

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, JULY 21, 2009**

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.

The following Supervisors were present: Konetzke, Barker, Griesbach, Eisen, Ramos, Roh, Koziczowski, Smith, Widener, Hamblin, Albrecht, Gabert, Riste, Thompson, Hall, Gearhart, Wingren, Jacobson, Norton, Warnke, Robl, Eichman, Kline, Locke, Nelson, Farrey, Diakoff, Brennand, Egan, Ellis, Rengstorf, Reinert Lennon and Sievert. Excused: Finch and Schmuhl.

Motion by Supervisor Robl and seconded to adopt tonight's agenda. CARRIED BY VOICE VOTE.

PUBLIC HEARING

Walt Raith, Assistant Director with the East Central Wisconsin Regional Planning Commission, addressed the Board and spoke in support of Resolution No. 224-62009, "Authorize Funding Needed to Begin the Roadway Design for the CTH I Project from CTH N to the City of Oshkosh".

Mark Weaver, Fleet Safety/DOT Manager for Oshkosh Corporation, expressed Oshkosh Corporation's support for Resolution No. 224-62009, "Authorize Funding Needed to Begin the Roadway Design for the CTH I Project from CTH N to the City of Oshkosh".

COMMUNICATION, PETITIONS, ETC.

Notice of Claim from Greg Noffke of Noffke Lumber, Inc., for damage to one of their buildings caused by a county Park's Department vehicle was referred to the Personnel & Finance Committee.

The following resolutions were received from various counties:

- Dodge County – "A Resolution in Opposition to 2009 State Assembly Bill 149 Proposing Interest Rate Reduction on Delinquent Property Taxes" was referred to the Legislative Committee.
- LaCrosse County – resolution "Urging Immediate Passage of Comprehensive Federal Health Reform Legislation" was referred to the Legislative Committee.

Petition for Zoning Amendment from Steven Kuehnl, Town of Clayton, for zoning change to tax parcel nos. 006-0635, 006-0633, 006-0682, 006-0631 & 006-0634 from A-1 to A-2 was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Mary Jean Huston, Nature Conservancy, Town of Nepeuskun for zoning change for part of tax parcel no. 014-0533-02 from A-2 to R-2 for vacant conservancy was referred to the Planning & Zoning Committee.

Petition for zoning Amendment from William Monteith, Town of Oshkosh, for zoning change to tax parcel nos. 018-0587(p), 018-0587-22 & 018-0587-23 from A-2 to R-1 for residential purposes was referred to the Planning & Zoning Committee.

A note from the family of Karleen A. Barker was read to the Board thanking them for the lovely flowers that were sent for Karleen's funeral. Karleen was the daughter-in-law of Supervisor Nancy Barker.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Barker encouraged all the supervisors to attend the county fair opening on Tuesday, August 4. She also reported that on Saturday, August 25 there will be a mural dedication and kayak race in the City of Menasha. Supervisor Barker stated that she is serving on the City of Menasha's census committee. She has important information on the census process and will begin distributing it at the county fair.

Supervisor Kline reported that the Legislative Committee will be meeting at 8:30 a.m. on Monday, July 27 at the James P. Coughlin Center.

Supervisor Eisen reported on his attendance at a WCA educational seminar on collective bargaining and binding arbitration. He stated that it was a very informative seminar.

Supervisor Lennon reported that the August 3 Aviation Committee meeting has been cancelled. Their next meeting will be in September.

Supervisor Egan also encouraged the county board members to attend the fair and see how the money the county invests in the fair has been used to make improvements for the open class exhibitors.

Motion by Supervisor Lennon and seconded to approve the proceedings from the June 16, 2009 County Board meeting. Supervisor Widener asked that the fourth paragraph on page 211 be corrected by including a thank you to Renee Mehlberg and her staff for their involvement in the county's scholarship program. Motion to approve proceedings as corrected CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris reported that Outagamie County has approved the funding for the stairwell and elevator at the Engineering Building at UW-Fox Valley. Winnebago County had approved their share of the funding for this project earlier in the year, so now that Outagamie County has approved their funding the project should be completed.

Executive Harris reported that Winnebago County will see an approximate \$178,000 cut in revenues from the State of Wisconsin. He explained that this is a relatively small percentage of the county's total budget, so it shouldn't have much of an impact.

Executive Harris reported that most of the departments' budget requests are in and have come in either at or under their designated budget targets. He explained that the county won't have a problem operating within the levy freeze, but there may be a challenge in keeping the tax levy at a rate that is acceptable to the public.

