

**ADJOURNED SESSION  
COUNTY BOARD MEETING  
TUESDAY, MARCH 15, 2005**

Chairman David Albrecht called the meeting to order at 6:00 p.m. in the County Board Room, Fourth Floor, Courthouse, 415 Jackson Street, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an invocation by Supervisor Lennon.

The following Supervisors were present: Weber, Barker, Griesbach, Scoville, Maehl, Koziczkowski, Widener, Albrecht, Thompson, Steineke, Lennon, Machotka, Sundquist, Wingren, Jacobson, Norton, Warnke, Tower, Robl, Harris, Kline, Kramer, Schaidler, Finch, Farrey, Sievert, Arne, Diakoff, Brennand, Egan, Rengstorf and O'Brien. Excused: Lauson, Pech, Rankin and Hotynski. Motion by Supervisor Robl and seconded to approve the agenda with the change of order of the resolutions, so that Nos. 165-32005, 173-32005 and 177-32005 are acted on before No. 160-32005. CARRIED BY VOICE VOTE.

**COMMUNICATIONS, PETITIONS, ETC.**

A Notice of Claim from Jason Tait for damage to his vehicle caused by a Sheriff's Department squad car was referred to the Personnel & Finance Committee.

The following resolutions were received and forwarded to various committees:

- Buffalo County, Resolution No. 05-02-06, "A Resolution To Place Referenda Questions On The April Ballot", was referred to the Legislative Committee.
- Dunn County, Resolution No. 21-2005, which opposes enactment of Sec. 46.279 of the Wisconsin Statutes and its impact on ICF-MR placements and county costs was referred to the Human Services Board.
- Dunn County, Resolution No. 22-2005 regarding the State of Wisconsin providing \$1.5 million annually in the 2005-2007 biennium to provide for WIC services was referred to the Human Services Board.
- Grant County, Resolution No. 31-04, "Opposing Further Limitations on Grant County's Ability to Levy Necessary Taxes", was referred to the Legislative Committee.
- Green Lake County, Resolution No. 05-2005, "Relating to Opposing Further Limitations on Green Lake County's Ability to Levy Necessary Taxes", was referred to the Legislative Committee.
- Trempealeau County's resolution, "Opposition To Department of Natural Resources Use Of Wildlife Damage Funds For Chronic Wasting Disease", was referred to the Land Conservation Committee.

A "thank you" note was read from Supervisor Farrey thanking the Board for the flowers they sent for his mother's funeral.

Petition for zoning amendment from Gerald Meulemans, Town of Poygan, for zoning change from B-2 to R-1 for an existing residence was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Carl Van Dommelen, Town of Neenah, for zoning change from B-1 to R-1 for a single-family residence was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Dean W. and Joan Budde, Town of Menasha, for zoning change from A-2 to R-1 for Lots 1 & 2, R-5 for Lot 3 and R-2 for Lot 4 for single family residential and condominiums was referred to the Planning & Zoning Committee.

Petition for zoning amendment from the Planning & Zoning Committee, for an amendment to the Winnebago County Town/County Zoning Ordinance to delete and recreate Section 17.21 (Floodplain Zoning District) was referred to the Planning & Zoning Committee.

Petition for zoning amendment from James Harness, Town of Clayton for zoning change from A-2 to R-2 for a single family subdivision was referred to the Planning & Zoning Committee.

**REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS**

Supervisor Barker asked that anyone who has an item for the March 28 Legislative Committee meeting get that information to her right away. At this point, she only has one agenda item and if she doesn't get any other items for the agenda she will be canceling the meeting.

Supervisor Rengstorf asked that the Board read the information provided by Kathryn Nichols, Chairperson of the Winnebago County Specialized Transportation Council, that was included in their packet. Ms. Nichols' report shows how important the council is in working to provide transportation services for the elderly, disabled and low-income residents of the county.

Supervisor Rengstorf also noted the letter from Timothy Franz, Fire Chief for the City of Oshkosh, thanking Winnebago County for purchasing the Husky Airboats for ice and water rescue. Mr. Franz states that these airboats will, "provide for greater safety in Winnebago County now and in the future."

Supervisor Maehl asked that the Board review the "UW Fox at a Glance, December 2004" report that was included in their packets. It contains a wealth of information for the supervisors and their constituents.

Supervisor Maehl also shared the following informational points with the Board: Winnebago County has a higher bond rating than the State of Wisconsin; Wisconsin ranks 47<sup>th</sup> in receiving federal dollars—Medicare is the biggest culprit; 69 of Wisconsin's 72 counties have referendum questions on their April ballots regarding state funding for human service programs and circuit courts.

