

**Minutes**  
**Notice of Regular Meeting**  
**Oneida County Board of Supervisors**  
**Tuesday, August 20, 2019 – 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 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:** Alan VanRaalte, Billy Fried, Tom Kelly, Jack Sorensen, Sonny Paszak, Dave Hintz, Mike Timmons, Ted Cushing, Bob Metropulos, Bill Liebert, Lance Krolczyk, Scott Holewinski, Robb Jensen, Jim Winkler, Greg Pence, Bob Mott, Steven Schreier, Greg Oettinger, Russ Fisher and Bob Almekinder.

**Members Present:** 20

**Excused Absent:** Mitch Ives

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

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

**ACCEPT THE MINUTES OF THE JUNE 18, 2019 MEETING.**

**Motion/Second: Sorensen/Cushing** to accept the minutes of the June 18, 2019 Meeting. All "Aye", motion approved.

**REPORTS/PRESENTATIONS:**

- The Code of Conduct was presented by Brian Desmond, a handout of the presentation was distributed.
- Facilities Director LuAnn Brunette discussed the need for tree removal around the courthouse.
- Veterans Service Office 2018 annual report was presented by CVSO Tammy Javenkoski.
- Planning and Zoning Department 2018 annual report was presented by Planning and Zoning Director Karl Jennrich.

**CONSENT AGENDA:**

**Resolution # 58 – 2019:** Offered by the Supervisors of the Land Records Committee conveying part of PIN SC 685-2 to Duane Behn and Candy Behn.

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 Northeast – Northeast, Section 35, Township 35 North, Range 11 East, as recorded in the Register of Deeds, Volume 64 of Deeds on Page 261, Document # 109525, recorded on February 28<sup>th</sup>, 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 County Z and Wolf River RD be conveyed to them as they are the present adjoining owner of the land, and have paid the \$100.00 administrative fee to process this request; and,

**WHEREAS**, the Town of Schoepke 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 13<sup>th</sup> day of August, 2019. Offered and passage moved by: Sonny Paszak, Mike Timmons, Greg Pence, Greg Oettinger and Bill Liebert.

**Resolution # 59 – 2019:** Offered by the Supervisors of the Public Works Committee conveying former County A lands to AVFCO Properties, LLC.

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**, Attorney John Cirilli, on behalf of AVFCO Properties, LLC is requesting Oneida County to execute a quit claim deed conveying any interest the County may have in the former County A right of way south of the existing County A right-of-way and east of State Highway 17 right-of-way, being located in Government Lot 1, Section 14, Township 38 North, Range 9 East, Town of Sugar Camp, which is more particularly described in the Draft Quit Claim Deed attached as Exhibit A below; and,

**WHEREAS**, the area being requested is abandoned right-of-way that was mapped as a Gap and Oneida Title & Abstract researched the title and did not find a deed to Oneida County but recommends a quit claim deed from the adjoining landowner and the County to clear title to the property to remove any doubt that the area was abandoned right-of-way; and,

**WHEREAS**, the Wis Department of Transportation has no objection to such quit claim deed and is also working with AVFCO to clear title to the property; and,

**WHEREAS**, the Public Works Committee recommends that the County execute the Quit Claim Deed conveying any interest the County may have in the area and AVFCO to pay for the recording of the deed, and also with the understanding that the landowner of Document No 749158 will also quit claim any interest they may have to AVFCO.

**THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors hereby approves conveying any interest the County may have in the parcel described in Exhibit A below to AVFCO Properties, LLC and authorizes the County Clerk to sign such deed.

Approved for presentation to the County Board by the Public Works Committee this 15<sup>th</sup> day of August, 2019.  
Offered and passage moved by: Robb Jensen, Scott Holewinski, Sonny Paszak and Ted Cushing

**Resolution # 60 – 2019:** Offered by the Supervisors of the Land Records Committee conveying PIN PL 1239 to the Town of Pine Lake.

