

**ADJOURNED SESSION
COUNTY BOARD MEETING
TUESDAY, MARCH 21, 2000**

Chairman Joseph Maehl 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 Rankin.

The following Supervisors were present: Kollath, Barker, Griesbach, O'Brien, Savas, Maehl, Koziczkowski, Klitzke, Widener, Lauson, Albrecht, Leschke, Green, Madison, Reilly, Sundquist, Wingren, King, Norton, Hert, Nielsen, Robl, Eichman, Kline, Crowley, Kramer, Schaidler, Spanbauer, Sievert, Arne, Diakoff, Brennand, Egan, Rankin, Rengstorf and Metzsig. Absent: 2 – Pech and Finch.

Motion by Supervisor Robl and seconded to amend the agenda by acting on Resolution No. 15-42000 before Resolution No. 2-42000. CARRIED BY VOICE VOTE.

COMMITTEE REPORTS

Supervisor Barker announced that there would be a Legislative Committee meeting on Wednesday, April 26 @ 9:00 a.m., at the James P. Coughlin Center.

Supervisor Robl announced that on Wednesday, April 26 @ 6:00 p.m. there will be a public hearing on the County Truck Y reconstruction project. It will be held at the Winnebago County Highway Department on County Road Y.

COUNTY EXECUTIVE'S REPORT

Executive Van De Hey reported that she is in the process of making her board and commission appointments. She is attempting to make equal distribution of committee assignments, keeping in mind peoples' preferences and past appointments.

Executive Van De Hey reported that starting on May 10th, pass keys will be needed to access the tunnels, and all people entering and leaving the Courthouse will use the main entrance. Executive Van De Hey asked for the Board's support of Resolution No. 7-42000, "Appropriation of Funds for Engineering and Design of Courthouse Security Project."

Executive Van De Hey also asked for the Board's support of the following resolutions: No. 4-42000, "Oppose Roadless Initiative of National Forest Service"; No. 15-42000, "Appoint Mary Krueger as Winnebago County Treasurer"; No. 19-42000, "Appropriate Funds for the Year 2000 Phase of County Buildings Roof Replacement Program"; No. 20-42000, "Transfer \$20,000 from Contingency Fund to Radio Tower Funds to Pay for Engineering Costs for Needed Tower Facility Improvements."

COUNTY EXECUTIVE APPOINTMENTS

Grievance Review Board

Executive Van De Hey asked for the Board's approval of her appointment of Betty Davey, 8374 Clayton Avenue, Neenah to the Grievance Review Board. Motion by Supervisor Robl and seconded to approve. CARRIED BY VOICE VOTE.

Affirmative Action Commission

Executive Van De Hey asked for the Board's approval of her appointment of Joaquim Lira, 220 Washington Avenue, Oshkosh to the Affirmative Action Commission. Motion by Supervisor O'Brien and seconded to approve. CARRIED BY VOICE VOTE.

COMMUNICATIONS, PETITIONS, ETC.

"Geology & Land Use: Consider the Connections" Mini-Conference, Friday, April 28, Menominee Bingo & Casino Hotel, Keshena, Wisconsin.

A “thank you” card from Sue Winninghoff, Register of Deeds, thanking the Board for the flowers they sent for her father’s funeral.

Letters were received from Senators Michael Ellis and Robert Welch acknowledging receipt of various County Board resolutions.

The following resolutions were received: Columbia County, No. 6-00, “Amend Article 4.C. of the Wisconsin County Mutual Insurance Corporation Articles of Incorporation – Conflict of Interest,” and No. 15-00, “Classification of Correctional Officers”; Douglas County, No. 19-00, “Mowing of State Right-of-Ways”; Juneau County, No. 00-15, “Supporting the Wisconsin County Mutual Insurance Corporation”; Marinette County, No. 99-00-31, “Request for State Funding for County Jails.”

Notice of Claim from Bayland Insurance Group for Lamer’s Bus Lines, Inc. regarding damages to a Lamer’s vehicle by a Winnebago County snow plow was referred to the Personnel & Finance Committee.

Notice of Claim from Mark R. Denow for damage to his vehicle by a metal rod protruding from a cement barrier on the STH 150 exit off USH 41 was referred to the Personnel & Finance Committee.

Petition for zoning amendment from Paula L. Riley for change from A-2 to R-1 for a residential lawn and yard was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Alan G. and Cynthia J. Cady for change from A-1/R-1 to R-1 for a single-family residence was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Esther I. Anklam for change from A-2/R-1 to A-2 for grown agricultural crops was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Jim Ostrom for change from A-2/R-1 to A-2 for dairy barn and milking center was referred to the Planning & Zoning Committee.

Petition for zoning amendment from David D. Schubert for change from A-2/B-2 to A-2 for residential and agricultural was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Jeff Boe for change from R-1 to B-3 for a convenience store was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Elizabeth H. Hooyman for change from A-2 to R-2 for a single-family residence was referred to the Planning & Zoning Committee

Petition for zoning amendment from Duane Lee Fox for change from Wetlands Overlay to M-1 for an access driveway to existing light industrial development was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Carol and Harry Johnson for change from P-1/B-3 to B-3 for commercial business was referred to the Planning & Zoning Committee.

Correction of County Executive’s Appointment – Winnefox Library System Board

Chairman Maehl reported that state statutes requires the reduction in size of all library boards, so last month’s appointment of Bernard Juday was an error.

Motion by Supervisor Maehl and seconded that the Board rescind their previous appointment of Mr. Juday to the Winnefox Library System Board. CARRIED BY VOICE VOTE.

TISSUE, EYE AND ORGAN PROCUREMENT PRESENTATION

Barry Busby, Winnebago County Coroner, introduced Scott Saybo from Allograf Resources and Margaret Kilm from the Wisconsin Eye Bank. Mr. Saybo and Ms. Kilm presented plaques to Mercy Medical Center, Theda Clark Medical Center and the Winnebago County’s Coroner’s Office for their commitment to tissue, eye and organ procurement programs.

Mr. Saybo stated that because of the efforts of Mercy Medical Center, Theda Clark Medical Center and Coroner Busby and his staff, more that 65 families have made tissue and organ donations that went to over 1500 recipients.

Ms. Kilm also thanked these organizations and the Coroner’s Office for their efforts in eye bank donations. She reported that in 1999, Winnebago County had 122 donations to the eye bank, from which there were 49 transplants. She explained that eye donations are not only used for transplantation, but also for research and education.

Coroner Busby thanked Mr. Saybo and Ms. Kilm for their recognition of Winnebago County. He also commended the staffs of Mercy Medical Center and Theda Clark Medical Center and Dr. Chambliss for their dedication and efforts.

PUBLIC HEALTH DEPARTMENT AWARD – DENNIS HIBRAY

Supervisor Rankin introduced Dennis Hibray, Director of the Green Bay Regional Office of the Division of Public Health.

