

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, FEBRUARY 10, 2015**

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 Locke.

The following Supervisors were present: Konetzke, Barker, Harpt, Eisen, Ramos, Kiel, Smith, Albrecht, Gabert, Thompson, Olson, Brewer, Hardy, Wingren, Lautenschlager, Norton, Warnke, Robl, Singstock, Neubauer, Turner, Locke, Hegg, Youngquist, Farrey, Rasmussen, Keller, Egan, Ellis, Snider and Kriescher. Excused: Roh, Widener, Schellenger and Finch (There is one vacancy on the Board that will be filled at tonight's meeting.).

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

PUBLIC HEARING

No one addressed the Board.

COMMUNICATIONS AND PETITIONS

The following correspondence was presented to the Board by Sue Ertmer, County Clerk:

- A Notice of Claim from George Wilcox for damage to his radio and digital ear wrap headphones while an inmate at the county jail was forwarded to the Personnel & Finance Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Eisen reported that on Friday, January 30th, he attended the WCA Judicial and Public Safety Steering Committee meeting in Madison. Presentations were made on the evidence based decision making and Wisconsin Access to Justice Commission. The National Institute of Corrections is choosing to look at Wisconsin's pilot project for efforts to coordinate treatment alternatives to incarceration and the deferral of prosecution at the State level.

Supervisor Eisen's second report was about his attendance at a WCA workshop titled "A Stronger Together Fox Valley Workshop" on Saturday, January 24, 2015 in Menasha. It brought together leaders from all around the state to discuss the 2016 Executive Budget. There will be another meeting in regard to this on February 19, 2015 at the Fox Valley Technical College in Appleton. If you have any questions, Supervisor Eisen would be glad to answer them.

Supervisor Warnke announced that the Aviation Committee was pulling Resolution no. 125-22015 from tonight's agenda because language in the resolution needs to be changed.

Supervisor Wingren reported that the Legislative Committee will meet on Monday, February 23, 2015 at 8:30 a.m. at the Coughlin Center.

Motion by Supervisor Robl and seconded by Supervisor Konetzke to approve the January 6 and January 20, 2015 proceedings. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris told the Supervisors that he has been following the state budget proposal. He touched on a few items that could affect Winnebago County including losing a small amount of nursing home reimbursement based on acuity; some changes regarding family care; changes to the ADRC – affecting senior benefits that would be available, but could be subject to the bidding process between competing interests. Executive Harris commented that language at the state level would be changed to make counties responsible for all property assessments. The state feels that by doing this, assessments would be more uniform. Mr. Harris understood that the county could contract with assessors that municipalities in Winnebago County are currently using. He stated that there were no significant cuts in revenue sharing.

Executive Harris recommended the Board's approval of the following resolution:

- Resolution No. 129-22015: Approve Land Transfer in Aviation Business Park from City of Oshkosh to Winnebago County.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht commended and thanked Morgan Hinkley, Park View Health Center Director, for her outstanding effort for visiting a Legislator in Madison, then to the Governor to sign a paper to change the way medication is dispensed in nursing homes. This was done for Winnebago County. Now the Department of Corrections is pursuing this change as well.

Chairman Albrecht expressed his thanks to the Winnebago County Sheriff's Department and everyone else involved in the recovery of the father and son whose vehicle fell thru the ice on Lake Winnebago.

COUNTY BOARD CHAIRMAN'S APPOINTMENTS
Supervisory District No. 10

Chairman Albrecht asked for the Board's approval of his appointment of George Scherck, 1146 W. Cecil Street, Neenah, to Winnebago County Supervisor District No. 10. He will complete the unexpired term of Tim Hamblin, who resigned from the Winnebago County Board in December. Mr. Scherck's term will begin immediately and end on April 19, 2016. Motion by Supervisor Farrey and seconded by Supervisor Ellis to approve. CARRIED BY VOICE VOTE.

Chairman Albrecht issued the oath of office to Supervisor Scherck and welcomed him to the Winnebago County Board of Supervisors.