COUNTY EXECUTIVE'S APPOINTMENT

Advocap Board of Directors

Executive Harris asked for the Board's approval of his re-appointments of Supervisors Alfred Jacobson and Jef Hall to the Advocap Board of Directors. These are two-year terms that will expire April 19, 2011. Motion by Supervisor Widener and seconded to approve. CARRIED BY VOICE VOTE.

Board of Health

Executive Harris asked for the Board's approval of his re-appointments of Jill Collier, Margaret Larson and Dr. Joseph Bachman to the Board of Health. These are two-year terms that will expire on July 31, 2011. Motion by Supervisor Robl and seconded to approve. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported that Supervisors Finch and Schmuhl are excused from tonight's meeting.

JOHN REINEMANN, WISCONSIN COUNTIES ASSOCIATION, LEGISLATIVE DIRECTOR UPDATE ON STATE OF WISCONSIN'S BUDGET AND ITS IMPACT ON WINNEBAGO COUNTY

John Reinemann, Legislative Director of the Wisconsin Counties Association, explained the impact of the State of Wisconsin's 2009-2011 Budget on Winnebago County. Mr. Reinemann distributed hard copies of his PowerPoint presentation that included the following information:

- Wisconsin had a budget deficit of over \$5.7 Billion in February 2009. In May 2009, the deficit was \$7.3 Billion
- There is a 1% cut in all state appropriations. The WCA didn't not challenge these cuts as they seemed appropriate.
- There were significant cuts in the human services areas. The WCA did focus on and lobby for these areas of the budget.
 - Children and Families BCA
 - Governor proposed cutting \$20.6 Million over the biennium—14% cut in 2010 and 16% cut in 2011
 - Final budget - 3.6% cut in 2010 and 6.4% cut in 2011
 - The initial 1% cut was also restored
 - Federal stimulus money was included in the budget
 - Youth Aids
 - Governor initially proposed cutting \$983,400 (1%) per year, then changed it to \$4,917,100 (5%) per year
 - Final budget – received \$5,900,500 federal stimulus funds, so cuts were fully restored
 - Reductions in the next biennium will be based on the GPR and the federal stimulus money

- Increases in the daily rates for juvenile correctional institutes \$268 in 2009; \$270 in 2010; and \$275 in 2011
 - Income Maintenance Administration Allocation
 - Governor's proposal – decrease contract amounts by \$5.5 Million (1%) annually and eliminate \$4.1 Million contract supplement
 - Final budget - \$2,113,000 in federal economic stimulus money was added in annually
 - Mental Health
 - Governor proposed – counties contribute the non-federal share of costs for individuals under 21 and over 64 placed in one of the state's mental health institutions (approximately \$14 Million cost shift)
 - \$4 Million increase for community mental health services
 - Final budget - \$14 Million cost shift was maintained; counties will received federal stimulus money--\$1,301,300 in 2010 and \$1,296,300 in 2011; \$4 Million in community mental health services; 1915i waiver adopted.
 - County Nursing Homes
 - Governor proposed – eliminate Certified Public Expenditure (CPE) payments to county nursing homes in 2009 (\$10 Million loss); statutory changes that would eliminate CPE payments on a permanent basis
 - Final budget – CPE payments were restored; supplemental payment program for both county and municipal nursing homes was increased to \$38,100,000 annually; 2% annual rate increase; increase in bed assessment
- Other budget issues:
 - 3.5% statewide cut in shared revenue = 5.8% or \$178,515 for Winnebago County
 - 3% levy limit – two year lookback
 - MA rate reform project
 - At least a 1% cut in all state appropriations
- Other factors affecting county budgets:
 - Decreases in sales tax revenue
 - Increasing property tax delinquencies
 - Increased employment costs—WRS, contracts, health insurance
 - Decreasing interest income
- What does the future hold?
 - 2008-2010 - \$3.45 Billion in federal stimulus money will be used in the state's budget
 - 2011-2013 – There will be the loss of economic stimulus funds--\$2 Billion structural deficit
- What should counties do now?
 - Don't let up – continue to communicate with legislators so they know the county's situation

Mr. Reinemann provided the following websites as sources of additional information on the state's budget:

- WCA Budget Summary – www.wicounties.org/news/show-news/125/ARTICLE
- Wisconsin Legislative Fiscal Bureau – [www.legis.state.wi.us/ilf/LFBPublications Buttons/2009-11/budget.htm](http://www.legis.state.wi.us/ilf/LFBPublications/Buttons/2009-11/budget.htm)

Mr. Reinemann stated that there are memos from the Legislative Fiscal Bureau that address various issues in the state's budget including the transportation fund, taxes and fees and the use of stimulus money in the budget. He also discussed the 911 funding program that the WCA was working on with a variety of telecommunication companies and advocacy groups. This program was developed to replace the state's former grant programs for 911 centers. The state's program was funded by surcharges on some types of telephone service collected by the PFC and made available to counties for their 911 centers.