Mr. Hibray explained that state law requires that the Department of Health and Family Services must review all local health departments every five years. This review was completed in 1999.

Mr. Hibray explained that during their review, they look at three areas: the local board of health, the local health department and the local health officer. They also review the various services provided by the department and the qualifications of the health officer to determine the level classification of the department.

Winnebago County has been classified as a Level 3 department, which is the highest level they can attain.

Mr. Hibray presented the "Certificate of Designation to Level 3" to Jane Van De Hey and Supervisor Rankin. He commended Winnebago County and the Public Health Department for their efforts and the quality of their programs.

Supervisor Rankin commended Sue Huelsbeck for her excellent leadership and her staff for their outstanding work.

CHILD ABUSE PREVENTION MONTH

Supervisor Savas addressed the Board regarding the various organizations and individuals who are working to decrease the numbers of child abuse cases in Winnebago County. She asked that, during the month of April, the Board wear the blue ribbons that were placed on their desks, to show their support for the end of child abuse.

The following people, who are active participants in the efforts to prevent child abuse, addressed the board and stated their support of Resolution No. 404-32000: Tom Gritton, Deputy District Attorney; Barb Dougherty, Director of the Exchange Club Center for the Prevention of Child Abuse; Chris Howe, Child Protective Services Supervisor, Winnebago County Human Services Department; Officer Jeff Anderson, Winnebago County Sheriff's Department; Det. Ron Lewis, Winnebago County Human Service and Sheriff's Departments.

RESOLUTION NO 404-32000: Proclaim April, 2000 as Child Abuse Prevention Month in Winnebago County

WHEREAS, the incidents and prevalence of child abuse and neglect have reached alarming proportions in the United States and the State of Wisconsin; and

WHEREAS, the State of Wisconsin and Winnebago County face a continuing need to support innovative programs to prevent child abuse and assist parents and family members when child abuse occurs; and

WHEREAS, the State of Wisconsin and Winnebago County have dedicated individuals and organizations who work daily to counter the problems of child abuse and neglect and help parents obtain the assistance which they need; and

WHEREAS, all children deserve freedom from verbal abuse, sexual abuse, emotional and physical abuse and neglect; and

WHEREAS, children should have an inalienable right to a safe and nurturing environment; and

WHEREAS, it is indeed appropriate and fitting to focus attention upon the problem of child abuse and neglect within the State of Wisconsin and Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby proclaims the month of April, 2000 as Child Abuse Prevention Month in Winnebago County.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it calls upon all citizens of Winnebago County to observe April, 2000 as Child Abuse Prevention Month in Winnebago County by participating in appropriate programs and other activities and by wearing blue ribbons upon their clothing.

Submitted by:
HELEN SAVAS, DIST. #5
COUNTY BOARD SUPERVISOR

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

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Maehl thanked Supervisors Schaidler and Troxell for their donations to the Winnebago County Scholarship Fund. Chairman Maehl stated that he has also made a donation to the fund. He reported that approximately \$1,700 has been donated to the Winnebago County Scholarship Fund.

PRESENTATION OF AWARDS – RETIRING COUNTY BOARD SUPERVISORS

Chairman Maehl presented awards to the following retiring County Board Supervisors:

- Dorothy Schwartz, District 14, City of Oshkosh - 1978-2000
- Eugene T. Troxell, District 22, City of Oshkosh –1984-2000
- Donald F. Arne, District 32, Town of Oshkosh and City of Oshkosh
1970 – 1978 and 1993 – 2000
- Terry L. Footit, District 21, City of Oshkosh – 1995-2000
- Ron Montgomery, District 15, City of Oshkosh – 1988-2000
- Laura L. Bertrand, District 16, City of Oshkosh – 1998-2000

Jane Van De Hey, County Executive, extended best wishes to the retiring Supervisors.

PUBLIC HEARING

Chuck Farrey, Supervisor from the Town of Vinland, spoke in support of Resolution No. 394-32000, "Oppose Any Effort of Wisconsin Central Railroad to Acquire WIOUWASH Trail." He also asked that the Board include the Medina Junction Bypass in their resolution, as it is not in the best interest of the residents of the Town of Vinland.

Steve DuKlemmer, President of the Interstate Racing Association and resident of Illinois, spoke in support of Resolution No. 413-32000, "Recommend Amendment of Racetrack Lease Agreement with Odyssey Productions, Inc."

Cindy Schultz, Town of Vinland resident, spoke in support of Resolution No. 394-32000, "Oppose Any Effort of Wisconsin Central Railroad to Acquire WIOUWASH Trail." She also asked that the Board amend the resolution to include any and all rails coming through on the WIOUWASH Trail.

Lyndall Johnson, Town of Nekimi resident, spoke in support of Resolution No. 413-32000, "Recommend Amendment of Racetrack Lease Agreement with Odyssey Productions, Inc."

Jeffrey Sachs, Appleton, spoke in support of Resolution No. 413-32000, "Recommend Amendment of Racetrack Lease Agreement with Odyssey Productions, Inc."

Wayne Petti, Winnebago County resident, spoke in support of Resolution No. 413-32000, "Recommend Amendment of Racetrack Lease Agreement with Odyssey Productions, Inc."

Ernie Baye, President of Odyssey Productions, spoke in support of Resolution No. 413-32000, "Recommend Amendment of Racetrack Lease Agreement with Odyssey Productions, Inc."

The accountant for Sunnyview Speedzone Raceway addressed the Board about the financial losses Odyssey Productions, Inc., suffered during last year's racing season.

Chairman Maehl ended this portion of the Public Hearing.

Motion by Supervisor Kollath to reconsider Resolution No. 390-22000, "Transfer Funds from Law Enforcement Center Capital Project Fund to CTH "A" Capital Project Fund." John Bodnar, Corporation Counsel, advised that because this resolution is not on tonight's agenda, Supervisor Kollath's motion is out of order.

PUBLIC HEARING, CONT.

Chairman Maehl re-opened the Public Hearing for matters not relating to Resolution No. 413-32000, "Recommend Amendment of Racetrack Lease Agreement with Odyssey Productions, Inc."

Ronald Zehner, Town of Winchester, spoke in support of Amendatory Ordinance No. 03-06-00.
Brian Voight, Town of Vinland, spoke in support of Resolution No. 394-32000, "Oppose Any Effort of Wisconsin Central Railroad to Acquire WIOUWASH Trail."
Rodney Scholz, Home Trust Realty, spoke in support of Amendatory Ordinance No. 03-06-00.
A county resident spoke in support of Resolution No. 394-32000, "Oppose Any Effort of Wisconsin Central Railroad to Acquire WIOUWASH Trail."

