

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, APRIL 16, 2013**

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

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

The following Supervisors were present: Konetzke, Barker, Eisen, Ramos, Miller, Roh, Smith, Widener, Hamblin, Albrecht, Gabert, Tews, Thompson, Olson, Hardy, Wingren, Lautenschlager, Norton, Warnke, Robl, Singstock, Neubauer, Turner, Locke, Hegg, Finch, Youngquist, Farrey, Rasmussen, Brennand, Egan, Ellis, Snider and Kriescher. Excused: Englebert and Reynolds.

Motion by Supervisor Robl and seconded to adopt the agenda with the change of order of the resolutions, so that Resolution No. 209-42013 is acted on prior to No.151-12013 and No. 212-42013 is acted on prior to No. 205-42013. CARRIED BY VOICE VOTE.

PUBLIC HEARING

The following person spoke in support of the Tri-County Recreation Association Board of Directors:

- Kathy Kampin, 905 Royal Boulevard, Green Bay, Wisconsin, representing the Paper Valley Roller Girls

The following people spoke against selling the Tri-County Ice Arena:

- Dan Julius, 720 10th Street, Menasha, representing the Fox Valley Broomball Association
- Sandra Lenz, Greenville, Wisconsin, Vice President of the Valley Figure Skating Club
- John Schaidler, 623 East Shady Lane, Neenah

The following person spoke in support of selling the Tri-County Ice Arena:

- Craig Engel, President of the Fox Valley Youth Hockey Association, W8995 Madeline, Hortonville, Wisconsin

Paul Schmidt, 1280 South Park Avenue, Oshkosh, would like to see other options explored before the Board sells the facility.

Vince Knuth, 46 Lawson Street, Menasha, spoke about foreclosure issues.

COMMUNICATIONS, PETITIONS, ETC.

The following resolutions were received:

- Adams County – Resolution No. 19-2013 – “Resolution to Oppose Placement of Election Day Registration Under the Direction of the County Clerk’s Office”, referred to the Judiciary & Public Safety Committee.
- Brown County – “Resolution Opposing the State Legislature’s Ability to Dictate the Amount of Local Property Tax Dollars Spent on a Specific County Department”, referred to Legislative Committee
- Manitowoc County – Resolution 2012/2013 - 67, “Resolution Supporting Same Day Voter Registration”, referred to the Legislative Committee
- Outagamie County – Resolution 137-2012-2013, which supports same day voter registration was referred to the Legislative Committee.
- Outagamie County – Resolution 136-2012-2013, opposes legislation that would allow a Board of Canvassers to determine whether a recount should be done by a hand count of ballots instead of using voting equipment, was referred to the Legislative Committee.
- Outagamie County – Resolution 138-2012-2013, supports the indication of a veteran’s status on an operator’s license or identification card, was referred to the Legislative Committee.
- Outagamie County – Resolution 139-2012-2013, opposes Wisconsin Legislature’s proposal that would freeze the renewable energy requirements at the 2011 levels was referred to the Legislative Committee
- Wood County – Resolution 13-3-5, requests that the State of Wisconsin enact legislation that would prohibit any entity from foreclosing on property unless that entity itself has a recorded interest in the property, was referred to the Legislative Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Widener reported that Ken Stoffel, former Deputy Director of Human Services is seriously ill and encouraged Board members to visit him.

Supervisor Widener reported on the county’s hearing enhancement program. Mike Elder, the county’s Director of Facilities and Property Management, has had a system that works with telecoil hearing devices, as well as with other hearing enhancement devices installed in the Facilities Department’s conference room. It will also be installed in the Oshkosh Human Services conference room. A similar system will be installed in the County Board Room as well. Supervisor Widener explained that the microphones installed in the County Board Room work best when you speak directly into them. Supervisor Widener thanked Mr. Elder for his work in finding a system that will make hearing easier for those people who use hearing devices.

Supervisor Barker reported on her attendance at the state Agriculture and Extension convention in Madison. She also reported that UW-Fox Valley will be one of the first campuses in the UW system designated as a “tree campus”.

Motion by Supervisor Robl and seconded to approve the March 19, 2013 proceedings. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE’S REPORT

Executive Harris reported on the county debt bar graph report he distributed to the Board. He explained that the county’s debt does fluctuate from year-to-year, especially if the county does a large project. The total amount of debt has remained relatively stable for the last eight years.

Executive Harris encouraged the Board to approve the resolutions on tonight’s agenda regarding Highway Department projects and the request for an additional person in the Health Department.

Executive Harris then discussed Resolution No. 151-12013, “Authorize Divestiture of the Tri-County Ice Arena.” He explained that he “strongly” supports the county retaining ownership of the ice arena, because he feels it is the best way to maintain control of the facility for public use for the long term. He stated that he also supports allowing the Tri-County Recreation Association Board of Directors to continue managing the ice arena.

COUNTY EXECUTIVE’S APPOINTMENTS

Director of Human Resources – Michael J. Collard

Motion by Supervisor Widener and seconded to approve the appointment of Michael J. Collard as Winnebago County Director of Human Resources. CARRIED BY VOICE VOTE.

Executive Harris announced that Doug Gieryn, who had been the temporary head of the reorganized county Health Department, has retained that position and was named the official head of that department.

Industrial Development Board (IDB)

Executive Harris asked for the Board’s approval of his appointment of Linda Kutchenriter, Omro City Administrator, to the Industrial Development Board. Ms. Kutchenriter will fill the Public Director position on the IDB that was vacated by Steve Volkert.

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

Lakeland Long Term Care District Board

Executive Harris asked for the Board’s approval of his appointment of Supervisor Larry Lautenschlager to the Lakeland Long Term Care District Board. This is a three-year term that will expire on April 30, 2015.

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

COUNTY BOARD CHAIRMAN’S REPORT

Chairman Albrecht announced that the Winnebago County Child Support Agency (CSA) has received a 2012 Outstanding Achievement Award from the Wisconsin Department of Children and Families Bureau after meeting three federal performance measures. The Board recognized the CSA with a round of applause.

Chairman Albrecht announced that a close friend of Supervisor Susan Locke has passed away. He also announced that one of Supervisor Brennand’s sisters passed away on Sunday. Chairman Albrecht extended the Board’s sympathies to their families.

Chairman Albrecht announced that Supervisor Finch was named “Man of the Year” in the Town of Menasha. He received his award earlier this evening from the town. The Board recognized Supervisor Finch with a round of applause.

APPOINTMENT TO SUPERVISOR DISTRICT 29 - RACHEL A. YOUNGQUIST

Chairman Albrecht asked for the Board’s approval of the appointment of Rachel A. Youngquist, 1564 Meadow Heights Circle, Neenah, to Supervisor District 29. Ms. Youngquist will complete the unexpired term of Joanne Sievert, who resigned from the Board.

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

Chairman Albrecht administered the Oath of Office to Supervisor Youngquist.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant, Dean Teska; and property owner, Dennis Ferguson; Town of Oshkosh, for a zoning change to R-1 for tax parcel no. 018-0313-01(p). Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 04-01-13. A requested zoning change from A-2 (General Farming) to R-1 (Single Family non-subdivided). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: 04/22/2013)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant, Russell Reff; and property owners, Richard Gabert and Thomas Rusch; Town of Oshkosh, for a zoning change to B-3 for tax parcel nos. 018-0292-02, 018-0293 and 018-0294-03. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 04-02-13. A requested zoning change from A-2 (General Farming) to B-3 (General Business). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: 04/22/2013)

ORDINANCE NO. 141-12013: Create Section 5.08 of the General Code for Winnebago County: Disposal of Unclaimed Bodies

WHEREAS, Winnebago County has not officially established a policy regarding the disposition of unclaimed bodies; and

WHEREAS, the Winnebago County Coroner has identified a need for such a policy to be established by Ordinance; and

WHEREAS, § 979.09, Wis Stats, provides the county with the authority to establish such a policy.

NOW, THEREFORE, BE IT ORDAINED by the Winnebago County Board of Supervisors that Section 5.08 of the General Code for Winnebago County: Disposal of Unclaimed Bodies, be created to read as follows:

5.08 DISPOSAL OF UNCLAIMED BODIES

(1) AUTHORITY: This Ordinance is created pursuant to that authority provided under § 979.09, Wis Stats.

(2) DISPOSAL BY CREMATION:

(a) The Winnebago County Coroner shall cause the body of an unclaimed deceased person to be cremated upon his written authorization. Cremation of an unclaimed body shall occur no earlier than seven (7) days subsequent to the pronounced date of death of the deceased person.