Mr. Reinemann explained that an agreement was made with all the telecommunication companies for a surcharge on all telephone services of up to \$.75 per month per line. The state's Joint Committee on Finance also agreed with and approved this program. Then the state's large budget deficit was determined and the Joint Committee on Finance went back and "revisited their action" on this program. The committee decided to continue the surcharges, but that the surcharges would go into the general fund. They then stated that these funds would be directed to the shared revenue program. And, because municipalities get funds from the shared revenue account these funds will be called the Police and Fire Protection Surcharge. Mr. Reinemann explained that because municipalities receive a greater share of shared revenues than counties, this was "a shift in the recipients of the money." The WCA worked very hard to reverse this, but was not successful. The WCA is now working to have a sunset clause added that would redirect the money from these surcharges back to what they were originally intended.

Mr. Reinemann then took questions from the Board.

**KEN STOFFEL, WINNEBAGO COUNTY HUMAN SERVICES DEPUTY DIRECTOR
AGING & DISABILITIES RESOURCE CENTER – ADRC**

Ken Stoffel, Winnebago County Human Services Deputy Director, spoke to the Board about two issues that will be coming before them in August.

- Aging & Disabilities Resource Center (ADRC) – Winnebago County is required to have this center before they can implement Family Care. ADRC’s purpose is, “to provide information and Assistance and Options Counseling services to persons about long term care services or options within Winnebago County. All consumers referred to Family Care must be assessed and referred by the ADRC.”
 - Mr. Stoffel explained that ADRCs are a requirement of the state, as well as a federal initiative.
 - ADRC will be separate from the Lakeland Care District and will be under the Winnebago County Human Services Department.
 - The hope is that the ADRC will be started in February 2010.
 - In 2010, 85% of the funding for the ADRC will come from the state. Starting in 2011, it will be 100% funded by the state.
 - The ADRC will determine the eligibility of an individual for Family Care and refer those who qualify.
- Resolution authorizing county’s annual contribution to the Family Care program –
 - The state’s Joint Finance Committee requires that the actual dollar amount of the county’s Basic County Allocation (BCA) be included in the resolution.
 - The county’s annual contribution to this program will decrease over a five-year period from \$5,501,276 annually to \$1,594,623 annually.

Mr. Stoffel took questions from the Board.

**TOM DAVIS, DIRECTOR, AND KEITH MARQUARDT, PROJECT TECHNICIAN,
LAND & WATER CONSERVATION DEPARTMENT
MUNICIPAL SEPARATE STORMWATER SEWER SYSTEM (MS4) PERMIT REQUIREMENTS**

Tom Davis, Land & Water Conservation Department Director, introduced Keith Marquardt, Project Technician, who explained the purpose of a MS4 permit and its requirements.

Mr. Marquardt explained that the federal government’s Clean Water Act of 1972 primarily targeted “point sources” or industrial sources of pollution. Then in 1990, when the goals of the Clean Water Act weren’t being reached, they began regulating stormwater in municipalities with a population of 100,000 or more. In 2003, they made it more restrictive and included municipalities with a population of 10,000 or more.

Mr. Marquardt explained that the MS4 permit is issued to appropriate municipalities that own or operate storm sewers. Winnebago County’s MS4 permit requires them to “monitor and improve stormwater quality from our properties (specifically storm sewer) before discharging.” These requirements apply only to urbanized areas, as determined by the 2000 census. An area is considered urbanized if the population is more than 1,000 people per square mile.

Mr. Marquardt went over the requirements of NR 215 and stormwater quality management. The primary area that was focused on is the requirement that by 2009, 20% of “total suspended solids” (TSS) must be removed from stormwater. In 2013, 40% of TSS must be removed from stormwater. Mr. Marquardt explained the process for determining these percentages. Currently, Winnebago County is at approximately 21-29% TSS removal.

Mr. Marquardt stated that a typical 2-lane, asphalt county road with a gentle sloping grass swale has an average 45% TSS removal rate. Whereas, a 4-lane concrete urban road with curb and gutter feeding directly into a storm sewer only has an average 3-5% TSS removal rate.