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant James E. Smith and property owner Harbor Village LLC, Town of Omro, for zoning change to R-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 03-01-00. A request for zoning change from R-1 to R-2. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Roger Foust, Town of Omro, for zoning change to A-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 03-02-00. A request for zoning change from R-1/A-2 to A-2. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner James B. Potratz, Town of Omro, for zoning change to A-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 03-03-00. A request for zoning change from R-1/A-2 to A-2. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a request from applicant Jeff Hall, and property owner Milton Hannis, Town of Rushford, for rezoning to the same revised wetland. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 03-04-00. A request for rezoning from A-2 (wetland) to same – revised wetland. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 005. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Kenneth J. Jungwirth and property owner James W. Jungwirth, Town of Poygan, for zoning change to A-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 03-05-00. A request for zoning change from M-2/B-3 to A-2. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 006. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Rodney Scholz, and property owner Ronald Zehner, Town of Winchester, for zoning change to R-1. Motion by Supervisor Schaidler and seconded to accept. Supervisor Schaidler asked that the Board note that there is a correction to the legal description on the report. Supervisor Schaidler explained that the legal description has been corrected to show that this zoning change would only affect 1.736 acres, not the entire parcel. Motion to accept the corrected report - CARRIED BY VOICE VOTE.

Supervisor Schaidler explained that the Planning & Zoning Committee motion to accept or deny this request lost on a tie vote, so they make no recommendation regarding this request to the Board.

AMENDATORY ORDINANCE NO. 03-06-00. A request for rezoning from A-1 (Exclusive Agriculture) to R-1 (Single Family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. Ayes: 26. Nays: 8 – Kollath, Lauson, Schwartz, Troxell, Robl, Schaidler, Diakoff and Brennand. Abstain: 1 – Klitzke. Excused: 1 – Arne. Absent: 2 – Sundquist and Crowley. CARRIED.

AMENDATORY ORDINANCE NO. 07. A request from the Town of Utica on behalf of John E. Lenz for zoning change from A-1 to A-3. Motion by Supervisor Egan and seconded to adopt. Motion by Supervisor Diakoff to send back to the Town of Utica for clarification. No second. Vote on motion to adopt – Ayes: 26. Nays: 8 – Kollath, Koziczkowski, Troxell, Schaidler, Sievert, Diakoff, Brennand and Rengstorf. Abstain: 1 – Klitzke. Excused: 1 – Arne. Absent: 2 – Sundquist and Crowley. CARRIED.

AMENDATORY ORDINANCE NO. 08. A request from the Town of Utica on behalf of Jeffrey J. & Mary

T. Hunter for zoning change from A-1 to A-3. Motion by Supervisor Egan and seconded to adopt. Ayes: 27. Nays: 6 – Kollath, Schaidler, Sievert, Diakoff, Brennand and Rengstorf. Excused: 1 – Arne. Absent: 4 – Sundquist, Wagner, Crowley and Spanbauer. CARRIED.

AMENDATORY ORDINANCE NO. 09. A request from the Town of Wolf River on behalf of the Town of Wolf River to repeal existing zoning ordinance and adopt new ordinance dated February 28, 2000. A complete text is on file in the Winnebago County Zoning Office. Motion by Supervisor Metzger and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTIONS & ORDINANCES

RESOLUTION NO 392-32000: Authorize Major Recommendations for Relocated USH 45 from the City of Oshkosh to the City of New London

WHEREAS, East Central Wisconsin Regional Planning Commission is working with the Wisconsin Department of Transportation and impacted jurisdictions in the preparation of a long-range corridor study and recommendations for the USH 45 corridor ; and

WHEREAS, the Wisconsin Department of Transportation plans currently indicate a relocation of USH 45 on new highway right-of-way from USH 41 to CTH G in Winnebago County as a four-lane divided highway leaving a four-mile segment from CTH G to the new USH 10 freeway in the Town of Winchester as a two-lane highway; and

WHEREAS, USH 45 is a primary tourism route with peak travel times with high traffic volumes causing safety concerns with the proposed 2-lane bottleneck between CTH G and USH 10; and

WHEREAS, a consistent four-lane highway section would eliminate confusing and dangerous changes in highway design and provide the safest type of roadway for the traveling public; and

WHEREAS, a four-lane freeway design for the proposed USH 45 with an interchange at CTH T and Ryf Road would serve the existing and proposed urban development along the highway corridor; and

WHEREAS, a four-lane freeway would best serve the area with the inclusion of an interchange at STH 116 and CTH GG, as well as an interchange at STH 150; and

WHEREAS, USH 45 is identified as a Tier 1 highway in Wisconsin's access control plan and should, as such, be protected by management strategies based on future local road and land use plans; and

WHEREAS, long term traffic volumes and safety concerns may eventually require a four-lane divided highway to New London, to be reflected in highway and local land use plans; and

WHEREAS, the high speeds and high cross-traffic volumes, in addition to historic safety problems, that includes a number of fatalities at the intersection of existing CTH D and STH 96; and

WHEREAS, a full interchange constructed at STH 96 and USH 45 would address increased traffic volumes, high speeds, cross-traffic and historic intersection safety problems; and

WHEREAS, the New London urban area would be served with a separation at Manske and Givens Roads, south of New London, in the short term, right-of-way should be preserved for an interchange at this location to accommodate growth beyond the projections for the twenty year plan.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby recommends the following:

- Section 1. The relocated USH 45 be initially constructed as a freeway four-lane, limited access, divided highways from USH 41 at Oshkosh to the new USH 10 freeway in the Town of Winchester in Winnebago County.
- Section 2. The USH 45 be designed and constructed as a freeway with interchanges at CTH T and Ryf Road; STH 116 and CTH GG; and at STH 150 and STH 110.
- Section 3. The WisDOT prepare long-range plans for a four-lane expressway on USH 45, from the USH 10 freeway north of Winchester to New London, for implementation as traffic needs require.
- Section 4. The WisDOT construct an interchange at STH 96 and new USH 45 as soon as possible.
- Section 5. The proposed grade separated intersection of USH 45 and Givens/Manske Roads south of New London be planned to ultimately accommodate a full four lane, divided highway interchange.

Submitted by:

HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 34. Nays: 0. Excused: 1 – Arne. Absent: 3 – Leschke, Sundquist and Crowley. CARRIED.

RESOLUTION NO. 393-32000: Appropriate \$900,000 for Completion of County Highway "CB" Project

WHEREAS, inflationary factors, specifically the increased cost of oil products for asphalt, have resulted in an increase in the cost of completion of the County Highway "CB" project; and

WHEREAS, it is estimated that an additional \$900,000 shall be required to complete the project; and

WHEREAS, Southern Energy Corporation has contracted to pay \$160,000 worth of costs connected with the construction of said highway, receipt of which is still outstanding; and

WHEREAS, it is imperative that said project be completed as soon as possible so as to prevent continued cost run-ups.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$740,000 from the Winnebago County General Fund and \$160,000 of anticipated revenues from Southern Energy Corporation to the Winnebago County Highway Department Highway Construction Fund for purpose of completing the Highway "CB" Project..

