way of Brown Lake Rd, Ranch RD & Muskellunge Lake RD be conveyed to the Town; and,

**WHEREAS**, the Town of Newbold 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 the Brown Lake Rd, Ranch RD and Muskellunge Lake Rd right-of-way, 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 descriptions described in Exhibit A.

Approved for presentation to the County Board by the Land Records Committee this 14<sup>th</sup> day of January, 2020.

Offered and passage moved by: Sonny Paszak, Bill Liebert, Mike Timmons and Greg Pence.

**Resolution # 6 – 2020:** Offered by the Supervisors of the Public Safety Committee adopting the Civil Service Rules and Regulations.

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

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

**WHEREAS**, pursuant to Oneida County Code section 5.01(9)(a) the County Civil Service Commission shall “Prepare and publish such rules and regulations to carry out its duties under this chapter to secure the best service for the County. Such rules and regulations shall be submitted to the County Board for its approval”, and

**WHEREAS**, on November 5<sup>th</sup>, 2019 the Civil Service Commission approved changes to the Civil Service Rules and Regulations (see attached Civil Service Rules and Regulations); and

**WHEREAS**, the Oneida County Civil Service Commission believes that the proposed rules are in the best interest of Oneida County. **NOW, THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that the attached Civil Service Rules and Regulations are hereby adopted.

Offered and passage moved by: Mike Timmons, Bob Metropulos, Billy Fried and Russ Fisher.

**Resolution # 7 – 2020:** Offered by the Supervisors of the Forestry, Land and Recreation Committee approving the 2020 Oneida County Forest Work Plan.

**Resolution offered by the Supervisors of the Forestry, Land and Recreation Committee.**

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

**WHEREAS**, as stated in ss. 28.11 (5)(b), administration of county forests requires counties with land enrolled in the county forest program to develop a county board approved annual work plan and budget; and

**WHEREAS**, said plan should outline the projects and work duties scheduled for the upcoming year, as well as the accounts and funds required to execute the plan; and

**WHEREAS**, the Oneida County Board of Supervisors adopted the 2020 Forestry Department budget at their annual budget meeting held on November 12, 2019; and

**WHEREAS**, the Oneida County Forestry, Land, and Recreation Committee unanimously approved the 2020 Oneida County Forest Work Plan at their monthly committee meeting held on December 4, 2019.

**THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors accept the recommendation of the Forestry, Land, & Recreation Committee and approve the 2020 Oneida County Forest Work Plan as set forth in Exhibit # 1; and

**BE IT FURTHER RESOLVED**, that the 2020 Oneida County Forest Work Plan shall be appended to the existing Oneida County Forest Comprehensive Land Use Plan, and

**BE IT FURTHER RESOLVED**, that the Oneida County Forestry Department send a copy of the 2020 Oneida County Forest Work Plan and the associated county board approved resolution to the WDNR.

Approved by the Forestry, Land and Recreation Committee this 4<sup>th</sup> day of December, 2019.

Offered and passage moved by: Alan VanRaalte, Bob Mott, Bob Almekinder and Greg Pence.

- Appointments to Committees, Commissions and other Organizations:
  - Re-Appoint Dennis Carriere to the Oneida County Library Board with a term to expire in December 2022.
  - Re-Appoint Ann Ovsak to the Board of Health with a term to expire in June 2022.
  - Appoint William Boehm, Boehm's, to act as an authorized Emergency Fire Warden in Oneida County.
  - Appoint James Henry, Northwoods Store, to act as an authorized Emergency Fire Warden in Oneida County.
  - Appoint Charlie Gahler, Woodruff Ace Hardware, to act as an authorized Emergency Fire Warden in Oneida County.

*Supervisor Fried requested that Resolution # 8 – 2020 be pulled from the Consent Agenda.*

**Motion/Second: Cushing/Sorensen** to accept the Consent Agenda as presented.

**Roll Call Vote:** 19 Aye; 1 Absent, Kelly; 1 Vacant

**Consent Agenda:** Approved

#### **CAPITAL PROJECTS FUNDING:**

Borrowing Option to include approval for the County Clerk to apply for a loan from the Board of Commissioners of Public Lands (BCPL) for up to \$2,000,000 with the resolution to approve the loan to come before the County Board at the February meeting.

