

**SINE DIE SESSION
COUNTY BOARD MEETING**

TUESDAY, MARCH 17, 1998

Chairman Joseph N. Maehl called the meeting to order at 6:00 P.M. in the Supervisors' Room, Fourth Floor, Courthouse, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an Invocation by Supervisor Wagner.

Roll Call: 37 present: Kollath, Barker, Griesbach, O'Brien, Maehl, Koziczkowski, Klitzke, Widener, Lauson, Albrecht, Pech, Schulz, Schwartz, Montgomery, Brown, Sundquist, Planalp, Wagner, Warnke, Footit, Troxell, Robl, Payne, Lawson, Crowley, Kramer, Schaidler, Finch, Hue, Sievert, Arne, Diakoff, Brennand, Egan, Rankin, Rengstorf, Metzsig. Excused: 1 - Savas.

Supervisor O'Brien moved and it was seconded to accept the minutes of February 24, 1998. CARRIED BY VOICE VOTE.

Supervisor Planalp moved and it was seconded to approve the agenda, but to consider Resolutions 406-398 and 405-398 first. CARRIED BY VOICE VOTE.

COMMUNICATIONS, PETITIONS, ETC.

Notice of Claim from Thomas J. Spry regarding alleged false arrest and violation of the Civil Rights was referred to Personnel and Finance Committee. A meeting notice from Wisconsin Counties Assn. on "County Jails: Liability, Lawsuits and Logistics" to be held on March 30, 1998 in Wausau was read and filed. A letter from Governor Thompson's office thanking the county for sending resolutions to them was read and filed. County Supervisors were asked to fill out and return a 1998 Wisconsin Counties Convention form with suggestions for seminar topics to the County Clerk's Office. A letter from the Department of Veterans Affairs advising of a Grant of \$13,000 for 1998 was read and filed. County Clerk Wolfe read a Gaelic blessing on behalf of St. Patrick's Day.

Petition for Zoning Amendment from Kim Tigert for change from A-2 to R-1 for a residence was referred to the Planning & Zoning Committee.

COMMITTEE REPORTS

Supervisor Lauson reminded the members of the Legislative Committee of a meeting on March 23, 1998 at 9 A.M. Supervisor Brown announced that UW-O students won 2 out of 8 top delegation awards and 9 of 18 outstanding individual awards at a recent competition. Over 300 students at UW-O were registered to vote, representing 30% of the students.

PUBLIC HEARING

Jeff Lemiesz, 2230 Plymouth, Oshkosh, WI; Mandy Lemiesz, 820 W. 7th Avenue, Oshkosh, WI; Sandy Piencikowski, 320 Dale Street, Oshkosh, WI; Mark Klemmer, Oshkosh Avenue, Oshkosh, WI; Melanie Bloechl, Oshkosh City Council member; Jason Dahse, 1601 Roosevelt, Oshkosh, WI; Scott Thoma, 340 Stanley Court, Neenah, WI; Russell Jahnke, 618 W. Bent Avenue, Oshkosh, WI; Patrick Fink and Thomas Fink, 1603 N. Main, Oshkosh, WI spoke in support of the racetrack.

Katie Butler and Matty Sedgwick, 4-Hers; Ellen Matejowec, 8337 County Trunk T, Larsen, WI; Bob Sprague, Town of Menasha; and Bricey Marine, 1330 Morgan, Oshkosh, WI spoke in support of a covered horse arena.

Bob Lace, 765 Oak Street, Neenah, WI stated the racetrack and grandstand addition should be considered separately. He spoke in favor of the grandstand addition and supported the covered horse arena. John Hoeft, 330 Monroe, Omro, WI and Russ Tripton, 5406 9th Street, Omro, WI spoke in support of the racetrack and horse arena.

Walt Chrapla, 721 Mitchell, Neenah, WI listed a number of capital outlay projects planned by the County and questioned whether a horse arena and racetrack was needed. He stated the unfunded liability debt is over \$7,000,000. He said there would be a tremendous savings if this was paid or refinanced at a lower interest rate than the 8% the County is paying.

Attorney Dan Goggin spoke in favor of the Jack and Mary Lou Salm re-zoning from A-2 to M-2.

COUNTY EXECUTIVE'S REPORT

County Executive Van De Hey thanked the retiring County Board members: Connie Owens Schulz, John Planalp, Margaret Brown and Mary Jo Widener for their service to the county. She presented a plaque to Doris Martin, Child Support Director and thanked her for her 44 years of service to the County. Ms. Martin thanked the County Board for its support. She thanked Linda Wolfe, County Clerk, for her 26 years of service. She introduced Thomas Bartz, the new Information Systems Director.