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County General Fund to be reimbursed from a future bond issue in the amount of \$740,000 in relationship to construction of said project.

Submitted by:
HIGHWAY COMMITTEE
AND
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. John Haese, Winnebago County Highway Commissioner and Mick Gilkowski presented the 1999 Construction Summary. Vote on Resolution - Ayes: 32. Nays: 3 – Schwartz, Bertrand and Wingren. Excused: 1 – Arne. Absent: 2 – Sundquist and Crowley. CARRIED.

RESOLUTION NO. 413-32000: Recommend Amendment of Racetrack Lease Agreement With Odyssey Productions, Inc.

WHEREAS, the Parks and Recreation Committee agreed that following the first racing season at the Sunnyview Race Track that it would meet with Odyssey Productions, Incorporated in relationship to the operation of the racetrack; and

WHEREAS, the Odyssey Productions, Incorporated production of automobile races during the 1999 racing season met all expectations of the Parks and Recreation Committee with regard to their operation of the races, their cooperation with the Parks Department and service organizations, and the wholesomeness of the environment provided during races; and

WHEREAS, based upon actual attendance figures, your undersigned Committee believes that the rental fee charged to Odyssey Productions, Incorporated for rental of the Sunnyview Racetrack is not commensurate with the original concept and proposal for rental of the racetrack as approved by the Winnebago County Board of Supervisors on March 17, 1998; and

WHEREAS, Odyssey Productions, Incorporated desires the County to enter into a fair and equitable fee structure for rental of the facility based upon actual attendance of races at the Sunnyview Racetrack during the previous year; and

WHEREAS, Odyssey Productions, Incorporated has indicated that it lost money by operating races at Sunnyview Racetrack during the 1999 racing year and that it is unrealistic for them to offset those loses in future years by raising prices, in that their concession prices are in line with other racetracks in the area and their admission fees are at least \$1.00 above the admission fees for other racetracks in the area.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it urges

the Winnebago County Executive to negotiate and amend the lease between Winnebago County and Odyssey Productions, Incorporated so as to reduce the rent per event by \$2250.00, from \$6700.00 to \$4450.00.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it urges the Winnebago County Executive to complete said negotiations prior to April 15, 2000.

Submitted by:
PARKS & RECREATION COMMITTEE

Motion by Supervisor Klitzke and seconded to adopt. Ayes: 18 – Kollath, Barker, Griesbach, O'Brien, Savas, Koziczowski, Klitzke, Widener, Lauson, Footit, Troxell, Kramer, Schaidler, Finch, Spanbauer, Egan, Rankin and Rengstorf. Nays: 17 – Maehl, Albrecht, Pech, Leschke, Schwartz, Mathy, Bertrand, Wingren, Wagner, Warnke, Robl, Eichman, Bellin, Sievert, Diakoff, Brennand and Metzиг. Excused: 1 – Arne. Absent: 2 – Sundquist and Crowley. CARRIED.

RESOLUTION NO. 394-32000: Oppose Any Effort of Wisconsin Central Railroad to Acquire Wiouwash Trail

WHEREAS, the Wiouwash Trail is used by thousands of persons every year for recreational opportunities, including but not limited to hiking, running, fishing, snowmobiling and horseback riding; and
WHEREAS, Winnebago County owns the Wiouwash Trail right-of-way in fee-simple; and
WHEREAS, Winnebago County has spent hundreds of thousands of dollars for the acquisition and maintenance of said trail; and

WHEREAS, many non-profit groups are involved with regard to the voluntary maintenance of the Wiouwash Trail and donate significant amounts of time and money for said purpose; and

WHEREAS, said trail is a tourist attraction within Winnebago County; and

WHEREAS, the Wisconsin Central Railroad has proposed to the State Railroad Commission the possible acquisition of the Wiouwash Trail for the purpose of replacement of a railroad line either upon or adjacent to the Wiouwash Trail; and

WHEREAS, said action on the part of the Wisconsin Central Railroad would ruin the use of the Wiouwash Trail for its present purposes; and

WHEREAS, alternative routes exist whereby the Wisconsin Central Railroad could cure any congestion problem which it has presently and the acquisition of said routes are more economically feasible than any acquisition of right-of-way on the WIOUWASH Trail.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby opposes any effort on the part of the Wisconsin Central Railroad to acquire any existing Wiouwash Trail right-of-way for the purpose of building a new railroad line.

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 within Winnebago County, to the Chairman of the Wisconsin Railroad Commission, to the Wisconsin Counties Association and to the Office of Governor Tommy Thompson, the Wisconsin Central Railroad and Kevin Soucie and Associates.

Submitted by:
PARKS & RECREATION COMMITTEE
AND
LEGISLATIVE COMMITTEE

Motion by Supervisor Klitzke and seconded to adopt. Motion by Supervisor Sievert and seconded to amend Line 42 and 43 by inserting after "Wisconsin Central Railroad", "any and all railroads". CARRIED BY VOICE VOTE.

Vote on Resolution as amended – Ayes: 34. Nays: 0. Excused: 1 – Arne. Absent: 3 - Leschke, Sundquist and Crowley. CARRIED.

At this point in the meeting, Chairman Maehl called for a recess.

**RESOLUTION NO. 395-32000: Appropriation of a Donation Towards the Purchase of
Buoys to be Added to the County's Waterway Navigation Aids**

WHEREAS, the TRI-COUNTY POWERBOAT ALLIANCE has pledged \$8,500.00 towards the purchase of six buoys to be added to the County's waterway navigation aids; and

WHEREAS, the additional lighted buoys will greatly assist boaters in setting a correct course through waterways at the mouth of the Wolf River in Lake Poygan; and

WHEREAS, the additional buoys will increase safety by allowing boaters to avoid numerous hazards present in the unmarked river channel; and

WHEREAS, your undersigned Committee recommends that said donation be accepted and hence placed in the Buoy Deferred Revenue Donations Account to be held until such time as disbursement is required to pay for the purchase of the buoys.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Parks Department to accept a donation from the TRI-COUNTY POWERBOAT ALLIANCE in the amount of \$8,500.00.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates those funds received as a result of said donation to the Buoy Deferred Revenue Donations Account to be held until disbursement is required to pay for the purchase of the buoys..

