

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, DECEMBER 21, 2010**

Chairman David Albrecht called the meeting to order at 6:00 p.m. in the County Board Room, Fourth Floor, Courthouse, 415 Jackson Street, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an invocation by Supervisor Lennon.

Chairman Albrecht asked for a moment of silence in honor of Supervisor John Reinert who passed away in November.

The following Supervisors were present: Konezke, Barker, Englebert, Eisen, Ramos, Miller, Roh, Smith, Widener, Hamblin, Albrecht, Gabert, Swanson, Thompson, Lennon, Hall, Jacobson, Norton, Warnke, Robl, Eichman, Kline, Locke, Hegg, Finch, Sievert, Farrey, Brennand, Egan, Ellis and Rengstorf. Excused: Reynolds, Wingren, Neubauer and Diakoff.

Motion by Supervisor Robl and seconded to adopt the agenda. CARRIED BY VOICE VOTE.

PUBLIC HEARING

No one addressed the Board

COMMUNICATIONS, PETITIONS, ETC.

A note from the family of John Reinert was read thanking the Board for the flowers they sent for John's funeral. Town of Winneconne resolution, "Resolution Opposing the Reduction in Size of the Winnebago County Board of Supervisors" was distributed to the Board. A copy of the resolution is on file in the County Clerk's Office.

Notice of Claim from AT & T for damage to a pedestal and buried cable caused by the county Highway Department on or about October 28, 2010 was referred to the Personnel & Finance Committee.

Notice of Claim from AT & T for damage to a pedestal and buried cable caused by the county Highway Department on or about October 8, 2010 was referred to the Personnel & Finance Committee.

Notice of Claim from Amy Leksander for damage to her residence resulting from a "no knock" warrant issued by Winnebago County and the Oshkosh SWAT team was referred to the Personnel & Finance Committee.

Vilas County Resolution 2010 – 143, "Rescinding Changes Made to Prevailing Wage Laws" was referred to the Legislative Committee.

Petition for Zoning Amendment from Mike Schuster, Town of Omro, for a zoning change for tax parcel no. 016-0057-01 from A-2/B-2 to R-5 for three-single family residences was referred to the Planning & Zoning Committee.

COMMITTEE REPORTS

Supervisor Egan stated that he gave everyone a copy of the Winnebago County Fair financial report dated through November 30, 2010. He explained that they had a good fair this year, although their expenses exceeded their revenues.

Supervisor Kline explained that there will not be a Legislative Committee meeting in December. Their next meeting will be in January 2011.

Supervisor Widener discussed his attendance at the Human Services Fall Conference and Mark O'Connell's, Executive Director of Wisconsin Counties Association (WCA), presentation. Supervisor Widener stated Mr. O'Connell was asked questions about the size of county boards. He stated that the WCA does not make recommendations on county board size, but the WCA does feel it's up to the county boards to make that decision. Supervisor Widener stated that Mr. O'Connell also discussed the role of county boards to set policy.

Supervisor Barker thanked the County Clerk's Office for last night's Christmas party. Everyone had a good time.

Motion by Supervisor Finch and seconded to approve the proceedings from the November 9, 2010 County Board meeting. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris reported 2010 third quarter figures from the Federal Housing Finance Agency are the best they've been in two years and show an increase of .17%. He explained that once fourth quarter figures are in, they will be able to make a better assessment as to the affect this is having on the property tax base. Although he is somewhat skeptical of the numbers because they can be impacted by a small number of transactions, he stated that he does feel that lower interest rates have helped the real estate market in Winnebago County and the decline in equalized value has lessened.

Executive Harris asked for the Board's support of two resolutions on tonight's agenda: Resolution No. 148-122010, "Amend the Table of Organization for Winnebago County Human Services Department"; and Resolution No. 149-122010, "Adopt Revisions to the Winnebago County Administrative Salary Schedule."

COUNTY EXECUTIVE APPOINTMENTS

Local Emergency Planning Commission (LEPC)

Executive Harris asked for approval of his appointments of the following people to the LEPC: Frank Bell, Barti Omarou, Rick Krumenauer, Paula Biewer, John Zimmerman, Bill Anthes. John Zimmerman replaces Kathy Biggar whose term has expired. These are three-year terms that will expire on December 31, 2013.

Motion by Supervisor Ellis and seconded to approve. CARRIED BY VOICE VOTE.

Solid Waste Management Board

Executive Harris asked for approval of his appointment of Doug Nelson, 214 North 6th Avenue, Winneconne, to the Solid Waste Management Board. Mr. Nelson will complete the unexpired term of Roger Jaeger that will expire on April 16, 2013. Motion by Supervisor Finch and seconded to approve. CARRIED BY VOICE VOTE.

