

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, OCTOBER 19, 2010**

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: Konetzke, Barker, Englebert, Eisen, Ramos, Miller, Roh, Smith, Widener, Hamblin, Albrecht, Gabert, Swanson, Thompson, Lennon, Reynolds, Wingren, Jacobson, Norton, Warnke, Robl, Eichman, Neubauer, Kline, Locke, Hegg, Finch, Sievert, Farrey, Diakoff, Brennand, Egan, Ellis, Rengstorf and Reinert. Excused: Hall.

Motion by Supervisor Robl and seconded to adopt tonight's agenda with the change of order of the resolutions so that No. 120-102010 will be acted on before No. 113-102010. CARRIED BY VOICE VOTE.

PUBLIC HEARING

No one addressed the Board.

COMMUNICATIONS, PETITIONS, ETC.

Notice of Claim from AT&T for damage to an AT&T buried service wire that had been located and marked properly was referred to the Personnel & Finance Committee.

Notice of Claim from Cory Phillips for personal items lost while he was an inmate in the Winnebago County Jail was referred to the Personnel & Finance Committee.

Petition for Zoning Amendment from Harrison Sturgis, Jr., Town of Neenah, for a zoning change for tax parcel nos. 010-0202-04(p) A-2 to R-2 for residential development and 010-020-05(p) from R-2 to A-2 for agricultural development was referred to the Planning & Zoning Committee

REPORTS FROM COMMITTEES, COMMISSIONS & BOARDS

Supervisor Kline reported that the Legislative Committee will not be meeting in October. Their next meeting will be on November 22, 2010.

Supervisor Widener distributed an invitation to the ESTHER 2010 banquet to the Board members. He explained that ESTHER is a "social justice network of area faith communities in Oshkosh, Omro, Neenah-Menasha and Appleton." Supervisor Widener explained that ESTHER's work is similar to aspects of the Human Services Department. He encouraged Board members to attend this event.

Supervisor Widener reported and he and Supervisors Finch and Norton attended a presentation on rooms that are being set up by various churches in the area, as well as the Grand Opera House, that use a hearing system that is much better than the one the county is currently using. They discussed what areas in the county could use such a system. Supervisor Widener will keep the Board updated on this issue.

Motion by Supervisor Robl and seconded to approve the proceedings from the September 7 & 21, 2010 County Board meeting. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Mark Harris, Winnebago County Executive, stated that most of the County Board Supervisors have picked up their budget books for next week's budget hearings. He asked that if they have questions about the budget before the hearings that they call Chuck Orenstein or himself for assistance.

Executive Harris discussed the following resolutions:

- Resolution No. 118-102010, "Authority to Execute 2010-2011 Labor Agreement with the Winnebago County Department of Human Services Employees, Local 2228, AFSCME, AFL-CIO." Executive Harris stated that he feels it is a very fair contract and contains a small pay increase for 2010 and 2011. There are also changes in their health insurance coverage that is favorable to the county. He stated that they also placed a limit on the county's maximum contribution of the employee's share to the state retirement program.
- Resolution No. 121-102010, "Appropriate \$160,000 to a Project to Add a Utility Extension to the Northwest Hangar Development Area at Wittman Airport and Fund with General Obligation Bond Proceeds." Executive Harris explained that the county retains ownership of the land and the tenant builds the hangar at their own expense. The hangar then becomes taxable property. Taking these taxes into account, the payback time on these improvements is shortened.
- Resolution No. 122-102010, "Authorize Execution of Option and Lease Agreement with New Cingular Wireless (Location of Cell Tower at 1221 Knapp Street, Oshkosh)." Executive Harris explained that Cingular would

install this cell tower at their expense on the county's Knapp Street property. Cingular will then pay the county a monthly rental fee for the use of this property.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported that Supervisor Hall was excused from tonight's meeting.

Chairman Albrecht reminded the Board that Tuesday, October 26 is Student Government Day and that the Board is invited to attend their luncheon at the Elk's Club.

Chairman Albrecht reminded the Board to bring the budget books to the meeting on Monday, October 25 because they are going to begin going through the departments' budgets that night.