COUNTY ROAD MILL AND PAVE PROJECTS 2015

Ernest Winters, Winnebago County Highway Commissioner, presented a handout regarding 2015 Highway Milling and Paving Projects.

Mr. Winters explained that this is an outline of projects along with pictures of projects for the 2015 construction season. He feels that the pavements in Winnebago are in pretty good shape, but they do need upkeep.

Mr. Winters stated that the project includes approximately 10.5 miles of highway, split into five locations around the county to be milled and paved. These projects have been planned and listed in the 2015-2019 Highway Department Capital Improvement Plan.

Mr. Winters' report contained additional information regarding the procedures and applications that are used to maintain roadways in Winnebago County. Mr. Winters then took questions from the Board.

A copy of Mr. Winters' presentation is on file in the County Clerk's Office with the proceedings of this meeting.

PROPOSED RULES FOR APPROPRIATE USE OF TECHNOLOGY DURING BOARD AND COMMITTEE MEETINGS AND COUNTY-ISSUED ELECTRONIC DEVICE USAGE

Chairman Albrecht addressed this issue and welcomed questions from the Board. Patty Francour, Information Systems Director, reported to the board that this process has been talked about for at least a year. She explained the procedures and policies that would be required to move forward with this plan. This project has been on the Information Systems Committee agenda for quite some time and much thought has gone into it. Monies for this project were approved at the 2015 Budget Hearing which would include the tablet, a keyboard and software for operating the tablets. Open records laws were discussed regarding usage of electronic devices at County Board or Committee meetings. Other topics discussed were training, savings and if the tablets were a requirement.

ZONING REPORTS AND ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from property owners, Robert N and Suzanne Wolff; Town of Winneconne, for a zoning change to A-2 for tax parcel no. 030-0258-02. Motion by Supervisor Egan and seconded by Supervisor Gabert to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 02/01/15. A requested zoning change from R-1 to A-2. Motion by Supervisor Egan and seconded by Supervisor Gabert to adopt. CARRIED BY VOICE VOTE. (Effective date: February 13, 2015)

AMENDATORY ORDINANCE NO. 02-02-15. A requested zoning change from A-2 to M-1 for property owner, Yvonne Pommerening Trust, Town of Oshkosh, for parcel no. 018-0359(p). Motion by Supervisor Gabert and seconded by Supervisor Olson to adopt. CARRIED BY VOICE VOTE. (Effective date: February 13, 2015)

RESOLUTIONS AND ORDINANCES

RESOLUTION 118-22015: Commendation for Steven Binder

WHEREAS, Steven Binder has been employed with the Winnebago County Highway Department for the past twenty-three (23) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Steven Binder 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 is hereby extended to Steven Binder for the fine services he has rendered to Winnebago County.

BE IT FURTHER RESOLVED that the Winnebago County Clerk send a copy of this Resolution to Steven Binder.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION 119-22015: Commendation for Kathleen Geier

WHEREAS, Kathleen Geier has been employed with Park View Health Center for the past twenty-eight (28) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Kathleen Geier 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 is hereby extended to Kathleen Geier for the fine services she has rendered to Winnebago County.

BE IT FURTHER RESOLVED that the Winnebago County Clerk send a copy of this Resolution to Kathleen Geier.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION 120-22015: Request Authority to Apply for Funds for Maintenance of County-Owned and Leased Snowmobile Trails

WHEREAS, Winnebago County is interested in maintaining County-owned and leased lands for public snowmobile trail use; and

WHEREAS, funds are available for snowmobile trail maintenance as well as snowmobile trail bridge building and repair through the Department of Natural Resources pursuant to § 23.09(26), Wis Stats; and

WHEREAS, in order to participate in this project, it is necessary for the Winnebago County Board of Supervisors to authorize the submission of an application for said funds.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Clerk and the Winnebago County Executive to submit an application to the Wisconsin Department of Natural Resources on behalf of Winnebago County, pursuant to § 23.09(26), Wis Stats, for any financial aid that may be available for public snowmobile trail maintenance as well as snowmobile trail bridge building and repair for trails in Winnebago County.