Supervisor Schaidler reported on behalf of the Tri-County Recreation Association, that the Fox Cities Blades won the state tournament in Stevens Point last weekend. Supervisor Schaidler explained that the Fox Cities Blades is a team of high school students who skate at the Tri-County Ice Arena. Supervisor Schaidler congratulated them on their win in Stevens Point.

Supervisor Finch reported that it has been a record year for applications for the county's scholarship program. Supervisor Finch feels that the great response indicates that the scholarship program is good for Winnebago County.

Motion by Chairman Albrecht and seconded to approve the February 15, 2005 proceedings. CARRIED BY VOICE VOTE.

## **COUNTY EXECUTIVE'S REPORT**

Executive Van De Hey reported that she was in Winneconne last week for the transfer of ownership of the Winneconne Park from Winnebago County to the Village of Winneconne. The village was very appreciative of the county's willingness to approve this transfer and they look forward to maintaining and improving their new park.

Executive Van De Hey then introduced James Barker, a Neenah High School senior, and Tyler Roebke, a Menasha High School junior, both of whom recently competed in the WIAA State Wrestling Tournament. Tyler placed 5<sup>th</sup> in his division at the tournament and James won his division at the tournament. James was also named the Fox Valley Association's Wrestler of the Year for the third consecutive year. Executive Van De Hey read and presented both wrestlers with a proclamation recognizing their accomplishments.

## **COUNTY EXECUTIVE'S APPOINTMENTS**

### **Advocap Board of Directors**

Executive Van De Hey asked for the Board's approval of her re-appointment of Supervisors Jacobson, Weber and Scoville to the Advocap Board of Directors. These are two-year terms that will expire April 17, 2007. Motion by Supervisor O'Brien and seconded to approve. CARRIED BY VOICE VOTE.

### **Affirmative Action Commission**

Executive Van De Hey asked for the Board's approval of her re-appointment of Michael Woods to the Affirmative Action Commission. This term is a three-year term that will expire April 15, 2008. Motion by Supervisor Barker and seconded to approve. CARRIED BY VOICE VOTE.

### **East Wisconsin Counties Railroad Consortium**

Executive Van De Hey asked for the Board's approval of her appointment of Supervisor Robl to the East Wisconsin Counties Railroad Consortium. Supervisor Robl will complete the unexpired term of Supervisor Klitzke, who passed away. This term will expire April 18, 2006. Motion by Supervisor O'Brien and seconded to adopt. CARRIED BY VOICE VOTE.

### **Solid Waste Management Board**

Executive Van De Hey asked for the Board's approval of her re-appointment of Supervisors O'Brien and Brennand, and Mr. Gerald Konrad and Mr. Michael Easker. These are three-year terms that will expire April 15, 2008. Motion by Supervisor Robl and seconded to adopt. CARRIED BY VOICE VOTE.

### **W-2 Steering Committee**

Executive Van De Hey asked for the Board's approval of her appointment of Barbara Herzog to the W-2 Steering Committee. Ms. Herzog will replace Ron Heilmann. Motion by Supervisor O'Brien and seconded to adopt. CARRIED BY VOICE VOTE.

## **COUNTY BOARD CHAIRMAN'S REPORT**

Chairman Albrecht called on Supervisor Sundquist to give a report on the NACo Convention in Washington, D.C. Supervisor Sundquist reported that it was stated numerous times by various people how important it was for people to attend the NACo Conference and show their interest and involvement in government. Supervisor Sundquist went through the various issues that were discussed at the conference. Some of those issues were: unfunded federal mandates, Medicaid, the Patriot Act and the war on terrorism, illegal immigration, the wars in Iraq and

Afghanistan, global warming and nuclear energy, and community block grants.

Supervisor Sundquist stated that one of the most memorable events of the conference was when Senator John McCain addressed the membership. Senator McCain recognized the Viet Nam veterans that were present and asked to have his picture taken with them.

Supervisor Sundquist reported that other highlights of the conference included meeting with Congressman Petri and attending a breakfast meeting with the Congressman and Senators Kohl and Feingold.

## **COUNTY BOARD CHAIRMAN'S APPOINTMENT**

### **Information Systems Committee**

Chairman Albrecht asked for approval of his appointment of Supervisor Frank Tower to the Information Systems Committee. Supervisor Tower will replace Supervisor Lorenz who resigned from the county board. Motion by Supervisor O'Brien and seconded to adopt. CARRIED BY VOICE VOTE.

## **PUBLIC HEARING**

Gordon Doule, 1225 Summit Avenue, Oshkosh spoke to the Board about his concerns for safety at Wittman Regional Airport.