Chairman Albrecht then presented redistricting information that he received at the Wisconsin Counties Association meeting in September. He explained that the schedule for the redistricting process will be as follows:

- January 2011 – Judiciary & Public Safety Committee meets to discuss County Board size and the number of districts.
- February 2011 – Judiciary & Public Safety Committee meetings and holds a public hearing on County Board size. They send a resolution to the County Board with their recommendation for the size of the Board.
- March 2011 - Judiciary & Public Safety Committee sets meeting schedule of the redistricting process. They establish guiding principles of redistricting and determine the number of draft plans. Set two public hearing dates – one in May 2011 for the tentative plan and one in August 2011 for the final plan.
- April 1, 2011 – census information is received
- April 2011 – GIS Department draws map
- April 2011 – County Board meets and introduces the supervisory map
- May 2011 – County Board passes the tentative redistricting map
- June/July 2011 – Municipalities create wards based upon the county district map
- August 2011 - Judiciary & Public Safety Committee meets and makes changes required by the municipalities ward to create a final plan. Public hearing is held on the final plan.
- September 2011 – County Board passes the final plan.

Chairman Albrecht stated that according to County Board Rule 24.6, the Judiciary & Public Safety Committee is responsible for redistricting. If necessary, this rule could be suspended and a Redistricting Committee could be appointed. Chairman Albrecht stated that this can be discussed at a later point.

Chairman Albrecht stated that a corrected Resolution No. 118-102010 was placed on their desks and should be used instead of the one that was sent to them in their packet.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant, Joseph Thibedeau and property owner, Broadway Estate Inc., Town of Rushford, for a zoning change to P-1 for tax parcel no. 022-0461. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 10-01-10. A requested zoning change from A-2 (General Farming) to P-1 (Institutional & Recreational Park District). Motion by Supervisor Brennand and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Hall. CARRIED. (Effective date – October 22, 2010)

RESOLUTIONS AND ORDINANCES

RESOLUTION NO. 120-102010: AWARDING THE SALE OF \$12,875,000 TAXABLE GENERAL OBLIGATION PROMISSORY NOTES (BUILD AMERICA BONDS - DIRECT PAYMENT)

WHEREAS, on September 21, 2010, the County Board of Supervisors of Winnebago County, Wisconsin (the "County") adopted a resolution (the "Authorizing Resolution") authorizing the issuance and providing for the sale of general obligation promissory notes (the "Notes") in an amount not to exceed \$12,875,000 for the public purpose of paying the cost of demolition work; acquiring and improving real property; construction, remodeling and improving roads, highways, buildings and sites; and acquiring and installing equipment, furnishings and fixtures (the "Project");

WHEREAS, pursuant to the Authorizing Resolution, the County Board of Supervisors heretofore has directed its financial advisor, Robert W. Baird & Co. Incorporated ("Baird") to take the steps necessary to sell the Notes in the principal amount of \$12,875,000 to pay costs of the Project;

WHEREAS, none of the proceeds of the Notes shall be used to fund operating expenses of the general fund of the County or to fund operating expenses of any special revenue fund of the County that is supported by property taxes;

WHEREAS, Baird, in consultation with the officials of the County, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale on October 19, 2010;

WHEREAS, the County Clerk (in consultation with Baird) caused notice of the sale of the Notes to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the Notes for public sale;

WHEREAS, the County has duly received bids for the Notes as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation");

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the County. Baird has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference;

WHEREAS, it is the finding of the County Board of Supervisors that it is desirable and in the best interest of the County to take the steps necessary to irrevocably designate the Notes to be qualified "Build America Bonds" within the meaning of Subsection 54AA(g) of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations promulgated thereunder by the U.S. Department of Treasury (the "Regulations") so that the County may claim refundable credits with respect to each interest payment on the Notes, payable to the County by the Secretary of the United States Department of the Treasury ("Treasury"); and

WHEREAS, because the County Board of Supervisors will designate the Notes to be qualified Build America Bonds, the interest on the Notes will be includible in gross income for federal income tax purposes under Subsection 54AA(f)(1) of the Code.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1A. Ratification of the Official Notice of Sale and Offering Materials. The County Board of Supervisors of the County hereby ratifies and approves the details of the Notes set forth in Exhibit A attached hereto as and for the details of the Notes. The Official Notice of Sale and any other offering materials prepared and circulated by Baird are hereby ratified and approved in all respects. All actions taken by officers of the County and Baird in connection with the preparation and distribution of the Official Notice of Sale and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Award of the Notes. The Proposal of the Purchaser offering to purchase the Notes for the sum set forth on the Proposal, plus accrued interest to the date of delivery, is hereby accepted. The Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be retained by the County Treasurer until the closing of the note issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Notes bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Notes. The Notes shall be designated "Taxable General Obligation Promissory Notes (Build America Bonds - Direct Payment)"; shall be issued in the aggregate principal amount of \$12,875,000; shall be dated November 2, 2010; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on April 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest is payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2011. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. (a) Optional Redemption: The Notes shall not be subject to optional redemption.