Oshkosh Public Library Board of Trustees

Executive Harris asked for approval of his appointment of Supervisor Bill Wingren to the Oshkosh Public Library Board of Trustees. Supervisor Wingren will complete the term of Arlene Schmuhl that will expire on December 31, 2012. Motion by Supervisor Robl and seconded to approve. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported that Supervisors Wingren, Neubauer, Diakoff and Reynolds are excused from tonight's meeting.

COUNTY BOARD CHAIRMAN'S APPOINTMENTS

Land Conservation Committee/UW Education, Extension and Agriculture Committee

Chairman Albrecht asked for the Board's approval of his appointment of Supervisor James Englebert to the Land Conservation Committee and the UW Education, Extension and Agriculture Committee. Mr. Englebert will fill the vacancy on these committees that resulted from the death of Supervisor John Reinert. Motion by Supervisor Finch and seconded to approve. CARRIED BY VOICE VOTE

SECOND CHANCE PROGRAM PRESENTATION – CHERYL PAGEL AND JENNY FAHRNEY

Jenny Fahrney and Cheryl Pagel gave a presentation to the Board about the Second Chance Program and the students they help. Ms. Fahrney is a school social worker and Ms. Pagel is a special education teacher at Second Chance.

Ms. Fahrney explained that Second Chance is a "collaborative effort" of the Oshkosh Area School District, the county's Human Services Department, juvenile intake and juvenile court, the Sheriff's Department and Oshkosh Police Department. Second Chance, which started in 1988, was located at Park View Health Center until they recently moved to their new location at 215 Waugoo Avenue in Oshkosh.

Ms. Fahrney stated that Second Chance serves middle and high school students who are, "eligible for emotional and behavioral disability special education services." These students have also been adjudicated delinquent by the county's courts and have not been successful in a traditional school setting.

Ms. Fahrney explained that they concentrate on three main areas:

- the student's home – they work very closely with the student's family.
- school – provide a general curriculum for middle and high school students following Oshkosh Area School District guidelines; Second Chance's goal is to help the students get their high school diploma or to transition back to their regular high school setting.
- community – they work with students so they can be successful adults in their community; students also do community service projects that include working with staff and residents at Park View Health Center. They also participate in the adopt-a-highway program and the Oshkosh Area School District's environmental program called Sullivan Woods. With the Sullivan Woods program they provide clean up and trail maintenance during the spring and fall months of the year.

Cheryl Pagel explained the need for and the benefits of alternative education. Ms. Pagel stated that

alternative education provides special education services and support for students that are not successful in a traditional school setting. Because Winnebago County provided a Second Chance Program, the county's taxpayers have saved a large amount of money, particularly in incarceration costs. Ms. Pagel presented the following data:

- The high school graduation rate in Wisconsin is approximately 80%--20% will drop out of high school. Half of the students who drop out, will be incarcerated. Wisconsin has spent over \$600 Million in incarceration costs.

Ms. Pagel explained that our communities suffer when we have a high drop out rate—there is more poverty and illiteracy when children don't graduate from high school. The students enrolled in Second Chance are challenging, but they have many success stories. Ms. Pagel thanked the county for providing the Second Chance Program for the students and explained that:

- Wisconsin saves \$395 Million annually by increasing the number of students who graduate from high school
- High school drop outs earn less money than graduates, thereby contributing less in income taxes of approximately \$120 Million annually
- 40% of drop outs receive Medicaid benefits, where only 15% of people who graduate are on Medicaid
- If Wisconsin had a 100% graduation rate, there would be 5,000 less inmates across the state saving Wisconsin taxpayers \$154 Billion per year in incarceration costs.
- If we don't invest in students now, we'll pay for them later.

Ms. Pagel explained that because Second Chance students are "credit deficient", they work on core subjects such as English, math and science. Students also learn "employability skills" and are given the opportunity to work. Some are hired by the Oshkosh Area School District and others are hired by local businesses.

On behalf of the students, Ms. Pagel thanked the Board and the Oshkosh Area School District for their support of the Second Chance Program.

Ms. Pagel and Ms. Fahrney took questions from the Board.

COMPUTER AIDED DISPATCH (CAD) UPGRADE PRESENTATION CAPT. CHERILYN EISCHEN, WINNEBAGO COUNTY SHERIFF'S OFFICE

Capt. Cherilyn Eischen, who is in charge of the county's 911 Center and the technology project for the department, presented information on the proposed FoxComm CAD/MDC (mobile data computer) Upgrade. In her PowerPoint presentation, Capt. Eischen explained the history of the CAD system, its current status and what the plans are for the future. She stated that her presentation is on Winnebago County's portion of FoxComm's CAD/MDC upgrade project, which is the system that is shared by the counties of Calumet, Outagamie and Winnebago.

