

MINUTES
Oneida County Board of Supervisors
Tuesday, March 17, 2020 – 9:30 a.m.
County Board Meeting Room - 2nd Floor Oneida County Courthouse

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 be a brief moment of silence for our troops, law enforcement officers and emergency responders followed by the Pledge of Allegiance.

Members Present: Alan VanRaalte, Billy Fried, Tom Kelly, Sonny Paszak, Dave Hintz, Mike Timmons, Ted Cushing, Bill Liebert, Scott Holewinski, Russ Fisher, Robb Jensen, Jim Winkler, Steven Schreier, Mitch Ives, Jack Sorensen, Greg Pence and Bob Almekinder.

Members Present: 17

Excused Absent: Lance Krolczyk, Bob Mott, Greg Oettinger.

Vacant: District 15

ANNOUNCEMENTS BY CHAIR, CORRESPONDENCE AND COMMUNICATIONS

- Sign attendance form at the podium
- Please use a microphone when speaking
- Hintz did a brief overview of COVID-19 and how that may look at the County level.

ACCEPT THE MINUTES OF THE FEBRUARY 18, 2020 MEETING.

Motion/Second: Sorensen/Cushing to accept the minutes of the February 18, 2020 Meeting. All "Aye", motion approved.

REPORTS/PRESENTATIONS

- COVID-19: Oneida County's Response – Public Health Director Linda Conlon did a presentation on the facts of COVID-19, a handout was also distributed. Conlon went over the symptoms and how it is spread, she stated not all persons present with a fever. She recommended to stay home if you are sick and call your health care provider first to alleviate spread of the virus. People over the age of 60 are at an increased risk of getting the virus and also for complications associated with this virus. At this time there is no treatment or vaccine, supportive measures are applied. Conlon discussed the strategy of flattening the curve, per Conlon this is the reason we are implementing these measures. Emergency Management Director Ken Kortenhof discussed some of the processes that EMS is doing as preventative measures. Per Kortenhof there is a daily briefing with EMS and the Health Department to discuss the local and national situation. Conlon discussed workplace flexibilities and protections to keep employees safe but to still function as a county entity. She stated that future meetings may look different due to close personal space proximity restrictions. Supervisor Kelly stated that the Library will be closing due to public safety. VanRaalte discussed concerns of social workers and mental health workers going out into the field.
- Register of Deeds Office 2019 Annual Report – Delayed until a future date.
- Land Information Office 2019 Annual Report – Delayed until a future date.

PUBLIC COMMENT: Tom Jerow spoke in opposition to the 2nd amendment resolution. He stated he was concerned about the hampering of public comment due to the current situation of social distancing.

CONSENT AGENDA

Resolution # 23 – 2020: Offered by the Supervisors of the Land Records Committee approving the conveyance of Part of MO 622-1 to Jill and Joel Skubal and Part of MO 622-1 to the Town of Monico.

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 Northwest ¼ - Northeast ¼ of Section 22, Township 36 North, Range 11 East, as recorded in Volume 58 of Deeds, Page 27, Document Number 116919, together with timber rights on said land, recorded in the Register of Deeds on October 22, 1943; 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 **Kurtz 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 Monico 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 **Kurtz 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 10th day of March, 2020.
Offered and passage moved by: Sonny Paszak, Mike Timmons, Bill Liebert, Greg Pence, Greg Oettinger.

Resolution # 24 – 2020: Offered by the Supervisors of the Land Records Committee granting an easement across parcel numbers WR 452-12 & WR 452-10 to Wisconsin Public Service Corporation in the Town of Woodruff.

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 parcel numbers WR 452-12 & WR 452-10 in the Town of Woodruff adjoining County D as shown in Exhibit A attached hereto; and,

WHEREAS, the Public Works Committee reviewed the proposed locations and at their February 27th, 2020 meeting made a motion indicating the Committee has no objection to the easement requests, and 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 the easements 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 10th day of March, 2020.
Offered and passage moved by: Sonny Paszak, Bill Liebert, Mike Timmons, Greg Pence, Greg Oettinger.

