

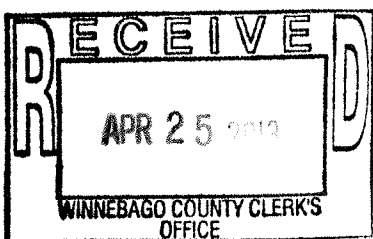


April 25, 2013

Winnebago County
Office of the County Executive

This memo is to notify the Winnebago County Board that I have vetoed Resolution 151-12013 titled Authorize Divestiture of the Tri-County Ice Arena. The Tri-County ice arena was built in 1975, through the generosity of Frank Shattuck, for about 1.6 million dollars. Winnebago County became a partial owner in 1982 and the sole owner in 2012. My reasons for the veto are as follows:

1. I believe that the best way to ensure that the Tri-County Arena continues to operate in the long run and for its current purpose is for the County to retain an ownership interest. This is the primary reason for my veto.
2. Should the arena ever cease to be operated for its current or similar purpose, any proceeds from the sale of the land and building should benefit Winnebago County and its taxpayers.
3. The Resolution purports to sell the arena to a specific party through a counter offer when the property was never offered for sale. This transaction seems inconsistent with Section 3.13 of the general code of Winnebago County.
4. The Resolution provides for a reversionary interest to be retained by the County. However, the trigger for this reversion is very vague referring to the buyer being unable or unwilling to continue operation as a recreation resource for the Fox Valley area.
5. The Resolution provides no prohibition on buyer encumbering or mortgaging the land or building. This creates a possibility that part or all of the equity could be stripped from the land and building prior to reversion.
6. A possible partnership with Winnebago County and the Town of Menasha has not been fully explored, and that such a partnership might make continued ownership by the County more attractive.
7. Naming rights for the arena and the possible revenue stream such rights might generate have not been fully explored.
8. The Fox Valley Youth Hockey Association leadership appears to be interested in the removal of management by the Tri-County Recreation Association. However, the Tri-County Recreation Association's right of first refusal combined with the resolution to sale might have just the opposite result.



Mark L. Harris 4/25/13

Mark L. Harris, Winnebago County Executive