Mr. Marquardt said that he has met with John Haese, Winnebago County Highway Commissioner, to discuss what the county has to do meet the 40% TSS removal rate by 2013.

Mr. Marquardt feels that in the future, the DNR will expand the permit area, add additional pollutants, increase the TSS% removal rates and add other requirements.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Craig Ubbelohde, Lutheran Homes of Oshkosh; and property owners, Earl and Diane Dougherty, Town of Algoma, for zoning change to P-1/A-2 for tax parcel nos. 002-0234, 002-0239-10, 002-0239-10-01, 002-0241 & 002-0241-01. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 07-01-09. A requested zoning change from A-2/R-1 (General farming/Single Family non-subdivided) to P-1/A-2 (Institutional & Recreational Park District/General Farming). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – July 23, 2009)

RESOLUTIONS AND ORDINANCES

MOTION TO RECONSIDER RESOLUTION NO. 224-62009

Your undersigned Supervisor who voted on the prevailing side of Resolution NO. 224-62009, hereby moves the Board to reconsider said Resolution.

Submitted by:
THOMAS WIDENER, DIST. NO. 9
COUNTY BOARD SUPERVISOR

Motion by Supervisor Widener and seconded to adopt. Ayes: 30. Nays: 2 – Gabert and Lennon. Abstain: 1 – Farrey. Absent: 1 – Locke. Excused: 2 – Finch and Schmuhl. CARRIED.

RESOLUTION NO. 224-62009: Authorize Funding Needed to Begin the Roadway Design for the CTH I Project from CTH N to the City of Oshkosh.

WHEREAS, the Winnebago County Board of Supervisors supports the design and reconstruction of CTH I from CTH N to the City of Oshkosh; and

WHEREAS, the project will begin at the intersection of CTH I and CTH N and continue north to the City of Oshkosh limits, a distance of approximately 1.50 miles; and

WHEREAS, the project has been in the Winnebago County Five year Capital Improvement Plan since 1998; and

WHEREAS, the design project will include a 4 lane urban section of roadway north of Ripple Road with curb and gutter, storm sewer, and the possibility of constructing a roundabout at the intersection of CTH N; and

WHEREAS, the completed design will allow the Winnebago County Highway Commission time to plan, apply for and secure funding from state and federal sources for the eventual reconstruction of CTH I; and

WHEREAS, the project design needs to begin at this time in order to meet the timeline associated with the possibility of securing federal funds for construction of the project in 2011; and

WHEREAS, the estimated cost of the design contract is \$160,000.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$160,000 from the General Fund of Winnebago County for the purpose of paying said costs.

BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors that the General Fund will be reimbursed from a subsequent bond issue.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Motion by Supervisor Farrey and seconded to amend the Resolution on Line 18 by adding, “and including design standards meeting DNR MS4 requirements for pollution reduction, as an example 40% for the entire project.” Vote on amendment – Ayes: 24. Nays: 10 – Griesbach, Albrecht, Gearhart, Hall, Wingren, Norton, Warnke, Eichman, Kline and Rengstorf. Excused: 2 – Finch and Schmuhl. CARRIED.

Vote on Resolution as amended – Ayes: 34. Nays: 0. Excused: 2 – Finch and Schmuhl. CARRIED.

RESOLUTION NO. 244-72009: Authorize Conveyance of Highway Right-of-Way Title to State of Wisconsin

WHEREAS, Winnebago County, pursuant to the Order of the Division of Transportation District for the State of Wisconsin, previously acquired under Section 84.09, Wisconsin Statutes property in the Town of Menasha which was previously owned by Robert Pheifer and Alan Pheifer which is described as the East 1/2 of the Southeast 1/4 Section 17, T20N, R17E; and

WHEREAS, pursuant to Section 84.09, Wisconsin Statutes, the Wisconsin Department of Transportation has ordered that the County Clerk and the Highway Committee convey said property to the State of Wisconsin without charge; and

WHEREAS, Winnebago County is required to convey said property to the State of Wisconsin for highway purposes without charge.

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 convey by Quit Claim Deed to the State of Wisconsin, Department of Transportation, that property which is described as follows:

East ½ of the Southeast ¼ Section 17, T20N, R17E in the Town of Menasha, Winnebago County, Wisconsin.

Submitted by:
HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 33. Nays: 1 – Reinert. Excused: 2 – Finch and Schmuhl. CARRIED.