(3) COSTS:

(a) The Winnebago County Coroner shall request the assistance of the Winnebago County Department of Human Services to determine the Medical Assistance eligibility of the deceased. Should the deceased individual be eligible for Medical Assistance, any Medical Assistance payments made on behalf of the deceased shall be used to offset cremation costs of the deceased individual's unclaimed body.

(b) Family members of deceased individuals who refuse to claim the deceased individual's body shall not have any input into the decision regarding the means of disposition of the unclaimed body. Winnebago County shall have no obligation to pay for visitation or other funeral arrangements relating to any deceased individual whose body remains unclaimed.

(c) Cremation costs shall not exceed \$500 unless otherwise authorized by the Personnel and Finance Committee of the Winnebago County Board of Supervisors.

(d) The Winnebago County Coroner, within his discretion, may dispose of an unclaimed body by burial or by other means when it is in the interests of law enforcement or Winnebago County.

(e) Nothing contained within this Ordinance shall prevent the Winnebago County Coroner or Winnebago County from filing a claim against the estate of the deceased, or using other legal means, to recover the costs of disposition of the deceased individual should it appear that assets are available within the estate of the deceased individual or otherwise to cover said disposition costs.

(4) EFFECTIVE DATE: This Ordinance shall take effect upon the date following the date of publication.

Submitted by:

JUDICIARY AND PUBLIC SAFETY COMMITTEE

Motion by Supervisor Wingren and seconded to adopt. Ayes: 34. Nays: 0. Excused: 2 – Englebert & Reynolds. CARRIED.

RESOLUTION NO. 151-12013: Authorize Divestiture of the Tri-County Ice Arena

WHEREAS, the Winnebago County Board of Supervisors has voted 25-9 to explore the divestiture of the Tri-County Ice Arena as referenced in Resolution Number 56-82012; and

WHEREAS, the aforementioned Resolution clearly states "it is the desire of your undersigned Supervisors that ownership of the Ice Arena be transferred to other parties who would be willing to continue to operate the Ice Arena as a recreational resource for the Fox Valley area"; and

WHEREAS, one of the options subsequently proposed by the Winnebago County Executive was to "sell to a new non-profit organization to be formed from youth hockey supporters for \$1.00"; and

WHEREAS, Winnebago County has received an Offer to Purchase from the Fox Valley Youth Hockey Association Inc, dated December 12, 2012; and

WHEREAS, the Lease Agreement between Winnebago County and the Tri-County Recreation Association Inc provides a Right of First Refusal to the Tri-County Recreation Association Inc.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that a counter-offer to Fox Valley Youth Hockey Association's December 12, 2012, Offer to Purchase be made to include the following provisions:

1. Buyer will purchase the property for the purpose of operating a recreational facility consistent with its current use with intended short and long-term improvement, replacement, and investment in the property;
2. Buyer will, within five (5) days of an accepted offer, provide written documentation showing a minimum of \$70,000.00 cash on hand and a minimum of \$100,000.00 line of credit from a local lending institution;
3. Eliminate Paragraph 6 of Addendum A of the Fox Valley Youth Hockey Association's December 12, 2012, Offer to Purchase;
4. Eliminate Lines 270 through 276 of the Fox Valley Youth Hockey Association's December 12, 2012, Offer to Purchase since Winnebago County will only accept a cash offer for the property in question;
5. If, in the first seven (7) years of ownership, the Buyer is unable (or unwilling) to continue operation as a recreational resource for the Fox Valley area, ownership will revert to Winnebago County;
6. Eliminate Paragraph 15 of the Estoppel Certificate attached to the Fox Valley Youth Hockey Association's December 12, 2012, Offer to Purchase since there is a current Lease Agreement between Winnebago County and the Tri-County Recreation Association;
7. The counter offer is binding upon the seller and buyer only if a copy of the accepted counter offer is delivered to the party making the counter offer (Winnebago County) on or before April 26, 2013;
8. The Closing shall be held on or before August 1, 2013; and

BE IT FURTHER RESOLVED that if the Tri-County Recreation Association Inc has not already been notified, it be immediately notified, in writing, of the Fox Valley Youth Hockey Association's December 12, 2012, Offer to Purchase and Winnebago County's counter offer, giving the Tri-County Recreation Association ninety (90) days from the date of receipt of the notice of the offer/counter-offer to match any third-party offer as stipulated in their Lease Agreement with Winnebago County for the Tri-County Ice Arena.

Submitted by:

FACILITIES AND PROPERTY MANAGEMENT COMMITTEE

Motion by Supervisor Hamblin and seconded to adopt. Motion by Supervisor Norton and seconded to POSTPONE INDEFINITELY. Ayes: 7 – Eisen, Lautenschlager, Norton, Singstock, Locke, Finch and Brennand. Nays: 27. Excused: 2 – Englebert and Reynolds. LOST.

Motion by Supervisor Norton to amend the amount of the offer to \$1.5 Million. No second to the motion.

Vote on Resolution – Ayes: 19. Nays: 15 – Konezke, Barker, Eisen, Miller, Smith, Widener, Thompson, Hardy, Lautenschlager, Norton, Locke, Finch, Brennand, Ellis and Snider. Excused: 2 – Englebert and Reynolds. CARRIED.

At approximately 8:30 p.m., Chairman Albrecht called for a brief recess.

The meeting reconvened at 8:45 p.m.

RESOLUTION NO. 209-42013: Approve Town of Oshkosh Zoning Ordinance

WHEREAS, Winnebago County adopted a comprehensive revision of the Town/County Zoning Ordinance on March 20, 2012, with an effective date of April 29, 2012; and

WHEREAS, pursuant to § 60.62, Wis Stats, towns exercising village powers have the authority to adopt zoning ordinances upon failure by the town to approve the comprehensive revision and upon the expiration of one year following Winnebago County's comprehensive revision; and

WHEREAS, the Town of Oshkosh has adopted village powers; and

WHEREAS, the Town of Oshkosh has notified Winnebago County that the Town will not approve the comprehensive revision and desires to adopt a Town Zoning Ordinance; and

WHEREAS, the Town of Oshkosh has prepared a local Town-wide Zoning Ordinance for adoption; and

WHEREAS, the Town of Oshkosh has held the required public hearings before the Town Planning Commission and Town Board on a proposed Town Zoning Ordinance; and

WHEREAS, the Town of Oshkosh Town Board adopted the Town's proposed Zoning Ordinance on April 15, 2013; and

WHEREAS, the Town of Oshkosh Board of Supervisors has requested that the Winnebago County Board of Supervisors pass a resolution approving the Town of Oshkosh Zoning Ordinance; and

WHEREAS, § 60.62, Wis Stats, requires town zoning ordinances to be approved by the Winnebago County Board of Supervisors before said town ordinance can take effect; and

WHEREAS, the Winnebago County Planning and Zoning Committee has recommended that the Winnebago County Board of Supervisors approve the proposed Zoning Ordinance for the Town of Oshkosh, which is available upon request from the Town of Oshkosh or from the Winnebago County Zoning Department, which is incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the Town Zoning Ordinance for the Town of Oshkosh as requested by the Town of Oshkosh.

Submitted by:
PLANNING AND ZONING COMMITTEE

Motion by Supervisor Brennand and seconded to adopt. Supervisor Brennand corrected the date on Lines 16 and 17 to "April 15, 2013".

Vote on Resolution – CARRIED BY VOICE VOTE.

RESOLUTION NO. 190-42013: Disallow Claim of Kristi Kaczrouske

WHEREAS, your Personnel and Finance Committee has had the claim of Kristi Kaczrouske 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 Kristi Kaczrouske, filed with the County Clerk on March 15, 2013, 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 Roh and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 191-42013: Authorize Acceptance of Joint DATCP/DNR Soil and Water Resource Management and Nonpoint Source Pollution Abatement Grant in 2014

WHEREAS, pursuant to §§ 92.14, 281.65, and 281.66, Wis Stats, the Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP) and the Wisconsin Department of Natural Resources (DNR) are authorized to jointly allocate funds to assist counties in carrying out land and water resource protection programs and services that focus on the abatement of nonpoint sources of pollution; and

WHEREAS, your Land and Water Conservation Department has submitted a joint grant application to DATCP and DNR, in the amount of \$576,206 for staff support and cost sharing of pollution abatement projects to be installed in 2014.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that, should the aforementioned grant application be approved by the DATCP and the DNR in part or in its entirety, the Chairman of Winnebago County's Land Conservation Committee is hereby authorized to accept the approved grant amount on behalf of Winnebago County.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that, on the basis of the aforementioned grant application the approved grant be allocated to the appropriate Winnebago County Land and Water Conservation Department's 2014 budget revenue accounts, with applicable dollar amounts to be reflected in the appropriate expenditure accounts.

Submitted by:
LAND CONSERVATION COMMITTEE

Motion by Supervisor Farrey and seconded to adopt. Ayes: 33. Nays: 0. Excused: 3 – Englebert, Hamblin and Reynolds. CARRIED.