Resolution # 25 – 2020: Offered by the Supervisors of the Labor Relations Employee Services Committee allowing one full-time Social Worker position to be restructured to fit the needs of the department.

Resolution offered by the Supervisors of the Labor Relations Employee Services (LRES) Committee

WHEREAS, Oneida County Department of Social Services (DSS) continues to have difficulty in recruiting licensed social workers; and

WHEREAS, Oneida County DSS has taken a number of steps (attached to the resolution) to recruit social workers to the agency and assist current social workers in managing case work duties while focusing on the safety of children in the home; and

WHEREAS, the Social Services Director, did advise the Social Services Committee of the situation and the ongoing steps the department is taking to resolve the situation; and

WHEREAS, the Social Services Committee recommended working with the Human Resources Director to develop a plan; and

WHEREAS, the Social Services Director and Human Resource Director met and discussed the situation and brought forward a plan to the Labor Relations Employee Services (LRES) Committee that would allow the department to take a full-time social worker position and split it into part-time positions to cover the needs of the department. This would also allow the department to fill a social worker position, either full or part-time, with a Children Services Support position based on the duties and responsibilities assigned to the position but will not exceed the cost of a full time Social Worker position; and

WHEREAS, the LRES Committee reviewed and approved the proposed solution and recommends it to the full County Board.

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors that the Department of Social Services may fill one full time social worker position and split it into part-time positions to cover the needs of the department, this includes allowing the department to fill this position with a Children Services Support position in any combination that does not exceed a full-time Social Worker position; and

BE IT FURTHER RESOLVED, by the Oneida County Board of Supervisors that by adoption of this resolution it shall be deemed that there is no fiscal impact to the 2020 budget.

Approved by the LRES Committee this 11th day of March, 2020.

Offered and passage moved by: Ted Cushing, Dave Hintz, Sonny Paszak, Billy Fried.

Motion/Second: Jensen/VanRaalte to accept the Consent Agenda as presented.

Roll Call Vote: 17 Aye; 3 Absent, Krolczyk, Mott, Oettinger; 1 Vacant, District 15

Consent Agenda: Approved

CONSIDERATION OF RESOLUTIONS & ORDINANCES

Resolution # 26 – 2020: Offered by Supervisor Mike Timmons for Oneida County to Support Second Amendment Rights.

Seconded by Sorensen.

Resolution offered by Supervisor Mike Timmons.

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

WHEREAS, the unalienable Right of the People to Keep and Bear Arms is guaranteed as an individual right under the Second Amendment to the United States Constitution and also under the Constitution of the State of Wisconsin, Article 1, Section 25 – “the people have the right to keep and bear arms for security, defense, hunting, recreation or any other lawful purpose”; and

WHEREAS, the Governor of the State of Wisconsin, and all members of the Wisconsin State Legislature, each having been elected to their respective offices by the citizens of the State of Wisconsin, have each been duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Wisconsin; and

WHEREAS, all Oneida County Board members, each having been elected to represent the people of Oneida County, have each been duly sworn by their Oath of Office to uphold the United States Constitution and the Constitution of the State of Wisconsin.

NOW, THEREFORE, BE IT RESOLVED by the Oneida County Board of Supervisors that the Oneida County Board recognizes and reaffirms their individually sworn Oaths of Office to uphold the entirety of United States Constitution and the Constitution of the State of Wisconsin, and we hereby urge the Governor and all members of the Wisconsin State Legislature to do likewise; and

BE IT FURTHER RESOLVED, that the Oneida County Board hereby opposes any executive or legislative action under consideration by the Governor and/or the Wisconsin State Legislature, which would abrogate, diminish, or in any way infringe upon the Second Amendment rights of the citizens of Oneida County, which if implemented would ban or impose additional regulations regarding the possession of and use of any firearms, firearm accessories, magazines, and ammunition employed by the individual citizens of Oneida County for their personal defense of life, liberty and property; and