## **ZONING REPORTS & ORDINANCES**

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Eighteen Wheel Enterprise and property owner Ronald Jankowski, President, Town of Vinland, for zoning change to B-2. Motion by Supervisor Schaidler and seconded to accept. Ayes: 27. Nays: 4 – Weber, Scoville, Albrecht and Harris. Excused: 4 – Hotynski, Lauson, Pech and Rankin. Absent: 1 – Finch. CARRIED.

AMENDATORY ORDINANCE NO. 03-01-05. A request for zoning change from A-2 (General Farming) to B-2 (Highway Business Park). Motion by Supervisor Schaidler and seconded to adopt. Ayes: 25. Nays: 7 – Weber, Scoville, Maehl, Albrecht, Harris, Kline and Finch. Excused: 4 – Hotynski, Lauson, Pech and Rankin. CARRIED. (Effective date – March 21, 2005)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Jason Wolfgram, Town of Oshkosh, for zoning change to M-1/R-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 03-02-05. A request for zoning change from R-1/M-1 (Single Family non-subdivided/Light Industrial) to M-1/R-2 (Light Industrial/Single Family subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 21, 2005)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Grundy Enterprises, G. Philip Grundy, Town of Oshkosh, for zoning change to R-1. Motion by Supervisor Schaidler and seconded to accept. Supervisor Schaidler noted that the Planning & Zoning Committee's approval has the following condition: "*effective date of zoning change shall be the date each CSM is recorded but not exceed 90 days from date of County Board approval.*" CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 03-03-05. A request for zoning change from A-2 (General Farming) to R-1 (Single Family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 21, 2005).

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants Steven & Val Schultz and property owners Dennis & Dorothy Ewald, Town of Oshkosh, for zoning change to R-1. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 03-04-05. A request for zoning change from A-2 (General Farming) to R-1 (Single Family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 21, 2005).

REPORT NO. 005. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants McMahon Associates, Dave Schmalz; and property owners Landwind Corp., George Kontos, Town of Winneconne, for zoning change to R-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 03-05-05. A request for zoning change from A-2 (General Farming) to R-2 (Single Family subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 21, 2005).

REPORT NO. 006. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Michael Huss and property owners Michael & Shirley Huss Revocable Trust, Town of Winneconne, for zoning change to R-1. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 03-06-05. A request for zoning change from A-2 (General Farming) to R-1 (Single Family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 21, 2005).

REPORT NO. 007. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners Porter Revocable Living Trust – John & Tracy Porter, Town of Nepeuskun, for zoning change to R-1. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 03-07-05. A request for zoning change from M-1 (Light Industrial) to R-1 (Single Family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 21, 2005).

REPORT NO. 008. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Estate of Janet W. Vette, Town of Black Wolf, for zoning change to R-1. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE – Supervisor Harris abstained.

AMENDATORY ORDINANCE NO. 03-08-05. A request for zoning change from A-2 (General Farming) to R-1 (Single Family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE – Supervisor Harris abstained. (Effective date – March 21, 2005).

REPORT NO. 009. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner L.G. Kienast, Town of Oshkosh, for zoning change to M-1. Motion by Supervisor Schaidler and seconded to accept. Supervisor Schaidler noted that the Planning & Zoning Committee's approval has the following condition: *"effective upon compliance with the terms of the Settlement Agreement between Mr. Kienast and the Town of Oshkosh dated October 2003 provided that if compliance has not been achieved by September 15, 2005, the zoning change shall be deemed denied."* CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 03-09-05. A request for zoning change from R-1/M-1 (Single Family non-subdivided/Light Industrial) to M-1 (Light Industrial). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 21, 2005).

REPORT NO. 010. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Andrew Geurts and property owners Thomas & Jillene Hoheisel, Town of Nekimi, for zoning change to A-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 03-10-05. A request for zoning change from A-1 (Exclusive Ag) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 21, 2005).

REPORT NO. 011. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner John Pfeiffer, Town of Black Wolf, for zoning change to R-1. Motion by Supervisor Schaidler and seconded to accept. Supervisor Schaidler noted that the Planning & Zoning Committee's approval has the following condition: *"the zoning change shall be effective upon the recording of the certified survey map but no later than May 15, 2005, or the request shall be deemed denied."* CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 03-11-05. A request for zoning change from P-1 (Institutional & Recreation Park District) to R-1 (Single Family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 21, 2005).

AMENDATORY ORDINANCE NO. 12. A request from the Town of Vinland on behalf of Robert Swannell for zoning change from A-2/B-3/R-1 to R-1. Motion by Supervisor Farrey and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 21, 2005).