(b) Mandatory Redemption: If the Proposal specifies that any of the Notes are subject to mandatory redemption, the terms of such mandatory redemption are set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2010 through 2019 for the payments due in the years 2011 through 2020 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$12,875,000 Taxable General Obligation Promissory Notes (Build America Bonds - Direct Payment), dated November 2, 2010" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The County Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the County above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) all Direct Payments (defined below) received by the County; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Code and any applicable Regulations.

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the County and disbursed solely for the purposes for which borrowed. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments.

Section 8. Qualified Build America Bond Designation; Irrevocable Election; Compliance with Federal Tax Laws. (a) The Notes are hereby irrevocably designated qualified Build America Bonds within the meaning of Subsection 54AA(g) of the Code, and the County hereby irrevocably elects to apply Subsection 54AA(g) of the Code to the Notes. The County represents that all Note Proceeds, less costs of issuance financed with such Note Proceeds (which costs shall be in an amount not to exceed 2% of such Note Proceeds) plus all income from temporary Permitted Investments with respect to such Note Proceeds ("Available Project Proceeds") shall be used only for capital expenditures. The County acknowledges that among the requirements for the Notes to qualify and continue to qualify as qualified Build America Bonds is that the Notes, but for their qualified Build America Bond designation, would be tax-exempt for federal income tax purposes, and hence that the requirements of the Code and Regulations regarding tax-exempt obligations apply to the Notes. The County hereby covenants to comply with such requirements.

(b) The County thus further represents and covenants that the projects financed by the Notes and their ownership, management and use will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the qualified Build America Bond status of the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause the Notes to lose their status as qualified Build America Bonds within the meaning of Subsection 54AA(g) of the Code and the Regulations. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(c) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

(d) All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Qualified Build America Bonds - Application for Direct Payments to the County. The County shall claim available refundable credits from the Treasury with respect to each interest payment on the Notes as provided under Subsection 54AA(g)(1) of the Code ("Direct Payments"). The Fiscal Agent (defined below) is hereby authorized and directed to take all necessary actions on behalf of the County to apply for the receipt by the County of such Direct Payments, including the timely filing of necessary Internal Revenue Service forms and information returns for that purpose and/or submitting requests electronically if and as the Treasury establishes an electronic platform in connection with its direct payment procedures. All Direct Payments received by the County shall be promptly deposited in the Debt Service Fund Account and used for no other purpose than as provided in Section 6 of this Resolution.

Section 10. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 11. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by Associated Trust Company, National Association, Green Bay, Wisconsin, which is hereby appointed as the County's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The Fiscal Agency Agreement between the County and the Fiscal Agent shall be substantially in the form attached hereto as Exhibit F and incorporated herein by this reference.

Section 12. Persons Treated as Owners; Transfer of Notes. The County shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid. Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer. The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 13. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 15. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any

addenda or Final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes). The County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 17. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 18. Bond Insurance. If the Purchaser of the Notes determines to obtain municipal bond insurance with respect to the Notes, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 19. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded October 19, 2010

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Hall. CARRIED.

RESOLUTION NO. 113-102010: Disallow Claim of Mark K Corbett

WHEREAS, the claim of Mark K Corbett was referred to your Personnel and Finance Committee for its attention; and

WHEREAS, your Committee has investigated and considered 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 Mark K Corbett, dated September 8, 2010, and filed with the Winnebago County Clerk on September 10, 2010, be and is hereby disallowed for the reason that there is no 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. 114-102010: Disallow Claim of Ben Toney

WHEREAS, the claim of Ben Toney was referred to your Personnel and Finance Committee for its attention; and

WHEREAS, your Committee has investigated and considered 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 Ben Toney, dated August 14, 2010, and filed with the Winnebago County Clerk on August 30, 2010, be and is hereby disallowed for the reason that there is no 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. 115-102010: Disallow Claim of Willie Ray