- The upgrade is made up of three components
 - CAD – computer aided dispatch
 - MDC – mobile data computer (laptop computer in each squad car)
 - Blade Server – hardware that connects the CAD to the MDC
- Total cost of the upgrade for all three counties is \$1.6 million.
 - Winnebago County's portion is 43.75% or \$712,150.00. \$525,000 would come from the Information Systems Department's technology budget. The remaining amount (\$187,150) would be included as a capital improvement project.

Capt. Eischen explained how technology has changed the way emergency calls are handled. When she began in the department 30 years ago, handwritten notes were used to relay information over the radio to the officers. In the 1980's, the dispatchers began entering emergency call information into a computer, but the officers still had to use hand written notes. In 1993, the officers began receiving their calls via a mobile data terminal (MDT). Starting in 2003, the MDCs were installed in the squad cars and dispatching became completely computerized.

Capt. Eischen explained how 911 calls are processed:

- Location of the incident is entered into CAD. (All of the county's addresses, locations and intersections are pre-loaded into the CAD system.)
- CAD automatically designates the appropriate responders based on programmed information.
- CAD dispatches the call to all necessary responders simultaneously. Before CAD, the dispatcher had to dispatch police, fire and emergency responders separately.
- Calls are processed as fast as the dispatcher can enter the information.

Other functions of CAD/MDC:

- Dispatcher and responder can communicate without going over the radio.
- Confidential information can be shared without relaying the information over the radio.
- Officers can communicate car-to-car via MDC—this frees up the radio for other emergency communications.
- Officers can check license plates, drivers' licenses and wanted files without assistance from the dispatcher. This allows the dispatcher to perform other duties.
- Information entered into CAD and MDC is transferred by the Blade Server to the Records Management System (RMS).

- Incident data is automatically entered into the department's record files, eliminating the need for clerical staff to enter it.
- CAD acts as an accurate time keeper and documents the actual emergency call. Time stamps for incidents is vital.

Benefits of CAD:

- Simultaneous dispatch of calls to multiple responders reduces response times.
- Dispatchers are more efficient.
- Premise warnings can be sent. (Officers receive important information about the situation/location.)
- Human errors are reduced.
- Maintains confidentiality of certain calls.
- Automatically enters the information into the records management system.

Status of the current system:

- There have been five upgrades to the current system.
- Current version is being discontinued and will reach its end of life in December 2011. The vendor will no longer support this version after December 2011.
- If the system goes down after December 2011, there will be no way to repair it. System security will be compromised and it will be susceptible to hackers and viruses.

Future of CAD:

- Premier One Mobile is the new version of CAD/MDC/Blade Server
 - Must faster system.
 - Officers will have full access to jail and police, fire and EMS records.
 - Responders will receive data faster.
 - Officers will be able to identify suspects directly from jail records.

Capt. Eischen explained that this upgrade of the equipment is only the first portion of the upgrade. Future increases of bandwidth will be needed to utilize the full potential of this upgrade.

Following her presentation, Capt. Eischen took questions from the Board.

REMODEL AND RENOVATE UW FOX VALLEY 1655 UNIVERSITY DRIVE PROPERTY – DEAN JAMES PERRY

Dean James Perry updated the Board on the remodel and renovation of the 1655 University Drive property that was purchased by Outagamie and Winnebago Counties in 2008. Dean Perry stated that the elevator has been installed as required by building codes. The parking lot has also been constructed.

Dean Perry explained that this property was purchased so that additional space could be provided for the engineering program. The building is approximately 19,500 square feet in size and almost 14,000 square feet is being renovated/remodeled. Once the building is completed, the entire engineering program will be moved from the main part of the campus to this building. The area that the engineering department vacates will then be utilized by other departments. Dean Perry explained that this project takes into consideration the costs associated with converting the space vacated by the engineering program for other uses.

Dean Perry explained that this project is necessary because of the success of this collaborated engineering program. He stated that there has been tremendous growth in enrollment in this program because it offers its graduates the opportunity to find high paying jobs in the engineering field. This collaborated program allows the students to receive their freshman and sophomore education from UW Fox Valley and the junior and senior education from UW-Platteville without every leaving the UW Fox Valley campus.

Dean Perry stated that they have 190 students currently enrolled in the program. The majority of the students come from this area. Of the 48 students who have graduated from the program, all of them have found jobs in Wisconsin.

Dean Perry then presented diagrams of the building and the renovation project. Dean Perry explained that this project has been approved by the UW Fox Valley Trustees, Outagamie County and the Winnebago County Personnel & Finance Committee. Total cost for the project has been estimated at approximately \$3 Million. Winnebago County will be responsible for half of the project's costs.