BE IT FURTHER RESOLVED, that the Oneida County Board opposes any executive or legislative action under consideration by the Governor and/or the Wisconsin State Legislature, which would implement any firearms confiscation or “buy back” laws, implement any universal background checks or firearms owner I.D requirements, or cause the establishment of a punitive tax on the purchase or possession of firearms, firearm accessories, magazines and ammunition; and

BE IT FURTHER RESOLVED, that Oneida County Board opposes any executive or legislative action under consideration by the Governor and/or the Wisconsin State Legislature, which would implement any type of “red flag law” which would abrogate, diminish, or in any way infringe upon the full legal rights of due process, as guaranteed to all citizens in Oneida County; and

BE IT FURTHER RESOLVED, that the Oneida County board will not appropriate any funds for any enforcement of unconstitutional laws against the people of Oneida County; and

BE IT FURTHER RESOLVED, that the Oneida County Board encourages law enforcement, the District Attorney and duly elected Oneida County Circuit Court judges to enforce the current laws regarding Second Amendment rights.

Offered and passage moved by: Mike Timmons.

Discussion: Timmons stated this is a statement from the people of Oneida County, there has been more of a positive response than negative. He stated this is not our constitutional duty to tell our legislators that we do not want them to infringe on our Second Amendment rights. Captain Hook stated the Sheriff thinks it is important for the citizens to know how the Board feels about this. Hook stated this is symbolic, not binding. Jensen asked why would our county be involved in this, these Resolutions are appropriate only when there is pending legislation that we as a County Board can have read into the record. Per Jensen there is no pending legislation and this is beyond the power of the County Board, discussion ensued.

Motion/Second: Jensen/VanRaalte to postpone the resolution until the May County Board meeting.

Roll Call Vote on Motion: 7 Aye, Jensen, Fried, Pence, Paszak, Schreier, Almekinder, VanRaalte; 10 Nay, Fisher, Kelly, Winkler, Liebert, Ives, Holewinski, Timmons, Cushing, Sorensen, Hintz; 3 Absent, Krolczyk, Oettinger, Mott; 1 Vacant, District 15

Motion: Failed

Motion/Second: Liebert/Kelly to Strike lines 46-48.

Discussion: Timmons went over the purpose of lines 46-48. Hook stated the intent is to enforce the current law.

Schreier stated the Resolution is vague, there should be better language. Per Ives and Timmons, the language used in this Resolution was borrowed from other counties Resolutions pertaining to the same subject, discussion ensued.

Roll Call Vote on Motion: 4 Aye, Fried, VanRaalte, Liebert, Schreier; 13 Nay; 3 Absent, Krolczyk, Mott, Oettinger; 1 Vacant, District 15

Motion: Failed

Discussion: Winkler stated that he has received 46 positive and 4 negative responses regarding this Resolution. Hintz stated we can argue over the wording but the Resolution is symbolic. Hook went over the discretion that is allowed, she stated her view is that she reads the wording as encouragement. VanRaalte stated we are in violation of oath of office by supporting this Resolution as it is written. Cushing stated the committee did its due diligence, there is a lot of support for this resolution.

Roll Call Vote on Resolution # 26 – 2020: 16 Aye; 1 Nay, VanRaalte; 3 Absent, Krolczyk, Mott, Oettinger; 1 Vacant, District 15.

Motion/Second Schreier/Cushing to suspend the rules and allow the Chairman to take the agenda out of order.

Cushing left at 11:05 a.m.

Cushing returned at 11:07 a.m.

Roll Call Vote on Motion: 16 Aye; 4 Absent, Krolczyk, Mott, Oettinger, Cushing; 1 Vacant, District 15

Motion: Passes

Resolution # 29 – 2020: Offered by Supervisor Dave Hintz to proclaim the existence of a County emergency related to COVID-19.

Seconded by VanRaalte.

Resolution to proclaim the existence of a County emergency related to COVID-19.

