

**WINNEBAGO COUNTY BOARD MEETING  
TUESDAY, AUGUST 18, 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: Konezke, Barker, Griesbach, Eisen, Ramos, Roh, Koziczowski, Smith, Widener, Hamblin, Albrecht, Gabert, Riste, Thompson, Lennon, Gearhart, Hall, Wingren, Jacobson, Norton, Robl, Eichman, Schmuhl, Kline, Locke, Nelson, Finch, Sievert, Farrey, Diakoff, Brennand, Egan, Ellis, Rengstorf and Reinert. Excused: Warnke.

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

**PUBLIC HEARING**

No one addressed the Board.

**COMMUNICATION, PETITIONS, ETC.**

The following resolutions were received:

- Barron County – No. 2009-37: "Resolution Opposing Enacted Changes to Wisconsin's Prevailing Wage Law" was referred to the Legislative Committee
- Vernon County – Resolution # 2009-37: "Opposition to S.149 'Weekend Voting Act' and '2009 Assembly Joint Resolution 2'" was referred to the Legislative Committee

Petition for Zoning Amendment from Kevin S. Mraz, Town of Algoma, for zoning change for tax parcel no. 002-0102-14 from R-1 to B-3 for a small business was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Marjorie G. Olson, Town of Winchester, for zoning change for Lot 1 of tax parcel no. 028-0706 from A-1 to A-2 for a farmette was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Mark Patchek, Town of Black Wolf, for zoning change for tax parcel no. 004-0497 from A-2 to R-1 for residential purposes was referred to the Planning & Zoning Committee.

**REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS**

Supervisor Finch reminded the Board that the County Park's Autumn Fest 2009 will be held at the fairgrounds on Saturday, September 12.

Supervisor Finch commended Supervisor Tom Egan for all his hard work and contributions to the Winnebago County Fair. The Board recognized Supervisor Egan with a round of applause.

Supervisor Barker also thanked Supervisor Egan and the Winnebago County Fair Association Directors for all their hard work in organizing the county's fair each year.

Supervisor Barker reported that she attended a program on gasification in Eden, Wisconsin, organized by Glacierland Resource and Development. She explained that gasification allows energy to be obtained from all types of organic material—wood products, straw, etc. They toured a business in Eden where they are using gasification to generate power that they then sell to the utility company.

Supervisor Kline reported that the Legislative Committee will be meeting on Monday, August 24.

Motion by Supervisor Robl and seconded to approve the July 21, 2009 proceedings. CARRIED BY VOICE VOTE.

**COUNTY EXECUTIVE'S REPORT**

Executive Harris reported that Winnebago County is the 25<sup>th</sup> fastest appreciating county in the State of Wisconsin. However, the net increase in property evaluation is only going to be approximately .6%. This means that there can be only a small increase in the county's tax base.

Executive Harris expressed his support of Resolution No. 280-82009, "Authorize Development and Implementation of an Aging and Disability Resource Center" and Resolution No. 281-82009, "Authorize Annual County Contribution to the Family Care Program." Executive Harris explained that both of these resolutions pertain to and are a requirement of implementing the county's Lakeland Care District family care program.

## COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported that the Board's regular meeting in September will be changed from September 15 to September 22 because a number of supervisors will be attending the WCA Convention in LaCrosse on the 15<sup>th</sup>.

Chairman Albrecht reported that Supervisor Warnke is excused from tonight's meeting.

### ERIC FOWLE, EXECUTIVE DIRECTOR, EAST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION 2008-2009 ANNUAL REPORT

Eric Fowle, Executive Director of East Central Wisconsin Regional Planning Commission (ECWRPC) presented their annual report from 2008-2009. In his report, Mr. Fowle explained their various projects and activities for 2008-2009, as well as continuing and upcoming projects.