RESOLUTION NO. 245-72009: Commendation for Laverne Pomplun

WHEREAS, Laverne Pomplun has been employed with the Winnebago County Register of Deeds Office, for the past thirty-two years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Laverne Pomplun 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 Laverne Pomplun 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 Laverne Pomplun.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 246-72009: Commendation for Michael Powers

WHEREAS, Michael Powers has been employed with the Winnebago County Sheriff's Department, for the past twenty-two years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Michael Powers has now retired from those duties, and it is appropriate for the Winnebago County Board of Supervisors to acknowledge his 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 Michael Powers for the fine services he has rendered to Winnebago County.

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

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

WITHDRAWN by Supervisor Kline.

RESOLUTION NO. 247-72009: Commendation for Bradley Ludwig

WHEREAS, Bradley Ludwig has been employed with the Winnebago County Sheriff's Office for the past twenty-four years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Bradley Ludwig has now retired from those duties, and it is appropriate for the Winnebago County Board of Supervisors to acknowledge his 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 Bradley Ludwig for the fine services he has rendered to Winnebago County.

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

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 248-72009: Authorize Payment for Excess Committee Days (April 15, 2008 thru April 30, 2009)

WHEREAS, Section 59.13(2)(b), Statutes, allows that in counties with a population of 25,000 persons or more, the Board of Supervisors, may by a two-thirds vote of the members present, increase the number of days for compensation and mileage that may be paid in any year and fix the compensation for each additional day; and

WHEREAS, your undersigned Committee recommends that a per diem payment be made for those committee members who have committee days in excess of 30 days for the period between April 15, 2008 through April 30, 2009.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves a per diem compensation for persons serving on committees for more than 30 days as is shown in the attached report, which is hereby made a part of this resolution, for the period April 15, 2008 through April 30, 2009.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 33. Nays: 1 – Wingren. Excused: 2 – Finch and Schmuhl. CARRIED.

RESOLUTION NO. 249-72009: Disallow Claim of A T & T

WHEREAS, your Personnel and Finance Committee has had the claim of A T & 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 A T & T dated June 10, 2009, 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. 250-72009: Disallow Claim of John and Ann Terzynski

WHEREAS, your Personnel and Finance Committee has had the claim of John and Ann Terzynski 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 John and Ann Terzynski dated May 28, 2009, 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. (Supervisors Brennand and Riste abstained.)

RESOLUTION NO. 251-72009: Disallow Claim of Christie Pattie, Jade Petri, Samuel Petri and Elijah Ferrell

WHEREAS, your Personnel and Finance Committee has had the claim of Christie Pattie, Jade Petri, Samuel Petri and Elijah Ferrell 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 Christie Pattie, Jade Petri, Samuel Petri and Elijah Ferrell dated May 21, 2009, 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. 252-72009: Disallow Claim of Badgerland Express, LLC for Craig Hill

WHEREAS, your Personnel and Finance Committee has had the claim of Badgerland Express, LLC for Craig Hill 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 Badgerland Express, LLC for Craig Hill dated June 3, 2009, 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. 253-72009: Disallow Claim of Jared Pelski

WHEREAS, your Personnel and Finance Committee has had the claim of Jared Pelski 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 Jared Pelski dated May 26, 2009, 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. 254-72009: Amend the Table of Organization For Winnebago County Human Services

WHEREAS, the Winnebago County Human Services Department requests a change to the 2009 Adopted County Budget, Table of Organization; and

WHEREAS, the Department, Administrative Services Division (Medical Claims / Collections Team), identifies classified positions of one (1) 50% part-time Account Clerk (occupied); one (1) 50% part-time Account Clerk (vacant); and one (1) part-time 21% Clerk-typist position (vacant); and

WHEREAS, the Department desires to eliminate one (1) 50% part-time vacant clerk position and eliminate one (1) part-time 21% clerk position effective August 1, 2009; and

WHEREAS, increase the one (1) 50% part-time occupied clerk position to 75% part-time clerk position effective August 1, 2009; and

WHEREAS, the Director ensures the department can increase operational efficiency and still meet department state reporting requirements and without a negative impact upon its ability to submit Medical Assistance and other third party revenue claims; and

WHEREAS, these changes represent a total Net Annual Labor savings of \$22,213.00, a NET FTE Decrease of 46%.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Table of Organization for the Winnebago County Human Services Department is amended to eliminate one (1) 50% part-time account clerk position and eliminate one (1) 21% part-time clerk-typist position and increase remaining one (1) 50% part-time account Clerk position to a 75% part-time position effective August 1, 2009.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 34. Excused: 2 – Finch and Schmuhl.
CARRIED.