COUNTY EXECUTIVE'S APPOINTMENT

SOLID WASTE MANAGEMENT BOARD

County Executive Van De Hey appointed David D. Eisele, Martenson & Eisele, Inc., 1919 American Court, Neenah, WI to the above board for a three year term, beginning April 21, 1998 and expiring April 21, 2000. Motion by Supervisor O'Brien and seconded to accept. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Maehl stated the UW-Fox Valley Planetarium was opened and it is a fabulous facility. There is nothing like it in the nation except in Houston and Salt Lake City. He urged supervisors to attend the Open House tomorrow night. He presented plaques to retiring supervisors Connie Owens Schulz, Margaret Brown, Mary Jo Widener, and John Planalp for their years of service. He also presented a plaque from the County and a plaque from the County Board to Linda Wolfe, County Clerk on her retirement after 26 years of service. The County Board also presented Ms. Wolfe with gifts and flowers for her retirement. Ms. Wolfe thanked the Board for their gifts and friendship.

DISCUSSION OF CONSTRUCTION OF HOLDING CELLS FOR PRISONERS - WINNEBAGO COUNTY COURTHOUSE

Supervisor Harvey Rengstorf explained holding cells are needed at the Courthouse for security reasons and to reduce manpower when prisoners are brought to court. Sheriff Mike Brooks stated they transport between 14-21 prisoners to court daily. They must have one officer for every 2-3 prisoners. Sometimes there are 10-14 officers involved, and they must transport prisoners through the tunnel between the Safety Building and Courthouse and into an open hallway to the elevator and to the Courtroom. They have to use patrol officers, detectives and administrators to transport prisoners. He stated it doesn't matter where the jail is located, they still need holding cells for prisoners who are waiting to go to court. Supervisor Crowley asked how much it will cost for holding cells, and Sheriff Brooks responded that it would cost no more than \$125,000. The money can come from the Jail Assessment Fund (from fines), which generates revenues of nearly \$175,000 annually. A resolution will be presented to the Board in April for holding cells.

ZONING REPORTS & ORDINANCES

REPORT. NO. 001. A report from Planning & Zoning Committee re: rezoning to R-2 for sale to adjoining owner and new parcel will be in one zoning district. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 3-01-98. A request from William & Bridget Mundy for change from A-2 (General Farming) to R-2 (Suburban Residential District -single-family, subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 002. A report from Planning & Zoning Committee re: rezoning to R-5 for development of an apartment complex. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 3-02-98. A request from Andrew D. Thompson for rezoning from R-1/R-5 (Rural Residential/Planned Residential Districts) to R-5 (Planned Residential District). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 003. A report from Planning & Zoning Committee re: rezoning to B-3 for an auto repair shop. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 3-03-98. A request from James Landolt for rezoning from M-1 (Light Industrial & Office District) to B-3 (General Business District). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 004. A report from Planning & Zoning Committee re: rezoning to R-2 (single-family for existing single family lots. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 3-04-98. A request from Patrick Keesler & Eileen Connolly-Keesler for rezoning from A-2 (General Farming District) to R-2 (Suburban Residential District - single-family, subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 005. A report from Planning & Zoning Committee re: rezoning to M-2 (Heavy Industrial) for indoor storage and paper bailing. Motion by Supervisor Schaidler to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE 3-05-98. A request from John (Jack) Salm for rezoning from A-2 (General Farming District) to M-2 (Heavy Industrial District). Motion by Supervisors Schaidler to DENY. Ayes: 11 - Kollath, Barker, Koziczkowski, Planalp, Troxell, Robl, Crowley, Schaidler, Arne, Diakoff, Brennand. Nays: 25 - Barker, O'Brien, Maehl, Klitzke, Widener, Lauson, Albrecht, Pech, Schulz, Schwartz, Montgomery, Brown, Sundquist, Wagner, Warnke, Footit, Payne, Kramer, Finch, Hue, Sievert, Egan, Rankin, Rengstorf, Metzsig. DENIAL LOST. Motion by Supervisor Finch to approve the zoning request. Ayes: 29. Nays: 8 - Kollath, Koziczkowski, Robl, Crowley, Schaidler, Arne, Diakoff and Brennand. APPROVAL CARRIED.