Mr. Fowle explained the ECWRPC is an "advisory unit of government" and they charge a levy to counties that are members of their commission for services. This levy is based on the regions equalized value. This year the regions equalized value was \$38,000,000,000, making the levy approximately \$804,000. Winnebago County's share of the levy is approximately 28% or \$227,000.

Mr. Fowle explained that their functions are outlined by state statute and include working on regional comprehensive plans, GIS mapping, technical assistance, etc. Mr. Fowle stated that their intergovernmental cooperation coordination function is also very important and is where they have "excelled". ECWRPC's role in intergovernmental cooperation coordination is to assist cities and counties with multi-jurisdictional issues.

Mr. Fowle then went through numerous ECWRPC projects and activities, including:

- Metropolitan Planning Organization (MPO) functions
  - Urban transportation system
  - Regional component – deals with outlying highway projects
- EDA Economic District designation
  - Prepares the comprehensive economic development strategy
- Local Assistance
  - NR135 reclamation program
  - Rural transportation services plan
  - Transit systems in various communities

Ongoing projects include:

- Wisconsin Regional Orthophotography Consortium (WROC)
- Economic Flood Recovery Program
- Mining programs
- Regional transportation issues

Mr. Fowle explained that ECWRPC's involvement in these projects helps to keep costs down for municipalities and counties. He stated that by using ECWRPC's staff, local governments don't have to hire additional employees for projects. In addition, when ECWRPC coordinates projects between numerous jurisdictions, they are able to capture federal and state grants that might be difficult to get if each jurisdiction worked independently.

Additional ongoing projects include:

- Working with the county's Zoning Department on a potential county-wide livestock siting ordinance
- Grant administration
- Regional planning
- Carbon foot print analysis

Upcoming projects for ECWRPC include:

- Ground water recharge mapping
- Initiating discussion on passenger rail sites and workshops
- Wisconsin Heritage Parkway Plan
- Safe Routes to School planning – the Department of Transportation has approved ECWRPC to be a regional pilot program for this project and will provide more than \$300,000 in funds.
- Planned local assistance activities
  - Update transit development plan for Oshkosh area
  - Technical assistance requests from municipalities and counties

Upcoming events:

- Midwest Brownfields Conference – should be sometime in October in Green Bay
- Mini-tours/conference series

Potential events:

- Regional brownfields assessment program
- Working lands initiative
- Farmland preservation plan updates
- Water supply planning

Mr. Fowle encouraged the counties to contact ECWRPC for assistance in day-to-day activities as well. They are available and ready to help in a wide variety of situations and to provide helpful data.

Mr. Fowle stated that ECWRPC was able to bring their 2010 budget in with a 4.81% reduction in total levy impact for all entities. Winnebago County sees a reduction of 4.65% or \$10,000 in their levy impact for ECWRPC. Mr. Fowle stated that they “provide a lot of value for the dollars given us, to us, as an agency”.

Mr. Fowle then took questions from the Board.

Copies of ECWRPC’s Annual Report 2008-2009 is on file in the County Clerk’s Office.

**ZONING REPORTS & ORDINANCES**

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner, Kuehnl Farms, Town of Clayton, for zoning change to A-2 for tax parcel nos. 006-0631, 006-0633, 006-0634, 006-0635 and 006-0682. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-01-09. A requested zoning change from A-1(Exclusive Ag) to A-2 (General Farming). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – August 26, 2009)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner, William Monteith, Town of Oshkosh, for zoning change to R-1 for tax parcel nos. 018-0587(p), 018-0587-22 and 018-0587-23. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-02-09. 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 – August 26, 2009)

**RESOLUTIONS AND ORDINANCES**

**MOTION TO RECONSIDER ORDINANCE NO. 261-72009:**

Your undersigned Supervisor who voted on the prevailing side of Ordinance No. 261-72009, hereby moves the Board to reconsider said Ordinance.