WHEREAS, the claim of Willie Ray was referred to your Personnel and Finance Committee for its attention; and

WHEREAS, your Committee has investigated and considered 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 Willie Ray, dated August 16, 2010, and filed with the Winnebago County Clerk on August 30, 2010, be and is hereby disallowed for the reason that there is no 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. 116-102010: Commendation for Patricia Klich

WHEREAS, Patricia Klich has been employed with the Winnebago County Department of Human Services for the past 22 years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Patricia Klich 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 Patricia Klich 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 Patricia Klich.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Supervisor Kline asked that Line 12 of the resolution be corrected changing "not" to "now". Vote on Resolution as corrected - CARRIED BY VOICE VOTE.

RESOLUTION NO. 117-102010: Amend the Table of Organization for Winnebago County District Attorney's Office

WHEREAS, the current Table of Organization for the Winnebago County District Attorney's Office identifies five (5) full-time Legal Secretary positions, one (1) of which is currently vacant; and

WHEREAS, the District Attorney desires to eliminate one (1) full-time Legal Secretary position and add one (1) full-time Paralegal position (H-5) to improve operating efficiencies within the office by allowing greater legal assistance to the Attorneys.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes that the Table of Organization for the Winnebago County District Attorney's Office is amended to eliminate one (1) full-time Legal Secretary position and add one (1) full-time Paralegal position (H-5).

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Motion by Supervisor Swanson and seconded to refer back to committee and to have copies of the job descriptions attached to it. Ayes: 14 – Konetzke, Engelbert, Ramos, Roh, Swanson, Lennon, Reynolds, Jacobson, Norton, Hegg, Finch, Farrey, Egan and Reinert. Nays: 21. Excused: 1 – Hall. LOST. Motion by Supervisor Finch and seconded to refer to the Judiciary & Public Safety Committee. Ayes: 28. Nays: 6 – Miller, Widener, Thompson, Eichman, Diakoff and Brennand. Excused: 2 – Ramos and Hall. CARRIED.

RESOLUTION NO. 118-102010: Authority to Execute 2010-2011 Labor Agreement with the Winnebago County Department of Human Services Employees, Local 2228, AFSCME, AFL-CIO

BE IT RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Executive and the Winnebago County Clerk be, and they hereby are, authorized to execute a two-year Agreement on behalf of

Winnebago County and the Winnebago County Department of Human Services for the years 2010 and 2011, effective January 1, 2010, which Agreement shall provide the following major changes from the previous Agreement:

- 1) WAGES
Effective January 1, 2010, a 1.5% across-the-board increase
Effective January 1, 2011, a 1.5% across-the-board increase
- 2) ARTICLE 19 – INSURANCE
Effective for the January 1, 2011, premium, Winnebago County will contribute 85% of the monthly premium amount of Plan 2 in either the Network Health Plan or the UMR Health Insurance Plan toward each employee's monthly health insurance premium. If an employee and the employee's spouse complete an annual Health-Risk Assessment on or before September 1 of each year, Winnebago County will contribute 90% of the monthly premium amount of Plan 2 in either the Network Health Plan or the UMR Health Insurance Plan toward each employee's monthly health insurance premium. Winnebago County agrees to maintain the current benefit levels for the duration of the Agreement, but reserves the right to change the Group Health Plans as long as benefit levels are maintained.
- 3) ARTICLE 30 – RETIREMENT
Following the completion of the probationary period, the Employer shall pay the full employee contribution to the Wisconsin Retirement System (up to 6.9% of salary) in addition to the Employer's mandatory contribution.

In addition to the foregoing, the new Agreement provides for modifications to Management Rights, provides one (1) additional floating holiday per year, and modifies the job posting language.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 31. Nays: 3 – Eisen, Hegg and Reinert. Excused: 2 – Ramos and Hall. CARRIED.