RESOLUTION NO. 192-42013: Designate the Month of May as "Multi-Modal Transportation Month" in Winnebago County

WHEREAS, Winnebago County supports policies and programs that focus on health and wellness issues along with the promotion of a healthier community environment; and

WHEREAS, the health and safety of the community as a whole is a priority concern for the citizens of Winnebago County; and

WHEREAS, the promotion of walking, biking, and public transportation can help enhance the health and overall level of physical activity of all residents, improve air quality and the environment, and reduce traffic congestion; and

WHEREAS, multi-modal transportation initiatives are recognized at the state, national, and international levels to create safe, convenient, affordable, and fun opportunities for residents to walk, bike, and/or utilize public transit as a primary means of transportation; and

WHEREAS, numerous Winnebago County residents choose to walk, bike, and/or utilize public transit as a primary means of transportation due to the cost associated with vehicle ownership, and/or due to environmental and healthy lifestyle choices; and

WHEREAS, it is fitting that Winnebago County recognize the importance of making walking, biking, and use of public transit a safe means of mobility for those who depend upon them for their primary means of transportation.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby declares the month of May as "Multi-Modal Transportation Month" in order to create awareness of multi-modal transportation and strengthen the quality of life for all Winnebago County residents.

Submitted by:
PARKS AND RECREATION COMMITTEE

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

RESOLUTION NO. 193-42013: Authorize Execution of Five-Year Rental Agreement Between Winnebago County and Tri-County Recreation Association, Inc.

WHEREAS, Winnebago County recognizes that the Tri-County Recreation Association Inc wishes to rent the Tri-County Ice Arena facility in order to hold recreational- and exposition-related events over a period of five (5) consecutive years; and

WHEREAS, it is in the best interests of Winnebago County to permit such use of the facility to promote continued recreational activities within Winnebago County; and

WHEREAS, it is in the best interests of Winnebago County to promote tourism and the event industry within Winnebago County; and

WHEREAS, the relationship between Winnebago County and the Tri-County Recreation Association Inc has been historically beneficial to both parties; and

WHEREAS, it is in the best interests of Winnebago County to permit the long-range scheduling of said facility to allow the Tri-County Recreation Association Inc to secure necessary agreements with user groups, sponsors, and event promoters.

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 rental agreement between Winnebago county and the Tri-County Recreation Association Inc, effective July 1, 2013, through June 30, 2018.

Submitted by:
PARKS AND RECREATION COMMITTEE

Motion by Supervisor Finch and seconded to adopt.

Motion by Supervisor Norton and seconded to postpone until August 20, 2013. Ayes: 28. Nays: 5 – Ramos, Smith, Widener, Neubauer and Farrey. Excused: 3 – Englebert, Hamblin and Reynolds. CARRIED.

RESOLUTION NO. 194-42013: Authorize Execution of Airport Lease Between Janie Gee Aviation, Inc. and Winnebago County

WHEREAS, Janie Gee Aviation Inc desires to lease Building L809-C at Wittman Regional Airport for a three (3)-year period, with rent to be established at \$369.17 per month plus sales tax during the first year of the lease, \$380.25 plus sales tax during the second year of the lease, and \$390.66 plus sales tax during the third year of the lease; and

WHEREAS, said lease would run from February 1, 2013, through January 30, 2016; and

WHEREAS, the Aviation Committee believes that said lease is in the best interests of Winnebago County and has approved said lease.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves a three (3)-year lease between Winnebago County and Janie Gee Aviation Inc for Building L809-C at Wittman Regional Airport pursuant to those terms as stated above. A complete copy of said lease is available upon request from the Wittman Regional Airport Manager and incorporated herein by reference as a part of this Resolution.

Submitted by:
AVIATION COMMITTEE

Motion by Supervisor Warnke and seconded to adopt. Ayes: 32. Nays: 0. Abstain: 1 – Hegg. Excused: 3 – Englebert, Hamblin and Reynolds. CARRIED.

RESOLUTION NO. 195-42013: Authorize an Increase of \$350,000 in Winnebago County's Road Maintenance Budget to Cover Increased Costs of Labor and Materials Used During the 2013 Winter Season

WHEREAS, the Highway Department budgeted \$565,000 for winter maintenance activities in calendar year 2013, which includes snow and ice control operations; and

WHEREAS, since the beginning of 2013, the Highway Department has expended approximately \$640,000 responding to numerous storm and roadway conditions that required the Department to mobilize and address unsafe driving conditions; and

WHEREAS, the annual winter maintenance budget for Highway Department winter operations also includes November and December in each calendar year; and

WHEREAS, the Highway Department typically budgets for an average winter season based upon the previous 5 years' averages for labor, equipment, and materials; and

WHEREAS, the Highway Department reviewed the average expenditures for November and December and estimated the funding required to complete this winter season and fund year end winter maintenance; and

WHEREAS, \$350,000 will allow the Highway Department to complete winter maintenance needs this season and should adequately fund November and December operations at years end; and

WHEREAS, the Highway Department requests that this funding be made available from the County Contingency Fund and the General Fund Undesignated Fund Balance.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves a Budget Transfer of \$350,000 to cover unbudgeted expenditures in winter maintenance operations in the 2013 County Highway Maintenance Fund budget.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby approves funding for remaining 2013 winter maintenance operations as follows: \$204,050 to be taken from the General Contingency Fund (this amount will deplete the balance of the 2013 General Contingency Fund) and \$145,950 to be taken from the County General Fund Undesignated Fund Balance.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 30. Nays: 1 – Turner, Abstain: 1 – Hegg. Excused: 4 – Englebert, Hamblin, Reynolds and Brennand. CARRIED.

RESOLUTION NO. 196-42013: Authorize the Emergency Management Department to Accept an Office of Justice Assistance Grant of \$8,994 and Appropriate to Expenses Associated with an Oshkosh School District Emergency Exercise.

WHEREAS, the Emergency Management Department has been awarded an Office of Justice Assistance grant of \$8,994 to carry out school emergency exercises; and

WHEREAS, the County Board supports efforts to improve emergency planning and safety in our schools; and

WHEREAS, this funding would be used to conduct a series of emergency exercises in the Oshkosh School District.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Emergency Management Director to accept an Office of Justice Assistance grant of \$8,994 and appropriate to expenses associated with an Oshkosh School District emergency exercise.

Submitted by:
EMERGENCY MANAGEMENT COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Roh and seconded to adopt. Ayes: 29. Nays: 2 – Olson and Farrey. Abstain: 1 – Turner. Excused: 4 - Englebert, Hamblin, Reynolds and Brennand. CARRIED.

RESOLUTION NO. 197-42013: Appropriate \$1,750,000 to a Milling and Paving Project to be Completed on County Highway FF from State Highway 44 to the South County Line.

WHEREAS, County Highway FF (CTH FF) from State Highway 44 (STH 44) to the south County Line in the Town of Utica is showing significant signs of deterioration and is need of resurfacing to extend its useful life, and;

WHEREAS, the Winnebago County Highway Department typically performs milling and paving projects each year to the most deteriorated county highways in the system in order to extend the useful life of the pavements and preserve the County's investment in the asset, and;

WHEREAS, the project to resurface CTH FF was scheduled for resurfacing in 2013 and has been planned for and programmed into the 2013 Winnebago County Highway Department Capital Improvement Plan; and

WHEREAS, additionally, this project has \$149,000 in CHIP funding available from the Wisconsin Department of Transportation, and;

WHEREAS, the Winnebago County Board of Supervisors is committed to maintaining our system of highways and supports good transportation efforts in Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the appropriation of \$1,750,000 for a capital improvement project to mill and resurface County Highway FF

(CTH FF) from State Highway 44 (STH 44) to the south County Line, with funding as follows: Transportation Aids: \$149,000; and General Obligation Bond Issue: \$1,601,000.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the funds to pay for this project be transferred from the General Fund of Winnebago County to the CTH FF Capital Project with the General Fund being reimbursed from Transportation Aids of \$149,000 and a subsequent bond issue of \$1,601,000 to pay for Winnebago County's share.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 31. Nays: 0. Excused: 5 – Englebert, Hamblin, Reynolds, Locke and Brennand. CARRIED.

