

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, JUNE 16, 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: Konezke, Barker, Harpt, Eisen, Ramos, Kiel, Roh, Smith, Widener, Scherck, Albrecht, Gabert, Schellenger, Thompson, Olson, Brewer, Hardy, Wingren, Lautenschlager, Norton, Warnke, Robl, Singstock, Turner, Locke, Hegg, Finch, Youngquist, Farrey, Rasmussen, Keller, Egan, Ellis, Snider and Kriescher. Excused: Neubauer.

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

PUBLIC HEARING

Sheriff John Matz spoke in favor of Resolution No. 180-62015 – Adopt revisions to pay schedules for non-union regular employees.

COMMUNICATIONS AND PETITIONS

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

- A “Notice of Claim” from Christopher Boegh for damage to his vehicle caused by a Winnebago County K-9 unit while searching the car was forwarded to the Personnel & Finance Committee.
- Petition for Zoning Change for Lawrence F. Seidl in the Town of ~~Neenah~~ Vinland (Corrected to the Town of Vinland after the meeting by the Zoning Department.) for tax parcel no. 026-0525 to change from R-1 with wetland overlay to R-1 without wetland overlay to be used to build a detached garage was referred to the Planning and Zoning Committee.
- Resolutions from Other Counties were referred to the Legislative Committee:
 - Brown County:
 - “Resolution Supporting the Protective Status of County Correction Officers for WRS Purposes”
 - “Resolution Confirming Brown County’s Opposition to the Legalization of Marijuana in the State”
 - Oconto County - #60-2015, “Resolution in Opposition to Senate Bill 21 and Assembly Bill 21 Related to Elimination of the Wisconsin Fund Grant Program”
 - Outagamie County:
 - Resolution No. 3-2015-16, “...believes that provisions brought forth to create a new Children’s Community Option Program and eliminate Family Support be eliminated from the 2015-2017 Biennial Budget Bill.”
 - Resolution No. 4-2015-16, “Wisconsin should keep Senior Care as it is currently structured, a program that is simple, successful and cost effective for our Senior Citizens”.
 - Resolution No. 5-2015-16 - State of Wisconsin Dept. of Human Services need to, “allocate adequate Affordable Care Act Funding to the Balance of State Income Maintenance agencies from the unallotted reserve fund by the fall of each year to ensure that adequate staffing and resources are available to sustain the increased workload”.
 - Resolution No. 6-2015-16, “...the Joint Finance Committee remove all budget provisions that change the BadgerCare Plus for Childless Adults Medicaid Program and allow this important safety net health insurance program to operate as it currently does for individuals and family members below 100% of federal poverty limits”.
 - Resolution No. 7-2015-16, “State of Wisconsin should maintain the existing mental health programs funded in the same manner that they have been funded in calendar year 2015 and that no changes to these funding streams occur in the 2015-2017 State Budget”.
 - Resolution No. 10-2015-16, “oppose any attempt by the State Legislature to eliminate computer aid payments and the personal property tax”.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Finch announced that the Parks & Recreation Committee meeting will be changed to Thursday, July 2, 2015 at 8:45 a.m. He reported that the Parks & Recreation Committee will be bringing back user fees to the budget hearing. Supervisor Finch commended Vicky Redlin, Parks Program Manager, for the Sunnyview Expo Booklet that she put together. He encouraged Supervisors to read thru it and give her a call to let her know what a good job she did.

Supervisor Wingren invited everyone to the courthouse steps on July 4, 2015 at 8:00 a.m. to hear Sheriff Matz read the Declaration of Independence.

Supervisor Norton reported on the Parks Department Tour that he attended. He would like to personally thank Ellen McCoy, City of Neenah Parks Director and Supervisor Brady Kiel for posting beautiful pictures of Winnebago County's parks on his Facebook page.

Supervisor Hegg commented on Highway Commissioner Ernie Winters' presentation regarding the intersection of Oakridge Road and County CB. He thanked Sheriff Matz for providing information regarding accidents and for conducting a speed spy at this intersection. The speed spy findings were that speed is not an issue and this is not considered a dangerous intersection.