Submitted by:
PARKS & RECREATION COMMITTEE

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

**RESOLUTION NO. 396-32000: Transfer Funds from Labor Expense Category to Other Operating
Expense Category within Public Health Department**

WHEREAS, the Public Health Department had a need to contract out services during 1999 due to staff turnover, and

WHEREAS, because of a tight labor market, it was difficult to fill vacant positions quickly resulting in the need to contract out on a temporary basis, and

WHEREAS, the Contract Services line item within the Other Operating Expense Category is over budget for 1999 because this was not anticipated during the 1999 budget process, and

WHEREAS, the Labor category has surplus funds available to cover the Contracted Services overage because of positions being vacant during 1999.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the transfer of \$5,800 from the Labor Expense category of the Public Health Department to the Contracted Services account of the Public Health Department to cover the overage in that account.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

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

**RESOLUTION NO. 402-32000: Transfer Funds between Categories within the Public Health
Department for 1999 to Cover Overage in Labor Category.**

WHEREAS, the Health Department had a budget overrun in the other operating expense category of \$5,800 during 1999, and

WHEREAS, the overage was the result of using a temporary agency for staffing when there was staff turnover, and

WHEREAS, with the tight labor market, it was difficult to fill positions quickly making it necessary to use a temporary help agency, and

WHEREAS, the overage in contract services of \$5,800 can be covered with the funds originally budgeted for labor costs.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the transfer of \$5,800 from the Labor category to the Other Operating Expense category to cover the cost of contracted services.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 397-32000: Accept a Grant to Park View Health Center of \$7,000 and Apply the Funds for Equipment Purchases for Resident Needs

WHEREAS, the United Way of Oshkosh has made a grant of \$7,009 available to Parkview Health Center, and

WHEREAS, the grant is for the purpose of purchasing merry walkers, tilt-in- space walkers and bed/wheelchair sensors for resident needs, and

WHEREAS, Park View Health Center has a definite need for this type of equipment.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the acceptance of a \$7,009 grant from the Oshkosh Area United Way and hereby appropriates said funds to the purchase of the equipment as described above.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 398-32000: Transfer \$45,000 from Contingency Fund of General Fund to Airport Capital Outlay Account for Runway Repairs and Taxiway Construction

WHEREAS, Wittman Airport has received AIP funding for runway repairs and taxiway construction, and

WHEREAS, obtaining this funding is contingent on Winnebago County funding a portion of the project costs, and

WHEREAS, Winnebago County has previously appropriated \$105,000 for these projects, and WHEREAS, Additional matching funds that Winnebago County must appropriate to obtain the additional AIP funding is \$45,000.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the transfer of \$45,000 from the General Fund contingency fund to the capital outlay account of Wittman Airport to apply as the County's matching funds for the projects.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 399-32000: Appropriate additional \$65,000 from Jail Assessment Fund to Holding Cell Project for completion of the Holding Cell project.

WHEREAS, additional funds of \$65,000 are needed to complete the Courthouse Holding Cell project, and

WHEREAS, the jail assessment fund has these additional funds available and they can be applied to this project.

WHEREAS, the additional funds are needed for electronic door controls, monitoring equipment and additional construction costs to complete the project.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the transfer of \$65,000 from the Jail Assessment fund to the Courthouse Holding Cell project for the purpose of completing the project.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 400-32000: Transfer Funds to Cover Overages in Coroner Department for 1999.

WHEREAS, the Coroner Department had budget overruns in the Travel Expense and Other operating expense lines during 1999, and

WHEREAS, the overage in travel is \$2,800 which resulted because the van could no longer be driven and the Coroner received a mileage reimbursement instead, and

WHEREAS, other operating expenses were over budget by \$8,400 primarily because of the amount of autopsies that were performed, and

WHEREAS, part of this overage can be covered by \$3,880 of unanticipated revenues from cremations, and

WHEREAS, the balance of the overage of \$ 7,320 can be covered with savings in the Labor area thus no funds are needed from the General Fund.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the transfers between accounts as stated above to cover overages in budget categories within the Coroner's Department for 1999.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 401-32000: Transfer Funds to Cover Overages in Switchboard Department for 1999.

WHEREAS, the Switchboard Department had budget overruns in the labor and telephone expense lines during 1999, and

WHEREAS, the overage in labor is \$2,925 and Fringes is \$1,625 and resulted due to benefits that were payable to a retiring employee for accumulated sick leave and vacation, and

WHEREAS, telephone expense was under budgeted for the year by \$465, and

WHEREAS, there are insufficient funds in other line items within the department to transfer funds from to cover the overages.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the transfer of \$5,015 from the General Fund Undesignated Fund Balance to cover the overages.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 403-32000: Transfer \$20,000 from General Fund Contingency Fund to Facilities Department Capital Outlay account for the purchase of a Maintenance Van.

WHEREAS, the Winnebago County 2000 budget included a new Maintenance Worker position for the department, and

WHEREAS, the 2000 budget also included a Maintenance Van on a schedule of items to be included in the 2000 bond issue, and

WHEREAS, the schedule of items to be included in the 2000 bond issue was deleted from the 2000 budget book, and

WHEREAS, there is still a need to purchase this maintenance van for the new worker.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the transfer of \$20,000 from the General Fund Contingency Fund to the Facilities Department capital outlay account for the purchase of a Maintenance Van.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 17 – Kollath, Griesbach, Savas, Koziczowski, Widener, Lauson, Schwartz, Bertrand, Wingren, Wagner, Bellin, Kramer, Spanbauer, Diakoff, Brennand, Egan and Rengstorf. Nays: 15 – Barker, Maehl, Klitzke, Albrecht, Pech, Mathy, Warnke, Troxell, Robl, Eichman, Schaidler, Finch, Sievert, Rankin and Metzsig. Excused: 1 – Arne. Absent: 5 – O'Brien, Leschke, Sundquist, Footit and Crowley. LOST. (Two-thirds of membership required.)

RESOLUTION NO 405-32000: Replace One Full-Time Position of Maintenance Worker II with One Full-Time Position of HVAC Specialist: Facilities and Property Management Department

WHEREAS, as part of the 2000 County Budget, a new position of Maintenance Worker II was approved for the Facilities and Property Management Department; and

WHEREAS, the position has not been filled to date; and

WHEREAS, a further review of the staffing needs and the skill levels of positions within the Facilities and Property Management Department has indicated that a position of HVAC Specialist is more needed than the position of Maintenance Worker II, which was approved.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that one full-time position of Maintenance Worker II be replaced with one full-time position of HVAC Specialist in the Table of Organization of the Facilities Maintenance and Management Department; and

BE IT FURTHER RESOLVED, that funds necessary to cover the cost of this action be applied from within the budget of the Facilities Maintenance and Management Department.