RESOLUTION NO. 119-102010: Authorize the Appropriation of \$75,000 from the Roof Replacement Program Fund Balance to the Capital Outlay Account to Cover Additional Costs of the Roof Replacement on the Maintenance Facility on Knapp Street

WHEREAS, the roofs at the Knapp Street Maintenance Facility are in need of replacement; and
WHEREAS, the project has been included in the 5-Year Capital Improvements Plan and was scheduled for 2010; and
WHEREAS, the Winnebago County Board approved \$2000,000 for the project in May 2010 per Resolution Number 38-52010; and
WHEREAS, the project needs additional funds to complete the project and perform necessary tuck pointing repairs that are necessary to anchor the roof; and
WHEREAS, the project has been delayed due to the unsuccessful offer of the Oshkosh Area School District to purchase the facility allowing additional deterioration to occur.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$75,000 to cover additional costs of the Maintenance Facility Roof Replacement project.
BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for said improvements be transferred from the Roof Replacement Fund balance.

Submitted by:
FACILITIES AND PROPERTY MANAGEMENT COMMITTEE

Motion by Supervisor Hamblin and seconded to approve. Supervisor Roh asked for clarification of the amount on Line 18. Chairman Albrecht stated that it should be changed to read \$200,000. Vote on resolution with correction: Ayes: 34. Nays: 0. Excused: 2 – Ramos and Hall. CARRIED.

RESOLUTION NO. 121-102010: Appropriate \$160,000 to a Project to Add a Utility Extension to the Northwest Hangar Development Area at Wittman Airport and Fund with General Obligation Bond Proceeds

WHEREAS, utilities and infrastructure additions will be needed for the development of four new hangars adjacent to the EAA Hangar and Post Office; and
WHEREAS, two lease agreements are in place: One hangar is currently under construction, and the owner plans to have city sewer and water hookups, and electrical and gas connections; and the second lessee intends the same, although no firm construction date has been established; and

WHEREAS, this project is included in the Airport Master Plan, and the Winnebago County Board supports increased development at the airport property; and

WHEREAS, the cost to put in the utility extension is estimated to be \$160,000.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$160,000 to a project to extend utilities to the Northwest Hangar Development at Wittman Airport.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for said improvements be transferred from the General Fund of Winnebago County with the General Fund being reimbursed from a subsequent bond issue.

Submitted by:
AVIATION COMMITTEE

Motion by Supervisor Lennon and seconded to adopt. Ayes: 31. Nays: 3 – Roh, Widener and Egan. Excused: 2 – Ramos and Hall. CARRIED.

RESOLUTION NO. 122-102010: Authorize Execution of Option and Lease Agreement with New Cingular Wireless (Location of Cell Tower at 1221 Knapp Street, Oshkosh)

WHEREAS, New Cingular Wireless PCS, a limited liability corporation, desires to enter into an option and lease agreement with Winnebago County; and

WHEREAS, pursuant to the lease agreement, New Cingular Wireless PCS would have a 1-year option to determine if it desires to construct and operate a cell tower at 1221 Knapp Street, Oshkosh, which is the location of the Winnebago County Facilities Management Department; and

WHEREAS, should New Cingular Wireless PCS execute said option, Winnebago County and New Cingular Wireless PCS would enter into an agreement to lease 4,500 square feet of property, including the air space above such ground space, for a 5-year period with New Cingular Wireless PCS having an option to extend said lease for an additional 5-year period; and

WHEREAS, New Cingular Wireless PCS would pay Winnebago County \$250.00 for the original option upon said property and if said option were executed, the rent to Winnebago County for the cell tower space would be \$500.00 per month. Should the lease be extended at the end of 5 years, the monthly rent would be increased by 7½ percent over the previous term; and

WHEREAS, the undersigned Committee believes that said option and lease are in the best interests of Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and the Winnebago County Clerk to execute a lease agreement for the location of a cell tower at 1221 Knapp Street, Oshkosh, Wisconsin, with New Cingular Wireless PCS upon those terms as set forth above. The proposed lease, which is incorporated herein by reference, may be obtained upon request to the director of Facilities Management.

Submitted by:
FACILITIES AND PROPERTY MANAGEMENT COMMITTEE

Motion by Supervisor Hamblin and seconded to adopt. Motion by Supervisor Finch and seconded to refer back to committee. Ayes: 2 – Swanson and Finch. Nays: 32. Excused: 2 – Ramos and Hall. LOST.

Motion on resolution as presented: Ayes: 33. Nays: 1 – Finch. Excused: 2 – Ramos and Hall. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until Tuesday, October 25, 2010 at 6:00 p.m. CARRIED BY VOICE VOTE.

The meeting was adjourned at 7:05 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 September 21, 2010.

Susan T. Ertmer
Winnebago County Clerk