Submitted by:  
JAMES H. NELSON III, DIST. #27  
COUNTY BOARD SUPERVISOR

Motion by Supervisor Nelson and seconded to approve this reconsideration. Ayes: 22. Nays: 13 – Eisen, Roh, Wingren, Jacobson, Norton, Eichman, Schmuhl, Kline, Locke, Sievert, Brennand, Rengstorf and Reinert. Absent: 1 – Warnke. CARRIED.

**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: 24. Nays: 10 – Ramos, Riste, Thompson, Gearhart, Nelson, Sievert, Farrey, Egan, Ellis and Rengstorf. Abstain: 1 – Eisen. Absent: 1 – Warnke. CARRIED.

**Amended**

**RESOLUTION NO. 265-82009: Appropriate \$50,000 to do Engineering and Design Work for the CTH D Resurfacing Project from the General Fund and Reimburse General Fund from a Subsequent Bond Issue.**

WHEREAS, the Winnebago County Board supports the resurfacing of CTH D, and  
WHEREAS, this project has been included in the Executive Capital Improvements Program, and  
WHEREAS, by moving this project up, the project will likely qualify for Federal stimulus funding, and  
WHEREAS, the Winnebago County Board believes it would be prudent to start this project at the current time.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$50,000 to the Engineering and Design account of the CTH D capital project fund for the purpose of having design work done for the CTH D resurfacing project.

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

Submitted by:  
HIGHWAY COMMITTEE  
PERSONNEL & FINANCE

Motion by Supervisor Robl and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Warnke. CARRIED.

**RESOLUTION NO. 266-82009: Authorize Transfer of \$5,410 from State Highway Grants Fund to Bond Proceeds Fund - Winnebago County Highway Department (County Trunk Highway B Resurfacing Project)**

WHEREAS, Winnebago County has unexpectedly received an additional \$5,410 from the State of Wisconsin in the form of a grant in relationship to the County Trunk Highway B resurfacing project; and

WHEREAS, it is desirable that said money be transferred into the County's Bond Proceeds Fund to offset the cost of said project.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$5,410 from the Other State Highway Grants Fund to the County's Bond Proceeds Fund for the purpose of offsetting the cost of the County Trunk Highway B resurfacing project.

Submitted by:  
HIGHWAY COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Warnke. CARRIED.

**RESOLUTION NO. 267-82009: Transfer \$455,000 from the Undesignated Fund Balance to the Other Equipment Fund - Winnebago County Highway Department (Submit Order For Purchase of a Tri Axle Truck and a Tandem Truck)**

WHEREAS, the Winnebago County Highway Department has anticipated purchasing a tri axle truck and a tandem truck in 2010; and

WHEREAS, the County Highway Department has proposed that monies for said purchases be placed in its 2010 budget; and

WHEREAS, the Winnebago County Highway Commissioner recently learned that substantial savings could accrue to the County if such trucks are bid and ordered in 2009 for delivery in 2010; and

WHEREAS, it is necessary to transfer monies in 2009 to allow for orders to be placed during this calendar year, with delivery not anticipated until 2010.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$455,000 from the Undesignated Fund Balance to the Other Equipment Fund of the Winnebago County Highway Department so as to allow for the bidding and ordering of a tri axle truck and a tandem truck in 2009 for delivery in calendar year 2010.

Submitted by:  
HIGHWAY COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 31. Nays: 4 – Widener, Thompson, Hall and Jacobson. Excused: 1 – Warnke. CARRIED.

