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AMENDED RESOLUTION #78-2015

Resolution offered by the Supervisor Tom Rudolph

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

WHEREAS, the Oneida County Board of Supervisors has previously adopted Resolution #52-2015 calling for the repeal of Paragraph 23 of Motion #520 inserted into the Wisconsin Budget Bill (SB 21 and AB 21) by the Joint Finance Committee; and

WHEREAS, SB 21 and AB 21 have since been passed by the Legislature and signed into law by Governor Walker; and

WHEREAS, Paragraph 23 of Motion #520 changes the standards for regulation of existing structures in the shoreland area contrary to adopted standards in NR 115 and to the detriment of environmental quality, and the orderly economic development of Oneida County; and

WHEREAS, the State of Wisconsin and Wisconsin Department of Natural Resources has adopted NR 115 and updated it periodically after public input and review; and

WHEREAS, Oneida County has 428 named lakes and more than 830 miles of streams, of which 192 miles are classified trout streams, that are pressured with both new development and re-development of existing structures; and

WHEREAS, Oneida County has been enforcing the minimum standards of NR 115 since its inception in the late 1960's, and has accumulated considerable experience while working with the various incarnations of NR 115 over many years, and furthermore has noted during these many years that the current laws have protected the water quality in Oneida County, and at the same time have protected property values, the County's wildlife and fisheries habitat, and the natural scenic beauty of Oneida County's shorelands, and at the same time provided flexibility to property owners in development of their property; and

WHEREAS, Oneida County has provided some additional protections of our surface and ground water that are slightly more protective standards than the minimums in NR 115, and feels strongly that Counties should be able to enforce more than the minimum standards to protect their unique resources; and

WHEREAS, Oneida County feels that no change should be made to the minimum standards, such as has occurred as a result of the action of the Joint Finance Committee by inserting paragraph 23 of Motion #520 amending the 2016-2017 State of Wisconsin Budget (SB 21 and AB 21), without due consideration by the entire legislature, the Natural Resources Board and the public because it weakens regulation of legal preexisting structures and does not provide adequate protection of our valuable water resources; and

WHEREAS, SB 21 and AB 21 as written will prevent local governmental units charged by the State of Wisconsin with overseeing development within its shorelands from protecting the rights of the property owner, the citizens of the area, and the environment in a fair and equitable manner; and

WHEREAS, the Oneida County Board supports legislation in the short legislative session this fall that would return oversight of shoreland protection to the Counties so that local control is restored to protect the lakes and streams unique to each County, while ensuring that legal preexisting structures may be repaired or replaced as necessary.

NOW, THEREFORE, BE IT RESOLVED, by the Oneida County Board of Supervisors that it hereby requests that the State of Wisconsin, repeal Paragraph 23 of Motion #520 that amended the 2016-2017 Budget Bill (SB 21 and AB 21), with new legislation that will retain the current provisions of NR 115, Wisconsin Administrative Code, and thereby protect the citizens and environment of our County and great State, and

52 **BE IT FURTHER RESOLVED**, that this Resolution, to repeal Paragraph 23, of Motion
53 #520 to the 2016 – 2017 Budget Bill (SB 21 and AB 21), be forwarded to members of the
54 Wisconsin Legislature, DNR Secretary, Secretary of Administration and Governor Walker.
55

56 Vote Required: Majority = _____ 2/3 Majority = _____ ¾ Majority = _____
57

58 The County Board has the legal authority to adopt: Yes _____ No _____ as reviewed
59 by the Corporation Counsel, _____, Date:
60 _____
61

62 Approved by Supervisor Tom Rudolph this 10th day of September , 2015.
63

64 Consent Agenda Item: YES NO
65

66
67 Offered and passage moved by: _____
68 Supervisor
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72 Secoded by: _____
73 Supervisor
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75 _____ Ayes

76 _____ Nays

77 _____ Absent

78 _____ Abstain

79 _____ Adopted

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84 by the County Board of Supervisors this _____ day _____ , 2015.

85 _____ Defeated

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87
88
89 _____
90 Mary Bartelt, County Clerk

_____ David Hintz, County Board Chair