**Discussion:** Hintz stated that Capital Improvement Projects and how they should be funded has been considered for some time. Hintz went over budgeting for these projects and how levy limits impact that process. The options to pay for these Capital Improvement Projects has been narrowed down to two ways, taking the money from the General Fund or borrowing the funds. Hintz reminded the board that a  $\frac{3}{4}$  vote is needed to incur debt for the county, which means 16 people have to vote yes. Hintz stated there are a number of critical projects unfunded at this time. Hintz went over the State Fund borrowing option and what the process is, per Hintz this would be the best borrowing option. He stated there is a flexible payback process, reasonable interest rate and flexible withdrawal process through the State Fund borrowing. Hintz stated that our bond rating and credit score is rated as excellent at this time. Finance Director Darcy Smith went over some of the handouts that were distributed, listing Capital Improvement Projects that at this time are unfunded. Per Smith the CIP Committee rated these thirteen necessary projects to be completed in 2020, nine projects are currently unfunded and are the projects being discussed today. Discussion ensued regarding road projects. Hintz stated the list of CIP projects has been vetted. Holewinski went over borrowing, cutting programs and long-term sustainability. He stated he is not for borrowing the money if they are going to put it on top of the tax payers. Smith went over the revenues and the general fund. She discussed the reserve that is being maintained is 3.5 months of operating expenses. Smith stated that we need to look at all of our Capital Improvement Projects, we need to look at a five-year plan and we need to look at borrowing. Smith stated that bundle and borrowing for necessary projects has been discussed for a number of years and was discussed again in November while interest rates were low and the proposal failed. Hintz stated we have discussed the project list many times, we need to determine how to fund them. Discussion ensued regarding borrowing as opposed to reducing the General Fund. Holewinski wanted to know where the money will come from to pay back the money. Discussion ensued regarding where the payments should be allocated from if it was decided to borrow. Smith went over how the BCPL option would work. She also went over the Undesignated General Fund balance and the impact of current and future CIP projects. Smith discussed the recommendations to be held for a reserve and what different things would impact that reserve. Land Information Director Mike Romportl spoke in support of borrowing. Holewinski said he would be ok with borrowing as long as the payment for the loan will be taken out of the General Fund. Mott went over the levy restrictions that are implemented by the state. Fried stated these are all necessary projects. Fried stated that the nine 2020 Capital Improvement Project funding should be taken out of the General Fund. Sorensen stated we need to look at serious cuts to program spending. Jensen stated we should approve the loan for the 2 million. Discussion ensued regarding the two proposed ways of paying for the CIP projects.

**Motion/Second: Holewinski/Liebert** to amend the motion to include the payment of the loan to come from the general fund.

**Holewinski/Liebert** pulled the motion to amend.

**Motion/Second: Schreier/VanRaalte** to amend the amount borrowed from the BCPL to \$1,467,000.

**Roll Call Vote on Amendment:** 13 Aye, VanRaalte, Jensen, Fried, Pence, Krolczyk, Schreier, Almekinder, Mott, Cushing, Paszak, Liebert, Fisher, Hintz; 6 Nay, Winkler, Ives, Timmons, Holewinski, Oettinger, Sorensen; 1 Absent, Kelly; 1 Vacant

**Amendment:** Adopted

**Motion/Second: Jensen/Cushing** to apply for the BCPL funds in the amount of ~~\$2,000,000~~ \$1,467,000.

**Roll Call Vote on Amended Motion:** 9 Aye, Cushing, Pence, Mott, Paszak, Jensen, Fisher, Schreier, VanRaalte, Hintz; 10 Nay, Timmons, Fried, Sorensen, Liebert, Winkler, Krolczyk, Holewinski, Oettinger, Ives, Almekinder; 1 Absent, Kelly; 1 Vacant

**Motion:** Fails

**Resolution # 9 – 2020:** Offered by the Supervisors of the Administration Committee authorizing up to \$2,267,635 from the general fund for Nine 2020 Capital Improvement Program Projects.