RESOLUTION NO. 198-42013: Appropriate \$1,250,000 to a Milling and Paving Project to be Completed on County Highway I from County Highway N to County Highway Z

WHEREAS, County Highway I (CTH I) from County Highway N (CTH N) to County Highway Z (CTH Z) in the Towns of Black Wolf and Nekimi is showing significant signs of deterioration and is in need of resurfacing to extend its useful life; and

WHEREAS, the Winnebago County Highway Department typically performs milling and paving projects each year to the most deteriorated county highways in the system in order to extend the useful life of the pavements and preserve the County's investment in the asset; and

WHEREAS, the project to resurface CTH I was scheduled for resurfacing in 2013 and has been planned for and programmed in the 2013 Winnebago County Highway Department Capital Improvement Plan; and

WHEREAS, Winnebago County Board is committed to maintaining our system of highways and supports good transportation efforts in Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the appropriation of \$1,250,000 for a capital improvement project to mill and resurface County Highway I (CTH I) from County Highway N (CTH N) to County Highway Z (CTH Z) to be funded as follows: \$1,000,000 from General Fund Undesignated Fund Balance; and \$250,000 from a subsequent bond issue.

BE IT FURTHER RESOLVED, that the funds to pay for this project shall be transferred from the General Fund of Winnebago County to the CTH I Milling and Paving Project with the General Fund being reimbursed from a subsequent bond issue of \$250,000.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 31. Nays: 0. Excused: 5 – Englebert, Hamblin, Reynolds, Locke and Brennand. CARRIED.

RESOLUTION NO. 199-42013: Authorize \$480,000 for the Replacement of 54-Year-Old Boilers at UW Fox Valley

WHEREAS, the University of Wisconsin—Fox Valley campus is an important asset to Winnebago County; and WHEREAS, the boilers in the original building were installed in 1959; and

WHEREAS, the boilers are very inefficient and now require ongoing and frequent maintenance; and

WHEREAS, it is prudent to replace the boilers before a major breakdown occurs; and

WHEREAS, the project is funded 50% by Outagamie County and 50% by Winnebago County, making each County's share \$240,000; and

WHEREAS, Outagamie County has already approved its share of the expense; and

WHEREAS, the Winnebago County Facilities and Property Management Committee unanimously approved the project.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$480,000 to a capital project to replace the boilers at the University of Wisconsin—Fox Valley and that funding of the project will be split between Outagamie County and Winnebago County, with each County's share being \$240,000.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that Winnebago County's share of the project will be appropriated from the General Fund Undesignated Fund Balance.

Submitted by:
UW FOX VALLEY BOARD OF TRUSTEES
FACILITIES AND PROPERTY MANAGEMENT COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Widener and seconded to adopt. Ayes: 30. Nays: 1 – Turner. Excused: 5 – Englebert, Hamblin, Reynolds, Locke and Brennand. CARRIED.

RESOLUTION NO. 200-42013: Appropriate \$1,542,000 to a Project to Make Energy Conservation Improvements at the UW Fox Valley to be Funded by State of Wisconsin Grants

WHEREAS, the State of Wisconsin is interested in finding ways to make the building facilities it uses more energy efficient in order to reduce the State's future energy costs; and

WHEREAS, the State is interested in pursuing this at our University of Wisconsin—Fox Valley campus; and

WHEREAS, the State has invested in a performance-grade energy audit of the UW Fox Valley campus which has identified a number of measures that will reduce energy consumption at the campus; and

WHEREAS, the measures include outdoor lighting modifications, plumbing improvements, building envelope remediation and air handling, and energy management control systems; and

WHEREAS, all of these improvements will be funded by the State of Wisconsin and not require County funds to proceed; and

WHEREAS, Outagamie County has already approved this project; and

WHEREAS, this project will coincide with the Counties' replacement of the campus main boilers and improve the operation of that equipment; and

WHEREAS, the Winnebago County Facilities and Property Management Committee unanimously approved the project;

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the University of Wisconsin—Fox Valley to accept energy conservation improvements grants of \$1,542,000 and apply the funds to projects to improve energy efficiency at the campus.

Fiscal Impact: This resolution is cost neutral. The State will be fully funding all of the improvements.

Submitted by:

UW FOX VALLEY BOARD OF TRUSTEES

FACILITIES AND PROPERTY MANAGEMENT COMMITTEE

PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Widener and seconded to adopt. Ayes: 29. Nays: 1 – Olson. Abstain: 2 – Gabert and Hegg. Excused: 4 – Englebert, Hamblin, Reynolds and Brennand. CARRIED.

RESOLUTION NO. 201-42013: Appropriate \$276,000 to a Capital Project to Repair and Replace Asphalt in the Parking Lots at the UW Fox Valley Campus

WHEREAS, asphalt drives and several parking areas in the parking lots at UW Fox Valley have deteriorated over time and have exceed their life cycle; and

WHEREAS, the deterioration is so severe that filling cracks and pot holes will not preserve the parking lots; and

WHEREAS, safety conditions are also a concern for the students and visitors to the campus due to the potential for people falling; and

WHEREAS, failure of asphalt surfaces leads to water infiltration which causes further deterioration of the bed below the surface; and

WHEREAS, taking action now to repair these conditions will reduce future costs and reduce liability exposure; and

WHEREAS, Winnebago County and Outagamie County each share half the cost and responsibility for improvements to the campus; and

WHEREAS, Outagamie County has already approved its share of the expense to resurface/repair the parking areas.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$276,000 to a project to improve and resurface the parking lot areas at the University of Wisconsin—Fox Valley campus, with funding of the project to be split between Winnebago County and Outagamie County, with each County's share being \$138,000.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for Winnebago County's share of the project will be transferred from the General Fund Undesignated Fund Balance and transferred into the UW Fox Valley Parking Lot Improvements Project Fund.

Submitted by:

UW FOX VALLEY BOARD OF TRUSTEES

FACILITIES AND PROPERTY MANAGEMENT COMMITTEE

PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Widener and seconded to adopt. Ayes: 30. Nays: 2 – Turner and Hegg. Excused: 4 – Englebert, Hamblin, Reynolds and Brennand. CARRIED.

RESOLUTION NO. 202-42013: Authorize the Human Services Department to Accept a Drug Enforcement Grant of \$80,000 and Appropriate the Funds to Contracted Services to Carry Out the Program.

WHEREAS, the Winnebago County Human Services Department has been awarded an \$80,000 grant to use for the drug enforcement program; and

WHEREAS, the treatment needs of the opiate-dependent population of Winnebago County can be very intense and challenging and, without adequate and prompt intervention, can have tragic results; and

WHEREAS, acceptance of this grant will give the Human Services Department additional resources to better serve this segment of the population, and

WHEREAS, this is a one-year grant, but the Department will be eligible to re-apply for the same amount for future years, pending continuation of the program from the Federal Government; and

WHEREAS, helping this segment of the population is a key program for the Human Services Department and Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Human Services Department to accept an \$80,000 grant and appropriate the funds to contractual services accounts within the Human Services Department to meet the needs of the opiate-dependent population.

Submitted by:
HUMAN SERVICES BOARD
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Widener and seconded to adopt. Ayes: 30. Nays: 1 – Olson. Abstain: 1 – Farrey. Excused: 4 – Englebert, Hamblin, Reynolds and Brennand. CARRIED.

RESOLUTION NO. 203-42013: Authorize the District Attorney's Office to accept a \$26,237 State Department of Administration Grant and Apply to Drug Diversion Program.

WHEREAS, the District Attorney's Office has been awarded a \$26,237 Drug Diversion Program grant; and
WHEREAS, the Winnebago County Board of Supervisors supports programs that reduce the use of illegal drugs by the citizens of Winnebago County; and

WHEREAS, this grant will allow the District Attorney's Office to continue the Drug Diversion Program for 2013; and

WHEREAS, the grant covers the cost of a half-time position; and

WHEREAS, the grant is a continuation from previous years; and

WHEREAS, this program uses early intervention tools intended to assess the risk of individuals becoming repeat offenders, treat those individuals, and prevent future criminal activity; and

WHEREAS, early intervention can minimize the cost of intensive treatment and incarceration before these individuals become repeat offenders.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the District Attorney's Office to accept a State Department of Administration \$26,237 grant to continue the Drug Diversion Program and appropriates the funds to the programs expenses.

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

Motion by Supervisor Wingren and seconded to adopt. Ayes: 31. Nays: 1 – Olson. Excused: 4 – Englebert, Hamblin, Reynolds and Brennand. CARRIED.

RESOLUTION NO. 204-42013: Authorize the Public Health Department to Purchase a New Vehicle at a Cost Not to Exceed \$25,000.

WHEREAS, when the Public Health Department consolidation took place it was expected that a vehicle would be made available to Winnebago County as a part of that consolidation; and

WHEREAS, there were no vehicles made available to the Winnebago County Public Health Department when the consolidation took place; and

WHEREAS, with the additional staff added to the Public Health Department and the larger service area, the Department is in need of an additional vehicle; and

WHEREAS, a new vehicle can be purchased at a cost not to exceed \$25,000; and

WHEREAS, funding for the vehicle will come from the Undesignated Fund Balance of the Public Health Department that resulted from the consolidation of the Departments; and

WHEREAS, no funds will be transferred from the Undesignated Fund Balance that existed prior to the Department consolidation.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Public Health Department to purchase a new vehicle at a cost not to exceed \$25,000.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for the vehicle will come from the Undesignated Fund Balance resulting from the consolidation of the Health Departments.