REPORT NO. 006. A report from Planning & Zoning Committee re: amendment to the following portions of the Zoning Ordinance: Section 17.25(2)(b)(3) to add (b) to require findings; Section 17.33(6) to add (b) to require findings; Section 17.20(4) to add (d) to define clean fill; Section 17.14(3)(b)(1) to allow governmental buildings at 30' from right-of-way. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE 3-06-98. A request from Planning & Zoning Committee for changes to the Winnebago County Zoning Ordinance. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE 7. A request from Town of Rushford on behalf of Albright Brothers for zoning change from A-1 to A-3. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE 8. A request from Town of Rushford on behalf of Milton Hannis for zoning change from A-2 to A-3. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE.

REPORTS, RESOLUTIONS & ORDINANCES

AMENDED

ORDINANCE NO. 365-298: Amend Section 7.04(5) of the General Code of Winnebago County: County Trunk Highway Controlled Access Ordinance

WHEREAS, it has been recommended, by the Winnebago County Highway Commissioner, to your undersigned Committee that the Winnebago County Trunk Highway Controlled Access Ordinance be amended to reflect changes in highway construction during the past several years and to reflect the safety needs of those utilizing Winnebago County trunk highways; and

WHEREAS, the Winnebago County Highway Commissioner in conjunction with the Winnebago County Planning Department has recommended the following changes to the County Trunk Highway Controlled Access Ordinance which have been approved by the Winnebago County Board of Supervisors Highway Committee.

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

Section 7.04(5) of the General Code of Winnebago County be amended to read as follows:

7.04 COUNTY TRUNK HIGHWAY CONTROLLED ACCESS.

(5) JURISDICTION. (a) These regulations shall apply to the following County Trunk Highways in Winnebago County:

1. CTH "A" from Oshkosh city limits to Neenah city limits
2. CTH "CB" from CTH "JJ" to Outagamie County line (1,000 ft. spacing between access points)
3. CTH "E" from Clairville Road to Grams Road excluding that portion between Quarry Drive to River Road in the Town of Rushford
4. CTH "G" from CTH "M" to CTH "A"
5. CTH "GG" from USH 45 to STH 110
6. CTH "I" from CTH "Z" to Oshkosh city limits
7. CTH "JJ" from USH 45 to Pendleton Road
8. CTH "K" from STH 116 to Oshkosh city limits
9. CTH "M" from STH 116 to CTH "G"
10. CTH "N" from STH 26 to CTH "I"
11. CTH "W" from STH 110 to Outagamie County line

(b) The following county highways form the boundary with other counties and, as a consequence, this ordinance shall apply only to those areas within Winnebago County:

CTH "BB" from USH 45 to Cold Spring Road

(c) Any changes in the listed highways in (a) or (b) shall require the approval of the Winnebago County Board of Supervisors

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that this amendment to said ordinance shall be effective as of April 1, 1998.

Submitted by:
HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 33.
Nays: 1 - Rengstorf. Excused: 4 - Savas, Lauson, Pech, Sundquist. CARRIED.

RESOLUTION NO. 381-398: Disallow Claim of Kurt F. Schoeni

WHEREAS, your Personnel and Finance Committee has had the claim of Kurt F. Schoeni 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 Kurt F. Schoeni dated February 23, 1998, 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 & FINANCE COMMITTEE

Motion by Supervisor Diakoff and seconded to adopt. CARRIED BY VOICE VOTE. Nays: 1 - Schaidler.

RESOLUTION NO. 382-398: Disallow Claim of Paul Gerhartz

WHEREAS, your Personnel and Finance Committee has had the claim of Paul Gerhartz 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 Paul Gerhartz dated January 27, 1998, 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 & FINANCE COMMITTEE

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

RESOLUTION NO.383-398:

Disallow Claim of Richard D. Martin

WHEREAS, your Personnel and Finance Committee has had the claim of Richard D. Martin 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 Richard D. Martin dated January 21, 1998, 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 & FINANCE COMMITTEE

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

RESOLUTION NO. 384-398:

Disallow Claim of Dale Rice

WHEREAS, your Personnel and Finance Committee has had the claim of Dale Rice 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 Dale Rice dated January 26, 1998, 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 & FINANCE COMMITTEE

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

RESOLUTION NO. 385-398:

Disallow Claim of Gary Burns

WHEREAS, your Personnel and Finance Committee has had the claim of Gary Burns 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 Gary Burns dated February 12, 1998, 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 & FINANCE COMMITTEE

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

RESOLUTION NO. 386-398: Disallow Claim of Herbert R. Krause

WHEREAS, your Personnel and Finance Committee has had the claim of Herbert R. Krause 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 Herbert R. Krause dated January 22, 1998, 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 & FINANCE COMMITTEE

Motion by Supervisor Diakoff and seconded to adopt. CARRIED BY VOICE VOTE. Nays: 1 - Kramer.