Following his presentation, Dean Perry took questions from the Board.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner, Don Shaw, Town of Clayton, for a zoning change to R-1 for tax parcel no. 006-0031. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-01-10. A requested zoning change from A-2 (General Farming) to R-1 (Single-Family non-subdivided). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – December 23, 2010)

AMENDATORY ORDINANCE 2. A request from the Town of Nepeuskun for an amendment to the zoning ordinance and zoning map of the Town of Nepeuskun as presented in Chapters 4 and 5 of their municipal code. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – December 23, 2010)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners, Christopher & Angie DuPrey, Town of Algoma, for a zoning change to B-3 for proposed Lot 1 and R-1 for proposed Lot 2 of tax parcel no. 002-0216-01. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-03-10. A requested zoning change from A-2 (General Farming) to B-3 (General Business) for proposed Lot 1 and R-1 (Single-Family non-subdivided) for proposed Lot 2. Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – December 23, 2010)

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested Land Use Plan amendment from applicants and property owners, Christopher & Angie DuPrey, Town of Algoma, to Commercial for proposed Lot 1 and Low Density Residential for proposed Lot 2 of tax parcel no. 002-0216-01. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-04-10. A requested zoning change from Low Density Residential to Commercial for proposed Lot 1 and Low Density Residential for proposed Lot 2. Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – December 23, 2010)

RESOLUTIONS AND ORDINANCES

ORDINANCE NO. 128-122010: Amend Section 5.01(2) and 5.07(5) of the General Code of Winnebago County (Increase Per Capita Daily Cost Fee and Daily Jail Fee)

WHEREAS, in October 2008, the Winnebago County Board established a per capita daily cost charge as well as a jail inmate fee to be effective through July 1, 2010; and

WHEREAS, your undersigned committee believes that said charges and fees should be amended to reflect increases in the cost of living as well as increases related to the costs of incarcerating individuals in the Winnebago County Jail.

NOW, THEREFORE, BE IT ORDAINED by the Winnebago County Board of Supervisors that Section 5.01(2) of the General Code of Winnebago County be amended to read as follows:

5.01(2) Per Capita Daily Costs

(a) The per capita daily charge for maintenance and costs of the prisoners boarded in the Winnebago County Jail is hereby established. Each prisoner shall be charged for all meals served and for each day incarcerated, regardless if the prisoner actually consumes each meal. The per day charge for all Huber Law prisoners shall be established in the following amounts commencing on the following dates:

January 1, 2011:	\$24.50
July 1, 2011:	\$25.00
January 1, 2012:	\$25.50
July 1, 2012:	\$26.00

BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that Section 5.07(5) of the General Code of Winnebago County be amended to read as follows:

5.07 Jail Inmate Fees. . .

(5) Daily Jail Fee

(a) For expenses incurred by Winnebago County for crimes for which an individual is sentenced to the Winnebago County Jail or for which the individual was placed on probation and confined in Jail, the Winnebago County Board hereby establishes a daily per person Jail Fee. The rate of the daily jail fee shall be established in the following amounts commencing on the following dates:

	First Day	Each Day Thereafter
January 1, 2011:	\$49.50	\$24.50
July 1, 2011:	\$50.00	\$25.00
January 1, 2012:	\$50.50	\$25.50
July 1, 2012:	\$51.00	\$26.00

BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that said amended Ordinance shall take effect as of January 1, 2011.

Submitted by:
JUDICIARY AND PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 25. Nays: 6 – Swanson, Thompson, Hall, Norton, Hegg and Farrey. Excused: 4 - Reynolds, Wingren, Neubauer and Diakoff. CARRIED.

RESOLUTION NO. 129-122010: Commendation for Patricia Rabe

WHEREAS, Patricia Rabe has been employed with the Winnebago County Clerks Office, for the past thirty-one years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Patricia Rabe has now retired from those duties, and it is appropriate for the Winnebago County Board of Supervisors to acknowledge her years of service.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that sincere appreciation and commendation be and it hereby is extended to Patricia Rabe for the fine services she has rendered to Winnebago County.