Submitted by:
BOARD OF HEALTH
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Ramos and seconded to adopt. Ayes: 28. Nays: 4 – Albrecht, Gabert, Olson and Turner. Excused: 4 – Englebert, Hamblin, Reynolds and Brennand. CARRIED.

ORDINANCE NO. 212-42013: Amend Section 11.11 of the General Code of Winnebago County (Amend Appendix A: Winnebago County Public Health Department Permit Fee Schedule)

WHEREAS, Section 11.11 of the General Code for Winnebago County specifically provides the Winnebago County Board of Supervisors with the authority to establish permit fees for the Winnebago County Public Health Department; and

WHEREAS, the Winnebago County Public Health Department annually reviews said Permit Fee Schedule and makes a recommendation to the Winnebago County Board of Health and to the Winnebago County Board of Supervisors regarding establishing fees for various Public Health Department permits so as to keep said fees reflective of the actual cost of issuing such permits; and

WHEREAS, the Winnebago County Board of Health is recommending that Appendix A of Chapter 11 of the General Code for Winnebago County, authorized specifically by Subsection 11.11(7), be amended as reflected in the attached proposed Permit Fee Schedule.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that Appendix A of Chapter 11 of the General Code for Winnebago County, authorized specifically in Subsection 11.11(7), is hereby amended as is shown in the attached Winnebago County Public Health Department 2013-2014 Permit Fee Schedule.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said amendment shall be effective as of July 1, 2013.

Submitted by:
BOARD OF HEALTH

Motion by Supervisor Ramos and seconded to adopt. Ayes: 31. Nays: 1 – Thompson. Excused: 4 – Englebert, Hamblin, Reynolds and Brennand. CARRIED.

RESOLUTION NO. 205-42013: Amend the Table of Organization for the Public Health Department to Add One (1) Full-Time Environmental Health Specialist

WHEREAS, the Winnebago County Public Health Department acts as an agent of the State of Wisconsin as Environmental Health Specialists to perform approximately 900 inspections of food establishments, campgrounds, hotels/motels, bed and breakfast establishments, swimming pools, mobile home parks, and wells on an annual basis; and

WHEREAS, prior to the consolidation of the City of Oshkosh, the City of Neenah, and Winnebago County Health Departments, a position was left vacant while determining the appropriate staffing level; and

WHEREAS, it has now been determined that the Winnebago County Public Health Department is in need of one additional full-time Environmental Health Specialist; and

WHEREAS, the Public Health Department is contractually obligated to the State of Wisconsin to inspect the above-mentioned facilities at least once per year and has contracted with an outside vendor to complete some of the simpler inspections; and

WHEREAS, the Public Health Department Director desires to improve workload levels among all Environmental Health Specialists by adding an additional full-time Environmental Health Specialist; and

WHEREAS, this position is primarily funded by fees collected in the licensing of establishments.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves amending the Table of Organization for the Winnebago County Public Health Department by adding one (1) full-time Environmental Health Specialist position.

Submitted by:
BOARD OF HEALTH
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Ramos and seconded to adopt. Ayes: 25. Nays: 6 – Roh, Albrecht, Gabert, Thompson, Farrey and Rasmussen. Abstain: 1 – Hegg. Excused: 4 – Englebert, Hamblin, Reynolds and Brennand. CARRIED.

ORDINANCE NO. 206-42013: Revision of Chapter 9 of the General Code of Winnebago County

WHEREAS, close to one year has expired since Winnebago County authorized the consolidation of the City of Oshkosh and City of Neenah Health Departments into the Winnebago County Public Health Department; and

WHEREAS, as part of the ongoing consolidation process, a subsequent review of Sections 9.25 and 9.29 of the General Code of Winnebago County as they pertain to the Public Health Department was performed by the Public Health Department to determine if there were omissions or changes that needed to be made to those Sections; and

WHEREAS, after review of Sections 9.25 and 9.29 by the Winnebago County Public Health Department Director and the Winnebago County Board of Health, amendments and rescissions were recommended relating to the Ordinance so as to make it more efficient. These amendments include the following:

- A. Removing Section 9.25 from Chapter 9 of the General Code of Winnebago County (Coin-Operated Moving Picture Houses) and replacing it in Chapter 11, renumbering it as Section 11.17;
- B. Amending Subsection 9.29(3) of the General Code of Winnebago County so as to specifically indicate that Section 9.29 applies to all areas of Winnebago County except for the City of Menasha and the City of Appleton;

NOW, THEREFORE, BE IT ORDAINED by the Winnebago County Board of Supervisors that it hereby amends Chapter 9 of the General Code of Winnebago County as follows:

- I. Renumber Section 9.25 Coin-Operated Moving Picture Houses to Section 11.17.
- II. Amend Subsection 9.29(3) of the General Code of Winnebago County to read as follows:

(3) Applicability: This Ordinance shall be applicable in ~~unincorporated areas of Winnebago County~~ **all areas of Winnebago County except the City of Menasha and the City of Appleton.**

BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that the amendments to this Ordinance shall be effective as of May 5, 2013.

Submitted by:
BOARD OF HEALTH

Motion by Supervisor Ramos and seconded to adopt. Ayes: 30. Nays: 0. Abstain: 2 – Olson and Hardy. Excused: 4 – Englebert, Hamblin, Reynolds, Brennand. CARRIED.

RESOLUTION NO. 207-42013: Oppose Assembly Bill 85 and Senate Bill 95

WHEREAS, Wisconsin State Assembly Bill 85 and Wisconsin State Senate Bill 95 propose legislation that would mandate that Milwaukee County vote on a referendum that, if approved, would dramatically amend the compensation and term length of the Milwaukee County Board of Supervisors as well as strip the Milwaukee County Board of Supervisors of many of its powers; and

WHEREAS, there is no precedent in recent history wherein the State Legislature has mandated a binding referendum on a local ballot which significantly affects and restricts the authority of a local legislative body of government; and

WHEREAS, if the above legislation was approved and enacted, it would establish a precedent for the State Legislature to place referendums on other local ballots which could significantly affect the scope and operation of local units of government; and

WHEREAS, the Winnebago County Board of Supervisors firmly believes that it should be the right of individual electors to petition for and request placement of a referendum on a ballot affecting how a local governing body operates and is organized, rather than by the State Legislature, whose members are overwhelmingly made up of individuals who do not reside within that local governing body.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby opposes the adoption of Wisconsin State Assembly Bill 85 and Wisconsin State Senate Bill 95.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it directs the Winnebago County Clerk to forward a copy of this Resolution to Wisconsin Governor Scott Walker; to all members of the Wisconsin State Legislature; to the Wisconsin Counties Association, and to the County Clerk of all Wisconsin counties.

Submitted by:
Mike Norton, District #20
Larry Lautenschlager, District #19

Motion by Supervisor Norton and seconded to adopt. Ayes: 11 – Eisen, Ramos, Hardy, Wingren, Lautenschlager, Norton, Singstock, Neubauer, Locke, Finch and Snider. Nays: 16. Abstain: 4 – Roh, Gabert, Tews and Farrey. Excused: 5 – Englebert, Smith, Hamblin, Reynolds and Brennand. LOST.

ORDINANCE NO. 208-42013: Approve the Renumbering of the Winnebago County Stormwater and Erosion Control Ordinance

WHEREAS, the Winnebago County Stormwater and Erosion Control Ordinance is currently numbered as Section 17.31, Winnebago County Town/County Zoning Ordinance of the General Code for Winnebago County; and

WHEREAS, the Winnebago County Planning and Zoning Committee desires to renumber said Section 17.31 to Section 23.15 of the General Code of Winnebago County as a result of the decision by the Winnebago County Board of Supervisors to rescind Chapter 17 in its entirety, effective April 29, 2013, as a result of the adoption of the Comprehensive Revision of the Town/County Zoning Ordinance (Chapter 23) of the General Code of Winnebago, by the Winnebago County Board of Supervisors on March 20, 2012; and

WHEREAS, the renumbering of Section 17.31 to Section 23.15 of the General Code of Winnebago County will ensure that the Stormwater and Erosion Control Ordinance remains a part of the new Winnebago County Town/County Zoning Ordinance (Chapter 23 of the General Code of Winnebago County) after April 29, 2013.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby readopts and renumbers Section 17.31 to Section 23.15 (Winnebago County Stormwater and Erosion Control Ordinance) of the General Code of Winnebago County, effective April 29, 2013. A copy of the renumbered Ordinance is attached hereto and made a part of this Ordinance by reference.