**RESOLUTION NO. 268-82009: Commendation for Ronald Powers**

WHEREAS, Ronald Powers has been employed with Wittman Regional Airport, for the past twenty-eight years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Ronald 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 Ronald 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 Ronald Powers.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 269-82009: Authorize Execution of Contract Between Winnebago County and Aramark (Jail Meal Services)**

WHEREAS, Winnebago County has received proposals from five (5) corporations to provide meal services to the Winnebago County Jail; and

WHEREAS, in 2009, the Winnebago County Jail budgeted for an average of 340 inmates a day at a cost of \$1.197 per day for a total of \$445,644.00 annually; and

WHEREAS, the Winnebago County Sheriff believes that Aramark's proposal is the most advantageous to the County wherein it would provide meals at a cost of \$0.999 per day for 340 inmates for a total cost of \$371,928.00 and a projected savings of \$73,716 in 2010 ; and

WHEREAS, the proposed contract is for a three (3) year period with two (2) additional one (1) year options.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive, Winnebago County Clerk and Winnebago County Sheriff to enter into a contract with Aramark for a three (3) year period, commencing on January 1, 2010, with two option years for the provision of meal services at the Winnebago County Jail at the rate described above in this resolution.

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

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Warnke. CARRIED.

**RESOLUTION NO. 270-82009: Cancel Tax Certificates - Town of Neenah and Town of Wolf River, Winnebago County, Wisconsin**

WHEREAS, the parcels described below have delinquent property taxes owing that are older than 11 years. Wisconsin Statute 75.20 requires the county to void the taxes after 11 years.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that pursuant to Section 75.20, Wisconsin Statutes, it hereby cancels the tax certificates for the tax year's 1996 and 1997 in the amount of \$4,793.20 on the following parcels of real estate:

Parcel No. 010-0039-01, TOWN OF NEENAH  
S04 T19 R17  
COM 372 FT S OF NE COR NE SE  
S 127 FT W 225 FT N 127 FT E 225 FT  
TO BEG EXC HWY-D1419480  
1997 \$364.98

Parcel No. 032-0267, TOWN OF WOLF RIVER  
S12 T20 R14  
PT NW SW COM ON S L 376 FT E OF SW COR  
E 181 FT N 165 FT W 181 FT S 165 FT TO BEG  
1996 \$3,785.67  
1997 \$642.55

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Warnke.  
CARRIED.

**RESOLUTION NO. 271-82009: Approve Industrial Development Board Loan to Village of Winneconne**

WHEREAS, on July 21, 2009, the Winneconne Village Board approved authorizing the Village to petition the Winnebago County Industrial Development Board for a loan of \$795,000 for the purpose of allowing Shallbetter Properties LLC BA Switchgear Power Systems to purchase a facility for expansion in the Village 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 Village of Winneconne projects that assisting said project will retain and generate new jobs and create additional new tax base within that community and within Winnebago County; and

WHEREAS, on August 4, 2009 the Industrial Development Board has unanimously 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 \$795,000 shall be made available to the Village of Winneconne 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 31<sup>st</sup> 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 5<sup>th</sup> 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 Village of Winneconne for the project and for said loan.

Submitted by:  
INDUSTRIAL DEVELOPMENT BOARD

Motion by Supervisor Kline and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Warnke.  
CARRIED.

**RESOLUTION NO. 272-82009: Adopt Identity Theft Prevention Program (Red Flags Rule)**

WHEREAS, the Fair and Accurate Credit Transaction Act of 2003, Pub. L. 108-159, requires creditors and financial institutions with covered accounts to prepare, adopt, and implement a program to detect, prevent, and mitigate identity theft in connection with covered accounts; and

WHEREAS, the Federal Trade Commission has adopted a rule, commonly referred to as the "Red Flags Rule," that requires creditors and financial institutions with covered accounts to implement an identity theft prevention program by November 1, 2009; and

WHEREAS, an account is a covered account if the account is one that is offered or maintained primarily for personal, family, or household purposes and permits multiple payments or transactions or if there is a reasonably foreseeable risk to the customer or the safety and soundness of the creditor from identity theft; and

WHEREAS, Winnebago County is a covered entity because some departments maintain covered accounts within the meaning of the Red Flags Rule by permitting multiple payments after goods or services have been provided, even though the risk from identity theft is small because of the nature of the accounts, goods and services that are made available; and

WHEREAS, the failure to adopt and enforce an identity theft prevention program may cause a covered entity to lose existing federal grants and to be ineligible for future federal grants; and