BE IT FURTHER RESOLVED, that the County Clerk send a copy of this Resolution to Patricia Rabe.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 130-122010: Disallow Claim of AT & T

WHEREAS, your Personnel and Finance Committee has had the claim of AT & T referred to it for attention; and

WHEREAS, your Committee has investigated the claim and recommends disallowance of same by Winnebago County.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the claim of AT & T dated October 25, 2010, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 131-122010: Disallow Claim of Susan M. Anderson

WHEREAS, your Personnel and Finance Committee has had the claim of Susan M. Anderson referred to it for attention; and

WHEREAS, your Committee has investigated the claim and recommends disallowance of same by Winnebago County.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the claim of Susan M. Anderson dated October 20, 2010, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 132-122010: Disallow Claim of Integrity Insurance for Brian A. Meyer

WHEREAS, your Personnel and Finance Committee has had the claim of Integrity Insurance for Brian A. Meyer referred to it for attention; and

WHEREAS, your Committee has investigated the claim and recommends disallowance of same by Winnebago County.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the claim of Integrity Insurance for Brian A. Meyer dated August 30, 2010, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 133-122010: Disallow Claim of Cory A. Phillips

WHEREAS, your Personnel and Finance Committee has had the claim of Cory A. Phillips referred to it for attention; and

WHEREAS, your Committee has investigated the claim and recommends disallowance of same by Winnebago County.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the claim of Cory A. Phillips dated October 8, 2010, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 134-122010: Authorize the Health Department to Accept a \$117,967 Grant for the WIC Program and Appropriate Funds to Program Costs

WHEREAS, the WIC (Women, Infants and Children) program is a very beneficial program to the citizens of Winnebago County; and

WHEREAS, additional Federal funding has become available through the State of Wisconsin due to funding adjustments at the Federal level during 2010; and

WHEREAS, this additional funding will allow the department to serve a larger population within Winnebago County; and

WHEREAS, this is a billable grant and we will only be reimbursed for funds used.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Health Department to accept a \$117,967 WIC grant and appropriates these funds to program costs.

Submitted by:
BOARD OF HEALTH
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Ramos and seconded to adopt. Ayes: 31. Nays: 0. Excused: 4 - Reynolds, Wingren, Neubauer and Diakoff. CARRIED.

ORDINANCE NO. 135-122010: Create Section 9.33 "Synthetic Cannabinoid Prohibited"

The County Board of Supervisors of the County of Winnebago does hereby ordain as follows:

That Section 9.33 of the General Code of Winnebago County entitled "Synthetic Cannabinoid Prohibited" be created to read as follows:

9.33 SYNTHETIC CANNABINOID PROHIBITED.

- (1) AUTHORITY. This Ordinance is adopted pursuant to that authority provided under Section 59.03 and 59.54(6), Stats.
- (2) POSSESSION, USE AND SALE ARE ILLEGAL. It shall be illegal for any person to use, possess, purchase, attempt to purchase, sell, publically display for sale or attempt to sell, give, or barter any one or more of the following chemicals whether under the common street or trade names of "Spice", "K2", "Genie", "Yucatan Fire:", "fake", or "new" marijuana, or by any other name, label, or description:
 - (a) Salviadinorum or salvinorum A; all parts of the plant presently classified botanically as salvia divinorum, whether growing or not, the seeds thereof; any extract from any part of such plant, and every compound, manufacture, salts derivative, mixture or preparation of such plant, its seeds or extracts;
 - (b) (6aR, 10aR) – 9- (hydroxymethyl) -6, 6dimethyl -3 (2methyloctan – 2- yl) -6z, 7, 10, 10a-tetrahydrobenzo (c)chromen – 1 – ol some trade or other names: HU-210;
 - (c) 1 – pental - (3 – (1-naphthoyl) indole-some trade or other names: JWH- 018/spice;
 - (d) 1 – Butyl – 3 – (1-naphthoyl) indole-some trade other names: JWH – 073;
 - (e) 1 – (3 –{trifluoromethylphenyl}) piperazine-some trade or other names: TFMPP; or
 - (f) CP 47.497
 - (g) JWH-250 or similar analogues that do not have an approved medical use in the U.S. and presently listed as "Drugs of Concern" by the Federal Drug Enforcement

- (3) **MEDICAL OR DENTAL USE ALLOWED.** (a) Acts otherwise prohibited under s. 9.33(2) shall not be unlawful if done by or under the direction or prescription of a licensed physician, dentist, or other medical health professional authorized to direct or prescribe such acts, provided that such use is permitted under state and federal laws.
- (4) **APPLICABILITY.** This Ordinance shall be in full force and effect in those areas of Winnebago County which are unincorporated.
- (5) **PENALTY.** Any person who violates any provision of this section of the Code shall be subject to the imposition of those penalties upon them as is provided in Section 25.04 of this Code.
- (6) **EFFECTIVE DATE.** This Ordinance shall be in full force and effect as of January 30, 2011.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that it hereby adopts Section 9.33 of the General Code of Winnebago County.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Supervisor Rengstorf stated that the committee vote on this resolution was 5-0. Vote on Resolution – CARRIED BY VOICE VOTE.