Motion by Supervisor Robl and seconded by Supervisor Finch to approve the May 19, 2015 proceedings.
CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

County Executive Mark Harris congratulated the scholarship recipients that were present at the meeting. Executive Harris commented on the State budget, and that Winnebago County is committed to capital improvement projects for bridges and highways. In the past ten years, the County has done \$42 million in projects, that include \$15 million in state and federal monies. He is concerned about how the Transportation budget could impact Winnebago County if it is cut and how this would affect scheduled projects.

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

- Motion 173-52015: Amend Previously Adopted Ordinance Number 173-52015 Amending Section 5.04(2) of the General Code of Winnebago County (Coroner's Cremation Permit Fee) by Replacing the \$170 Cremation Permit Fee to \$250.
- Resolution No. 180-62015: Adopt Revisions to Pay Schedules for Non-Union Regular Employees

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported that Morgan Hinkley, Director of Park View Health Center has left her position with Winnebago County. Interviews for that position will start on Thursday, June 18, 2015.

EXPLANATION OF RESOLUTION NO. 180-62015, "ADOPT REVISIONS TO PAY SCHEDULES FOR NON-UNION REGULAR EMPLOYEES"

Michael Collard, Director of Human Resources, addressed the board regarding the minimums and maximums of pay ranges. Mr. Collard explained the first and second paragraphs in Resolution No. 180-62015 that result in the across-the-board raises. By passing the resolution last month, it took away the across-the-board raises. The resolution presented at this meeting would include a 1 ½% increase in the minimums and maximums of each pay range. The objective of this system is if an employee is at the top of their pay range, they will be able to participate in the merit pay program. Employees need to understand that their merit pay raise will result from the outcome of their performance and evaluation. Mr. Collard then took questions from the board.

PRESENTATION OF 2014 WINNEBAGO COUNTY SCHOLARSHIPS

Supervisor Tom Widener presented the following students with scholarships awarded by Winnebago County: Aaron Kubiak from Neenah High School; James N. Fitzhenry from Oshkosh North High School; Logan Myers, McKenna Hansen, Taylor Steeno and Ashley Rumlow from Oshkosh West High School; Erin Kelly from Omro High School and Kristen Boldt from Covenant Harbor Christian. Students received a certificate, a check for \$500.00 and a Winnebago County History Book.

Other students receiving scholarships, but not present at the meeting were: Hannah Schacherl and Kristi Brey from Oshkosh West High School. Their checks, certificates and history books will be mailed to them.

ZONING REPORTS AND ORDINANCES

Report No. 001 – A report from the Planning & Zoning Committee regarding a requested zoning change from property owners, David and Heidi Sweet, Town of Algoma, for a zoning change to R-1 Rural Residential for tax parcel no. 002-0041-06. Motion by Supervisor Egan and seconded by Supervisor Ellis to accept. CARRIED BY VOICE VOTE.

Amendatory Ordinance No. 06/01/15 – A requested zoning change from R-3 Suburban Medium Density Residential to R-1 Rural Residential for tax parcel no. 002-0041-06. Motion by Supervisor Egan and seconded by Supervisor Ellis to accept. CARRIED BY VOICE VOTE.

Report No. 002 – A report from the Planning & Zoning Committee regarding a requested zoning change from

property owners, Linda and Ronald Wachholz, Town of Nekimi, for a zoning change to I-1 Light Industrial for tax parcel no. 012-0250. Motion by Supervisor Egan and seconded by Supervisor Gabert to accept. CARRIED BY VOICE VOTE.

Amendatory Ordinance No. 06/02/15 – A requested zoning change from A-2 General Agriculture to I-1 Light Industrial for tax parcel no. 012-0250. Motion by Supervisor Egan and seconded by Supervisor Gabert to accept. CARRIED BY VOICE VOTE.