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 parcel described in Exhibit A below has been offered to the Town of Pine Lake for road purposes; and,

**WHEREAS**, the parcel is an Outlot that was designated as a private road, however the Town of Pine Lake has been maintaining it as part of Mohawk Rd for many years and agrees to take title to the road; and,

**WHEREAS**, the Land Records Committee recommends it would be in the best interest of Oneida County to convey the parcel by quit claim deed to the Town of Pine Lake for the direct cost that the County has against the property in the sum of \$243.76.

**THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of Oneida County hereby approves the sale of the parcel described in Exhibit A below to the Town of Pine Lake for \$243.76 plus \$30 recording fee and with any condition or terms listed in Exhibit A; and,

**BE IT FURTHER RESOLVED**, that upon receipt of \$243.76 and the \$30 recording fee from the Town of Pine Lake, the County Clerk is authorized to sign and place the county seal upon a quit claim deed for the parcels described in Exhibit A; and,

**BE IT FURTHER RESOLVED**, that the County Treasurer is authorized and instructed to assign to the Town of Pine Lake, 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 13<sup>th</sup> day of August, 2019.  
Offered and passage moved by: Sonny Paszak, Mike Timmons, Greg Pence, Greg Oettinger and Bill Liebert.

**Resolution # 61 – 2019:** Offered by the Supervisors of the Land Records Committee conveying part of PIN NE 225-6 to Carmel J Schramm.

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 Southeast - Southwest, Section 22, Township 37 North, Range 8 East, as recorded in the Register of Deeds, Volume 64 of Deeds on Page 546, Document # 114648, recorded on December 15<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 Northwestern DR be conveyed to them as they are the present adjoining owner of the land, and have paid the \$100.00 administrative fee to process this request; and,

**WHEREAS**, the Town of Newbold has no objection to conveying the excess lands, and 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 13<sup>th</sup> day of August, 2019.  
Offered and passage moved by: Sonny Paszak, Mike Timmons, Greg Pence, Greg Oettinger and Bill Liebert.

**Resolution # 63 – 2019/Rezone Petition # 2 – 2019:** Offered by the Supervisors of the Planning and Development Committee amending the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map to rezone land from District #1A – Forestry to District # 02 – Single Family Residential on property in the Town of Minocqua.

Ordinance amendment offered by the Planning and Development Committee.  
Resolved by the Board of Supervisors of Oneida County, Wisconsin:

**WHEREAS**, the Planning and Development Committee having considered Rezone Petition 2 – 2019 (copy attached), which was filed February 25, 2019, to amend the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, and having given notice thereof as provided by law and having held a public hearing thereon June 5, 2019 pursuant to Section 59.69(5), Wisconsin Statutes, and having been informed of the facts pertinent to the changes which are as follows:

To rezone land from District # 1A – Forestry to District # 02 – Single Family Residential on property described as the NW SE and part of SE NW, SW NE, SE NE, NE SW, lying south of Pine Lake Road and east of Swamsauger Heights Road, Section 10, T38N, R4E, Town of Minocqua, Oneida County, Wisconsin.

And being duly advised of the wishes of the people in the area affected as follows:

**WHEREAS**, the owner of the property wants to build a year round permanent residence and;

**WHEREAS**, the current zoning designation of District #1A-Forestry only allows seasonal use of the property and;

**WHEREAS**, the proposed rezone is in compliance with the future land use plan for the Town of Minocqua and;

**WHEREAS**, the Town of Minocqua approved the request (copy attached) and;

**WHEREAS**, On June 5, 2019 the Planning and Development Committee held a public hearing and the adjoining landowners were provided with a written notice of the change and;

**WHEREAS**, one neighboring property owner voiced concern with the rezone petition because he currently does not have access to his parcel and;

**WHEREAS**, the Planning & Development Committee has reviewed the general standards as specified in Section 9.86(F) of the Oneida County Zoning & Shoreland Protection Ordinance and concluded that the standards have been met. The Planning & Development Committee recommends passage.