**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**, there are thirteen Capital Improvement Programs (CIP) projects that are deemed necessary to complete as a part of the 2020 budget.

**WHEREAS**, only four of the thirteen CIP projects have been included and funded in the 2020 budget as identified in the attachment to this resolution.

**WHEREAS**, the cost of the nine unfunded CIP projects is \$2,716,020 with funding of \$2,267,635 needed to complete them.

**THEREFORE, BE IT RESOLVED**, that the Supervisors of County of Oneida, Wisconsin, authorize amending the 2020 budget to include these nine CIP projects with the funding of \$2,267,635 to come from the General Fund of Oneida County.

Approved for presentation to the County Board by the Administration Committee this 15<sup>th</sup> day of January, 2020.

Offered and passage moved by: Robb Jensen, Ted Cushing, Dave Hintz, Billy Fried and Bob Mott.

**Discussion:** Hintz stated that these projects are critical and are well vetted. Discussion ensued regarding borrowing as opposed to withdrawing money from the General Fund.

**Roll Call Vote on Resolution # 9 – 2020:** 18 Aye; 1 Nay, Mott; 1 Absent, Kelly; 1 Vacant

**Resolution # 9 – 2020:** Passes

*Recess called at 11:28 a.m.*

*Return from Recess at 11:41 a.m.*

**Resolution # 8 – 2020:** Offered by the Supervisors of the Public Works Committee approving payment of \$50,386.30 to the Town of Sugar Camp with the money to come from the County Bridge Aid Account.

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

**WHEREAS**, the Town of Sugar Camp has filed a petition for County aid for the cost of installing a culvert under Section 82.08 over Pine Lake Creek on Kafka Road and

**WHEREAS**, the Town of Sugar Camp has filed a petition for County aid for the cost of installing a culvert under Section 82.08 over Pine Lake Creek on Pine Lake Road and

**WHEREAS**, the Town of Sugar Camp has filed a petition for County aid for the cost of installing a culvert under Section 82.08 over Jenny Creek on Rolling Acres Road and

**WHEREAS**, the total cost of the labor, materials, and equipment was \$100,772.60 and the County share under Section 82.08 would be 50% of the \$100,772.60 or \$50,386.30

**NOW, THEREFORE, BE IT RESOLVED**, that \$50,386.30 be paid to the Town of Sugar Camp, and the money to come from the County Bridge Aid Account.

Approved by the Public Works Committee this 19<sup>th</sup> day of December, 2019.

Offered and passage moved by: Robb Jensen, Scott Holewinski, Ted Cushing, Sonny Paszak and Mike Timmons.

**Discussion:** Highway Commissioner Bruce Stefonek discussed the process for the replacement of culverts and in 2019 the fund was depleted. Per Stefonek the State statute states the county "must" provide funding. Per Smith the towns apply for bridge aid, the town pays half and the county levies for the other half. Holewinski went over the cost of the culverts. Stefonek stated that in the future the towns will do an estimate of future culverts so this can be budgeted for. The types of culverts were discussed, per Stefonek the DNR determines what type is used per situation.

**Roll Call Vote on Resolution # 8 – 2020:** 19 Aye; 0 Nay; 1 Absent, Kelly; 1 Vacant

**Motion:** Adopted

#### **CONSIDERATION OF RESOLUTIONS AND ORDINANCES**

**Resolution # 10 – 2020:** Offered by the Supervisors of the Public Works Committee requesting \$142,743 in additional funding to come from the general fund for fiscal year 2019 to cover winter maintenance costs for County roads and bridges.

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

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

**WHEREAS**, the Oneida County Public Works Committee seeks additional funding to cover costs of winter maintenance incurred for County roads and bridges caused by winter snow and ice events that occurred in fiscal year 2019; and  
**WHEREAS**, based on the increased costs of winter maintenance expenses in fiscal year 2019, the Highway Department has exceeded the projected budget for such costs; and  
**WHEREAS**, the Highway Department is requesting additional funding for fiscal year 2019 in the amount of \$142,743 (One-Hundred Forty-Two Thousand, Seven-Hundred Forty-Three Dollars) from the General Fund to meet actual costs.  
**THEREFORE, BE IT RESOLVED**, by the Oneida County Board of Supervisors that the budget for fiscal year 2019 shall be amended to meet all actual costs the with monies to come from the General Fund.