Amendatory Ordinance No. 03 – A requested zoning change from A-2 General Farming to R-1 Rural Residential for property owners, Timothy W. and Barbara G. Wrase, Town of Clayton, for tax parcel no. 006-0055. Motion by Supervisor Kriescher and seconded by Supervisor Gabert to accept. CARRIED BY VOICE VOTE.

Amendatory Ordinance No. 04 – A requested zoning change from I-2 Heavy Industrial to I-1 Light Industrial for property owner, Kimberly Clark Corporation, Town of Menasha, for tax parcel no. 008-0610. Motion by Supervisor Kriescher and seconded by Supervisor Gabert to accept. CARRIED BY VOICE VOTE.

RESOLUTIONS AND ORDINANCES

MOTION NO. 173-52015: Amend Previously Adopted Ordinance Number 173-52015 Amending Section 5.04(2) of the General Code of Winnebago County (Coroner's Cremation Permit Fee) by Replacing the \$170 Cremation Permit Fee to \$250

WHEREAS, Ordinance Number 173-52015, as amended, was passed at the May 19, 2015, Meeting of the Winnebago County Board of Supervisors after a lengthy and exhausting four hour meeting; and

WHEREAS, the Winnebago County Coroner was not allowed to convey the repercussions that would result if the Ordinance was amended; and

WHEREAS, there was NO discussion allowed on either the amendment itself or on the amended version of the motion; and

WHEREAS, there was a motion/second to adjourn the meeting, but the motion was not recognized by the County Board Chairman. That motion was withdrawn; and

WHEREAS, a substantial number of supervisors have expressed concern and regret with respect to their previous votes; and

WHEREAS, the State Budget Bill, which is presently upon the Governor's desk for signature, contains a provision which would prohibit counties from increasing fees for services rendered by a coroner under §§ 59.36 and 69.18(4), Wis Stats, for two years after the Bill's general effective date; and

WHEREAS, said Bill has not been signed by the Governor, and it is unlikely that said Bill will be effective prior to June 2015; and

WHEREAS, said Bill also discontinues state grants to coroners for payment to coroners for indigent burial; and

WHEREAS, failure to increase Cremation Permit Fees at this time may limit Winnebago County from increasing said Cremation Permit Fees within the next two years and possibly forever into the future; and

WHEREAS, your undersigned Committee believes that it would be in the best interests of Winnebago County to increase said Fee to \$250.00 at the present time.

NOW, THEREFORE, BE IT ORDAINED by the Winnebago County Board of Supervisors that it hereby amends Section 5.04(2) of the General Code of Winnebago County to read as follows:

5.04 CORONER'S FEES

(2) Cremation Permit Fee

(a) A fee of ~~\$170~~ \$250 is hereby established for the viewing of a body by a coroner and the issuance of a permit as a precedence to cremation, pursuant to that procedure outlined by § 979.10, Wis Stats. The estate of the deceased shall be liable for payment of said fee, unless another party agrees in advance, in writing, to be responsible for the payment of said fee.

BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that said ordinance amendment shall take effect on the date following the date of its publication.

Submitted by:
BILL ROH, DIST 7
BILL WINGREN, DIST. 18
COUNTY BOARD SUPERVISOR

Motion by Supervisor Roh and seconded to adopt. Motion by Supervisor Schellenger and seconded by Supervisor Hegg to delete lines 9 thru 18 of resolution. AYES: 15 – Widener, Albrecht, Gabert, Schellenger, Thompson, Olson, Brewer, Hardy, Lautenschlager, Norton, Singstock, Locke, Hegg, Farrey and Egan; NAYES: 20; ABSTAIN: 0; ABSENT: 1 – Neubauer. LOST. Motion by Supervisor Hegg and seconded to amend the fee to \$190.00. Supervisor Hegg accepted Supervisor Roh's friendly amendment to change amount to \$200.00. AYES: 33; NAYES: 2 – Warnke and Snider; ABSTAIN: 0; ABSENT: 1 – Neubauer. CARRIED. Vote on Resolution as amended. AYES: 33; NAYES: 2 – Hardy and Warnke; ABSTAIN: 0; ABSENT: 1 – Neubauer. CARRIED.

