

ROAD CONDITIONS

 Time: 12:01:31
 High: 49°F
 Winds: 3mph
 Current Low:
 7 Day forecast

ADVERTISEMENT

Northwoods Weekend

 The Sunday Daily News is now the Northwoods Weekend.
 More News. More time to enjoy it.

Advanced Archive Search

 POLL

ADVERTISEMENT

Click here for Weekly Ads

Last Updated: Friday, April 30, 2010 11:10 PM CDT

More papers filed in Bible camp battle

Brothers oppose motion to dismiss

BY HEATHER SCHAEFER
 REGIONAL EDITOR

 Email a friend  RSS feed  Printer friendly  Comments

The legal battle between three brothers who want to build a Bible Camp near Squash Lake and the government entities opposing the project is becoming increasingly contentious.

Art, Randy and Wes Jaros have filed court papers asking a federal judge to deny the town of Woodboro's request that the brothers' lawsuit be dismissed. The brothers are also asking the court to strike defenses listed by Woodboro, Oneida County and the Oneida County Board of Adjustment.

ADVERTISEMENT

The Jaroses filed a lawsuit March 10 in the United

States District Court for the Western District. In their 53-page complaint, the brothers claim Oneida County, the town of Woodboro and the Oneida County Board of Adjustment have unconstitutionally prevented the use and operation of their proposed Bible camp "through their discriminatory laws and a four-year pattern of hostile, capricious and irrational actions."

The brothers have been fighting for five years to build a Bible Camp, to be called Eagle Cove Camp & Conference Center, on family-owned land on Squash Lake. Oneida County has refused to issue the brothers a Conditional Use Permit to build the camp on the grounds a recreational camp is not a permitted use in the single family residential zoning district in which the property is located.

The project includes plans for a chapel, classrooms, a dining hall, lodging facilities, and a multi-purpose room/gymnasium. Outdoor recreational facilities are also planned.

Earlier this month, the three defendants responded to the lawsuit by arguing they acted in the best interest of local residents and have not discriminated against the Jaros brothers. The town of Woodboro also argued the lawsuit does belong in federal court at this time.

"This case is one of the many instances in which attempts to federalize state law land use controversies should be dismissed as not yet ripe for judicial determination," wrote town attorney Mark B. Hazelbaker. "As plaintiffs themselves acknowledge in their complaint, they have not yet completed the available state law procedures which might afford them the land use approval they seek."

In a response filed earlier this week, the brothers insist this is a religious freedom case and strongly defend their right to bring the lawsuit in federal court.

"Suggesting that the plaintiffs are "wast[ing]" the court's time because the issues involved implicate land use...glosses over the important federal constitutional and statutory issues presented here," the brothers argued.

In a separate filing, the brothers are also asking the court to strike the affirmative defenses listed by the defendants.

LOCAL NEWS ALL LOCAL NEWS >

Bennett still dedicated to recovery counseling

Today is Patrick Bennett's last official day of work as director of Koinonia Residential Treatment Center in Rhinelander, but he has no intention of ending his work helping individuals struggling with addiction. [READ MORE >](#)

[Sayers gains supervised release](#)

[Sayers case explained during panel discussion](#)

SPORTS ALL SPORTS >

[READ MORE >](#)

BUSINESS ALL BUSINESS >

[READ MORE >](#)

COMMUNITY ALL COMMUNITY >

[READ MORE >](#)

OUTDOORS ALL OUTDOORS >

Opening day memories treasured forever

The temperature was mild for early morning. It was the first Saturday in May. There were three of us in the pick-up, the boat was on the trailer and we were pointed north. It was misting but we were going fishing. It was opening day of the open water walleye season. Each year for many years we had joined a group of good friends to open the walleye season on Lac Vieux Desert. [READ MORE >](#)

[Trout fishing a time of solitude](#)

OPINION ALL OPINIONS >

[READ MORE >](#)

New • Used • Service
 Parts • Body Shop

Parsons
 OF EAGLE RIVER




www.parsonsofeagleriver.com

"Plaintiffs move to strike the following affirmative defenses as not being affirmative defenses at all...but rather constituting merely repetitive (and thusly redundant)...denials of the allegations of the plaintiff's complaint," the motion states.

The brothers' motion also claims the county's "one-sentence defenses" engage in "improper speculation, failing to inform plaintiffs of which defenses the defendants are actually raising."

The Jaroses have also filed a 54-page amended complaint in which they expound on their claims.

According to online federal court records, a telephone status conference in this case is set for May 5.

Tell us what you think...

COMMENTS »

Honest wrote on May 3, 2010 1:04 PM:
" Sorry Sally, It's not about religous rights. Why is it that only the religious people that see this as a religious issue? If God wanted it to be it would be he would make it happen. Keep praying and see what it gets you. "

Count Bob wrote on May 1, 2010 6:11 PM:
" Regardless of the legal fine points, this is another example of the ineptitude of Oneida Planning and Zoning. They have a long history of leading permit applicants around in circles, costing people lots of money and then denying permits in the end. I would suggest that county supervisors take the cost of defending this directly from the zoning budget. Perhaps they will be more careful in the future. My comment comes from personal experience with them, which was not positive, even though I bent over backwards to please them. Seems like it's power and control, not zoning, that motivates them. "

Sally wrote on May 1, 2010 5:13 PM:
" It's about time someone takes a stand for our religious rights and whats done on private lowned land. "

The comments above are from readers. In no way do they represent the views of the Rhinelander Daily News.


POST A COMMENT (150 WORD LIMIT) »

We will not post reader comments containing racial, religious or personal attacks, slander, profanity, e-mail addresses, mailing addresses, phone numbers or Web site addresses that are for personal or promotional gain.

Name:

Email: (optional)

Comments:

Image Verification: (Case sensitive) 

Thank you for your comments! Once your comments are approved, they will appear on the site.