RESOLUTION NO. 136-122010: Authorize Execution of Fifteen Year Farm Crossing Easement Across WIOUWASH State Recreation Trail

WHEREAS, Leslie O. Ory is seeking action which will effectively update and recognize present conditions as they apply to the existing Ory farm crossing easement and the WIOUWASH State Recreation Trail; and
WHEREAS, your undersigned Committee believes that it would be in the best interest of Winnebago County to effectively document certain provisions pertaining to the Ory farm crossing easement in order to accurately reflect present conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes execution of a fifteen year farm crossing easement across the WIOUWASH State Recreation Trail as applied to the Leslie O. Ory farmstead. A copy of this agreement is hereby attached and made a part of this resolution.

Submitted by,
PARKS AND RECREATION COMMITTEE

Motion by Supervisor Finch and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 137-122010: Authorize Execution of Expo Center Rental Agreement between Winnebago County and Life Promotions, Inc.

WHEREAS, Winnebago County recognizes that Life Promotions, Inc. wishes to rent the Sunnyview Exposition Center in order to hold an annual five (5) day Christian Music Festival over a period of five (5) consecutive years; and
WHEREAS, it is in the best interest of Winnebago County to permit the long range scheduling of said event to allow the promoter to secure necessary agreements with subcontractors; and

WHEREAS, the long range scheduling of events at the Sunnyview Exposition Center allows county staff to efficiently program the expo so as to maximize its use and ensure generation of revenue.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes that the County Executive and County Clerk be and they hereby are authorized to execute the rental agreement between Winnebago County and Life Promotions, Inc. over a period of five (5) consecutive years. A copy of the rental fee schedule is attached hereto and incorporated herein for reference.

Submitted by,
PARKS & RECREATION COMMITTEE

Motion by Supervisor Finch and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 138-122010: Authorize Execution of Expo Center Rental Agreement between Winnebago County and Impact Motorsports LLC

WHEREAS, Winnebago County recognizes that Impact Motorsports LLC wishes to rent the Sunnyview Exposition Center racetrack facility in order to hold motorsports related events on a seasonal basis over a period of three (3) consecutive years; and

WHEREAS, it is in the best interest of Winnebago County to permit such use of the racetrack facility in order to maximize its use and ensure generation of revenue.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes that the County Executive and County Clerk be and they hereby are authorized to execute the rental agreement between Winnebago County and Impact Motorsports LLC for a term beginning January 1, 2011 and ending December 31, 2013. A copy of the rental fee schedule is attached hereto and incorporated herein for reference.

Submitted by:
PARKS & RECREATION COMMITTEE

Motion by Supervisor Finch and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 139-122010: Amend the Table of Organization for Winnebago County Register of Deeds Office

WHEREAS, the current Table of Organization for the Winnebago County Register of Deeds Office identifies six (6) full-time Records Clerk positions, and one of the positions is currently vacant due to an employee accepting another position; and

WHEREAS, the Register of Deeds desires to eliminate one (1) full-time Records Clerk position due to budgetary constraints and the current workload; and

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Table of Organization for the Winnebago County Register of Deeds Office is amended to eliminate one (1) full-time Records Clerk position; with five (5) full-time Records Clerk positions remaining.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 30. Nays: 1 – Swanson. Excused: 4 - Reynolds, Wingren, Neubauer and Diakoff. CARRIED.

RESOLUTION NO. 140-122010: Authorize Contract Between Winnebago and Safety National Insurance Company (Excess Workers' Compensation Insurance Program)

WHEREAS, Winnebago County has maintained an Excess Insurance Policy with regard to its Workers' Compensation Insurance Program to protect the County from any unexpected large financial losses relating to Worker's Compensation; and

WHEREAS, presently Winnebago County has the opportunity to lock in rates for a two-year period with its current carrier, Safety National Insurance Company; and

WHEREAS, Winnebago County has obtained quotes from several insurance companies who provide this line of insurance and the quote from Safety National Insurance for a two-year period was lower than the other companies from whom quotes were requested.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and the Winnebago County Clerk to enter into a two-year contract, for Excess Workers' Compensation insurance coverage with the Safety National Insurance Company at a minimum rate of \$90,000 over a two-year period, which equals an annual minimum rate of \$45,000.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 141-122010: Authorize the General Services Department to Upgrade the Mail Machine Lease and Replace the Neopost IJ90 with a Neopost IS5000, and Extend the Lease for One Additional Year at the Same Cost as the IJ90 Machine

WHEREAS, the Winnebago County Board of Supervisors authorized the General Services Department to enter a new lease for an IJ90 Mail Machine for a 5-year period at an annual cost of \$6,510; and

WHEREAS, the software for the machine does not provide enough information for accumulating mail costs by General Services Department which is needed to charge departments for their share of the monthly mail costs; and