RESOLUTION NO. 387-398: SUPPORT ASSEMBLY SUBSTITUTE AMENDMENT TO 1997 ASSEMBLY BILL 755 - PERMITS REGARDING SHORELINE PROJECTS ALONG THE WOLF RIVER AND FOX RIVER BASIN AREAS

WHEREAS, Assembly Substitute Amendment to 1997 Assembly Bill 755 would streamline the process of citizens obtaining permits regarding shoreline project along the Wolf River and Fox River basin areas; and

WHEREAS, your undersigned Committee believes that said Amendment to said Assembly Bill would benefit the citizens of Winnebago County;

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby indicates its support for Assembly Substitute Amendment to 1997 Assembly Bill 755;

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to transmit a copy of this Resolution to all legislators representing constituents in Winnebago County, the Wisconsin Counties Association, and to the Office of Governor Tommy Thompson.

Submitted by:
LEGISLATIVE COMMITTEE

It was moved by Supervisor Lauson and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 388-398: Disallow Claim of Mercy Medical Center/ Affinity Health Systems Inc. (Knight)

WHEREAS, your Personnel and Finance Committee has had the claim of Mercy Medical Center/Affinity Health Systems 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 Mercy Medical Center/Affinity Health Systems Inc. dated February 12, 1998, 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 & FINANCE COMMITTEE

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

RESOLUTION NO. 389-398: Disallow Claim of St. Elizabeth Hospital/ Affinity Health Systems Inc. (Knight 2)

WHEREAS, your Personnel and Finance Committee has had the claim of St. Elizabeth Hospital/Affinity Health Systems 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 St. Elizabeth Hospital/Affinity Health Systems Inc. dated February 12, 1998, 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 & FINANCE COMMITTEE

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

RESOLUTION NO. 390-398: Disallow Claim of Mercy Medical Center/ Affinity Health Systems Inc. (Krueger)

WHEREAS, your Personnel and Finance Committee has had the claim of Mercy Medical Center/Affinity Health Systems 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 Mercy Medical Center/Affinity Health Systems Inc. dated February 12, 1998, 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 & FINANCE COMMITTEE

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

RESOLUTION NO. 391-198: Disallow Claim of James R. Koch

WHEREAS, your Personnel and Finance Committee has had the claim of James R. Koch 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 James R. Koch dated January 28, 1998, 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 & FINANCE COMMITTEE

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

RESOLUTION NO. 392-398: Disallow Claim of Elillas Perlberg

WHEREAS, your Personnel and Finance Committee has had the claim of Elillas Perlberg 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 Elillas Perlberg dated January 28, 1998, 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 & FINANCE COMMITTEE

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

RESOLUTION NO. 393-398: Disallow Claim of Shaun TerBeest

WHEREAS, your Personnel and Finance Committee has had the claim of Shaun TerBeest 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 Shaun TerBeest dated February 5, 1998, 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 & FINANCE COMMITTEE

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

RESOLUTION NO. 394-398: Commendation to Arthur F. Druke

WHEREAS, Arthur Druke has been employed with the Maintenance Department of Winnebago County for the past twenty years and 11 months, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Arthur Druke 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 Arthur Druke 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 Arthur Druke.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 395-398:

Commendation for Doris Martin

WHEREAS, Doris Martin has been employed with the Winnebago County Register of Deeds Office for twenty-three years and the Winnebago County Department of Child Support for the past twenty years and seven months, and during that time has been a most conscientious and devoted County employee; and

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

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that sincere appreciation and commendation be and it hereby is extended to Doris Martin 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 Doris Martin.

Submitted by:

PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 396-398:

Commendation for Linda Wolfe

WHEREAS, Linda Wolfe has been employed with Winnebago County for past twenty-five years and ten months, and during that time has been a most conscientious and devoted County employee; and

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

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that sincere appreciation and commendation be and it hereby is extended to Linda Wolfe 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 Linda Wolfe.