AMENDATORY ORDINANCE NO. 13. A request from the Town of Winneconne on behalf of Aurora Medical Group for zoning change from A-2 to C-1. Motion by Supervisor Rengstorf and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 21, 2005)

AMENDATORY ORDINANCE NO. 14. A request from the Town of Winneconne on behalf of Lakewind Corp. for zoning change from A-2 to R-1/A-1 (R-2). Motion by Supervisor O'Brien and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 21, 2005).

## **RESOLUTIONS & ORDINANCES**

### **RESOLUTION NO. 165-32005: Create Position of Global Positioning System (GPS) Program Coordinator in the Sheriff's Department**

WHEREAS, the Sheriff's Department is in the process of formalizing and creating a new Global Positioning System (GPS) Program; and

WHEREAS, the GPS function is currently being done by a sworn officer on an as needed basis; and

WHEREAS, the complexity of the GPS function has increased significantly, necessitating the creation of a full-time GPS Coordinator position.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that a full-time position of Global Positioning System Program Coordinator be created within the Winnebago County Sheriff's

Department with the elimination of one (1) Police Officer position.

BE IT FURTHER RESOLVED, that funds to cover the cost of this new position be applied from within the labor budget of the Sheriff's Department.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 32. Nays: 0. Excused: 4 – Hotynski, Lauson, Pech and Rankin. CARRIED.

**RESOLUTION NO. 173-32005: Authorize Sheriff Department to Accept Homeland Security Grant of \$180,000 and Apply to the Purchase of an Armored Vehicle**

WHEREAS, the Winnebago County Sheriff's Department has applied for and been awarded a \$180,000 Homeland Security grant for the purchase of an armored vehicle; and

WHEREAS, this vehicle would be made available to law enforcement agencies in Winnebago County and neighboring municipalities and Counties for protecting citizens and law enforcement officials from threats; and

WHEREAS, all local law enforcement agencies have agreed to share in the costs of operating the vehicle when used; and

WHEREAS, the vehicle would help protect the lives of law enforcement officials in the performance of their duties; and

WHEREAS, it would be in Winnebago County's best interest to accept the funds and purchasing the vehicle.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Sheriff's Department to accept a \$180,000 grant from the Federal government's Office of Justice Assistance Homeland Security Grant Program and appropriates the funds for the purchase of an armored vehicle.

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

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 30. Nays: 2 – Machotka and Jacobson. Excused: 4 – Hotynski, Lauson, Pech and Rankin. CARRIED.

**ORDINANCE NO. 177-32005: Amend Section 5.07 General Code of Winnebago County: Jail Inmate Fees (Pay to Stay, Room and Board for County Jail Prisoners)**

WHEREAS, on April 24, 1996, the State of Wisconsin enacted 1995 Wisconsin Act 281, regarding county jails and prisoners housed therein to provide for the reimbursement of any expenses incurred by counties in relationship to the crime for which the person was sentenced to a county jail, or for which the person was placed on probation and confined in the jail; and

WHEREAS, the Winnebago County Sheriff has reviewed 1995 Wisconsin Act 281 and Section 303.08(4) Wisconsin Statutes to determine the proper process pursuant to which county jail staff shall inform, document and seek reimbursement from people who are sentenced to the Winnebago County Jail; and

WHEREAS, the Winnebago County Sheriff has proposed to the Winnebago County Judiciary and Public Safety Committee that the County of Winnebago adopt an ordinance in which people in the Winnebago County Jail are held responsible for paying part of the costs of incarceration and any related expenses, to the extent permitted by law.

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

That Section 5.07 of the General Code of Winnebago County be amended to read as follows:

**5.07 JAIL INMATE FEES.** (1) This Ordinance is adopted pursuant to the authority provided under Sections 302.372, 302.38, 302.381, 302.388, 302.425, 302.43, 303.08 and 303.19, Wisconsin Statutes.

- (2) INTENT. It is the intent of the provisions of this ordinance that incarcerated persons be held responsible for paying part of the costs of incarceration and any related expenses, to the extent permitted by law.
- (3) WAIVER OF FEES. The Sheriff, or his designee, within his discretion may waive any fees established pursuant to this section of the General Code of Winnebago County for any prisoner upon good cause shown.
- (4) USE OF MONIES COLLECTED. Any money collected under this section shall be accepted by the Winnebago County Jail or Finance Department and deposited in the Winnebago County Treasury and it shall be utilized to

offset the costs of operating the Winnebago County Jail.