RESOLUTION NO. 255-72009: Authorize the General Services Department to Enter into a 5-Year Lease Agreement with Modern Business Machines for (Dual Purpose) Copy / Fax / Scanning Machines.

WHEREAS, the County is nearing the end of its lease agreement for dual purpose machines to be placed in various departments as described above; and

WHEREAS, an RFP was issued for new contract proposals for these machines; and

WHEREAS, a team consisting of staff from several of the departments that are large users was assembled to evaluate the proposals; and

WHEREAS, the selection team recommended the selection of Modern Business Machines to provide dual purpose machines for the next 5 years; and

WHEREAS, the process of leasing machines county-wide has worked effectively for the past five years.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the General Services Department to enter into a 5-year contract with Modern Business Machines to provide the County with dual purpose copy machines.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 34. Excused: 2 – Finch and Schmuhl.
CARRIED.

RESOLUTION NO. 256-72009: Authorize the Appropriation of \$4,700 from the Jail Assessment Fund to the Purchase of a Food Cutter for the Jail

WHEREAS, the food cutter used to prepare meals for the jail is in need of replacement; and

WHEREAS, the Jail Assessment Fund has sufficient funds to pay for the purchase of a replacement 18" food cutter.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$4,700 from the Jail Assessment Fund Balance to the capital outlay account of the Jail Assessment Fund for the purchase of a replacement food cutter.

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

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 34. Excused: 2 – Finch and Schmuhl.
CARRIED.

RESOLUTION NO. 257-72009: Appropriate Donation from the Wisconsin Quarter Horse Association to Upgrade RV Electrical Facility at the Sunnyview Exposition Center.

WHEREAS, a donation has been pledged in the amount of \$11,873 by the Wisconsin Quarter Horse Association for the purpose of installing three additional RV electrical services at strategic locations on the grounds of the Sunnyview Exposition Center; and
WHEREAS, the installation of these electrical services will help relieve a longstanding problem with the lack of power available for distribution to the various RV camping pedestals; and
WHEREAS, the addition of the three electrical facilities will greatly add to the quality of camping services at the Expo Center and will not only make it possible for existing horseshows to expand their use of the grounds, but will also enhance the opportunity for larger shows to consider renting the venue.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Parks Department to accept a donation from the Wisconsin Quarter Horse Association in the amount of \$11,873.00.
BE IT FUTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates those funds received as a result of said donation by the Wisconsin Quarter Horse Association for the purpose of upgrading the RV electrical services at the Sunnyview Exposition Center.

Submitted by:
PARKS & RECREATION COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Norton and seconded to adopt. Ayes: 34. Excused: 2 – Finch and Schmuhl.
CARRIED.

RESOLUTION NO. 258-72009: Transfer \$7,000 from the Contingency Fund to the Professional Services of the Finance Department’s 2009 Budget for the Purpose of Hiring Actuaries to Perform the Post Retirement Health Liability Calculation for 2009.

WHEREAS, retiring county employees currently are allowed to continue their health insurance provided as they pay the full premium; and
WHEREAS, current government accounting standards identify this as a subsidized premium because health insurance premiums for retirees would be considerably higher if retirees had to purchase coverage on their own; and
WHEREAS, governmental accounting standards require that Winnebago County record a liability for the implied subsidy for post retiree health costs; and
WHEREAS, the 2009 Finance Department budget does not contain sufficient funds to cover the cost of an actuarial analysis.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$7,000 from the contingency fund to the professional services account of the Finance Department’s 2009 budget to cover the balance of the cost of an actuarial analysis of post retiree health insurance costs.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 34. Excused: 2 – Finch and Schmuhl.
CARRIED.

RESOLUTION NO. 259-72009: Approve Industrial Development Board Loan to City of Omro

WHEREAS, on July 7, 2009, the City of Omro Common Council approved a resolution authorizing the City to petition the Winnebago County Industrial Development Board for a loan of \$250,000 for the purpose of allowing Goodwin Competition, Inc to expand its facilities in the Omro Industrial Park; and
WHEREAS, Winnebago County and its Industrial Development Board, are empowered to make such loans pursuant to the authority vested by Section 59.57(2)(f), Wisconsin Statutes; and
WHEREAS, the City of Omro projects that assisting said project will retain existing jobs and generate new jobs and create additional new tax base within that community and within Winnebago County; and