Submitted by:
PARKS AND RECREATION COMMITTEE

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

ORDINANCE NO. 121-22015: Amend Exhibit C of Section 19.24(7) of the General Code for Winnebago County Relating to Sunnyview Exposition Center Rental Fees Schedule

WHEREAS, the Winnebago County Parks and Recreation Committee has reviewed and recommends approval of the following amendment to Exhibit C of Section 19.24(7) of the General Code for Winnebago County, outlining deposit rates established for the Sunnyview Exposition Center; and

WHEREAS, for the past twelve (12) years the use of a requisite "calendar deposit" has been in place that requires a client to submit a one-hundred dollar (\$100) non-refundable payment in order to reserve the Exposition Center for a desired date(s) of an event to be scheduled on the Sunnyview Exposition Center Events Calendar; and

WHEREAS, because the majority of clients repeatedly reserve the Sunnyview Exposition Center on a yearly basis, it is common for these clients to make multiple one-hundred dollar (\$100) calendar deposits at one time to reserve their desired date(s) on the Sunnyview Exposition Center Events Calendar for several years to come; and

WHEREAS, with the existing procedure in place for collecting calendar deposits, Winnebago County is exposed to the possibility of incurring unexpected losses in revenue when a situation arises in which a client may deem a one-hundred dollar (\$100) calendar deposit fee not enough of a deterrent to notify Winnebago County of an event cancellation; and

WHEREAS, because there has been a steady increase in the number of bookings at the facility over the past twelve (12) years, the competition for available calendar dates has likewise risen such that whatever unscheduled dates that remain on the Sunnyview Exposition Center Events Calendar now carry with them a heightened economic value for Winnebago County; and

WHEREAS, because of the aforementioned increase in demand, each available calendar date at the Exposition Center carries with it an increased value for Winnebago County; and

WHEREAS, it is both timely and appropriate for Winnebago County to put into place measures that will allow Winnebago County to attempt to secure the real value of each Exposition Center calendar date by applying a more

sizeable financial penalty to a client who pays a calendar deposit fee for an Exposition Center event and who, at a later date, elects to cancel the event.

NOW, THEREFORE, BE IT ORDAINED by the Winnebago County Board of Supervisors that it hereby approves the amendment to Calendar Deposit section of Exhibit C of Section 19.24(7) of the General Code of Winnebago County to read as follows:

10. DEPOSITS:

For Lessees to retain their comparable event date(s) in future years, payment of a Reservation Deposit must be paid within 20 calendar days of the last take down day of the respective event. *Calendar Deposits” in place prior to January 1, 2015, will be honored.

DEPOSITS ARE NON-REFUNDABLE

Reservation Deposit: 25% of total contract amount due upon initial commitment to a reservation date(s).

*For multi-year contracts in their second or third years, Reservation Deposits are due the first business day of the respective calendar year.

Supplemental Deposit: An additional 25% of total contract amount due three (3) months prior to event for all single and multi-year contracts with remaining balances due upon first set-up day.

BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that said amendment to Exhibit C of the General Code of Winnebago County shall become effective on the date following the date of publication, and the application to the processes instilled in the amendment shall be applicable for Exposition Center contracts scheduled for the years 2016 through 2020.

Submitted by:
PARKS AND RECREATION COMMITTEE

Motion by Supervisor Konetzke and seconded by Supervisor Ellis to approve. Ayes: 30; Nays: 1 - Egan; Absent: 5 – Roh, Widener, Schellenger, Hegg and Finch. CARRIED

RESOLUTION NO. 122-22015: Authorize the Sheriff Department to Accept a \$5,000 Department of Homeland Security Grant and Apply to the Purchase of a SWAT Team Ballistic Shield

WHEREAS, the Winnebago County Sheriff’s Department has been awarded a Department of Homeland Security grant of \$5,000 to help equip the SWAT Team; and

WHEREAS, the funds have been designated to be used by the Sheriff’s Department to purchase a ballistic shield; and

WHEREAS, the shield would provide ballistic protection for the tactical team members to include protection against rifle rounds; and

WHEREAS, the shield will be available for use by any partner agencies within our region; and

WHEREAS, the Winnebago County Sheriff’s Department’s SWAT Team utilizes ballistic shields for the majority of tactical instances; and

WHEREAS, the warranty of the current Level III shield owned by the Department expires in 2015; and

WHEREAS, this piece of equipment will replace the expiring shield.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Sheriff’s Department to accept this grant and appropriates it to the purchase of a SWAT Team ballistic shield.