Offered and passage moved by: Robb Jensen, Ted Cushing and Sonny Paszak.

**Discussion:** Jensen went over the need to cover the overage costs due to the heavy snowfall from 2019. Holewinski discussed that in the past they used to budget for heavy snowfalls but as budgets got tight an average was used instead, with the expectation that if there was too much snowfall the department would come back and get the overage from the County Board.

**Roll Call Vote on Resolution # 10 – 2020:** 19 Aye; 0 Nay; 1 Absent, Kelly; 1 Vacant

**Resolution # 10 – 2020:** Adopted

**Resolution # 11 – 2020/Ordinance Amendment # 1 – 2020:** Offered by the Supervisors of the Public Works Committee amending Oneida County Code - Chapter 7.095 - All Terrain/Utility Vehicle Trails and Routes on County Highways and Bridge Crossings.

**Ordinance Amendment to open certain County Highways to ATV/UTV use.**  
**Ordinance Amendment offered by Public Works Committee.**

**WHEREAS**, Oneida County has many roads open to ATV's; and  
**WHEREAS**, the Public Works has received multiple requests to open County Highways to ATV/UTV use, and  
**WHEREAS**, the Public Works committee has reviewed these request and approved them; and  
**WHEREAS**, Oneida County needs to update the County Code in order to effectuate the changes.  
**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 7.095 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

7.095 ALL TERRAIN/UTILITY VEHICLE TRAILS AND ROUTES ON COUNTY HIGHWAYS AND BRIDGE CROSSINGS.  
(Rn. #80-2011, Am. #51-2015)

ATV'S are allowed to be operated on County Trunk Highways as designated by the Highway Commissioner and Highway Committee. The trails and routes that are to be on County Trunk Highways shall be reviewed and approved according to the "Oneida County Highway Committee Policy for ATV Routes and Trails", or any successor policy adopted by the Highway Committee. The following County Highways are open to ATV/UTV use:

CTH A) Open entire length.

CTH B) Open entire length.

**CTH C) Open from Chippewa Drive (STH 17) to 1900 CTH C at the East Stella Town Line, Closed from 1900 CTH C to US 45.**

CTH D) Open from Highway 17 to Town of Lake Tomahawk Town Line.

CTH E) Open entire length.

**CTH G) Open entire length.**

CTH H) Open entire length.

CTH J) Open from STH 70 to Woodruff Road, Closed from Woodruff Road to US 51.

**CTH K) Open entire length.**

CTH L) Open entire length.

CTH M) Open from Highway "B" to Forest County line.

CTH N) Open entire length.

CTH O) Open entire length.

**CTH P) Open from Chippewa Drive (STH 17) to East Lake George Road, Closed from East Lake George Road to USH 8.**

CTH Q) Open entire length.

**CTH W) Open entire length.**

CTH Y) Open entire length.

CTH Z) Open entire length.

Pursuant to Wisconsin Statute s. 23.33(1)(am)3 ATV's & UTV's shall be allowed to cross the bridge following bridges in Oneida County:

1. Bridge over Crystal Lake on State Highway 45 [Connecting Oneida County parcels TL 586-2 & TL 586-3], Town of Three Lakes, and Federal ID number C-43-08-98.

2. Bridge over Deer/Big Stone Lake [a.k.a Eagle River Bridge] on State Highway 32, Town of Three Lakes, and Federal ID number B-43-031.

ATV operators crossing any bridge listed in this Ordinance section shall comply with the following conditions:

- a. Cross the bridge in the most direct manner practicable and at a place where no obstruction prevents a quick and safe crossing.
- b. Stay as far to the right of the roadway or shoulder as practicable.
- c. Stop the vehicle prior to the crossing.
- d. Yield the right-of-way to other vehicles, pedestrians, and electric personal assistive mobility devices using the roadway or shoulder.
- e. Exit the highway as quickly and safely as practicable after crossing the bridge.