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

WHEREAS, as of March 13, 2020 the CDC confirms a total of 1623 COVID-19 a/k/a Coronavirus, cases in the United States and 41 deaths with 47 states reporting cases; and

WHEREAS, as of March 12, 2020 Wisconsin Department of Health Services confirms a total of 18 COVID-19 cases; and

WHEREAS, the status of the COVID-19 outbreak in the United States and the State of Wisconsin is sufficiently serious that additional measures and resources will need to be employed; and

WHEREAS, Wisconsin state statutes chapter 323, empowers the Office of Emergency Management to proclaim the existence or there and existence of a local emergency when said county is affected or likely to be affected by a public health emergency and/or extraordinary disturbance; and

WHEREAS, the Office of Emergency Management of Oneida County, in consultation with the Oneida County Health Department, does hereby declare that Oneida County must undertake efforts to prevent the spread of COVID-19, which has been declared a worldwide pandemic by the World Health Organization, which caused the Governor of the State of Wisconsin to declare a public health emergency under Wis. Stat. s. 323.10; and

WHEREAS, as COVID-19 is beginning to spread in Wisconsin communities, local officials need to take community measures to mitigate the scope of the outbreak; and

WHEREAS, the Oneida County is responsible for the well-being of its employees and the public it serves; and

WHEREAS, Oneida County must undertake efforts to prevent the spread of COVID-19.

WHEREAS, the potential for a disaster exists, which requires extraordinary measures to protect the health and well-being of the people of Oneida County; and

WHEREAS, declaring an emergency will facilitate and expedite the use of resources to protect persons from the impacts of the spread of the COVID-19; and

NOW THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors that a local public health emergency now exists throughout Oneida County; and

BE IT FURTHER RESOLVED, that the Oneida County Board Chairman shall exercise all of the powers conferred upon the governing body under all applicable statutes and ordinances, which within the discretion of the County Board Chairman appear necessary and expedient during said state of emergency, including issuing administrative orders and other directives as may be required; and

BE IT FURTHER RESOLVED, that the state of emergency shall be in effect for time during which the emergency conditions exist or are likely to exist.

Offered and passage moved by: Dave Hintz.

Discussion: Hintz stated that this is authority to make decisions regarding the county operations due to the COVID-19 situation. Any powers enacted will be conveyed if it is of significance.

Roll Call Vote on Amendment to Resolution # 26 – 2020: 17 Aye; 3 Absent, Krolczyk, Mott, Oettinger; 1 Vacant, District 15

Motion: Adopted

CLOSED SESSION: It is anticipated that the committee may meet in closed session pursuant to Wisconsin Statutes §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: Hildebrand Lake Road contract with Enterprise). 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: Cushing/VanRaalte to go into Closed Session at 11:12 a.m.

Roll Call Vote: 17 Aye; 3 Absent, Krolczyk, Mott, Oettinger; 1 Vacant, District 15

Motion/Second: Cushing/Liebert to return to Open Session at 11:44 a.m.

Roll Call Vote: 17 Aye; 3 Absent, Krolczyk, Mott, Oettinger; 1 Vacant, District 15

Announcement: To delay any action on the Hildebrand Lake Road contract with Enterprise until further legal clarification is received by the County.

Resolution # 27 – 2020: Offered by Supervisor Jim Winkler reducing the Oneida County Board from 21 Supervisors to 15 Supervisors for the next election cycle in 2022.

Resolution: Fails due to no second.

Ordinance Amendment offered by the Administration Committee.

WHEREAS, Wisconsin Statute s. 59.10(3)(cm)(1) allows for the County Board to reduce its size once after a decennial supervisory district plan has been adopted; and

WHEREAS, Oneida County currently has 21 Supervisory districts; and

WHEREAS, the Oneida County population will be re-determined by the 2020 census; and

WHEREAS, subsequent to the 2020 census Oneida County will be required to realign Supervisor districts in order to ensure equal representation by each elected Supervisor; and

WHEREAS, a smaller County Board size could be more efficient; and

WHEREAS, there are approximately 66 seats on count committees with an average of approximately 3.3 seats per County Board member; and

WHEREAS, with a reduced number of Supervisors and each be assigned up to one additional committee, a 15 member County Board could maintain an efficient system of governance.