WHEREAS, the Federal Trade Commission rules permit each covered entity to develop its own program that is tailored to its own size and complexity; and

WHEREAS, the Corporation Counsel has prepared a draft identity theft prevention program that is consistent with Federal Trade Commission guidance that where the risk of identity theft is low, a creditor's program may focus on how to respond upon receiving a report that a person's identity has been misused in connection with a covered account; and

WHEREAS, the Personnel and Finance Committee has reviewed the draft identity theft prevention program and recommends its adoption.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves and adopts the proposed Identity Theft Prevention Program effective September 1, 2009.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

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

**RESOLUTION NO. 273-82009: Disallow Claim of Noffke Lumber Inc.**

WHEREAS, your Personnel and Finance Committee has had the claim of Noffke Lumber Inc. 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 Noffke Lumber Inc. dated July 13, 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. (Supervisor Farrey abstained.)

**RESOLUTION NO. 274-82009: Amend the Table of Organization for Winnebago County Human Services – Elimination of a Full-Time Social Worker/Service Coordinator Position**

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

WHEREAS, the Department, Long Term Support Services Division (Supportive Living Team) has identified one (1) full-time Social Worker/Services Coordinator position to be vacant effective July 11, 2009; and

WHEREAS, the Department anticipates desires to eliminate one (1) full-time vacant social worker/service coordinator position from its 2009 Table of Organization effective upon County Board approval; and

WHEREAS; the Department's 2009 Labor Budget cost savings is approximately \$32,958.00; and

WHEREAS, the Department anticipates adequate funds in its 2009 Contractual Services Budget; and

WHEREAS, the Department in the interim the department's current contracted case management provider can provide the necessary interim services until Lakeland Care District's anticipated start date of July 2010.

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) full-time social worker/service coordinator position effective now.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Warnke.  
CARRIED.

**RESOLUTION NO. 275-82009: Approve Appraisal of Tax Deeded Property**

WHEREAS, Section 3.03(1)(a), General Code of Winnebago County requires that all tax deeded lands have their appraisal prices determined by the Personnel and Finance Committee of the Winnebago County Board of Supervisors and approved by the County Board of Supervisors; and

WHEREAS, appraisals of tax deeded properties acquired as a result of delinquent real estate taxes as a consequence of an In Rem action have been made; and

WHEREAS, the parcel numbers, legal descriptions and the appraised value of said tax deeded properties are as follows:

Parcel No. 807-0527  
167 Denhardt Ave, Neenah WI 54956  
LOT 19 BLK 3  
PROGRESS PARK  
CITY OF NEENAH  
\$17,000.00

Parcel No. 910-0006  
Fulton Ave, Oshkosh WI 54901  
LOT 5 BLK A  
BALDWIN & KNAPPS ADDN  
CITY OF OSHKOSH  
\$13,300.00

Parcel No. 913-1441  
1045 Greenfield Tr, Oshkosh WI 54904  
LOT 233  
FIRST ADD TO WESTHAVEN  
\$130,000.00

WHEREAS, the appraised value of said properties as provided by the treasurer have been approved by the committee as is required by Section 3.03(1)(a) of the General Code of Winnebago County and is herewith submitted to the Winnebago County Board of Supervisors for approval.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the appraised value of the parcels of property listed above, which was acquired by the Winnebago County Treasurer for tax delinquency pursuant to an In Rem judgment.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Warnke.  
CARRIED.