RESOLUTION NO. 174-62015: Commendation for James M. Travis

WHEREAS, James M Travis has been employed with the Winnebago County Department of Human Services for the past thirty (30) years, and during that time has been a most conscientious and devoted County employee; and
WHEREAS, James M Travis 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 James M Travis 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 James M Travis.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 175-62015: Commendation for Deborah Hauert

WHEREAS, Deborah Hauert has been employed with Park View Health Center for the past twenty-seven (27) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Deborah Hauert 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 Deborah Hauert 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 Deborah Hauert.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 176-62015: Commendation for Diane Marx

WHEREAS, Diane Marx has been employed with Park View Health Center for the past thirty-eight (38) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Diane Marx 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 Diane Marx 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 Diane Marx.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 177-62015: Commendation for Steven Verwiel

WHEREAS, Steven Verwiel has been employed with the Winnebago County Sheriff's Department for the past twenty-nine (29) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Steven Verwiel 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 Verwiel 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 Verwiel.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 178-62015: Commendation for Charles Marousek

WHEREAS, Charles Marousek has been employed with the Winnebago County Sheriff's Department for the past twenty-seven (27) years, and during that time has been a most conscientious and devoted County employee; and WHEREAS, Charles Marousek 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 Charles Marousek 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 Charles Marousek.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 179-62015: Authorize Addendum to Ground Lease Agreement Between Beechwood Plaza Hotel at Oshkosh LLC and Wittman Regional Airport

WHEREAS, Beechwood Plaza Hotel at Oshkosh LLC (d/b/a Hilton Gardens Inn) entered into a ground lease agreement with Winnebago County in June 2001 for the purpose of leasing property at Wittman Regional Airport for the construction and operation of a hotel; and

WHEREAS, as a result of bank loan refinancing, Beechwood Plaza Hotel at Oshkosh LLC desires to amend the ground lease by adding two additional five-year option periods to the existing lease; and

WHEREAS, your undersigned Committee has reviewed the attached Addendum to the ground lease 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 Executive and the Winnebago County Clerk to execute the attached Addendum to the ground lease agreement between Winnebago County and Beechwood Plaza Hotel at Oshkosh LLC for the purpose of continuing hotel operations on Wittman Regional Airport property.

Submitted by:
AVIATION COMMITTEE

Supervisor Warnke WITHDREW this resolution from tonight's agenda to refer back to the committee for changes that need to be made.

RESOLUTION NO. 180-62015: Adopt Revisions to Pay Schedules for Non-Union Regular Employees

WHEREAS, it is advisable to consider adjustments to the pay ranges for Winnebago County employees periodically, to ensure that our wage rates remain at a level sufficient to allow us to attract and retain good employees; and

WHEREAS, adjusting the minimums and maximums of pay ranges will not directly increase the pay of any particular Winnebago County employee, but will allow employees at the maximum pay ranges to participate in the Merit Pay Program and receive merit pay increases if they earn them, up to the new maximum of their pay ranges; and

WHEREAS, the consumer price index-urban (CPI-U), as calculated by the Wisconsin Department of Revenue and used by the Wisconsin Employment Relations Commission for calculating allowable general wage increases under Act 10, has fluctuated during the past year, between 1.68% and 1.25%, and your undersigned Committee believes that an increase of 1.50% represents a reasonable adjustment for non-union pay schedules; and

WHEREAS, it is anticipated that a study of Winnebago County's compensation plans will be completed within the upcoming year, and the Board does not wish to consider any further changes to pay ranges until after the pay study is complete.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the minimums and maximums of each pay range for the pay grades covering all regular Winnebago County employees may be increased by 1.50%, effective January 1, 2016.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a study of the Winnebago County compensation plans be completed within one year of the date on which this resolution is adopted, and any

future proposed changes to pay ranges be evaluated after the Board has had the benefit of reviewing the recommendations from the compensation plan study.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Rasmussen and seconded by Supervisor Finch to adopt. AYES: 32; NAYES: 1 – Keller; ABSTAIN: 1 – Turner; ABSENT: 2 – Hardy and Neubauer. CARRIED.