NOW, THEREFORE, BE IT RESOLVED, that the Oneida County Board be reduced from 21 Supervisors to 15 Supervisors for the next election cycle in 2022; and

BE IT FURTHER RESOLVED, that the Supervisor Districts be realigned after the 2020 census; and

BE IT FURTHER RESOLVED, that upon passage of the new re-districting maps Oneida County Code Section 1.02 shall be amended to reflect the change to 15 Supervisor districts; and

BE IT FURTHER RESOLVED, that any existing resolutions, or portions thereof in conflict with this resolution shall be and are hereby repealed as far as any conflict exists.

Approved by Supervisor Jim Winkler this 11th day of March, 2020.

Offered and passage moved by: Jim Winkler.

Resolution # 28 – 2020: Offered by the Supervisors of the Labor Relations Employee Services Committee setting the wages for the County Clerk, County Treasurer and Register of Deeds for the calendar years 2021, 2022, 2023 and 2024.

Resolution offered by the Supervisors of the Labor Relations Employee Services Committee.

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

WHEREAS, it is the opinion of the Oneida County Corporation Counsel that after the earliest time for filing nomination papers, the County cannot enact any salary increase pertaining to the elected positions of County Clerk, County Treasurer and Register of Deeds, and

WHEREAS, it is appropriate to provide fair and equitable wage increases to the Office of the County Clerk, County Treasurer and Register of Deeds, and

WHEREAS, the Labor Relations and Employee Services Committee, having reviewed the internal and external wage comparables of the elected positions, does recommend a wage adjustment for each calendar year 2021, 2022, 2023 and 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Oneida County Board of Supervisors authorizes and directs that the salary for the positions of County Clerk, County Treasurer and Register of Deeds be established as follows:

<u>Elected Official</u>	<u>Annual Rate</u>			
	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
County Clerk	\$65140	\$67094	\$69107	\$71180
County Treasurer	\$65140	\$67094	\$69107	\$71180
Register of Deeds	\$65140	\$67094	\$69107	\$71180

BE IT FURTHER RESOLVED, that an employee in the position identified above who takes the County's health plan shall pay the employee contribution as designated by the LRES Committee on an annual basis, of the monthly premium towards the cost of the health plan, and

BE IT FURTHER RESOLVED, that an employee in the position identified above must be enrolled or continue to participate in the Wisconsin Retirement System (WRS) and will be responsible to pay the employee portion of the retirement contribution which is established each year by the WRS, and

BE IT FURTHER RESOLVED, that an employee in the position identified above is eligible to participate in the Life Insurance Program with the County paying 100% of the premium for one unit of coverage, and

BE IT FURTHER RESOLVED, that an employee in the position identified above is eligible to participate in Income Continuation Insurance Program with the County paying 100% of the premium for a waiting period of 180 days.

A fiscal impact statement is attached hereto and made a part hereof.

Approved by the Labor Relations Employee Services Committee this 19th day of February, 2020.

Offered and passage moved by: Ted Cushing, Dave Hintz, Sonny Paszak, Billy Fried.

Discussion: Human Resources Director Lisa Charbarneau stated they met with the Labor Relations Committee, this is what was determined. Liebert wanted to know comparables from Elected positions to other Department Head positions. Charbarneau stated it is not determined that way at this time, the process is to use comparables. Per Liebert these positions are below the wages of Department Head positions. Hintz stated the intent is to attract qualified people in these positions.

Roll Call Vote on Resolution # 28 – 2020: 17 Aye; 3 Absent, Krolczyk, Mott, Oettinger; 1 Vacant, District 15

Resolution: Adopted

NEXT MEETING DATE AND TIME April 21, 2020 @ 9:30 a.m.

Unless a motion is made to change the starting time.

ADJOURNMENT:

Chairman Hintz adjourned the meeting at 12:01 p.m.