- (5) **PROCESSING FEE.** (a) Commencing March 1, 2001, an amount of \$25 shall be charged to each inmate each time a jail processing function occurs with regard to each inmate in relationship to being booked, photographed or fingerprinted into the Winnebago County Jail or Winnebago County Work Release Center, regardless of whether that person is actually booked into the jail.
  - (b) **PAYMENT.** Payment of said jail processing fee by the individual shall be made by deducting said fee from the funds of the jail inmate's canteen fund. If insufficient funds exist within the inmate's canteen fund to pay said fee, County officials are authorized to use any legal process within their discretion to collect said fees.
  - (c) **NON-CONVICTED INMATES.** If a jail inmate is found innocent of criminal charges or, if criminal charges are dismissed against an inmate, Winnebago County shall reimburse the inmate for any processing fees charged to the inmate.
  - (d) **DAILY JAIL FEE.** (a) For expenses incurred by the County in relation to the crime for which a person was sentenced to a county jail, or for which the person was placed on probation and confined in jail, the County Board hereby sets a daily per person jail rate of \$12.00 per day pursuant to Section 302.372, Wisconsin Statutes.
- (6) **ELECTRONIC MONITORING PROGRAM (Global Positioning Program –GPS).**
  - (a) Inmates placed in the electronic monitoring program pursuant to Section 302.425, Wisconsin Statutes shall pay a fee established at a rate equal to the Huber Fee per day and an additional one-time set up fee of \$20.
  - (b) The Sheriff may require prepayment of expenses set forth herein as a requirement for participation in said program.
- (7) **WARRANT FEE.** (a) The Sheriff may impose a fee for all criminal warrants and civil warrants as authorized pursuant to Section 814.70 and 814.705, Wisconsin Statutes.
  - (b) The Sheriff may set and impose a fixed warrant fee as authorized by law for all ordinance and civil warrants.
  - (c) The Sheriff may set and impose a fixed warrant fee and a per-mile warrant fee as authorized by law for all criminal warrants.
  - (d) Any warrant fees imposed or established by the Sheriff shall be charged to the inmate against whom said warrant is executed, or, if a civil warrant, to that person on behalf of whom the warrant is executed.
- (8) **PRISONER REIMBURSEMENT.** (a) Every person confined to the Winnebago County Jail shall complete a financial disclosure form containing the information set forth in Section 302.372(2)(b), Wisconsin Statutes.
  - (b) Within 12 months after the release of a prisoner from jail, Winnebago County may commence an action in Circuit Court to recover the expenses incurred under this ordinance plus any costs incurred to investigate the financial status of the prisoner and any other expenses of collection not otherwise recovered.
- (9) **INSTITUTIONAL ACCOUNTS.** (a) The Sheriff may charge a prisoner for expenses set forth above, while he/she is a prisoner, including the costs to investigate the financial status of the prisoner and the expenses of collection.
  - (b) Should an inmate or prisoner have a balance due for expenses under this ordinance from prior incarcerations, any institutional account created as part of the subsequent incarceration may be used to recover the sums due from the prior incarceration.
- (10) **PRISONER COOPERATION.** (a) A prisoner in a jail shall cooperate with the County in seeking reimbursement under this section for expenses incurred by the County.
  - (b) A prisoner who intentionally refuses to cooperate may not earn good time credit under Section 302.43, Statutes or diminution of sentence under 303.19(3), Wisconsin Statutes.
- (11) **DUPLICATION OF EXPENSES PROHIBITED.** (a) Winnebago County shall not recover for the same expenses twice pursuant to this ordinance.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that the above amendments to said ordinance shall take effect as of the 10<sup>th</sup> day of April, 2005.

Submitted by:  
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Motion by Supervisor Norton and seconded to amend the amount of \$12.00 on Line 82 to \$20.00. Motion was withdrawn. Vote on original resolution – Ayes: 30. Nays: 2 – Thompson and Farrey. Excused: 4 – Hotynski, Lauson, Pech and Rankin. CARRIED.

**RESOLUTION NO. 161-32005: Authorize the Transfer of a Remnant Parcel of Highway Right-of-way (Located at the Intersection of Keyes and Racine Street) to the City of Menasha.**

WHEREAS, the Winnebago County Highway Commission has determined that the aforementioned right-of-way is no longer needed for highway purposes; and

WHEREAS, the City of Menasha has requested that the remnant parcel be conveyed to the city in order to be used for street purposes; and

WHEREAS, the City of Menasha will convey any portion of the remnant that it deems to be unusable for its purposes to the adjoining property owner; and

WHEREAS, that portion of right-of-way that is conveyed to the adjoining property owner will be returned to the tax rolls.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the transfer of that portion of highway right-of-way "commencing at a point on the east line of said lot 80 feet north of the north line of Keyes Street, thence west at a right angle to the east line of said lot, to the west line of said lot, excepting therefrom that portion of the east side therefrom here to for conveyed to the City of Menasha for street purposes".