Submitted by:

PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 397-398

**AUTHORIZE TRANSFER OF \$627,161 FROM
MEDICAID TITLE XIX ACCOUNTS TO
PERMANENT EMPLOYEE AND EMPLOYER
CONTRIBUTION ACCOUNTS--PARK VIEW
HEALTH CENTER**

WHEREAS, a transfer of funds at Park View Health Center is needed to adjust for the reduction in budgeted revenue due to a decrease of 24 licensed beds at Pleasant Acres and the Rehabilitation Pavilion, as well as a reduction of positions on the Table of Organization, all of which are vacant;

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$627,161 from Medicaid Title XIX funds to Permanent Employee, Permanent Employee Aide, Permanent Employee RNs, and Employer Contribution Funds at Park View Health Center as is indicated on the Budget Transfer Form which is made a part of this Resolution by reference.

Submitted by:

**PARK VIEW HEALTH CENTER COMMITTEE AND PERSONNEL AND FINANCE
COMMITTEE**

Motion by Supervisor Montgomery and seconded to adopt. Ayes: 37.
Nays: 0. Excused: 1 - Savas. CARRIED.

**RESOLUTION NO. 398-398: AUTHORIZE TRANSFER OF \$16,500 FROM LABOR
EXPENSES ACCOUNT TO TRAVEL EXPENSES AND
OTHER OPERATING EXPENSES ACCOUNT--PUBLIC
HEALTH DEPARTMENT 1997 BUDGET**

WHEREAS, overages occurred in the Travel Expense and Other Operating Expense Funds of the 1997 Public Health Department Budget; and

WHEREAS, funds exist within the Labor Expense Fund of the 1997 Public Health Department Budget to cover said overage;

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$16,500 from the Labor Expense Fund of the 1997 Public Health Department Budget to the following funds:

Travel Expenses	\$ 1,500.00
Other Operating Expenses	15,000.00

Submitted by:

PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Diakoff and seconded to adopt. Ayes: 37.
Nays: 0. Excused: 1 - Savas. CARRIED.

RESOLUTION NO. 399-398

**AUTHORIZE TRANSFER OF \$10,000 FROM
OTHER EXPENSE FUND TO LABOR BUDGET
FUND--GENERAL SERVICES 1997 BUDGET**

WHEREAS, an overage occurred in the General Services Budget for Labor Expenses in the amount of \$10,000 during the 1997 Budget year; and

WHEREAS, \$10,000 exists in the Other Expense Fund and is available to pay for said overage;

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$10,000 from the Other Expense Fund to the Labor Budget Fund of the 1997 General Services Budget.

Submitted by:

PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Diakoff and seconded to adopt. Ayes: 37.
Nays: 0. Excused: 1 - Savas. CARRIED.

RESOLUTION NO. 400-398

**AUTHORIZE TRANSFER OF \$28,000 TO
OTHER OPERATING EXPENSE FUND--PARK
VIEW HEALTH CENTER 1997 BUDGET**

WHEREAS, an overage of \$28,000 existed within the Other Operating Expense Fund of the Park View Health Center 1997 Budget; and

WHEREAS, funds exist within the Labor Expense Fund of the Park View Health Center 1997 Budget to cover said overage;

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$28,000 from the Labor Expense Fund of the Park View Health Center 1997 Budget to the Other Operating Expense Fund.

Submitted by:

**PARK VIEW HEALTH CENTER COMMITTEE AND PERSONNEL AND FINANCE
COMMITTEE**

Motion by Supervisor Montgomery and seconded to adopt. Ayes: 37.
Nays: 0. Excused: 1 - Savas. CARRIED.

RESOLUTION NO. 401-398:

**AUTHORIZE TRANSFER OF \$4,000 FROM
OTHER OPERATING EXPENSE FUND TO
TRAVEL EXPENSE FUND--SHERIFFS
DEPARTMENT 1997 BUDGET**

WHEREAS, overages in the amount of \$4,000 exist in the Travel Expense Fund of the Winnebago County Sheriff's Department 1997 Budget; and

WHEREAS, funds are available in the Other Operating Expense Fund of the Winnebago County Sheriff's Department 1997 Budget to cover said overage;

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$4,000 from the Other Operating Expense Fund to the Travel Expense Fund of the Winnebago County Sheriff's Department 1997 Budget.