WHEREAS, on July 9, 2009 the Industrial Development Board has approved said loan request and is requesting that the County Board of Supervisors of the County of Winnebago approve the project for funding at this time.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that funds in the amount of \$250,000 shall be made available to the City of Omro from the Winnebago County Industrial Development Board with such loan agreement to be for a period of five (5) years at an interest rate equal to the rate of return on Winnebago County's Pool Investment Fund plus .25% on the date that the loan is made. Said interest rate shall be adjusted as of January 1 of each year to the average rate of return on Winnebago County's Pool Investment Fund for the previous year plus .25%. Interest shall be due on the 31st day of December of every year on said loan and the principal of said loan plus any remaining interest shall be due to the Winnebago County Industrial Development Board on the 5th year anniversary date of said loan.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Industrial Development Board and any necessary County officers are authorized to execute an agreement between the Winnebago County Industrial Development Board and the City of Omro for the project and for said loan.

Submitted by:
INDUSTRIAL DEVELOPMENT BOARD

Motion by Supervisor Kline and seconded to adopt. Ayes: 33. Nays: 1 – Widener. Excused: 2 – Finch and Schmuhl. CARRIED.

RESOLUTION NO. 260-72009: Authorize Winnebago County to Enter Into a Mutual Aid Compact with East Central Wisconsin Mutual Aid Compact for County Emergency Management Assistance

WHEREAS, Winnebago County has the authority to enter into a mutual aid agreement with other counties pursuant to Sections 59.03, 59.04, 66.0301, 66.0313, 66.0314 and 166.30, Wisconsin Statutes; and

WHEREAS, Winnebago County desires to enter into a mutual aid agreement for emergency management with the following counties in the East Central Wisconsin Emergency Management Region: Brown, Calumet, Dodge, Door, Fond du Lac, Green Lake, Kewaunee, Manitowoc, Marquette, Outagamie, Oneida Nation, Sheboygan, Waupaca and Waushara; and

WHEREAS, a copy of the proposed East Central Wisconsin Mutual Aid Compact for County Emergency Management Assistance is herewith attached.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive, Winnebago County Clerk and the Winnebago County Emergency Management Director to enter into a mutual aid compact to county emergency management assistance with the above counties. A copy of the Mutual Aid Compact is herewith attached and incorporated as part of this resolution.

Submitted by:
EMERGENCY MANAGEMENT COMMITTEE

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

ORDINANCE NO. 261-72009: Amend Section 3.11(2)(c) of the General Code of Winnebago County: increase Fee for Expedited Issuance of Marriage License to \$25

WHEREAS, the Wisconsin Legislature recently adopted statutory amendments which allow county clerks to increase the fee charge for marriage licenses requested to be issued less than five (5) days after application from \$10 to \$25; and

WHEREAS, the request for an expedited marriage license requires staff time to be diverted for that purpose; and

WHEREAS, the Winnebago County Clerk believes that an additional fee of \$25 to issue an expedited marriage license is justified, as a result of the diversion of staff time.

NOW, THEREFORE, the County Board of Supervisors of the County of Winnebago does ordain as follows:

Section 3.11(2)(c) of the General Code of Winnebago County should be amended to read as follows:

3.11 MARRIAGE LICENSE FEE ...

- (2) The fee for marriage licenses in Winnebago County shall be as follows:
 - (c) Should an applicant request that a marriage license be issued within less than five (5) days after application, the County Clerk may charge an additional license fee of \$10. Said additional license fee shall be increased to \$25, commencing January 1, 2010.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 33. Nays: 1 – Thompson. Excused: 2 – Finch and Schmuhl. CARRIED.

ORDINANCE NO. 262-72009: Create Section 3.14 of the General Code of Winnebago County: Establish Fees for Declaration of Domestic Partnerships and Other Related Items

WHEREAS, 2009 Act 28 of the Wisconsin Legislature, which was adopted on June 30, 2009, created a Domestic Partnership Law relating to vital records within the State of Wisconsin, which has been codified as Chapter 770, Wisconsin Statutes; and

WHEREAS, Section 770.17, Wisconsin Statutes, provides guidelines for those fees which a county clerk may charge for issuance of a Declaration of Domestic Partnership , issuance of a Certificate of Termination of Domestic Partnership and the Waiver of a Five Day Waiting Period for the issuance of a Declaration of Domestic Partnership; and

WHEREAS, the County Board of Supervisors of the County of Winnebago that it believes that it is necessary at this time to codify those fees established in relationship to domestic partnerships.