**NOW THEREFORE, THE ONEIDA COUNTY BOARD OF SUPERVISORS DOES ORDAIN AS FOLLOWS:** Petition # 2 – 2019:

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

Section 2: The 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 the ordinance shall not be affected thereby.

Section 4: Rezone Petition # 2 – 2019 is hereby adopted amending the Master Zoning District Document and the Oneida County Official Zoning District Boundary Map, by changing the zoning district classification from District # 1A – Forestry to District # 02 – Single Family Residential on property described as follows:

NW SE, and part of SE NW, SW NE, SE NE, NE SW, lying south of Pine Lake Road and east of Swamsauger Heights Road, Section 10, T38N, R4E, Town of Minocqua, Oneida County, Wisconsin.

The County Clerk shall, within seven (7) days after adoption of Rezone Petition # 2 – 2019 by the Oneida County Board of Supervisors, cause a certified copy thereof to be transmitted by mail to the Minocqua Town Clerk.

Approved for presentation to the County Board by the Planning and Development Committee this 10<sup>th</sup> day of July 2019.  
Offered and passage moved by: Billy Fried, Scott Holewinski, Jack Sorensen, Ted Cushing and Mike Timmons.

**Resolution # 64 – 2019:** Offered by the Supervisors of the ADRC Committee to transfer title of a passenger bus from Oneida County to the Oneida Vilas Transit Commission.

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

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

**WHEREAS**, the ADRC of Oneida County receives §85.21 funds to deliver transportation services to older adults and persons with disabilities and sub-grants these funds to the Oneida Vilas Transit Commission; and  
**WHEREAS**, the Oneida Vilas Transit Commission currently leases a 2007 Chevrolet bus (VIN 1GBE5V1217F41076) for \$1.00 from Oneida County and operates and maintains the bus to provide transportation services; and  
**WHEREAS**, the bus was purchased by Oneida County Department on Aging using §85.21 funds; and  
**WHEREAS**, titles for all other passenger vehicles previously owned by Oneida County have been transferred to Oneida Vilas Transit Commission; and  
**WHEREAS**, transfer of title from Oneida County to the Oneida Vilas Transit Commission for this vehicle will complete the transfer of all vehicles, release Oneida County from liability of owning the vehicle, void the lease arrangement, is allowed by the Wisconsin Department of Transportation, and is in the spirit of the §85.21 Transportation grant;  
**THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors approves the transfer of title of the above passenger bus to the Oneida Vilas Transit Commission and authorizes and directs the County Clerk to sign and release title and possession of same.

Offered and passage moved by: Barbara Young, Bob Metropulos, Nancy Watry, Tom Kelly, Jim Winkler, Steven Schreier and Carol Pederson.

*Supervisor Liebert requested that Resolution # 62 – 2019 be pulled from the Consent Agenda.*

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

**Roll Call Vote:** 20 Aye; 1 Absent, 1 Vets

**Student Representative:** 1 Aye

**Consent Agenda:** Adopted

#### **CONSIDERATION OF RESOLUTIONS & ORDINANCES:**

**Resolution # 62 – 2019/Ordinance Amendment # 14 – 2019:** Offered by the Supervisors of the Public Works Committee amending section 7.07 of the General Code – Speed Zone.

Ordinance Amendment offered by the Public Works Committee.

**WHEREAS**, traffic conditions on County Highway L in the Town of Nokomis were reported to be dangerous; and  
**WHEREAS**, it was requested that the speed limit in that area be reduced from 55 m.p.h. to 45 m.p.h.; and  
**WHEREAS**, it is necessary for Oneida County to amend their ordinances in order to put the new speed limits into effect.  
**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 7.07 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

#### **7.07 SPEED ZONE. (Rn. # 77 – 2000)**

Based upon a traffic investigation conducted by the Oneida County Highway Commissioner, the maximum permissible speed at which vehicles may be operated on the following described highways, which is established as reasonable and safe pursuant to §349.11, Wis. Stats., shall be effective, subject to approval by the State Highway Commission and upon erection of standard signs giving notice thereof:

(1) 45 MPH.