Submitted by:
PLANNING AND ZONING COMMITTEE

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

RESOLUTION NO. 210-42013: Approve Town of Clayton Zoning Ordinance

WHEREAS, Winnebago County adopted a comprehensive revision of the Town/County Zoning Ordinance on March 20, 2012, with an effective date of April 29, 2012; and

WHEREAS, pursuant to § 60.62, Wis Stats, towns exercising village powers have the authority to adopt zoning ordinances upon failure by the town to approve the comprehensive revision and upon the expiration of one year following Winnebago County's comprehensive revision; and

WHEREAS, the Town of Clayton has adopted village powers; and

WHEREAS, the Town of Clayton has notified Winnebago County that the Town will not approve the comprehensive revision and desires to adopt a Town Zoning Ordinance; and

WHEREAS, the Town of Clayton has prepared a local Town-wide Zoning Ordinance for adoption; and

WHEREAS, the Town of Clayton has held the required public hearings before the Town Planning Commission and Town Board on a proposed Town Zoning Ordinance; and

WHEREAS, the Town of Clayton Town Board adopted the Town's proposed Zoning Ordinance on March 20, 2013; and

WHEREAS, the Town of Clayton Board of Supervisors has requested that the Winnebago County Board of Supervisors pass a resolution approving the Town of Clayton Zoning Ordinance; and

WHEREAS, § 60.62, Wis Stats, requires town zoning ordinances to be approved by the Winnebago County Board of Supervisors before said town ordinance can take effect; and

WHEREAS, the Winnebago County Planning and Zoning Committee has recommended that the Winnebago County Board of Supervisors approve the proposed Zoning Ordinance for the Town of Clayton, which is available upon request from the Town of Clayton or from the Winnebago County Zoning Department, which is incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the Town Zoning Ordinance for the Town of Clayton as requested by the Town of Clayton.

Submitted by:
PLANNING AND ZONING COMMITTEE

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

RESOLUTION NO. 211-42013: Approve Town of Winchester Zoning Ordinance

WHEREAS, Winnebago County adopted a comprehensive revision of the Town/County Zoning Ordinance on March 20, 2012, with an effective date of April 29, 2012; and

WHEREAS, pursuant to § 60.62, Wis Stats, towns exercising village powers have the authority to adopt zoning ordinances upon failure by the town to approve the comprehensive revision and upon the expiration of one year following Winnebago County's comprehensive revision; and

WHEREAS, the Town of Winchester has adopted village powers; and

WHEREAS, the Town of Winchester has notified Winnebago County that the Town will not approve the comprehensive revision and desires to adopt a Town Zoning Ordinance; and

WHEREAS, the Town of Winchester has prepared a local Town-wide Zoning Ordinance for adoption; and

WHEREAS, the Town of Winchester has held the required public hearings before the Town Planning Commission and Town Board on a proposed Town Zoning Ordinance; and

WHEREAS, the Town of Winchester Town Board adopted the Town's proposed Zoning Ordinance on March 18, 2013; and

WHEREAS, the Town of Winchester Board of Supervisors has requested that the Winnebago County Board of Supervisors pass a resolution approving the Town of Winchester Zoning Ordinance; and

WHEREAS, § 60.62, Wis Stats, requires town zoning ordinances to be approved by the Winnebago County Board of Supervisors before said town ordinance can take effect; and

WHEREAS, the Winnebago County Planning and Zoning Committee has recommended that the Winnebago County Board of Supervisors approve the proposed Zoning Ordinance for the Town of Winchester, which is available upon request from the Town of Winchester or from the Winnebago County Zoning Department, which is incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the Town Zoning Ordinance for the Town of Winchester as requested by the Town of Winchester.

Submitted by:

PLANNING AND ZONING COMMITTEE

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

ORDINANCE NO. 213-42013: Revision of Chapter 11 of the General Code of Winnebago County

WHEREAS, Close to one year has expired since Winnebago County authorized the consolidation of the City of Oshkosh and City of Neenah Health Departments into the Winnebago County Public Health Department; and

WHEREAS, as part of the ongoing consolidation process, a subsequent review of Chapter 11 of the General Code of Winnebago County was performed by the Public Health Department to determine if there were omissions or changes that needed to be made to that Chapter; and

WHEREAS, after review of Chapter 11 by the Winnebago County Public Health Department Director and the Winnebago County Board of Health, a number of amendments and rescissions were recommended relating to the Ordinance so as to make it more efficient. These amendments include the following:

- A. Rescinding Section 11.06(3) of the General Code of Winnebago County in that the appointment of a new Board of Health has already occurred;
- B. Amending Section 11.07(2) of the General Code of Winnebago County so as to specifically indicate that Chapter 11 applies to all areas of Winnebago County except for the City of Menasha and the City of Appleton;
- C. Rescinding Section 11.09(1)(a) of the General Code of Winnebago County in that the Winnebago County Board of Health does not actually prepare an annual budget, but that said budget is prepared by the Winnebago County Executive with the assistance of the Director of the Winnebago County Public Health Department;
- D. Amending Section 11.11 of the General Code of Winnebago County so as to incorporate by reference various Statutes and Administrative Code Chapters within the Ordinance and so as to delete other parts of the Ordinance which are made unnecessary by the adoption of said Statutes and Regulations by Ordinance;
- E. Establishing a manufactured home community licensing fee;
- F. Adding Appendix B, the former City of Oshkosh Code relating to physical requirements for coin-operated moving picture houses as an Appendix for reference purposes regarding building code requirements that were grandfathered for such businesses; and
- G. Renumbering of sections of this Chapter.

NOW, THEREFORE, BE IT ORDAINED by the Winnebago County Board of Supervisors that it hereby amends Chapter 11 of the General Code of Winnebago County as follows:

- I. Incorporate as part of this Ordinance "Appendix B: City of Oshkosh Section 15-19 High Risk Sexual Conduct Establishments."
- II. Rescind Section 11.06(3) Disbandment of Present Board and Appointment of New Board of Health and renumber subsections as follows: 11.06(3) Terms, 11.06(4), Organization, and 11.06(5) Meetings.
- III. Amend Section 11.07(2)(a) Levels of Service and Duties as follows:

(a) The Winnebago County Health Department shall provide, on a County-wide basis, those services required of a local health department pursuant to Chapter 251, Wis Stats (~~4993~~), except in those cities which have elected not to participate. *All subsequent sections of this chapter pertaining to the County Health Department shall apply to all of Winnebago County except for the City of Menasha and the City of Appleton.*

IV. Rescind Section 11.09(1)(a).

V. Amend Section 11.11 as follows:

11.11 LICENSURE AND REGULATION OF ~~RETAIL FOOD ESTABLISHMENTS, TAVERNS, HOTELS,~~
~~RESTAURANTS, TOURIST ROOMING HOUSES, AND OTHER~~ ESTABLISHMENTS BY WINNEBAGO
COUNTY HEALTH DEPARTMENT

(1) AUTHORITY AND PURPOSE:

(a) This ordinance is adopted pursuant to that authority provided by §§ 97.41, 101.935(3), 125.68(5), 251.04(3), 252.23(4), 252.24(4), and 252.245(9), 254.47, and 254.69(2), Wis Stats; and by *Wisconsin Administrative Code* Chapters ADM 65, ATCP ~~74 and 75 (Retail Food)~~, ~~HFS DHS 172 (Swimming Pools, Maintenance)~~, ~~DHS 173 (Tattoo and Body Piercing)~~, ~~DHS 175 (Camps, Recreational, and Educational)~~, ~~DHS 178 (Campgrounds)~~, ~~DHS 192 (Cities/Counties Agent for the DPH)~~, ~~DHS 195 (Hotels and Motels)~~, ~~DHS 196 (Restaurants)~~, ~~DHS 197 (Bed and Breakfasts)~~, ~~DHS 198 (Vending Machines)~~, ~~SPS 326 (Manufactured Home Communities)~~, and ~~SPS 390 (Design of Swimming Pools and Water Attractions)~~, ~~and ILHR 90, Wisconsin Administrative Code~~. The purpose of this ordinance is to protect and improve the public health and to authorize the Winnebago County Health Department to become the designated agent of the State Department of Health and Family Services for the purpose of establishing permit fees; issuing permits; and making investigations or inspections of hotels, motels, tourist rooming houses, restaurants, bed and breakfast establishments, campgrounds and camping resorts, recreational and educational camps, *tattoo and body piercing establishments, manufactured home communities*, public swimming pools, and establishments possessing permanent Class B and Class C alcoholic beverage licenses with the exception of those licenses serving beverages solely, directly from cans or bottles and those licenses selling beverages at a retail level, and in making investigations and inspections of food vending machines, their operators and vending machine commissaries; and authorizing the Winnebago County Health Department to become the designated agent of the State Department of Agriculture, Trade, and Consumer Protection, for the purpose of establishing permit fees; issuing permits and making investigations or inspections of retail food establishments; and for the purpose of enacting local regulations governing these establishments which may be more strict than state law.