Submitted by,
FACILITIES & PROPERTY MANAGEMENT COMMITTEE
AND
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Wagner and seconded to adopt. Ayes: 25 – Kollath, Barker, Griesbach, Savas, Maehl, Koziczowski, Klitzke, Widener, Lauson, Albrecht, Schwartz, Mathy, Wagner, Warnke, Robl, Bellin, Finch, Spanbauer, Sievert, Diakoff, Brennand, Egan, Rankin, Rengstorf and Metzsig. Nays: 7 – Pech, Bertrand, Wingren, Troxell, Eichman, Kramer and Schaidler. Excused: 1 – Arne. Absent: 5 – O'Brien, Leschke, Sundquist, Footit and Crowley. LOST. (Two-thirds of membership required.)

RESOLUTION NO. 406-32000: Commendation for James Barthel

WHEREAS, James Barthel has been employed with Winnebago County UW-Extension, for the past twenty-one years and seven months, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, James Barthel 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 James Barthel for the fine services he has rendered to Winnebago County.

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

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 407-32000: Commendation for Karen Lechner

WHEREAS, Karen Lechner has been employed with Winnebago County, for the past thirty-one years and one month, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Karen Lechner 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 Karen Lechner for the fine services she has rendered to Winnebago County.

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

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 408-32000: Support Senate Substitute Amendment #1 to 1999 Senate Bill 91

WHEREAS, 1999 Senate Bill 91 imposes restrictions on rates that large telecommunication utilities can charge long-distance carriers to access their lines before the provision of long-distance telephone service; and

WHEREAS, under Senate Substitute Amendment #1 to 1999 Senate Bill 91, long-distance carriers would agree to pay any inflated access charges for one additional year and any dollars paid as a result would be collected by the State Department of Revenue and distributed to local governments to fund upgrades in 911 Systems; and

WHEREAS, Winnebago County believes that it may be entitled to recoup as much as \$1.467 Million Dollars for its 911 Systems should Senate Substitute Amendment #1 to 1999 Senate Bill 91 pass.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby supports the adoption of Senate Substitute Amendment #1 to 1999 Senate Bill 91 and the adoption of said Bill with said amendment..

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to forward 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 Barker and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 409-32000: Authorize Continuation of Planning & Zoning Committee

WHEREAS, a new County Board of Supervisors shall take office on April 18, 2000; and

WHEREAS, Committee appointments shall not be made until April 25, 2000; and

WHEREAS, the Planning and Zoning Committee shall be required to act between April 18, 2000 and April 25, 2000 on pending business; and

WHEREAS, it would be detrimental to property owners requiring consideration of matters before the Planning and Zoning Committee to delay their projects because of the temporary non-existence of said Committee; and

WHEREAS, four of the five present Planning and Zoning Committee members are running for re-election and are unopposed.; and

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes those Planning and Zoning Committee members who are re-elected in the upcoming County Board Supervisors election to continue to function as the Winnebago County Planning and Zoning Committee of the Winnebago County Board of Supervisors from April 18, 2000 through April 25, 2000.

Submitted by:
JOHN SCHAIDLER, DIST. # 28
COUNTY BOARD SUPERVISOR

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

RESOLUTION NO. 410-32000: Transfer \$41,000 from General Fund Contingency Fund to Park View Health Center Capital Outlay Account for the Replacement of a Hot Water Heat Exchanger and Heating Control Equipment Replacement.

WHEREAS, the Winnebago County 2000 budget included the replacement of a hot water heat exchanger at a cost of \$8,000 and the replacement of heating control equipment at a cost of \$33,000, and

WHEREAS, both replacements were included on a schedule of items to be included in the 2000 bond issue, and

WHEREAS, the schedule of items to be included in the 2000 bond issue was deleted from the 2000 budget book, and

WHEREAS, there is still a need to replace this equipment.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the transfer of \$41,000 from the General Fund Contingency Fund to the Capital Outlay account of Park View Health Center for the replacement of the above named equipment.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 411-32000: Transfer \$21,722 from General Fund Undesignated Fund Balance to Park View Health Center Air Conditioning Capital Project Fund to Cover Balance of Project Costs and Close out the Project

WHEREAS, the Air-conditioning Capital Project at Parkview Health Center has been completed, and

WHEREAS, the project is over budget by \$21,722 due to costs of construction of a special room to house and air condition telephone switching and other telecommunications equipment, and

WHEREAS, an additional part of the overrun is due to additional change orders that were necessary because of unforeseen problems inside some of the walls, and

WHEREAS, there are not sufficient funds within the project fund to cover these additional costs.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the transfer of \$21,722 from the General Fund Undesignated Fund Balance to the Air-Conditioning Capital Project fund to cover the above described additional costs of the air-conditioning project.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 412-32000: Authorize Option for Ground Lease to Appleton Cellular Telephone Company (Wittman Regional Airport)

WHEREAS, Wittman Regional Airport and Appleton Cellular Telephone Company have negotiated an option to be provided to Appleton Cellular Telephone Company for a period of one (1) year for the purpose of allowing Appleton Cellular Company to lease property at Wittman Regional Airport for the purpose of constructing and operating a cellular telephone antenna upon said premises; and

WHEREAS, Appleton Cellular Telephone Company will pay Wittman Regional Airport, pursuant to said agreement, the sum of Five Hundred Dollars (\$500.00) per month for said option during the term of the option; and

WHEREAS, should Appleton Cellular Telephone Company exercise said option, it shall pay Winnebago County the amount of \$750.00 per month for said ground lease plus appropriate easements for access to said site for a period of five years; and

WHEREAS, your undersigned Committee has approved said option and potential lease agreement and believes that it serves the best interest of Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves and authorizes the Winnebago County Executive and Winnebago County Clerk to execute an option to provide Appleton Cellular Telephone Company with a ground lease for the installation of a cellular radio antenna at Wittman Regional Airport, for a sum of \$500.00, said option to run for a period of one (1) year from the execution of the agreement..

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and the Winnebago County Clerk to execute a ground lease for a five (5) year period with Appleton Cellular Telephone Company for those purposes stated above for a sum of \$750.00 per month should Appleton Cellular Telephone Company execute the option referred to above.

A copy of the proposed option and Ground Lease may be obtained from the Airport Director or from the Office of Corporation Counsel.

Submitted by:
AVIATION COMMITTEE

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

RESOLUTION NO. 414-32000: Authorize Execution of Land Lease to the Army Corps of Engineers for a Water Level Gauging Station at Boom Bay Boat Launch

WHEREAS, the Army Corp of Engineers desires to continue to lease a 2 X 2 foot area at the Boom Bay Boat Launch for maintaining a water level gauging station; and

WHEREAS, your undersigned Committee believes that it would be in the best interest of Winnebago County to grant said lease to the Army Corp of Engineers.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes execution of a land lease to the Army Corps of Engineers for maintaining a water level gauging station at Boom Bay Boat Launch for a period of five (5) years.