CTH "L", from the south county line limit, northerly for a distance of approximately 3.65 mile, to Rocky Road, and 55 mph from a point of approximately 3.65 miles from the south county limits to the junction of US Highway 51 and CTH "L".

CTH "D", between the bridge over the channel between Chain and Echo Lakes and CTH "H". (Cr. Res. # 94 – 91)

CTH "G", between its junctions with CTH "Q" and US 45. (Cr. # 72 – 85)

CTH "J", from Fischer Landing Road east to the junction of STH 70. (Cr. # 107 – 99)

CTH "Q", between its junction with CTH "G" and US 45. (Cr. # 72 – 85)

STH 13, between its junction with CTH "G" and US 45. (Cr. # 72 – 85)

STATION 134 to STATION 176, a distance of 4,200 feet. (Cr. Res. # 2 – 92)

CTH "D" from a point 0.08 miles northeast of its junction with West Bluebird Road easterly to a point 0.02 miles southwest of its junction with Bird Lake Road.

CTH "D" from a point 0.19 miles east of its junction with Rainbow Road easterly to a point 0.05 miles west of its junction with Elm Road.

(2) 35 MPH

CTH "G", from the south corporate limits of the City of Rhinelander, southerly for a distance of 0.4 miles, and 45 mph from a point 0.4 from the south corporate limits of the City of Rhinelander to a point 300' south of the junction of the entrance road to the Lake Julia Campus of Nicolet College and Technical Institute and CTH "G".

CTH "J", from its junction with US 51 to its junction with STH 47. (Am. Res. #60-94)

CTH "J", from STH 47 east to Fischer Landing Road. (Cr. #108-99)

CTH "J", from Pinewood Drive to North Rainbow Drive. (Cr. Res. #85-2000)

CTH "D" from a point 0.02 miles southwest of its junction with Bird Lake Road easterly to a point 0.19 miles east of its junction with Rainbow Road.

(3) 40 MPH.

CTH "K", from its intersection with STH 47 easterly to the west corporate limits of the City of Rhinelander.

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

**Motion/Second Liebert/VanRaalte** to amend line 33 to say "northerly to a distance of Point of Pines Road" and strike the remainder of line 33, line 34 and line 35.

**Discussion:** Jensen went over the reduction in the speed in that area, discussion ensued as to the reasoning for the reduction. Discussion of whether the town supported the original Resolution. Timmons recommended that this be sent back to the town requesting a recommendation.

**Roll Call Vote on Amendment to Resolution # 62 – 2019:** 5 Aye, Liebert, VanRaalte, Sorensen, Krolczyk, Schreier; 15 Nay; 1 Absent, Ives

**Student Representative:** 1 Nay

**Amendment to Resolution # 62 – 2019:** Failed

**Motion/Second Sorensen/Kelly** to table the resolution and give the committee of jurisdiction, allow them to bring it back at a meeting in the future not to exceed two meetings.

**Motion was ruled out of order by Chairman Hintz.**

**Amendment to Resolution # 62 – 2019:** Overruled

**Motion/Second Sorensen/Kelly** to postpone and send back to committee and allow them to review and come back at a future meeting.

**Roll Call Vote on Amendment to Resolution # 62 – 2019:** 6 Aye, Pence, Kelly, Oettinger, Liebert, Fried, Sorensen; 14 Nay; 1 Absent Ives

**Student Representative:** 1 Nay

**Amendment to Resolution # 62 – 2019:** Failed

**Discussion:** Holewinski spoke in support of the Resolution without changes and explained the process the committee used to get to that decision.