(2) APPLICABILITY:

(a) The provisions of this ordinance shall apply to the owner and operator of any retail food establishment, hotel, motel, tourist rooming house, restaurant, bed and breakfast establishment, campground and camping resort, recreational and educational camp, *tattoo and body piercing establishment, manufactured home communities*, public swimming pool, establishments possessing Class B or Class C alcoholic beverage licenses, vending machine commissary or vending machines ~~in all unincorporated areas of Winnebago County and the City of Omro and Village of Winnecoonne~~.

(3) DEFINITIONS:

(a) All definitions as set forth in Chapters 97, 101, 125, 251, 252, and 254, Wis Stats; and *Wisconsin Administrative Code* Chapters ADM 65, ATCP ~~74 and 75 (Retail Food)~~, ~~HFS DHS 172 (Swimming Pools, Maintenance)~~, ~~DHS 173 (Tattoo and Body Piercing)~~, ~~DHS 175 (Camps, Recreational, and Educational)~~, ~~DHS 178 (Campgrounds)~~, ~~DHS 192 (Cities/Counties Agent for the DPH)~~, ~~DHS 195 (Hotels and Motels)~~, ~~DHS 196 (Restaurants)~~, ~~DHS 197 (Bed and Breakfasts)~~, ~~DHS 198 (Vending Machines)~~, ~~SPS 326 (Manufactured Home Communities)~~, and ~~SPS 390 (Design of Swimming Pools and Water Attractions)~~, ~~and ILHR 90, Wisconsin Administrative Code~~, are incorporated in this ordinance by reference and they shall be construed, read, and interpreted as fully set forth herein until amended and then shall apply as amended.

(b) Annual Permit Fee/Inspection Fee: A fee for on-site inspection of the entire facility, and one follow-up inspection to determine that establishments identified in the ordinance are compliant with the statutes and administrative codes that govern their operation.

(c) Duplicate Permit Fee: A fee for the replacement of an original permit.

(d) Exempt Facility Inspection Fee: *A fee for the inspection of churches, soup kitchens, and other State-exempt establishments as requested by the facility or required by the Department.*

~~(e)~~ (e) Health Department or Department: The Winnebago County Health Department.

~~(e)~~ Late Application Fee: *A fee that is twice the amount of the current "Annual Permit Fee" and is charged for failure to comply with the application time frame specified in the applicable statute and administrative code for completion and submission of the required application for permit to the Health Department.*

~~(f)~~ Limited Food Service: *The serving of food which is prepared and packaged off the premises with preparation on the premises limited to heating and serving with single service articles, i.e. hermetically wrapped sandwiches or frozen pizza.*

(f) Manufactured Home Community Fee: *The operator of a mobile home community shall pay an annual license fee to the Department. The annual fee will be half the cost of the biannual permit. Said Fee Schedule is set forth in "Appendix A" and may be amended by the Winnebago County Board of Supervisors upon the approval of the Winnebago County Executive.*

~~(g)~~ Mobile Restaurant: *A restaurant operating from a movable vehicle, pushcart, or trailer or boat, which periodically or continuously changes location and wherein meals or lunches are prepared or served or sold to the general public, excepting those vehicles used in delivery of pre-ordered meals or lunches prepared in a licensed restaurant.*

~~(h)~~ Operator: *The owner or person responsible to the owner for the operations of the hotel, motel, bed and breakfast establishment, food service establishment or beverage establishment, vending machine commissary and/or vending machine, campground, camping resort, recreational/educational camps, or public swimming pools.*

~~(i)~~ Outdoor Grilling: *The cooking of food on an outdoor grill on the premises of a licensed food service facility. The purpose for outdoor cooking shall not increase the production capability of the restaurant kitchen by circumventing codes applicable to indoor cooking facilities. Hot holding shall be limited to what can be held on the cooking unit.*

~~(j)~~ (g) Penalty Fee: A fee for failure to pay established or assessed fees in a timely manner.

~~(k)~~ Potentially Hazardous Food:

~~1. A food that is natural or synthetic and that requires temperature control because it is in a form capable of supporting:~~

~~a. The rapid and progressive growth of infectious or toxigenic microorganisms;~~
~~b. The growth and toxin production of *Clostridium botulinum*; or~~
~~c. In raw shell eggs, the growth of *Salmonella enteritidis*;~~
2. ~~An animal food (food of animal origin) that is raw or heat treated; a food of plant origin that is heat treated or consists of raw seed sprouts; cut melons, and garlic and oil mixtures that are not acidified or otherwise modified at a food processing plant in a way that results in mixtures that do not support growth as specified under Subparagraph 1. of this definition.~~
3. ~~Potentially hazardous food does not include:~~
~~a. An air-cooled hard-boiled egg with shell intact;~~
~~b. A food with an a/w value of 0.85 or less;~~
~~c. A food with a pH level of 4.6 or below when measured at 24C (75F);~~
~~d. A food in an unopened hermetically-sealed container that is commercially processed to achieve and maintain commercial sterility under conditions of non-refrigerated storage and distribution; and~~
~~e. A food for which laboratory evidence demonstrates that the rapid and progressive growth of infectious or toxigenic microorganisms or growth of *S. enteritidis* in eggs or *C. botulinum* cannot occur, such as a food that has an a/w and a pH that are above the levels specified under Subparagraphs 3.b. and c. of this definition and that may contain a preservative, other barrier to growth of microorganisms, or a combination of barriers that inhibit the growth of microorganisms.~~
~~f. A food that may contain an infectious or toxigenic microorganism or chemical or physical contaminant at a level sufficient to cause illness, but that does not support the growth of microorganisms as specified under Subparagraph 1. of this definition.~~

~~(h) Pre-Inspection Fee: A fee for consultative services offered within a six (6) - month period from the date of permit application to persons intending to operate a new hotel, tourist rooming house, bed and breakfast establishment, restaurant, vending machine commissary or retail food establishment, or to a person intending to be the new operator of an existing hotel, tourist rooming house, bed and breakfast establishment, restaurant, vending machine commissary or retail food establishment.~~

~~(i) Re-Inspection Fee: A fee for the third (3rd) and subsequent inspections needed to address compliance issues with the statutes and administrative codes that govern their operation.~~

~~(n) Restaurant: Any building, room or place where meals are prepared, served or sold to transients or the general public, and all places used in connection with the building, room or place and includes any public or private school lunchroom for which food service is provided by contract. "Restaurant" does not include:~~

~~1. Taverns that serve free lunches consisting of popcorn, cheese, crackers, pretzels, cold sausage, cured fish or bread and butter;~~

~~2. Non-profit organizations, including, but not limited to, churches; religious, fraternal, youth, or patriotic organizations; service clubs and civic organizations; and other charitable organizations which occasionally prepare, serve, or sell meals to the general public, provided that they do not prepare, serve, or sell meals on more than three (3) calendar days during the calendar year. Said organizations, however, shall be required to obtain a temporary food permit pursuant to Section 11.11(5)(e) of the General Code of Winnebago County;~~

~~3. Any public or private school lunchroom for which food service is directly provided by the school;~~

~~4. Any food service provided solely for needy persons;~~

~~5. Bed and breakfast establishments; or~~

~~6. A private individual selling food from a movable or temporary stand at a public farm sale.~~

~~(o) Retail Food Establishment: Any of the following, but not including a restaurant or other establishment holding a permit to the extent that the activities of the establishment are covered by that permit:~~

~~1. A permanent or mobile food processing facility where food is processed primarily for direct retail sale to consumers at the facility;~~

~~2. A mobile facility from which potentially hazardous food is sold to customers at retail.~~

~~3. A permanent facility from which food is sold to consumers at retail, whether or not that facility sells potentially hazardous food or is engaged in food processing.~~

~~(p) Temporary Restaurant or Temporary Retail Food Establishment: A restaurant or temporary retail food establishment that operates at a fixed location in conjunction with a single event such as a fair, carnival, circus, public exhibition, anniversary sale, or occasional sales promotion for a period of no more than fourteen (14) consecutive days or less.~~

~~(j) Temporary Inspection Fee: A fee that is charged to inspect a food stand with a license from another local Wisconsin jurisdiction or the State at a temporary or special event.~~

~~(k) Temporary Operating Without a Permit/License Fee: A fee assessed for a temporary establishment that is found to be operating without a required permit or license from the Department.~~