Submitted by:

PARKS AND RECREATION COMMITTEE

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

RESOLUTION NO. 415-32000: Approve Coughlin Community Natural Area in Perpetuity

WHEREAS, the James P. Coughlin Center, a service facility built on County owned lands, includes, among others, the Winnebago County Land & Water Conservation Department, the Winnebago County Parks Department, the Wisconsin Department of Natural Resources Oshkosh Service Center, and the University of Wisconsin Extension Service Offices; and

WHEREAS, these service agencies and the County Board itself share various responsibilities in the delivery of programs and services aimed at the conservation, management, and sustained use and appreciation of our land, water, and related natural resources; and

WHEREAS, a 35 acre parcel of county owned land adjacent to the James P. Coughlin Center, as accurately shown in the attached document entitled Coughlin Community Natural Area – A Proposal, presents Winnebago County with an outstanding opportunity to demonstrate ways in which our natural resources can be conserved, managed, and sustained.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the proposal to establish and name the *Coughlin Community Natural Area* is hereby approved.

BE IT FURTHER RESOLVED, that the area henceforth known as the *Coughlin Community Natural Area* shall be managed as a natural area in perpetuity.

Submitted by:
LAND CONSERVATION COMMITTEE

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

RESOLUTION NO. 416-32000: 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, 2000 through March 31, 2001.

STRAIGHT MATTER:

\$1.20 per line Single Column

\$2.40 per line Double Column

DISPLAY OR BLOCK

\$15.90 Per Column Inch, Daily

\$17.18 per Column Inch, Sunday

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 24. Nays: 8 – Barker, Savas, Maehl, Klitzke, Lauson, Kramer, Finch and Rankin. Excused: 1 – Arne. Absent: 5 – O'Brien, Leschke, Sundquist, Footit and Crowley. CARRIED.

RESOLUTION NO. 417-32000: Accept Two-Year Bid of Rogers Publishing Company for Printing of County Board Proceedings

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

Rogers Publishing Company, Winneconne, Wisconsin, to print the proceedings of the Winnebago County Board of Supervisors for the years 2000-2001 and 2001-2002 at the following costs:

April, 2000 through March, 2001: \$143.77 per month for 85 copies based on 30 pages per copy. The cost per additional page per 85 monthly proceeding booklets shall be \$3.23. The cost for 90 copies of the complete year proceeding booklet based on 400 pages will be \$1027.80. The cost per additional page per 90 complete year proceeding booklets shall be \$1.85. The term of the agreement based upon the bid shall be from April 1, 2000 through March 31, 2001.

April, 2001 through March, 2002: \$148.09 per month for 85 copies based on 30 pages per copy. The cost per additional page per 85 monthly proceeding booklets shall be \$3.33. The cost for 90 copies of the complete year proceeding booklet based on 400 pages will be \$1058.64. The cost per additional page per 90 complete year proceeding booklets shall be \$1.91. The term of the agreement based upon the bid shall be from April 1, 2001 through March 31, 2002.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

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

RESOLUTION NO. 418-32000: Amend Section 3.2 of the Rules of the Winnebago County Board of Supervisors

WHEREAS, Section 3.2 of the Rules of the Winnebago County Board of Supervisors presently reads as follows:

“No resolutions or ordinances shall be considered at the Organization Meeting, except those relating to new rules and rule changes passed during the last term”; and

WHEREAS, said rule, as presently constructed, prevents rule members from proposing rule changes at the Organizational Meeting unless aid rule changes were passed during the last term; and

WHEREAS, said rule, as presently constructed, defeats the clear intent of the rule, which is to allow the newly elected County Board of Supervisors to propose rules and rule changes at the Organizational Meeting; and

WHEREAS, the Organizational Meeting is the only time when rules and rule changes may be proposed subject to a majority vote of the membership present.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that Section 3.2 of the Rules of the Winnebago County Board of Supervisors be amended to read as follows:

“No resolution or ordinance shall be considered at the Organizational Meeting except those relating to rules.”

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Motion by Supervisor Rengstorf and seconded to amend resolution to also require a two-thirds vote. Corporation Counsel Bodnar ruled this motion out of order because it would affect a different County Board rule, and that rule is not on tonight's agenda.

Ayes: 25. Nays: 7 – Savas, Widener, Wagner, Kramer, Finch, Spanbauer and Rankin. Excused: 1 – Arne. Absent: 5 – O'Brien, Leschke, Sundquist, Footit and Crowley. CARRIED.

RESOLUTION NO. 419-32000: Authorize Acceptance of Offer and Execution of Deed For Purchase of Property: Old Highway Department Property

WHEREAS, Joseph R. Kobussen has made an offer to Winnebago County to purchase vacant property located adjacent to the old Winnebago County Highway Department Building on Osborn Avenue in the City of Oshkosh; and

WHEREAS, pursuant to a counter-offer accepted by Mr. Kobussen, said property would be purchased from Winnebago County for the price of \$130,000; and

WHEREAS, Mr. Kobussen would utilize the property for the purpose of constructing a depot for the

school bus company he operates; and

WHEREAS, your undersigned Committee believes that acceptance of said offer serves the best interest of Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the counter-offer which was accepted by Joseph R. Kobussen for purchase of Parcel #2 of Plat of Survey #3205 adjacent to the old Winnebago County Highway Department Building located on Osborn Avenue in the City of Oshkosh for the price of \$130,000..

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and the Winnebago County Clerk to execute a deed transferring title to said property to Joseph R. Kobussen or his designee upon payment of the agreed upon price for said property and fulfilling those conditions contained in the Offers and Counter-offers to purchase said property which are attached to this agreement and made a part hereof by reference.

Submitted by:
FACILITIES & PROPERTY MANAGEMENT COMMITTEE

Supervisor Wagner withdrew this resolution.

RESOLUTION NO. 420-32000: Authorize Execution of Agreement with Radtke Contractors, Inc. for Maintenance of Navigation Aids

WHEREAS, Winnebago County is involved in placing buoys for recreational boating; and
WHEREAS, Winnebago County recognizes that properly marked waterways are necessary for safe recreational boating within the Navigation Aids System; and

WHEREAS, Winnebago County desires to enter into a five (5) year agreement with Radtke Contractors, Inc. for the purpose of maintaining the Navigation Aids System within Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves and authorizes execution of an agreement between Winnebago County and Radtke Contractors, Inc. for a period of five (5) years at an annual cost of \$32,330 plus hourly repair fees. (A copy of the proposed agreement may be obtained in its entirety (38 pages) from the Office of the Parks Department).

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby

Submitted by:
PARKS & RECREATION COMMITTEE

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

ORDINANCE NO. 421-32000: Amend Winnebago County Health Department Fee Schedules, Chapter 11, General Code of Winnebago County

WHEREAS, Sections 11.11 and 11.12 of the General Code of Winnebago County include fee schedules for permit fees with regard to restaurants, places of lodging, campgrounds, tattoo parlors and other places of business requiring inspection by the Winnebago County Health Department; and

WHEREAS, the Winnebago County Health Board recommends that the fee schedules contained in said ordinance be amended as is indicated on the attached fee schedules.