**RESOLUTION NO. 276-82009: Approve Appraisal of Tax Deeded Property**

WHEREAS, Section 3.03(1)(a), General Code of Winnebago County requires that all tax deeded lands have their appraisal prices determined by the Personnel and Finance Committee of the Winnebago County Board of Supervisors and approved by the County Board of Supervisors; and



WHEREAS, an appraisal of tax deeded property acquired as a result of delinquent real estate taxes as a consequence of an In Rem action have been made; and

WHEREAS, the parcel number, legal description and the appraised value of said tax deeded property is as follows:

Parcel No. 914-0612-01  
W 17<sup>TH</sup> Ave & Delaware St, Oshkosh WI 54902  
W 85 FT OF LOT 14 BLK 112  
OSBORNS ADDN  
CITY OF OSHKOSH  
\$22,600.00

WHEREAS, the appraised value of said property as provided by the treasurer have been approved by the committee as is required by Section 3.03(1)(a) of the General Code of Winnebago County and is herewith submitted to the Winnebago County Board of Supervisors for approval.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the appraised value of the parcel of property listed above, which was acquired by the Winnebago County Treasurer for tax delinquency pursuant to an In Rem judgment.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Warnke.  
CARRIED.

**RESOLUTION NO. 277-82009: Authorize Transfer of \$6,000 From Contingency Fund to Professional Services Fund - Information Systems Department (Engineering Costs for Relocation of Optical Fiber Hub)**

WHEREAS, an Optical Fiber Hub presently exists in the Rehabilitation Pavilion at Park View Health Center which serves the needs of Winnebago County offices located both in the Oshkosh and Neenah areas; and

WHEREAS, Winnebago County presently plans to demolish the Rehabilitation Pavilion at some time in the future; and

WHEREAS, said demolition will result in a need to relocate Winnebago County's optical fiber hub which is located within that building; and

WHEREAS, such relocation will necessitate the use of engineering services by Winnebago County in relationship to said relocation; and

WHEREAS, the Information Systems Department has projected engineering costs of approximately \$6,000 in connection to said relocation.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$6,000 from the Winnebago County Contingency Fund to the Professional Services Fund of the Information Systems Department for the purpose of paying for engineering services and costs related to the relocation of the optical fiber hub from the Rehabilitation Pavilion at Park View Health Center to a new location.

Submitted by:  
INFORMATION SYSTEMS COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

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

**RESOLUTION NO. 278-82009: Authorize Finance Department to Enter into a Contract with Sequoia Consulting for Preparation of the Winnebago County Annual Indirect Cost Allocation Plans for the years 2009 through 2013 at a Cost of \$5,600 Per Year.**

WHEREAS, Winnebago County is able to recoup approximately \$250,000 per year through filling indirect cost claims with State and Federal agencies; and

WHEREAS, Winnebago County has always used an outside consultant to prepare the indirect cost allocation plan; and

WHEREAS, the current consulting contract will be expiring this year; and

WHEREAS, Sequoia Consulting was the firm selected to perform this service under Winnebago County's previous request for proposals; and

WHEREAS, Sequoia has agreed to renew its service contract for a 5-year term with no price increase; and  
WHEREAS, Sequoia Consultants is highly skilled in preparing these indirect cost plans.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Finance Department to enter into a five year contract with Sequoia Consulting for preparation of the annual indirect cost allocation plan for the years 2009 – 2013, at a cost of \$5,600 per year.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

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

**ORDINANCE NO. 279-82009: Amend Section 3.07(1) of the General Code of Winnebago County  
(Procedure for Competitive Purchasing)**

WHEREAS, Section 3.07(1) of the General Code of Winnebago County presently exempts the purchase of goods and services of less than \$1,000 from competitive purchasing requirements; and

WHEREAS, as a result of inflation, said limit appears to be arbitrarily low and has become burdensome to both the Winnebago County Purchasing Department and various departments within Winnebago County; and

WHEREAS, the Personnel and Finance Committee of the Winnebago County Board of Supervisors has approved an increase in the threshold amount for the purchase of goods and services pursuant to which competitive purchasing requirements would become applicable.