~~(l) Temporary Restaurant Non-Profit Fee: Fee for organizations that includes, but not limited to, churches; religious, fraternal, youth or patriotic organizations; service clubs and civic organizations; and other charitable organizations which prepare, serve, or sell meals to the general public for not more than fourteen (14) consecutive days. If the non-profit status of an organization is in question, a certification of non-profit status may be required to be presented at the time of application.~~

~~(e) Vending Machine: Any self-service device offered for public use which, upon insertion of a coin or token, or by other means, dispenses unit servings of food or beverage either in bulk or in package, without the necessity of replenishing the device between each vending operation. "Vending machine" does not include a device which dispenses only bottled, prepackaged or canned soft drinks, a one-cent vending device, a vending machine dispensing only candy, gum, nuts, nut meats, cookies or crackers, or a vending machine dispensing only prepackaged grade A pasteurized milk or milk products.~~

~~(f) Vending Machine Commissary: Any building, room, or place in the state at which foods, containers, transport equipment, or supplies for vending machines are kept, handled, prepared, or stored by a vending machine operator, except a place at which the operator is licensed to manufacture, distribute, or sell food products under Chapter 97, Wis Stats.~~

(4) ENFORCEMENT:

(a) The provisions of this ordinance shall be administered by or under the direction of the Health Officer of the Health Department, who in person or by duly authorized representatives shall have the right to enter, at reasonable hours, upon premises affected by this regulation to inspect the premises, secure samples or specimens, examine and copy relevant documents and records, or obtain photographic or other evidence needed to enforce this ordinance.

(b) *Should an establishment owner fail to comply with the provisions of this Ordinance absent good cause, the owner shall be liable to the Health Department for actual costs incurred by the Health Department to gain access pursuant to this Ordinance.*

(5) LICENSE AND PERMIT:

~~(a) No person shall operate a retail food establishment, bed and breakfast establishment, hotel, motel, tourist rooming house, restaurant, campground and camping resort, recreational and educational camp, public swimming pool, or a Class B or Class C alcoholic beverage licensure establishment~~ any establishment under the regulations of this Code without first obtaining a non-prorated permit from the Health Department. Such permits shall expire on June 30 of each year following their issuance except that permits initially issued during the period beginning on April 1 and ending June 30 shall expire June 30 of the following year. The issuance of a permit may be conditioned upon the permittee correcting a violation of this ordinance within a specified period of time. If the condition is not met within the specified period of time, the permit shall be voided. The permit shall not be transferable to a location other than the one for which it was issued, nor shall a permit be transferred from one operator to another subject to the express exception of:

1. As to location, temporary permits may be transferred;

2. As to operator, a permit of a non-retail food establishment operator may be transferred to an individual who is an immediate family member of the operator if the operator is transferring operation of the establishment or vending machine to that immediate family member. A parent, child, step-child, grandchild, sibling or step-sibling shall be considered an immediate family member for purposes of this ordinance.

(b) Operators or permittees of temporary restaurants whom the Health Department has found to be uncooperative or habitual violators of this ordinance may be denied a permit to operate. Temporary permits may be transferred to a premises other than that for which it was issued, provided that the approval of the new premises is secured from the Health Department prior to operating at the new premises.

(c) With the exception of those establishments defined herein as "temporary," no permits shall be granted to any person under this ordinance without a pre-inspection by the Health Department of the premises for which the permit shall be granted.

(d) No permit shall be issued until all application fees have been paid.

(e) Non-profit organizations, including, but not limited to, churches; religious, fraternal, youth, or patriotic organizations; service clubs and civic organizations; and other charitable organizations that occasionally prepare, serve, or sell meals to the general public shall be required to obtain a temporary ~~restaurant non-profit food service~~ permit to do the same. Said permit fee shall be as indicated in Appendix A of this Chapter. *If the non-profit status of an organization is in question, a certification of non-profit status may be required to be presented at the time of application.*

(6) APPLICATION:

(a) Application for permits shall be made in writing to the Health Department on forms developed and provided by the Health Department, stating the name and address of the proposed applicant and operator, and the address and location of the proposed establishment, together with any such other information as may be required. The Health Department shall either approve the application or deny the permit within thirty (30) days after receipt of a complete application.

(7) FEES:

(a) Fees for the issuance of permits, the making of investigations, inspections, providing education, training and technical assistance to all establishments covered pursuant to this ordinance, plus the costs required to be paid to the state for each permit issued, are herewith established pursuant to this ordinance and may be amended from time to time upon the approval of the Winnebago County Board of Supervisors and the Winnebago County Executive. In addition, separate pre-inspection fees are hereby established with regard to new establishments or existing establishments which have been transferred to a new operator. Said fee schedule is also set forth in Appendix "A" and may be amended from time to time by the Winnebago County Board of Supervisors upon the approval of the Winnebago County Executive.

~~(8) PERMIT PUBLIC DISPLAY:~~

~~(a) Every establishment required to obtain a permit pursuant to this ordinance shall display said permit, at all times, in a conspicuous public place.~~

~~(8)~~ (8) PERMIT SUSPENSION AND REVOCATION:

(a) Any permit issued by the Health Department pursuant to this ordinance may be temporarily suspended for a violation of any provision of this ordinance or rules adopted by reference by this ordinance, if the Department determines that an immediate danger to health exists. Such permits may be permanently revoked after repeated violations.

~~(9)~~ (9) REGULATIONS, RULES, AND LAWS ADOPTED BY REFERENCE:

(a) The applicable laws, rules and regulations as set forth in Chapters 97, 125, 251, 254, Wis Stats, and Wisconsin Administrative Code Chapters ADM 65, ATCP 74 and 75 (Retail Food), ~~HFS DHS 172 (Swimming Pools, Maintenance), DHS 173 (Tattoo and Body Piercing), DHS 175 (Camps, Recreational, and Educational), DHS 178 (Campgrounds), DHS 192 (Cities/Counties Agent for the DPH), DHS 195 (Hotels and Motels), DHS 196 (Restaurants), DHS 197 (Bed and Breakfasts), DHS 198 (Vending Machines), SPS 326 (Manufactured Home Communities), and SPS 390 (Design of Swimming Pools and Water Attractions), and ILHR 90, Wisconsin Administrative Code~~, are incorporated in this regulation by reference and they shall be construed, read and interpreted as fully set forth herein until amended and then shall apply as amended. The expressed provisions of this ordinance shall control where more restrictive.

~~(10)~~ (10) VIOLATION/PENALTIES:

(a) Any person who violates or refuses to comply with any provisions of this ordinance shall be subject to a forfeiture of \$250.00 for each offense and/or revocation or amendment of their applicable permit. Each day a violation exists or continues shall be considered a separate offense. Where appropriate, injunctive relief may be sought by the Health Department against continuing violations. In the alternative, the Health Department may pursue enforcement of such section of these regulations as are prosecutable.

~~(11)~~ (11) EFFECTIVE DATE: This ordinance shall be effective as of June 1, 1998.

VI. Rescind Section 11.12 Regulation of Tattoo and Body Piercing Establishments.

VII. Amend Section 11.13(1) Authority as follows:

(1) AUTHORITY: This ordinance is created pursuant to that authority provided by § 66.124, Wis Stats, and Chapter ~~HFS DHS~~, Section 173.04 and 174.11, Wisconsin Administrative Code.

VIII. Amend Section 11.13(2) Applicability as follows:

(2) APPLICABILITY: This ordinance shall apply to the appeal of any written orders of any Winnebago County Health Officer issued pursuant to Sections 11.11 ~~and 11.12~~ through 11.13 of this Code and to all matters wherein the Health Department has permit-issuing authority, pursuant to § 254.69, Wis Stats, except that this ordinance shall not apply in those cases where the appellant has a right to a state administrative appeal hearing.

IX. Rescind Section 11.14 Regulation of Manufactured Home Communities

X. Renumber Section 11.15 Pet Stores/Commercial Kennels to Section 11.12, and amend all references to "Director of Health" to read "Health Officer."

XI. Renumber Section 11.16 Rabies Vaccinations to Section 11.13.

XII. Renumber Section 11.17 Coin-Operated Moving Picture Houses to Section 11.14, and rescind subsections (7).

XIII. Renumber Section 11.18 Fair House to Section 11.15.

BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that the amendments to this Ordinance shall be effective as of May 5, 2013.

Submitted by:
BOARD OF HEALTH

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

Motion by Supervisor Robl and seconded to adjourn until Tuesday, May 7, 2013. CARRIED BY VOICE VOTE.
The meeting was adjourned at approximately 10:00 p.m.

Submitted by,
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 April 16, 2013.

Susan T. Ertmer
Winnebago County Clerk