Submitted by:

**JUDICIARY AND PUBLIC SAFETY COMMITTEE AND PERSONNEL AND FINANCE
COMMITTEE**

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 37. Nays: 0. Excused: 1 - Savas. CARRIED.

RESOLUTION NO. 402-398

**OPPOSE ASSEMBLY BILL 701 - BAN THE
DISPOSAL AND INCINERATION OF USED
AUTOMOTIVE OIL FILTERS WITHOUT
ENERGY RECOVERY IN THE SOLID WASTE
TREATMENT FACILITY**

WHEREAS, Assembly Bill 701 has been introduced within the Wisconsin State Legislature to create a Statute to ban the disposal and incineration of used automotive oil filters without energy recovery in the Solid Waste Treatment Facility in the State beginning in the calendar year 2000; and

WHEREAS, your undersigned Committee believes that said Bill would pose an unnecessary burden upon automobile owners within the State of Wisconsin and automotive repair facilities.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby opposes the passage of Assembly Bill 701.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that hereby directs the Winnebago County Clerk to transmit a copy of this Resolution to all Legislators representing constituents within Winnebago County to the Wisconsin Counties Association and to the Office of Governor Tommy Thompson.

Submitted by:

LEGISLATIVE COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. CARRIED BY VOICE VOTE. Supervisor Pech asked that copies of the bills be attached to resolutions such as this in the future.

RESOLUTION NO. 403-398

**ACCEPT BID OF OSHKOSH NORTHWESTERN
COMPANY--PUBLISH COUNTY BOARD
PROCEEDINGS**

BE IT RESOLVED by the Winnebago County Board of Supervisors that the following bid be accepted and contract executed:

Bid of Oshkosh Northwestern Company, Oshkosh, Wisconsin, to publish the proceedings of the Winnebago County Board shortly after each session in the Oshkosh Northwestern in accordance with Chapter 985, Wisconsin Statutes, and as certified by the Wisconsin Department of Administration, the same to be for the period of April 1, 1998, through March 31, 1999.

STRAIGHT MATTER

\$1.1570 Per Line Single Column
\$2.3788 Per Line Double Column

TABULATED MATTER

\$1.4876 Per Line Single Column
\$3.0585 Per Line Double Column

DISPLAY OR BLOCK

\$14.40 Per Column Inch, Daily
\$15.55 Per Column Inch, Sunday

Submitted by:
JUDICIARY AND PUBLIC SAFETY

COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. CARRIED BY VOICE VOTE. 3 Nays.

RESOLUTION NO. 404-398:

**AUTHORIZE USE AGREEMENT WITH
OSHKOSH TRUCK CORPORATION--WITTMAN
REGIONAL AIRPORT**

WHEREAS, Oshkosh Truck Corporation has requested permission to lease a portion of the Wittman Regional Airport at the rate of \$100 per vehicle test hour for the purpose of performing a number of limited tests upon its large motor vehicles; and

WHEREAS, Winnebago County has successfully leased the use of Wittman Regional Airport to Oshkosh Truck Corporation for said limited purpose in the past; and

WHEREAS, your Aviation Committee believes that the execution of said lease is in the best interests of Winnebago County

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the execution of a limited-use lease agreement between Oshkosh Truck Corporation and Winnebago County for the use of Wittman Regional Airport to be used to test large motor vehicles at the rate of \$100.00 per vehicle per test hour for a term of two years. (A copy of the proposed lease agreement may obtained from the Office of the Winnebago County Corporation Counsel or the Airport Director.)

Submitted by:
AVIATION COMMITTEE

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

RESOLUTION NO. 405-398:

**APPROPRIATE THE SUM OF \$982,141 TO
THE WINNEBAGO COUNTY PARKS CAPITAL
PROJECT FUND FOR THE CONSTRUCTION
OF A COVERED HORSE ARENA AT THE
SUNNYVIEW EXPOSITION CENTER**

WHEREAS, your Parks and Recreation Committee has determined that the building of a covered horse arena will greatly enhance the future use of the Sunnyview Exposition Center and add to the quality of livestock related events held there; and

WHEREAS, the current horse ring is exposed to weather elements that often causes event programming at the facility to be disrupted or canceled; and

WHEREAS, a significant amount of support for this project has been demonstrated by both the general public and those entities who would be utilizing the covered horse arena; and

WHEREAS, this project has been included in the CIP for the past five years and was scheduled to be funded in 1998; and

WHEREAS, a covered horse arena at the Winnebago County Fairgrounds has been included in Winnebago County's Capital Improvement Plan for the last five years with funding scheduled for 1998;

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that \$982,141 shall be appropriated from the General Fund of Winnebago County with said fund to be reimbursed from a subsequent bond issued by Winnebago County.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Executive is authorized to issue a contract to HGM Architecture Inc. for the final design and project management for said improvement.