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

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

RESOLUTION NO. 123-22015: Authorize Extension of Lease Agreement Between Winnebago County and United States Department of Agriculture

WHEREAS, the United States Department of Agriculture, since 1998, has leased space for its office staff at the James Coughlin Building; and

WHEREAS, the present lease expired at the beginning of the present year; and

WHEREAS, the United States Department of Agriculture desires to extend its lease agreement at an annual rate of \$32,250.00 or \$2,687.50 per month, representing a rate of \$12.90 per usable square foot of 2,500 useable square feet; and

WHEREAS, both Winnebago County and the United States Department of Agriculture are amenable of entering into lease agreement and extension, upon the terms outlined above, from January 1, 2015, through December 31, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Clerk and the Winnebago County Executive to renew its lease agreement between Winnebago County and the United States Department of Agriculture for approximately 2,500 usable square feet of office space at the James Coughlin Building, at a rate of \$12.90 per usable square foot, at a monthly rate of \$2,687.50. The term the lease agreement shall be effective is from January 1, 2015, through December 31, 2019.

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

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

RESOLUTION NO. 124-22015: Execute Easement Agreement Between Winnebago County and City of Oshkosh

WHEREAS, the City of Oshkosh desires an easement across and beneath Wittman Regional Airport property for the purpose of constructing, installing, and maintaining a water main pipeline to service the Aviation Business Park; and

WHEREAS, the Aviation Committee has reviewed the attached Easement Agreement and believes that its execution would be in the best interests of the citizens of Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Clerk and the Winnebago County Executive to approve the attached Easement Agreement between Winnebago County and the City of Oshkosh for the purpose of providing ingress and egress to, and maintenance of, a water main pipeline across and beneath Wittman Regional Airport property.

Submitted by:
AVIATION COMMITTEE

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

RESOLUTION NO. 125-22015: Execute Easement Agreement Between Winnebago County and Wisconsin Public Service

WHEREAS, Wisconsin Public Service Corporation (WPS) desires an easement across and beneath Wittman Regional Airport property for the purpose of constructing, installing, and maintaining a natural gas main pipeline; and

WHEREAS, the Aviation Committee has reviewed the attached Easement Agreement and believes that its execution would be in the best interests of the citizens of Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Clerk and the Winnebago County Executive to approve the attached Easement Agreement between Winnebago County and Wisconsin Public Service Corporation (WPS) for the purpose of providing ingress and egress to, and maintenance of, a natural gas main beneath Wittman Regional Airport property.

Submitted by:
AVIATION COMMITTEE

This resolution was WITHDRAWN from the agenda by the Aviation Committee.

RESOLUTION NO. 126-22015: Authorize Execution of Airport Lease Between Katherine Stanis and Winnebago County

WHEREAS, Katherine Stanis desires to lease Building L809-B at Wittman Regional Airport for a three (3) year period, with rent to be established at a rate of \$322.68 per month plus any applicable sales tax during the first year of the lease; \$322.68 per month plus the average annual increase of the Consumer Price Index (CPI-U) for the previous year plus any applicable sales tax during the second year of the lease; and the second year lease rate plus the average annual increase in the CPI-U for the previous year plus any applicable sales tax during the third year of the lease; and

WHEREAS, said lease would be in effect from February 1, 2015, through January 30, 2018; and

WHEREAS, the Aviation Committee believes that said lease is in the best interests of Winnebago County and has approved said lease agreement.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes a three (3) year lease between Winnebago County and Katherine Stanis for Building L809-B at Wittman Regional Airport pursuant to those terms as stated above. A complete copy of said lease agreement is available upon request from the Wittman Regional Airport Director and is incorporated herein by reference and made a part of this Resolution.