NOW, THEREFORE, BE IT ORDAINED by the County Board of Supervisors of the County of Winnebago as follows:

That it hereby creates Section 3.14 of the General Code of Winnebago County which shall read as follows:

3.14 DOMESTIC PARTNERSHIP FEES.

(1) AUTHORITY. This Ordinance is adopted pursuant to the authority provided under Chapter 770, Wisconsin Statutes.

(2) Fees in relationship to domestic partnerships in Winnebago County shall be as follows:

- (a) Issuance of Declaration of Domestic Partnership.....\$95.00
- (b) Should an applicant request that a Declaration of Domestic Partnership be issued within less than 5 days after application, the County Clerk may charge an additional license fee of \$10.00
- (c) Issuance of Certificate of Termination of Domestic Partnership.....\$95.00

(3) EFFECTIVE DATE. This Ordinance shall take effect as of August 1, 2009.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 33. Nays: 0. Abstain: 1 – Brennand. Excused: 2 – Finch and Schmuhl. CARRIED.

RESOLUTION NO. 263-72009: Transfer \$35,500 to the Professional Services Account of the Facilities Department's 2009 Budget to do a Building Structure and Systems Analysis of Buildings owned by Carter's/ Oshkosh B'Gosh

WHEREAS, it has been proposed that Winnebago County purchase three buildings presently owned by Carter's/ Oshkosh B'Gosh located at 112 Otter Avenue, 215 Waugoo Avenue, and 206 State Street in the City of Oshkosh for use by various County Departments; and

WHEREAS, it would be prudent to hire a structural consultant at this time to perform a building structure and systems analysis prior to proceeding with a decision on the viability of this option.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$35,500 from the General Fund Contingency Fund to the Professional Services account of the Facilities Department for the purpose of hiring a structural consultant to perform an analytical study for the purpose of considering the viability of utilizing the three above-identified buildings as office space, if purchased, for various County Departments.

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

Motion by Supervisor Griesbach and seconded to adopt. Ayes: 31. Nays: 3 – Gabert, Lennon and Reinert. Excused: 2 – Finch and Schmuhl. CARRIED.

RESOLUTION NO. 264-72009: Amend Chapter 6.0 Order of Business: Rules of the Winnebago County Board of Supervisors

WHEREAS, it would be in the best interest of the Winnebago County Board of Supervisors and its citizens to grant discretion to the Winnebago County Board Chair with regard to the conduct of business during Winnebago County Board meetings.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Winnebago County Board of Supervisors:

That Section 6.0 Order of Business of the Rules of the Winnebago County Board of Supervisors shall be amended to read as follows:

6.0 ORDER OF BUSINESS

6.1 The Order of Business shall be as follows, however, in preparing the written agenda or in the conduct of the County Board Meeting, the Chair shall be provided with the authority to alter that order of business as is presented below:

- A. Call to Order
- B. Roll Call
- C. Pledge of Allegiance to the Flag
- D. Prayer
- E. Approved and correction of minutes of the previous meeting
- F. Communications, Petitions, Memorials, Accounts, Etc.
- G. Reports of Committee, Commissions and Boards
- H. Adopt Written Agenda
- I. Public Comments
- J. Report of the County Executive (optional)
- K. Confirmation of County Executive and County Board Chair appointments
- L. County Board Chair's Report
- M. Presentation of Resolutions and Ordinances previously tabled or laid over to a day certain, and disposition of same
- N. Presentation of new Resolutions and Ordinances and disposition of same
- O. Consideration of miscellaneous business
- P. Adjournment

6.2 The Roll Call shall be made by use of the voting machine, or in the event of malfunction, by roll call of the County Clerk.

6.3 Monthly Reports of Committees, Commissions and Boards of the County Board may be made in writing, said reports to be included in the agenda packet mailed, or otherwise delivered, to each Board Member.

- 6.4 Public comments will be heard by the County Board at the appropriate time in the Agenda.
- 6.5 Public comments will be heard by the County Board only on those Resolutions and Ordinances on the adopted agenda for that meeting.
- 6.6 A supervisor who is permanently leaving a Board meeting prior to adjournment shall inform the Chair or the County Clerk of that fact prior to leaving the meeting.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

WITHDRAWN by Supervisor Rengstorf.

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, August 18, 2009.
CARRIED BY VOICE VOTE.

The meeting was adjourned at 7:37 p.m.

Respectfully submitted,
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 July 21, 2009.

Susan T. Ertmer
Winnebago County Clerk