Offered and passage moved by: Robb Jensen, Ted Cushing, Sonny Paszak, Mike Timmons and Scott Holewinski.

**Discussion:** Jensen stated that this is updating the ordinance by adding these County Highways as ATV/UTV routes. Stefonek stated there was a favorable response from all of the towns regarding this proposed change. There are some highways that are still not open per Stefonek. Mott asked what is the process to shut a road down if there becomes a safety issue. Jensen stated they can come to the highway committee and there would be a determination.

**Roll Call Vote on Resolution # 11 – 2020/Ordinance Amendment # 1 – 2020:** 19 Aye; 0 Nay; 1 Absent, Kelly; 1 Vacant

**Resolution # 11 – 2020/Ordinance Amendment # 1 – 2020:** Adopted

**Resolution # 12 – 2020/Ordinance Amendment # 2 – 2020:** Offered by Supervisor Jim Winkler amending Oneida County Code – Section 2.02 Rule 2: Order of Business.

**Seconded by Liebert**

**Ordinance Amendment to amend the County Board meeting agenda to include an invocation/prayer.**

**Ordinance Amendment offered by Supervisor Jim Winkler, District 10.**

**WHEREAS**, the Constitution of the United States of America guarantee's free speech; and

**WHEREAS**, our nation has relied on a tradition of prayer before conducting its business at national, state and local levels of government; and

**WHEREAS**, the United States Supreme Court Case of *Town of Greece, N.Y. v. Galloway*, 134 S.Ct. 1811 (2014) has found that prayer before a government meeting does not violate the Establishment Clause of the United States Constitution; and

**WHEREAS**, that same case found that prayer before a government meeting "comports with our tradition and does not coerce participation by non-adherents"; and

**WHEREAS**, in conformity with the constitutionally permitted practice from *Town of Greece, N.Y.*, a prayer/invocation should be offered by local clergy (volunteers that would be secured by the County Clerk for each meeting) for our troops and for guidance over business to be performed at that meeting, prior to the pledge of allegiance to the flag at each County Board meeting.

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

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

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

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

Section 4. Section 2.02 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

2.02 RULE 2: ORDER OF BUSINESS. (Am. #51-94; #72-94; #20-2008)

The order of business shall be as follows:

(1) **CALL TO ORDER.** At the appointed hour for the meeting, the Chair shall call the Board to order requesting that the members rise for a brief moment of silence followed by a prayer/invocation and the Pledge of Allegiance.

[The remainder of Section 2.02 is to remain unchanged.]

**Discussion:** Winkler went over his proposal of a prayer to be added to the Order of Business item on the County Board Agenda. Liebert spoke in support of the Resolution. VanRaalte stated this may be out of order, he cited several instances. Desmond went over the problems that have arisen with others implementing this type of process and the legal aspects.

**Roll Call Vote on Resolution # 12 – 2020/Ordinance Amendment # 2 – 2020:** 4 Aye, Sorensen, Winkler, Oettinger, Liebert; 15 Nay; 1 Absent, Kelly; 1 Vacant

**Resolution # 12 – 2020/Ordinance Amendment # 2 – 2020:** Fails

**CLOSED SESSION:** It is anticipated that the committee may meet in closed session pursuant to 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 (Topic: PFAS and 2018AP940 Eagle Cove Camp & Conference Center, Inc. v. Oneida County Board of Adjustment). A roll call vote will be taken to go into closed session and it is anticipated that the Committee 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: Jensen/Cushing** to go into Closed Session at 12:12 p.m.

**Roll Call Vote:** 19 Aye; 1 Absent, Kelly; 1 Vacant

**Motion:** Passes

**Motion/Second: Mott/Sorensen** to return to Open Session at 12:37 p.m.

**Roll Call Vote:** All Aye

**Motion:** Passes

**Announcement:** Hintz announced in closed session that no action was taken.

**NEXT MEETING DATE AND TIME** February 18, 2020 @ 9:30 a.m.

Unless a motion is made to change the starting time.

**ADJOURNMENT:**

Chairman Hintz adjourned the meeting at 12:30 p.m.