Submitted by:

PARKS AND RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Ayes: 36.
Nays: 1 - Metzsig. Excused: 1 - Savas. CARRIED.

RESOLUTION NO. 406-398:

**APPROPRIATE THE SUM OF \$1,474,520
TO THE WINNEBAGO COUNTY PARK
CAPITAL PROJECT FUND FOR
CONSTRUCTION OF A ONE-THIRD MILE
RACETRACK AND GRANDSTAND ADDITION
AT THE SUNNYVIEW EXPOSITION CENTER**

WHEREAS, your Parks and Recreation Committee has determined the grandstand area of the Sunnyview Exposition Center is severely underutilized and in need of many improvements; and

WHEREAS, a significant drainage problem exists which severely limits potential uses of the area; and

WHEREAS, surveys have indicated significant public support for stock car racing at the Sunnyview Exposition Center; and

WHEREAS, a conditional use permit has been acquired that will allow for race activities to take place at the Sunnyview Exposition Center for a minimum ten (10) year period; and

WHEREAS, all improvement costs and interest incurred by Winnebago County will be paid back through rental fees to ensure that tax payers do not bear the expense of the project; and

WHEREAS, the construction of the racetrack will provide family entertainment, stimulate the economy, provide jobs, and more than double the revenues of the Sunnyview Exposition Center;

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes approves the construction of a 1/3-mile racetrack and 2,400 seat grandstand addition with said fund to be reimbursed from a subsequent bond issued by Winnebago County;

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes operation of autoracing events at the Sunnyview Exposition Center in compliance with the terms of the conditional use permit issued by the City of Oshkosh.

Submitted by:

PARKS AND RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Much discussion ensued. Corporation Counsel Bodnar stated if the County runs the races, it can charge a surcharge. If a promoter runs the races, the County cannot charge a surcharge. It could be included in the lease with the promoter, however. Supervisor O'Brien commended Supervisor Payne for the effort he expended for the racetrack. Supervisor Schaidler suggested a County sales tax to help defray the costs of all the projects the County is getting into. Dave Panske of N.E.W. Dirt stated they have a contract for racing at Appleton for which N.E.W. provides light bulbs, additional dirt if the track needs it, etc. Cleaning is paid for by N.E.W. The Fair Association cuts the grass. Attendance on Sunday nights averages 2,500 for 17 weeks. Gene Wheeler was going to put up money for a new track for Winnebago County, but since it is on County property, it was decided that it would not be a good idea to have private ownership. Vote on resolution: Ayes: 31. Nays: 6 - Pech, Schwartz, Crowley, Arne, Diakoff and Metzlig. Excused: 1 - Savas. CARRIED.

RESOLUTION NO. 407-398: ESTABLISH PER DIEM RATES FOR DEPUTIES TO THE COUNTY CORONER

WHEREAS, the current per diem rates for Deputies to the County Coroner for standby and response duties are \$30 for assignments of four hours or less and \$60 for assignments of between four hours and twenty-four hours; and

WHEREAS, it is desirable to establish a third per diem category for assignments of between twelve and twenty-four hours;

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby establishes a new schedule of per diem rates for Deputies to the County Coroner for standby and response duties as follows:

0-4 hours \$30
Over 4 hours-12 hours ... \$60
Over 12 hours-24 hours .. \$90

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that this new schedule of per diem rates be effective as of April 15, 1998; and

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to cover the cost of this schedule be applied from within the County Coroner's Budget.

Submitted by:
**JUDICIARY AND PUBLIC SAFETY
COMMITTEE**

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 36. Nays: 1 - Brennand. Excused: 1 - Savas. CARRIED.