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

That Section 3.07(1) of the General Code of Winnebago County be amended to read as follows:

**3.07 PROCEDURE FOR COMPETITIVE PURCHASING BY WINNEBAGO COUNTY DEPARTMENTS;  
DOCUMENTATION REQUIREMENTS; EXEMPTIONS.**

(1) PURPOSE. The purpose of this Ordinance is to establish a procedure whereby the purchase of goods by Winnebago County operating units costing in excess of \$2,500 and the purchase of services costing in excess of \$5,000 shall be procured using competitive means.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that said ordinance amendment shall become effective as of the date following the date of its publication period.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

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

**RESOLUTION NO. 280-82009: Authorize Development and Implementation of an Aging and Disability  
Resource Center**

WHEREAS, Winnebago County Board has passed a resolution to create a Long-term Care District to provide the Family Care benefit; and

WHEREAS, Aging and Disability Resource Centers serve as the entry point for information and assistance to citizens who may be in need of long-term care services, providing eligibility determination, options counseling and selecting a care management organization; and

WHEREAS, Aging & Disability Resource Centers offer the general public a single point of entry for information and assistance on issues affecting older people and adults with disabilities, benefit counseling, prevention and early intervention regardless of their income; and

WHEREAS, Aging and Disability Resource Centers must be in operation at least sixty days prior to the enrollment of Family Care.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it supports the development of an Aging and Disability Resource Center in Winnebago County.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Human Services Department to engage in the planning, development and implementation of an Aging and Disability Resource Center within Winnebago County to begin operation in February 2010.

Submitted by:  
HUMAN SERVICES BOARD  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Koziczkowski and seconded to adopt. Motion by Supervisor Eisen and seconded to amend Line 14 by adding, "the State of Wisconsin requires that" following the word "WHEREAS". CARRIED BY VOICE VOTE.

Vote on Resolution as amended: Ayes: 35. Nays: 0. Excused: 1 – Warnke. CARRIED.

**RESOLUTION NO. 281-82009: Authorize Annual County Contribution to the Family Care Program**

WHEREAS, Winnebago County Board has passed a resolution to create a Long-term Care District to provide the Family Care benefit; and

WHEREAS, Act 20 provides that the annual contribution of a county offering the Family Care program shall be no more than the actual amount that county spent on long term care services for the Family Care target populations in 2006; and if that amount exceeds 22 percent of a county's BCA (Basic County Allocation), that amount shall be decreased to 22 percent of BCA over a five-year period; and

WHEREAS, Winnebago County will need to continue an ongoing county tax levy commitment of 22% of BCA to the Family Care program; and

WHEREAS, the savings generated by the reduction of the BCA contribution to 22 percent, as a result of the regionalization of Family Care, shall be appropriated for county human services.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County tax levy of \$5,501,276 spent on long-term care services to the Family Care target groups will be reduced to \$1,594,623 over five years (2010-2014).

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that Winnebago County will make an annual on going commitment of \$1,594,623 toward the Family Care program.

Submitted by:  
HUMAN SERVICES BOARD  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Koziczkowski and seconded to adopt. Ayes: 34. Nays: 1 – Norton. Excused: 1 – Warnke. CARRIED.

**RESOLUTION NO. 282-82009: Oppose Legislation to Lower the Interest Rate on Delinquent Property Taxes**

WHEREAS, under current law, the interest rate on delinquent property tax is 1% per month for each month that the taxes remain unpaid; and

WHEREAS, legislation has been proposed to the Wisconsin legislature that would reduce the interest rate on delinquent property taxes to 0.5% per month for each month that the taxes remain unpaid; and

WHEREAS, the present interest on delinquent property taxes provides a substantial disincentive to being delinquent upon said taxes; and

WHEREAS, a 0.5% interest rate on delinquent taxes would, in some cases, be a lower rate than the mortgage rate upon some delinquent properties; and

WHEREAS, adoption of said proposal by the Wisconsin Legislature would result in approximately \$500,000 in lost revenue to Winnebago County per year.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it opposes any legislation to reduce the interest rate on delinquent property taxes.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it directs the Winnebago County Clerk to forward a copy of this resolution to all legislators representing Winnebago County in the Wisconsin Legislature; to the Wisconsin Counties Association; and to the Office of Governor James Doyle.