WHEREAS, as a result of this shortcoming, the General Services Department is forced to spend a considerable amount of extra time allocating mail charges; and

WHEREAS, a higher end machine, the IS5000 has the software necessary to accumulate department charges for monthly charge backs; and

WHEREAS, because of the shortcoming of the IJ90 machine, the manufacturer has agreed to lease us the higher end machine for the same price if we extend the lease one year.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the General Services Department to replace the IJ90 machine with the IS5000 machine, and extend the lease one additional year at a cost of \$6,510 for the additional year.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 142-122010: Authorize the Health Department to Accept a \$3,411 Grant From the American Recovery and Reinvestment Act (ARRA) Stimulus Program and Funds to WIC Program Expenses

WHEREAS, the Health Department has been awarded an ARRA Stimulus Funding grant of \$3,411; and
WHEREAS, the funds were awarded for the purpose of enhancing the WIC (Women, Infants and Children) Program; and

WHEREAS, the funds will be used to help ensure WIC clients are up to date on recommended vaccinations; and

WHEREAS, this will be beneficial to the residents of Winnebago County in prevention of vaccine preventable disease outbreaks,

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Health Department to accept an ARRA Stimulus Funding grant of \$3,411 and appropriates the funds to WIC program costs.

Submitted by:
BOARD OF HEALTH
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Ramos and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 143-122010: Authorize the Health Department to Accept a \$18,806 Grant for the Nutrition, Physical Activity and Obesity Program and Appropriates the Funds to Program Costs

WHEREAS, the Health Department has received a grant of \$18,806 for Nutrition, Physical Activity and Obesity Programming; and

WHEREAS, the funds have been provided from the State of Wisconsin for the Fox Valley Breastfeeding Coalition and for integrating the Community Health Improvement Plan implementation into the re:THINK community coalition; and

WHEREAS, increasing breastfeed rates improves infant health; and

WHEREAS, greater community participation in addressing better nutrition and increases in physical activity reduces the incidence of chronic diseases including diabetes and heart disease and medical costs to treat such disease.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Health Department to accept an \$18,806 grant for the Nutrition, Physical Activity and Obesity program and appropriates the funds to costs of carrying out the program.

Submitted by:
BOARD OF HEALTH
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Ramos and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 144-122010: Authorize the Clerk of Courts to Accept an Attorney General Grant of \$10,000 for the Drug Court Program and Appropriate Funds to Expenses Associated with the Program

WHEREAS, Winnebago County has an ongoing drug court program the purpose of which is to assist defendants with addiction problems and keep them from reoffending; and

WHEREAS, the Attorney General has awarded a \$10,000 grant to Winnebago County to expand the drug court program; and

WHEREAS, this program keeps people out of jail thereby saving on incarceration costs; and

WHEREAS, it is in the County's best interest to accept and use the grant funds to expand the services offered by the Drug Court team and further assist defendants to maintain appropriate behavior.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Clerk of Courts to accept a \$10,000 Attorney General grant to be used to expand the County's Drug Court program and appropriates the funds to expenses to carry out and enhance the program.

BE IT FURTHER RESOLVED that funds to pay for said improvements be transferred from the General Fund of Winnebago County to the name of Capital Project fund with the General Fund being reimbursed from a subsequent bond issue.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 145-122010: Transfer \$4,900 from the General Contingency Fund to the Small Equipment Account of the Clerk of Courts 2010 Budget for the Purchase of a Replacement Recording Device for the Lanier Machine Which has Failed

WHEREAS, the court system has a Lanier audio recording device that was being used in the court commissioners hearing room in lieu of a court reporter, and

WHEREAS, the machine has recently failed, is no longer manufactured and the cost to repair it is over \$1,100 plus labor; and

WHEREAS, a For the Record (FTR) Gold digital audio recording unit is the current technology for taking the record without a court reporter. It is compatible to the CCAP hardware and software and is supported by CCAP; and

WHEREAS, until the unit is replaced we must use a court reporter to take the record for these commissioner hearings; and

WHEREAS, when none are available, we need to bring in a free-lance court reporter which can cost between \$180 and \$197 per day; and

WHEREAS, it would be in the best interest of Winnebago County to purchase the FTR Gold unit to prevent having to pay free-lance court reporter costs in the future; and

WHEREAS, there are not sufficient funds within the Clerk of Courts 2010 budget to cover this unplanned expenditure.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$4,900 from the general contingency fund to small equipment of the Clerk of Courts 2010 budget for the purpose of purchasing the FTR Gold digital audio recorder.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 146-122010: Authorize the Hiring of Engberg Anderson to Perform the Architectural Engineering Work For a Park View Health Center Physical Therapy Addition