Submitted by:
AVIATION COMMITTEE

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

RESOLUTION NO. 127-22015: Authorize Execution of Airport Lease Between Kevin Green and Winnebago County

WHEREAS, Kevin Green desires to lease Building L809-A at Wittman Regional Airport for a three (3) year period, with rent to be established at a rate of \$322.68 per month plus any applicable sales tax during the first year of the lease; \$322.68 per month plus the average annual increase of the Consumer Price Index (CPI-U) for the previous year plus any applicable sales tax during the second year of the lease; and the second year lease rate plus the average annual increase in the CPI-U for the previous year plus any applicable sales tax during the third year of the lease; and

WHEREAS, said lease would be in effect from February 1, 2015, through January 30, 2018; and

WHEREAS, the Aviation Committee believes that said lease is in the best interests of Winnebago County and has approved said lease agreement.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes a three (3) year lease between Winnebago County and Kevin Green for Building L809-A at Wittman Regional Airport pursuant to those terms as stated above. A complete copy of said lease agreement is available upon request from the Wittman Regional Airport Director and is incorporated herein by reference and made a part of this Resolution.

Submitted by:
AVIATION COMMITTEE

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

RESOLUTION NO. 128-22015: Approve Amendments to Town of Vinland Zoning Ordinance

WHEREAS, § 60.62(3)(a), Wis Stats, requires that town zoning ordinances be approved by counties prior to implementation; and

WHEREAS, on November 10, 2014, and January 12, 2015, the Town of Vinland adopted numerous amendments to Section 13: Zoning Regulations of the Town of Vinland Zoning Code and submitted those amendments to Winnebago County for approval; and

WHEREAS, on February 2, 2015, the Winnebago County Planning and Zoning Committee reviewed said amendments, found no conflicts with county zoning jurisdiction or regulatory authority, and submitted those amendments of the Town of Vinland Zoning Code to the Winnebago County Board of Supervisors for final approval; and

WHEREAS, said amendments, which are part of the Town of Vinland Zoning Code located on the Town of Vinland's website located at <http://www.townofvinland.org/ordinances-and-resolutions>, are made a part of this Resolution and are incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves those amendments to Section 13: Zoning Regulations of the Town of Vinland Zoning Code, which may be viewed on the Town of Vinland's website as referenced above.

Submitted by:
PLANNING & ZONING COMMITTEE

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

RESOLUTION NO. 129-22015: Approve Land Transfer In Aviation Business Park From City Of Oshkosh To Winnebago County

WHEREAS, the City of Oshkosh and Winnebago County purchased land formerly owned by William Brennand, George Brennand, and Kathaleen Brennand for the purpose of creating an aviation business park adjacent to Wittman Regional Airport; and

WHEREAS, the City of Oshkosh drafted plans for utilities and roadway structures within the City of Oshkosh property boundaries and adjacent to Winnebago County-owned property; and

WHEREAS, the Wisconsin Department of Natural Resources requested an alteration to a portion of the planned roadway eastward to lessen the impact on identified wetlands; and

WHEREAS, the City of Oshkosh desires to transfer the affected area of 48,686 square feet, or 1.12 acres, from the City of Oshkosh to Winnebago County to maintain the property line with the proposed road; and

WHEREAS, the City of Oshkosh desires to sell the affected 1.12 acres to Winnebago County for the sum of One Dollar (\$1.00).

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the land transfer from the City of Oshkosh to Winnebago County and purchase of the affected 1.12 acres from the City of Oshkosh for the sum of One Dollar (\$1.00). The legal description and a map of the property to be purchased are herewith attached to this resolution.

Submitted by:
AVIATION COMMITTEE

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

Motion by Supervisor Robl and seconded to adjourn until the March 3, 2015 meeting. The meeting was adjourned at 7:25 p.m.

Submitted by:
Julie A. Barthels
Deputy Winnebago County Clerk

State of Wisconsin)
County of Winnebago) ss

I, Julie A. Barthels, 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 February 10, 2015.

Julie A. Barthels
Deputy Winnebago County Clerk