**Roll Call Vote on Resolution # 62 – 2019:** 16 Aye; 4 Nay, Fried, Liebert, Oettinger, Sorensen; 1 Absent, Ives

**Student Representative:** 1 Aye

**Resolution # 62 – 2019:** Adopted

**Resolution # 65 – 2019:** Offered by the Supervisors of the Conservation and UW-Extension Education Committee adopting the Land and Water Conservation Fee Schedule.

Resolution approved for presentation to the Oneida County Board by the Supervisors of the Conservation and UW-Extension Education Committee.

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

**WHEREAS**, the Land and Water Conservation Department has technical expertise to review, design and inspect shoreland restoration projects; and

**WHEREAS**, the Planning and Zoning Department is responsible for the enforcement of Chapter 9, the Oneida County Zoning and Shoreland Protection Ordinance; and

**WHEREAS**, the Planning and Zoning Department comes across shoreland zoning violations that involve excess vegetation, excavation, and vegetation removal; and

**WHEREAS**, the public and the Planning and Zoning Department needs technical assistance to restore the shoreline; and

**WHEREAS**, the Land and Water Conservation Department should be allowed to recoup expenses associated with providing technical assistance related to correcting shoreland violations; and

**WHEREAS**, the fees proposed are reasonable and reflect the actual costs to provide technical assistance; and

**WHEREAS**, on July 15, 2019 the Conservation and UW-Extension Education Committee voted unanimously to approve the attached fee schedule.

**THEREFORE, BE IT RESOLVED**, the Oneida County Board of Supervisors adopts the attached fee schedule with the effective date of August 20, 2019.

Offered and passage moved by: Bob Mott, Alan VanRaalte, Robb Jensen and Mitch Ives.

**Motion/Second Schreier/VanRaalte** to amend line 17 to strike the word “vegetation” after the word “excess”.

**Roll Call on Amendment to Resolution # 65 – 2019:** 20 Aye; 1 Absent, Ives

**Student Representative:** 1 Aye

**Amendment to Resolution # 65 – 2019:** Adopted

**Discussion:** Jennrich went over the fee schedule, discussion ensued.

**Roll Call Vote on Amended Resolution # 65 – 2019:** 20 Aye; 0 Nay; 1 Absent, Ives

**Student Representative:** 1 Aye

**Amended Resolution # 65 – 2019:** Adopted

**Resolution # 66 – 2019:** Offered by the Supervisors of the Conservation and UW-Extension Education Committee adopting the Land and Water Resource Management Plan.

Resolution approved for presentation to the Oneida County Board by the Supervisors of the Conservation and UW-Extension Education Committee.

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

**WHEREAS**, Section 92.10 of the Wisconsin Statutes created a state land and water management planning program, whereby each county must prepare a county land and water resource management plan; and

**WHEREAS**, to meet this requirement, the Oneida County Conservation and UW-Extension Education Committee has initiated a planning process to update and revise the existing Oneida County Land and Water Resource Management Plan, adopted through Resolution No. 007-2012 on January 17, 2012; and

**WHEREAS**, to be eligible to receive soil and water resource management grant funds from the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP), Oneida County must submit an annual workplan and funding request based upon an approved Land and Water Resource Management Plan.

**WHEREAS**, this plan has been updated following prescribed procedures for public participation, with significant input from an advisory committee of affected stakeholders representing a broad range of economic and environmental interests; and

**WHEREAS**, the purpose of the revised plan is to do the following:

1. Define local environmental issues of priority concern; and, to establish local, natural resource management goals and conservation program objectives.
2. Provide an implementation framework and activity schedule that will be applied to pursue the natural resource management goals, as defined.
3. Serve as a guide for local, state, and federally-sponsored soil and water conservation and nonpoint source water pollution control programs and projects.
4. Document the procedures that will be used by Oneida County to engage the community and to coordinate local land and resource management programs administered by county departments with those administered by state and federal agencies; and

**WHEREAS**, the on-going costs of implementing planned activities, as proposed in the plan, will be determined through the county budget process; and

**WHEREAS**, this plan is a guide and does not require that all planned activities be implemented and there are no direct fiscal impacts of plan adoption outside of existing budgeted program expenditures; and

**WHEREAS**, the Oneida County Conservation and UW-Extension Education Committee held a public hearing on June 5, 2019 to accept comments on the Oneida County Land and Water Resource Management Plan; and

**WHEREAS**, the Land and Water Conservation Board reviewed the plan and gave board recommendation for approval of that plan on August 6, 2019.