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

That Permit Fee Schedules for the Winnebago County Health Department as contained in Chapter 11 and specifically Sections 11.11 and 11.12 of the General Code of Winnebago County be amended as is shown on the attached Fee Schedules which are made a part of this resolution by reference.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that said Fee Schedules shall take effect as of April 15, 2000.

Submitted by:
BOARD OF HEALTH

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

RESOLUTION NO. 422-32000: Approve Acceptance of Community Development Block Grant For Economic Development From Department of Commerce

WHEREAS, the Wisconsin Department of Commerce has tentatively awarded Winnebago County a Community Development Block Grant For Economic Development in the amount of \$65,000 for the purpose of loaning those funds to Proto-1 Manufacturing of Winneconne, Wisconsin; and

WHEREAS, said loan would be used to expand Proto-1 Manufacturing's facility in Winneconne which would create up to 12 new full-time positions in that community; and

WHEREAS, said loan would be made to Proto-1 Manufacturing for a period of seven (7) years with equal monthly payments of principal and interest at an interest rate of 4%; and

WHEREAS, the Winnebago County Industrial Development Board has amended its rules for the purpose of administering such loan, if approved by the Winnebago County Board of Supervisors and hereby recommends acceptance of said grant from the Wisconsin Department of Commerce; and

WHEREAS, funds paid back from said loan would be placed in a revolving grant fund by Winnebago County to be loaned out to other businesses within Winnebago County for similar purposes provided that any loan would enable the creation of jobs within Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves acceptance of a \$65,000 Community Development Block Grant For Economic Development from the Wisconsin Department of Commerce for the purpose of facilitating a loan from Winnebago County to Proto-1 Manufacturing of Winneconne, Wisconsin.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby approves said loan upon those terms contained in the letter dated October 22, 1999 from Brenda J. Blanchard, Secretary, Wisconsin Department of Commerce to Dave Petrack, Managing Partner, Proto-1 Manufacturing, a copy of which is herewith attached.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Industrial Development Board to administer said loan and to administer the revolving loan fund wherein the proceeds of said loan would be placed.

Submitted by:
INDUSTRIAL DEVELOPMENT BOARD

Motion by Supervisor Maehl and seconded to approve. CARRIED BY VOICE VOTE. (Supervisor Metzger abstained.)

RESOLUTION NO. 423-32000: Approve Policies and Procedures Manual for Administration of the Revolving Loan Fund Established With Funds From The Department of Development Grants

WHEREAS, Winnebago County has received a grant through the Wisconsin Department of Commerce under the Community Development Block Grant (CDBG-ED) Economic Development Program; and

WHEREAS, said grants are being paid back to Winnebago County according to the terms and conditions of any loan made; and

WHEREAS, Winnebago County has established an Economic Development Revolving Loan Fund under guidelines of the Wisconsin Department of Commerce; and

WHEREAS, the Wisconsin Department of Development has prepared a manual, called the Community Revolving Loan Fund Manual, to oversee administration of all program income which may accrue to a special revolving loan fund account to be held by Winnebago County; and

WHEREAS, the Industrial Development Board has approved the adoption of said manual and recommends that Winnebago County adopt said manual as its revolving loan fund manual.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby adopts the Wisconsin Department of Development Community Development Block Grant Loan Fund Manual dated September, 1995 as its community revolving loan fund manual, to oversee administration of all program

income which may accrue to a special revolving loan fund account to be held by Winnebago County and administered by the Winnebago County Industrial Development Board.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a loan review committee shall be created by the Industrial Development Board, subject to review and confirmation by the Winnebago County Board of Supervisors, and such loan review committee shall have all powers as specified in the revolving loan fund manual to carry out the responsibilities of that program.

Submitted by:
INDUSTRIAL DEVELOPMENT BOARD

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

ORDINANCE NO. 424-32000: Amend Section 9.28 of the General Code of Winnebago County

WHEREAS, Section 9.28 of the General Code of Winnebago County was adopted by the Winnebago County Board of Supervisors and approved by the Winnebago County Executive pursuant to a meeting of Board of Supervisors held on July 28, 1998; and

WHEREAS, said resolution provides that persons who violate provisions of this section of the Code shall be subject to imposition of those penalties as provided in Section 345.56, Wisconsin Statutes; and

WHEREAS, Section 345.56, Wisconsin Statutes poses penalties for illegal parking upon persons violating the ordinance in the range of approximately \$100.00 per violation; and

WHEREAS, your undersigned Committee believes that those penalties presently imposed under County's ordinance are not commensurate with the offense for which the citations are issued.

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

That Section 9.28(4) of the General Code of Winnebago County be amended to read as follows:

9.28 RESTRICTIONS ON STOPPING AND PARKING OF VEHICLES ...

(4) PENALTIES. Any person who violates any provision of this Section of the Code shall be subject to the imposition of those penalties as follows:

\$10.00 per violation if paid within five (5) business days of the issuance of the violation; \$20.00 per violation if paid within 6 through 15 business days of the date of the violation; and \$50.00 per violation if the violation is paid 16 days or after the date of the violation.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that said amendment to said Ordinance shall be effective as of May 1, 2000.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

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

Reconsideration of Resolution No. 405-32000, "Replace One Full-Time Position of Maintenance Worker II with One Full-Time Position of HVAC Specialist: Facilities and Property Management Department."

Motion by Supervisor Eichman and seconded to reconsider Resolution No. 405-32000. Ayes: 23. Nays: 8 – Pech, Mathy, Bertrand, Wingren, Troxell, Robl, Schaidler and Rankin. Excused: 1 – Arne. Absent: 6 – O'Brien, Klitzke, Leschke, Sundquist, Footit and Crowley. CARRIED.

Vote on Resolution No. 405-32000, "Replace One Full-Time Position of Maintenance Worker II with One Full-Time Position of HVAC Specialist: Facilities and Property Management Department." Ayes: 27. Nays: 5 – Pech, Bertrand, Wingren, Troxell and Schaidler. Excused: 1 – Arne. Absent: 5 – O'Brien, Leschke, Sundquist, Footit and Crowley. CARRIED.

Motion by Supervisor Schwartz and seconded to adjourn until Tuesday, April 18, 2000 @ 5:15 p.m. The meeting was adjourned at 10:13 p.m.

Respectfully submitted,
Susan T. Ertmer
Winnebago County Clerk

I, Susan T. Ertmer, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their adjourned meeting held March 21, 2000.

Susan T. Ertmer
Winnebago County Clerk