Submitted by:  
HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 32. Nays: 0. Excused: 4 – Hotynski, Lauson, Pech and Rankin. CARRIED.

**RESOLUTION NO. 162-32005: Support Reauthorization of Funding for Federal Community Services Block Grant Program**

WHEREAS, ADVOCAP, Incorporated is the locally designated Community Action Agency serving Winnebago County; and

WHEREAS, ADVOCAP, Incorporated has a long history of successfully mobilizing resources to help low-income people achieve economic self-sufficiency by bringing together the public, private and non-profit sectors; and

WHEREAS, as a result of this resource mobilization ADVOCAP, Incorporated has weatherized more than 7,500 homes in its service area, provided Head Start Services to more than 1,400 children and their families; helped more than 400 households purchase their first home; rehabilitated hundreds of homes; developed 98 units of rental housing including individuals with special needs; provided job training to thousands of individuals; and provided technical assistance resulting in the creation of more than 500 businesses and 1,500 jobs; and provided many other services needed by the residents of Winnebago County; and

WHEREAS, the federal Community Services Block Grant provides core funding support and capacity to ADVOCAP, Incorporated; and

WHEREAS, loss of funds from the Community Services Block Grant would have a significant negative impact on ADVOCAP being able to continue these programs at their existing level; and

WHEREAS, reauthorization, funding and appropriations are needed for the Federal Community Services Block Grant for Federal Fiscal Year 2006.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Board of Supervisors strongly encourages U.S. Senator Russ Feingold, U.S. Senator Herb Kohl and Congressman Thomas Petri to support reauthorization, funding and appropriations for the federal Community Services Block Grant and its requirement that 90% of the funds be "passed through" to locally designated Community Action Agencies.

Submitted by:  
THOMAS W. WIDENER, DIST. #9  
ALFRED JACOBSON, DIST. #19  
JAMES KOZICZKOWSKI, DIST. #7  
PHILLIPS SCOVILLE, DIST. #5  
MICHAEL NORTON, DIST. #20  
FORREST WEBER, DIST. #1  
COUNTY BOARD SUPERVISORS

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

**RESOLUTION NO. 163-32005: Authorize Dissolution of Public Safety Building Board**

WHEREAS, ownership of the Public Safety Building was formally transferred to the City of Oshkosh on

December 10, 2004; and

WHEREAS, in that the Public Safety Building is now entirely owned by the City of Oshkosh and any tenancy by Winnebago County officials is subject to a lease agreement between the City of Oshkosh and Winnebago County, there no longer appears to be a need for the existence of a Public Safety Building Board.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that contingent upon the approval of the City of Oshkosh, it hereby authorizes the dissolution of the Public Safety Building Board. Such dissolution shall take place upon the date a similar resolution is authorized by the Oshkosh City Council and formally published.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors of the County of Winnebago that Section 5.06, City-County Safety Building, of the General Code of Winnebago County is hereby revoked effective as of the date of the publication of a similar resolution by the City of Oshkosh.

Submitted by:  
PAUL SUNDQUIST, DIST. #17  
CHAIRMAN, PUBLIC SAFETY BUILDING BOARD

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

**RESOLUTION NO. 164-32005: Support Assembly Bill 34**

WHEREAS, Assembly Bill 34 has presently been introduced into the Wisconsin State Legislature; and  
WHEREAS, that Bill relates to PCB contaminated dredge material and would prohibit the disposal of such materials in landfills within the State of Wisconsin; and

WHEREAS, the Solid Waste Management Board supports said Bill in that it protects the citizens of the State of Wisconsin from exposure to said contaminants.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes its support for the passage of Assembly Bill 34 by the Wisconsin Legislature.

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

Submitted by:  
SOLID WASTE MANAGEMENT BOARD

Motion by Supervisor O'Brien and seconded to adopt. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 166-32005: Adopt 2005 Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING APPOINTED NON-REPRESENTED EMPLOYEES**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING APPOINTED NON-REPRESENTED EMPLOYEES be revised for the year 2005, as set forth and described in the document attached hereto.

BE IT FURTHER RESOLVED, that the necessary funds to cover the costs resulting from the adoption of the 2005 Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING APPOINTED NON-REPRESENTED EMPLOYEES will be made available from funds budgeted for this purpose.

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 32. Nays: 0. Excused: 4 – Hotynski, Lauson, Pech and Rankin. CARRIED.