RESOLUTION NO. 181-62015: Repeal Paragraph 23 of Motion Number 520 to the State of Wisconsin 2015-2017 Budget Bill (SB 21 and AB 21) Relative to Shoreland Zoning Standards

WHEREAS, the State of Wisconsin has adopted NR 115 of the Wisconsin Administrative Code relating to Shoreland Zoning Standards, and Winnebago County has adopted and administered the minimum requirements of said standards since 1968; and

WHEREAS, the Joint Finance Committee for the State's 2015-17 biennial budget process has passed Paragraph 23 of Motion Number 520 (attached hereto) which significantly changes the standards for regulation of existing non-conforming structures in shoreland areas contrary to the adopted standards of NR 115; and

WHEREAS, Winnebago County has a substantial number of nonconforming structures existing in its shoreland areas that no longer will be subject to any oversight which will cause development near County waterways to go completely unchecked relative to its compliance with other state and county regulations, such as sanitary, zoning, stormwater/erosion control, and floodplain/wetland standards; and

WHEREAS, with no oversight, property owners that rebuild or remodel nonconforming structures in shoreland areas may unknowingly be in violation with the aforementioned state and county regulations causing after-the-fact enforcement by the County and therefore potentially placing a significant burden (financial, development delays, etc) on shoreland property owners to come into compliance; and

WHEREAS, with no oversight, neighboring property owners and the general public may be negatively impacted, specifically as it relates to property values, erosion & runoff from the site, substandard sanitary impacts, increased flooding issues, and overall enjoyment of the County's waterways; and

WHEREAS, Paragraph 23 of Motion Number 520 also removes the ability of the DNR to appeal any action of a County Board of Adjustment decision which diminishes state support for the shoreland program and its goals of protecting the waterways of the state; and

WHEREAS, State organizations including the Wisconsin Counties Association, Wisconsin County Code Administrators, Wisconsin Land and Water Conservation Association, and Wisconsin County Planning and Zoning Directors (attached hereto) have gone on record supporting the repeal of Paragraph 23 of Motion Number 520 of the 2015-17 budget bill, and request that these issues be addressed through the normal legislative process to allow for important input from the general public regarding managing development activity around our state waterways.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby requests the State of Wisconsin to repeal Paragraph 23 of Motion Number 520 of the 2015-17 State Budget Bill (SB 21 and AB 21), and request the State of Wisconsin to discuss any changes to NR 115 through the normal legislative process to allow for open public discussion and input on this issue.

BE IT FURTHER RESOLVED that the Winnebago County Clerk is directed to send a copy of this Resolution to members of the State's Joint Finance Committee, Governor of the State of Wisconsin, State Senators and Representatives serving Winnebago County constituents, the Wisconsin Counties Association, and each County in the State of Wisconsin.

Submitted by:
THOMAS EGAN, DIST. 33
CHUCK FARREY, DIST. 30
COUNTY BOARD SUPERVISORS

A correction was made to this resolution on the board floor to read as follows in paragraphs two and nine: "Joint Committee on Finance" not "Joint Finance Committee".

Motion by Supervisor Egan and seconded by Supervisor Finch to adopt. AYES: 27; NAYES: 1 – Locke; ABSTAIN: 6 – Konetzke, Ramos, Gabert, Hegg, Farrey and Snider; ABSENT: 2 – Hardy and Neubauer. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until the July 21, 2015 meeting. The meeting was adjourned at 8:05 p.m.

Submitted by:
Julie A. Barthels
Winnebago County Deputy 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 June 16, 2015.

Julie A. Barthels
Winnebago County Deputy Clerk