WHEREAS, the physical therapy space needs has exceeded the space in the current Park View facilities, and
WHEREAS, the current facilities were built with limited storage space, and

WHEREAS, the County Board of Supervisors supports construction of a new addition for improved physical therapy spaces and storage, and

WHEREAS, several architectural firms have been interviewed through the Request for Proposal process, and

WHEREAS, it is the recommendation of the Facilities and Property Management Committee and County Executive Mark Harris that Engberg-Anderson be hired to perform the architectural engineering work on the new Park View Health Center addition, and
WHEREAS, Engberg-Anderson shall be paid a fee not to exceed \$99,950, and
WHEREAS, funding for the project has been approved previously,
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby accepts the recommendation of hiring Engberg-Anderson.

Submitted by:
FACILITIES & PROPERTY MANAGEMENT COMMITTEE

WITHDRAWN by Supervisor Hamblin.

RESOLUTION NO. 147-122010: Transfer \$74,874 from the Labor Accounts of Park View Health Center to the Facilities Department 2010 Budget to Cover Costs of Maintenance Employees That Are Now Being Tracked Through the Facilities Department

WHEREAS, there are two Maintenance Workers on the Facilities Table of Organization whose wages and benefits were previously charged to Park View because that is where the employees did most of their work; and
WHEREAS, as the result of changes in the utilization of Facilities staff, it has become more practical to track maintenance worker costs through the Facilities Department budget; and
WHEREAS, this change in financial reporting took place during 2010 but the funds were budgeted under the Park View budget; and
WHEREAS, it is now necessary to make this accounting correction so the budgeted funds are in the same department where the costs are being charged.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$74,874 of labor budget costs from the Park View 2010 budget to the Facilities Department 2010 budget.

Submitted by:
FACILITIES & PROPERTY MANAGEMENT COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 148-122010: Amend the Table of Organization for Winnebago County Human Services Department

WHEREAS, the current Table of Organization for the Winnebago County Human Services Department identifies one (1) full-time Deputy Director position and one (1) full-time Administrative Services Division Manager, and the position of Deputy Director will become vacant on February 3, 2011 due to a retirement; and
WHEREAS, the Director of Human Services desires to combine the position of one (1) full-time Administrative Services Division Manager with the existing job duties of the one (1) full-time Deputy Director position due to budgetary constraints and the other adjustments within the agency; and
NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Table of Organization for the Winnebago Human Services Department is amended to eliminate one (1) full-time Administrative Services Division Manager position; with one (1) full-time Deputy Director position remaining.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. The committee vote on this resolution was 3-0.
Motion by Supervisor Ramos and seconded to amend the resolution by adding the following paragraph on Line 25: Be it further resolved that the new deputy director position's salary be at the level of the employee's current level plus five percent (5%).

Vote on amendment – Ayes: 14 – Konetzke, Eisen, Ramos, Hamblin, Albrecht, Jacobson, Norton, Eichman, Kline, Hegg, Sievert, Farrey, Brennand and Ellis. Nays: 17. Excused: 4 - Reynolds, Wingren, Neubauer and Diakoff. LOST.

Vote on resolution as presented – Ayes: 24. Nays: 7 – Eisen, Albrecht, Jacobson, Hegg, Farrey, Brennand and Ellis. Excused: 4 - Reynolds, Wingren, Neubauer and Diakoff. CARRIED.

RESOLUTION NO. 149-122010: Adopt Revisions to the Winnebago County Administrative Salary Schedule

WHEREAS, the salaries of Winnebago County's non-represented employees have not kept pace with unionized employees of Winnebago County in recent years; and

WHEREAS, it is in the best interest of Winnebago County that the salaries of non-represented employees keep pace with that of unionized employees in order to attract and maintain qualified managerial and supervisory employees throughout Winnebago County departments; and

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that it hereby authorizes the Winnebago County Administrative Salary Schedule to be amended so as to increase the wages of covered employees having continuing satisfactory job performance by 1.5%, across-the-board, effective January 1, 2011.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said amendments to the Winnebago County Administrative Salary Schedule shall become effective as of January 1, 2011.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 30. Nays: 1 – Hegg. Excused: 4 - Reynolds, Wingren, Neubauer and Diakoff. CARRIED.

Motion by Supervisor Robl and seconded to adjourn the meeting. CARRIED BY VOICE VOTE.
The meeting was adjourned at 8:35 p.m.

Submitted by:
Susan T. Ertmer
Winnebago County Clerk

State of Wisconsin)
County of Winnebago) ss

I, Susan T. Ertmer, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their regular meeting held December 21, 2010.

Susan T. Ertmer
Winnebago County Clerk