**RESOLUTION NO. 167-32005: Adopt 2005 Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING REPRESENTED EMPLOYEES**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING REPRESENTED EMPLOYEES be revised for the year 2005, as set forth and described in the document attached hereto.

BE IT FURTHER RESOLVED, that the necessary funds to cover the costs resulting from the adoption of the 2005 Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING REPRESENTED EMPLOYEES



will be made available from funds budgeted for this purpose.

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 32. Nays: 0. Excused: 4 – Hotynski, Lauson, Pech and Rankin. CARRIED.

**RESOLUTION NO. 168-32005: Adopt 2005 Revisions to the Winnebago County Administrative Salary Plan**

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Winnebago County Administrative Salary Plan be revised for the year 2005, as set forth and described in the document attached hereto.

BE IT FURTHER RESOLVED, that the necessary funds to cover the costs resulting from the adoption of the 2005 Revisions to the Winnebago County Administrative Salary Plan shall be made available from funds budgeted for this purpose.

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 31. Nays: 1 – Rengstorf. Excused: 4 – Hotynski, Lauson, Pech and Rankin. CARRIED.

**RESOLUTION NO. 169-32005: Disallow Claim of The Hartford Insurance Co. for Erica J. and David A. Hayford**

WHEREAS, your Personnel and Finance Committee has had the claim of The Hartford Insurance Co. for Erica J. and David A. Hayford 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 The Hartford Insurance Co. for Erica J. and David A. Hayford dated January 14, 2005, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 170-32005: Commendation for Keith A Johnson**

WHEREAS, Keith Johnson has been employed with the Winnebago County Department of Facilities and Property Management, for the past twenty years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Keith Johnson 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 Keith Johnson 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 Keith Johnson.

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 171-32005: Authorize Support of Action by the Legislative Joint Committee  
Recommending that the Federal Land Water Conservation Fund be Restored  
to the Original FY2006 Target Level**

WHEREAS, in President Bush's FY2006 budget, support for the Land and Water Conservation Fund (LWCF) has been drastically reduced; and

WHEREAS, in conjunction with a reduction in LWCF program support, President Bush terminates funding for

LWCF state grants; and

WHEREAS, the elimination of LWCF state grants as a source of funding will greatly affect the County's ability to address future park acquisition needs as well as curb the County's ability to repair and improve its inventory of recreation trails and boating facilities; and

WHEREAS, the elimination of LWCF state grants will further hinder the County's ability to sustain the recreational resources of the community and will serve to diminish both the quality and benefits of these essential properties.

NOW, THEREFORE BE IT RESOLVED by the Winnebago County Board of Supervisors that it opposes any decision by the United States Congress to either reduce or eliminate the statewide LWCF program in the FY 2006 budget and hereby requests that overall LWCF funding for FY2006 be restored to levels originally targeted for in the Conservation Trust Fund passed by Congress in 2000.

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 from Winnebago County in the United States Congress.

Submitted by:  
LEGISLATIVE COMMITTEE

Motion by Supervisor Barker and seconded to adopt. CARRIED BY VOICE VOTE. (Supervisor Griesbach abstained.)

**RESOLUTION NO. 172-32005: Authorize Execution of a One-Year Lease Agreement with the Oshkosh Area School District for Operation of the Community Park Beach**

WHEREAS, Winnebago County and the Oshkosh Area School District are interested in arranging to have the Oshkosh Area School District Department of Recreation manage summer operations at the Community Park Beach; and

WHEREAS, the Oshkosh Area School District Department of Recreation maintains a professional aquatics staff throughout the year that is very knowledgeable and highly trained in matters relevant to the safe and efficient operation of water front facilities; and

WHEREAS, it is in the best interest of the citizens of Winnebago County to allow the Oshkosh Area School District Department of Recreation to apply its considerable experience and resources towards operating the Community Park beach facilities and for the Winnebago County Parks Department to support this process by maintaining the facility infrastructure; and

WHEREAS, the citizens of Winnebago County will benefit as they will be offered an increased number of program options as a result of the enhanced management of the beach facility by the Oshkosh Area School District Department of Recreation; and

WHEREAS, it is in the best interest of Winnebago County for it to work with the Oshkosh Area School District in efforts to plan long range improvements at the Community Park Beach aimed at broadening the overall appeal of the property to both the teenage youth and family sectors of Winnebago County; and

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Parks Department to enter into a one-year lease agreement with the Oshkosh Area School District that will make possible the summer operation of the beach facility by the Oshkosh Area School District Department of Recreation. A copy of the Lease Agreement may be obtained from the Parks Director or the Office of Corporation Counsel. The Lease Agreement is incorporated as part of this resolution.