ORDINANCE NO. 408-398: AMEND SECTION 8.05(9)(B)(1)(a) OF THE GENERAL CODE OF WINNEBAGO COUNTY (WINNEBAGO COUNTY LAND RECORDS ORDINANCE)

WHEREAS, the Winnebago County Land Records Ordinance requires certified survey maps to be recorded regarding any division of land within Winnebago County, subject to certain exceptions; and

WHEREAS, the Winnebago County Planning and Zoning Committee believes that it would be in the best interests of the citizens of Winnebago County to exempt from said certified survey map requirements property acquired as a part of a highway project within Winnebago County for the purpose of reducing public costs and for the purpose of simplifying the acquisition process; and

WHEREAS, your undersigned Planning and Zoning Committee believes that the purpose of the Winnebago County Land Records Ordinance would not be defeated by adopting said exception;

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

That Section 8.05(9)(B)(1)(a) of the General Code of Winnebago County be amended as follows:

8.05 LAND RECORDS

(9) General Provisions

(b) **Recordable Documents**

1. Combining and Dividing Parcels

- a. Upon the effective date of this Ordinance, a certified survey map (CSM) shall be prepared and submitted for all parcel divisions and combinations regardless of acreage. This shall include property transferred as a result of resolutions of property line disputes. A survey of the entire parent parcel shall be required only where the parent parcel is not presently described as part of a CSM or subdivision plat. The dedication or conveyance of public right-of-way for Winnebago County is exempt from CSM requirements of this Ordinance provided that the property acquired is described on the recorded deed by a metes and bounds description prepared by a registered land surveyor. In addition, the following shall apply:

BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors of the County of Winnebago that this Ordinance shall take effect as of April 15, 1998.

Submitted by:

PLANNING AND ZONING COMMITTEE

Motion by Supervisor Schaidler and seconded to adopt. Ayes: 37. Nays: 0. Excused: 1 - Savas. CARRIED.

**RESOLUTION NO. 409-398: AUTHORIZE EXECUTION OF LEASE
 BETWEEN WINNEBAGO COUNTY AND THE
 U.S. DEPARTMENT OF AGRICULTURE
 (JAMES P COUGHLIN CENTER)**

WHEREAS, the construction of the James P. Coughlin Center was recently completed; and

WHEREAS, said building was designed with the purpose in mind of leasing space to the U.S. Department of Agriculture for use by the Farm Service Agency, Natural Resource Conservation Service and Rural Development Agency; and

WHEREAS, those Federal agencies referenced above work closely with Winnebago County agencies in serving Winnebago County citizens; and

WHEREAS, prior to the construction of said building, a tentative agreement was entered into with the U.S. Department of Agriculture to lease approximately 4,830 square feet of the James P. Coughlin Center to that Department at a cost of \$11.00 per square foot per year for the term through September 30, 2003; and

WHEREAS, your undersigned Committee supports the execution of a lease agreement to effectuate said agreement at this time;

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 execute a lease with the U.S. Department of Agriculture for the purpose of leasing office space at the James P. Coughlin Center to that Department for the Farm Service Agency, Rural Department, and Natural Resource Conservation Services, for a term to commence on February 1, 1998, and to run through September 30, 2003, at an annual rate of \$11.00 per square foot per year for 4,830 square feet of rental space, equal to a rate of \$4,427.50 per month.

Submitted by:

PROPERTY AND MANAGEMENT COMMITTEE

Motion by Supervisor Wagner and seconded to adopt. Ayes: 36. Nays: 1 - Brennand. Excused: 1 - Savas. CARRIED.

RESOLUTION NO. 410-398: Authorize Payment of Per Diem and Expenses for Unassigned Committee Activities

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that pursuant to Section 59.13(2), Statutes, hereby authorizes the payment of per diems and any expenses as allowed by law for the attendance of County Board members and other committee and board members at those meetings listed on Exhibit "A" which is herewith attached and made a part of this resolution by reference.

Submitted by:

PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Diakoff and seconded to adopt. A correction was made that Ken Robl spent 2 days at the State Highway Conference, not 3. Vote on resolution: CARRIED BY VOICE VOTE. Supervisor Footit abstained. Excused: 1 - Savas.

Supervisor Pech wanted to formally thank the retiring supervisors John Planalp, Mary Jo Widener, Connie Owens Schulz and Margaret Brown for their service to the county and to make it a part of the record:

Supervisor Schwartz moved and it was seconded to adjourn SINE DIE until the Organizational Meeting on Tuesday, April 21, 1998 at 6:00 P.M. CARRIED BY VOICE VOTE. Meeting adjourned at 10 P.M.

Respectfully submitted,

Linda Wolfe
Winnebago County Clerk

State of Wisconsin)
County of Winnebago)ss

I, Linda Wolfe, Winnebago County Clerk, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their Sine Die meeting held March 17, 1998.

Linda Wolfe
Winnebago County Clerk