**THEREFORE, BE IT RESOLVED**, that the Oneida County Board of Supervisors does hereby approve the attached, 2020-2029 Oneida County Land and Water Resource Management Plan, with the intent to apply the plan to guide the land, water, and associated resource management activities administered under the direction of the respective County committees and departments.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be provided to DATCP for final State approval of the plan.

Offered and passage moved by: Bob Mott, Alan VanRaalte, Robb Jensen and Mitch Ives.

**Discussion:** Mott discussed the process of creating the plan and tribal inclusion on the language.

**Roll Call Vote on Resolution # 66 – 2019:** 19 Aye; 1 Nay, Liebert; 1 Absent, Ives

**Student Representative:** 1 Aye

**Resolution # 66 – 2019:** Adopted

**Resolution # 67 – 2019/Ordinance Amendment # 15 – 2019:** Offered by the Supervisors of the Administration Committee amending Section 1.30 – Public Records and Section 3.25 – Recording and Copying Fees of the General Code of Oneida County.

Ordinance Amendment offered by the Administration Committee.

**WHEREAS**, in August of 2018 the Department of Justice lowered the fees that they charge for open records requests; and

**WHEREAS**, as a result the Administration Committee reviewed the fees that Oneida County was charging for copies pursuant to open record requests; and

**WHEREAS**, the Administration Committee, upon review, determined that the Oneida County costs for open records should also be lowered.

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 1.30 & 3.25 of the General Code of Oneida County, Wisconsin, is amended as follows [additions noted by underline, deletions noted by strikethrough]:

§ 1.30 Public Records.

...

(4) Access to Records; Fees.

(c) Fees.

1. Each authority shall impose a fee upon the requester of a copy of a record which may not exceed the actual, necessary and direct cost of reproduction and transcription of the records, [See the fee schedule set forth in Oneida County code

section 3.15(2)], unless a fee is otherwise specifically established or authorized to be established by law.

[All other sections of 1.30 remain unchanged]

§ 3.15 Recording and Copying Fees.

...

(2) County Department Copying Fees.

(a) Unless otherwise permitted by Wisconsin Statutes or this code, the fee for providing a black and white copy of a document 8 1/2 inches by 11 inches in size shall be ~~\$0.25~~10, per copy page provided.

~~(b) The fee for providing a copy of a document of another size or a color copy shall be determined by individual department policy subject to approval by the Finance and Insurance Committee. Unless otherwise permitted by Wisconsin~~  
Statutes or this code, the fee for providing color copy of a document 8 1/2 inches by 11 inches in size shall be \$0.20, per copy page provided.

(c) Electronic documents shall be provided free of charge. If the documents are requested to be in electronic format, and the documents exist in an electronic format, they shall be provided an electronic format. When the documents are provided on a CD/DVD the requester shall be charged \$0.20 for each CD/DVD.

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

**Discussion:** Hintz stated that the copying fees should be more in line with what the costs actually are, discussion ensued regarding costs and location fees.

**Roll Call Vote on Resolution # 67 – 2019/Ordinance Amendment # 15 – 2019:** 20 Aye; 0 Nay; 1 Absent, Ives

**Student Representative:** 1 Aye

**Resolution # 67 – 2019/Ordinance Amendment # 15 – 2019:** Adopted

**NEXT MEETING DATE AND TIME:** September 17<sup>th</sup>, 2019 @ 9:30 a.m.

Unless a motion is made to change the starting time.

**ADJOURNMENT:**

Chairman Hintz adjourned the meeting at 11:45 a.m.