Submitted by:  
LEGISLATIVE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE. (Supervisor Ramos voted nay.)

**RESOLUTION NO. 283-82009: Allow American Recovery and Reinvestment Act Funds to be Used for Local Highway Projects**

WHEREAS, the American Recovery and Reinvestment Act appropriated \$27.5 Billion for highway construction and the State of Wisconsin received \$529.1 Million; and

WHEREAS, the federal government required that 50% of the monies appropriated to the State of Wisconsin be obligated within 75 days of passage of said act; and

WHEREAS, many communities in the State of Wisconsin did not have qualified plans for the federal guidelines favoring arterial and collector routes; and

WHEREAS, the vast majority of initial stimulus money was appropriated to Wisconsin Department of Transportation freeway and highway priority projects; and

WHEREAS, the local infrastructures and roads that serve the freeway and interstate system are critical to the state's overall transportation system for economic development; and

WHEREAS, local governments are struggling with the economic down turn, foreclosures, high unemployment and other challenges relating to public systems and resources; and

WHEREAS, the state Department of Transportation will advance many projects ahead of their planned schedule, thus freeing resources that were to be committed to said projects at a later date.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it urges Governor James Doyle, the Wisconsin Office of Recovery and Reinvestment, the Wisconsin Department of Transportation, the Wisconsin Legislature and the United States Congress to act as follows:

- A. To consider allowing American Recovery and Reinvestment Act funds to be utilized for the local 20% match of 2009-2010 highway projects so that local funding could be redirected and used for local paving and resurfacing needs. Local governments would pledge to apply these funds to the backlog of local projects that do not qualify for federal stimulus funds because they are not collectors or arterials;
- B. That the Wisconsin Department of Transportation direct more general transportation aid funding into local road improvement and paving projects in that resources received by the Department of Transportation under the American Recovery and Reinvestment Act has been utilized for major state highway projects;
- C. That all parties work together to seek any necessary waivers or changes in federal rules, regulations or legislation that would direct more resources to local infrastructure maintenance.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisor that all parties mentioned above continue to discuss and act on funding solutions for local infrastructure needs in light of the state's own fiscal condition and in light of 18 years of frozen shared revenue aids.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it directs the Winnebago County Clerk to forward a copy of this resolution to Senator Russell Feingold; Senator Herbert Kohl; Congressman Thomas Petri; all legislators representing Winnebago County in the Wisconsin Legislature; the Wisconsin Counties Association; and to the Office of Governor James Doyle.

Submitted by:  
LEGISLATIVE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE. (Supervisor Nelson voted nay.)

#### **RESOLUTION NO. 284-82009: Oppose Present Draft of Assembly Bill 314**

WHEREAS, Assembly Bill 314 intends to impose regulations with regard to herbicide application by railroads; and

WHEREAS, many federal regulations supersede what is in the proposed assembly bill; and

WHEREAS, said bill would place a 24 hour re-entry restriction on railroads after herbicide application, thus causing severe interruptions to rail-based services; and

WHEREAS, said bill would also place a number of other needless administrative regulations on railroads with regard to herbicide application, thus interfering with railroad business and those of the customers it desires to serve; and

WHEREAS, there is little proof that railroads are careless in relationship to herbicide application nor that they fail to follow federal regulations.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby opposes Assembly 314 as presently drafted.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of this resolution be transmitted to all legislators representing constituents within Winnebago County, the Wisconsin Counties Association and the Office of Governor James Doyle.

Submitted by:  
LEGISLATIVE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE. (Supervisor Farrey voted nay and Supervisor Ramos abstained.)

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, September 1, 2009.  
CARRIED BY VOICE VOTE.

The meeting was adjourned at 7:47 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 August 18, 2009.

Susan T. Ertmer  
Winnebago County Clerk