Submitted by,  
PARKS & RECREATION COMMITTEE

Motion by Supervisor Arne and seconded to adopt. Ayes: 32. Nays: 0. Excused: 4 – Hotynski, Lauson, Pech and Rankin. CARRIED.

**RESOLUTION NO. 174-32005: Accept Donation of \$5,000 to Help Meet Resident Needs at Park View Health Center**

WHEREAS, Park View Health Center is in need of lift equipment for residents; and

WHEREAS, the Community Foundation of the Fox Valley has offered to donate \$5,000 for equipment to help meet the needs of residents at Park View Health Center; and

WHEREAS, accepting and using these funds for purchase of lift equipment at Park View Health Center would be of great benefit to the residents.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes Park View Health Center to accept the donation of \$5,000 from the Community Foundation and appropriates said funds towards the purchase of equipment to help meet resident needs.

Submitted by:  
PARK VIEW HEALTH CENTER COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Arne and seconded to adopt. Ayes: 32. Nays: 0. Excused: 4 – Hotynski, Lauson, Pech and Rankin. CARRIED.

**RESOLUTION NO. 175-32005: Authorize Finance Department to Enter in to a Contract with Sequoia Consulting for Preparation of Winnebago County Annual Indirect Cost Allocation Plan.**

WHEREAS, Winnebago County is able to recoup approximately \$370,000 per year through filling indirect cost claims with State and Federal agencies; and

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

WHEREAS, the current consulting contract has expired; and

WHEREAS, a request for proposals was sent out to select a new consultant; and

WHEREAS, the best proposal for preparation of the cost allocation plan was submitted by Sequoia Consulting at a cost to Winnebago County of \$5,600 per year for a five year period.

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

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 32. Nays: 0. Excused: 4 – Hotynski, Lauson, Pech and Rankin. CARRIED.

**RESOLUTION NO. 176-32005: Authorize Additional Funds for UW Fox Valley Roof Project of \$33,322, and Transfer \$16,661 from Contingency Fund to Cover Winnebago County's Share of Costs.**

WHEREAS, UW Fox Valley included \$49,500 in its 2004 budget for roof maintenance on the theater building roof section; and

WHEREAS, the project was not able to be completed during 2004 due to other priorities and other building maintenance projects that occurred unexpectedly; and

WHEREAS, some of the funds for the roof project were utilized for other projects during 2004, and thus the entire amount appropriated for the roof project is not available for carryover; and

WHEREAS, the best bid that came in for the project was at \$82,320, significantly more than was originally budgeted; and

WHEREAS, the department does have \$26,098 of funds available for carryover from 2004 to cover part of the project cost; and

WHEREAS, the department does have \$22,900 available in its 2005 budget that can be used for roof repairs.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates an additional \$33,322 to the roof repair fund of UW Fox Valley.

BE IT FURTHER RESOLVED that Winnebago County's share or \$16,661 shall be transferred from the General Contingency Fund of Winnebago County to cover said costs.

BE IT FURTHER RESOLVED that said transfer shall be contingent upon Outagamie County's passage of a similar resolution authorizing their share of the expenses.

Submitted by:  
UW FOX VALLEY BOARD OF TRUSTEES  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 32. Nays: 0. Excused: 4 – Hotynski, Lauson, Pech and Rankin. CARRIED.

**AMENDED RESOLUTION NO. 178-32005: Create Position of Safe Streets Coordinator in the Department of Human Services**

WHEREAS, the Department of Human Services is in need of a position to formulate a Winnebago County Safe Streets Program (SSP); and

WHEREAS, a Safe Streets Program will improve safety for Winnebago County residents; and

WHEREAS, the needs of staff time to develop a plan, program admission guidelines and methods of payment necessitates a full-time Safe Streets Coordinator position.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that a full-time position of Safe Streets Coordinator be created within the Winnebago County Department of Human Services.

BE IT FURTHER RESOLVED, that the \$59,339 needed to cover the cost of this new position will be transferred from the General Fund-Salary Contingency Fund to the labor budget of the Department of Human Services.

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 32. Nays: 0. Excused: 4 – Hotynski, Lauson, Pech and Rankin. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, April 19, 2005. CARRIED BY VOICE VOTE.

The meeting was adjourned at 8:25 p.m.

Respectfully submitted,  
Susan T. Ertmer  
Winnebago County Clerk

State of Wisconsin)  
County of Winnebago) ss

I, Susan T. Ertmer, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their regular meeting held March 15, 2005.

Susan T. Ertmer  
Winnebago County Clerk