

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, JUNE 15, 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, Eisen, Ramos, Roh, Smith, Widener, Hamblin, Albrecht, Gabert, Swanson, Thompson, Lennon, Hall, Wingren, Jacobson, Norton, Warnke, Robl, Kline, Locke, Hegg, Finch, Farrey, Diakoff, Brennand, Egan, Ellis, Rengstorf and Reinert. Excused: Miller, Reynolds, Eichman, Neubauer and Sievert.

Motion by Supervisor Robl and seconded to adopt tonight's amended agenda. CARRIED BY VOICE VOTE.

PUBLIC HEARING

Dan Rylance, 602 East Parkway Avenue, Oshkosh, spoke in support Resolution No. 59-62010, "Request Sheriff to Read Declaration of Independence on Courthouse Steps on July 4, 2010."

COMMUNICATIONS, PETITIONS, ETC.

Notice of Claim from Attorney George Curtis on behalf of Gordon and Wendy LeDoiyt for pain, suffering, disability, medical expense, wage loss and loss of earning capacity as a result of Gordon LeDoiyt's car accident with a vehicle driven by Jared J. Wilmot was referred to the Personnel & Finance Committee.

Notice of Claim from Grange Mutual Casualty Co. on behalf of Daniel R. Miller for damages resulting from an accident with a Winnebago County Sheriff's Deputy was referred to the Personnel & Finance Committee.

Resolutions were received from the following counties:

- Outagamie County – Resolution No. 13-2010-11, which supports legislation that makes various changes to the prevailing wage law was referred to the Legislative Committee
- Douglas County – Resolution #38-10, which supports proposed language change that would repeal Section 79.07 of the Wisconsin Statutes, which will restore local election officials authority to set spending priorities for the municipality or county was referred to the Legislative Committee
- Douglas County – Resolution #28-10, which requests legislation be proposed that would change state law to allow counties to use the design-build construction method was referred to the Legislative committee

Petition for zoning amendment from George Dearborn, Town of Menasha, for zoning change for tax parcel no. 008-0310-01 from R-1 to R-2 for a single-family residence was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Richard DeKleyn, Town of Menasha, for zoning change for tax parcel nos. 008-5670, 008-5671, 008-5672 & 008-5673 from R-3 to R-2 for construction of single-family homes was referred to the Planning & Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Barker reported on her attendance at Clayton Fest. She said everyone had a wonderful time and she encouraged other supervisors to attend next year.

Supervisor Finch reported that the "Public Enemy" movie commemorative bench has been placed on the WIOUWASH Trail.

Supervisor Finch reported that he has asked the Highway Committee and John Haese, Winnebago County Highway Commissioner, to consider allowing vehicles exiting the Speedzone racetrack on Highway 76 to turn left. Prior to the construction project on County Road Y, left hand turns were allowed on to Highway 76 from the racetrack and he is hoping they will allow them again.

Supervisor Eisen reported on his attendance at the WCA educational seminar in Stevens Point regarding dealing with OWI offenders. At this seminar, he learned about public safety programs that are used as alternatives to incarceration.

Supervisor Widener reported that Catherine Neiswender, Winnebago County Community Resource Development Educator, received the Epsilon Sigma Phi Extension Professional Association's Mid-Career Service Award. Ms. Neiswender received the award because of her "significant contributions to extension programs during the second tenure" of her career.

Supervisor Kline reported that the Legislative Committee will not meet in June.

Supervisor Ramos reported that Resolution No. 65-62010 on tonight's agenda will be withdrawn pending further discussion with other county department heads on the issue.

Motion by Supervisor Robl and seconded to approve the proceedings from the May 18 County Board meeting. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris spoke to the Board about the county's participation in the Self-Sufficiency Projects Bare Essentials Campaign. He explained that this is a project to collect new socks and underwear for people in need in the community. There are collection boxes in the County Executive's Office, the County Clerk's Office, at the Sheriff's Office and at the James P. Coughlin Center where people can drop off their donations. Donations will then be distributed through St. Vincent DePaul.

Executive Harris discussed Resolution Nos. 66-62010 and 67-62010. He explained that both of these resolutions deal with future, non-represented employees. The goal of both of these resolutions is to reduce the amount that the county would pay towards the employees' state retirement plan. Executive Harris expressed some concern that because of the size of the proposed wage increases that the county is offering—1.5% or less—this large of a "shift of costs on to the employees" would most likely not fit the definition of quid pro quo and could cause problems for the county. If this provision only affected the non-represented employees, it might cause them to look for representation. This provision would also narrow the gap between represented and non-represented employees, making the represented employees' contract stronger. This type of disparity can also cause problems.

Executive Harris discussed the resolutions on tonight's agenda that are in regards to the county's Industrial Development Board. He explained that a number of years ago the Solid Waste Management Board transferred \$4 Million of their reserves to the Industrial Development Board's revolving loan fund. Executive Harris stated that \$4 Million was to be returned to the Solid Waste fund by 2010. When that money is returned to Solid Waste, there will be very little money available for the Industrial Development Board to loan. Executive Harris stated that the loans provided by the Industrial Development Board to the county's municipalities has been very successful and are still needed, especially during these economic times. Executive Harris encouraged the Board to pass these resolutions.

COUNTY EXECUTIVE'S APPOINTMENTS

Board of Adjustment

Executive Harris asked for the Board's approval of his reappointments of Arden Schroeder, 9458 Highway 76, Neenah; and Greg Kargus, 2934 Shorewood Drive, Oshkosh; to the Board of Adjustment. These are three-year terms that will expire on June 30, 2013. Motion by Supervisor Farrey and seconded to approve. CARRIED BY VOICE VOTE.

Local Emergency Planning Commission

Executive Harris asked for the Board's approval of his appointment of Ann Lagorio, Emergency Preparedness Coordinator at Aurora Medical Center, to the Local Emergency Planning Commission. Ms. Lagorio replaces Greg Gibbons whose term will expire on December 31, 2011. Motion by Supervisor Finch and seconded to approve. CARRIED BY VOICE VOTE.

Menasha Library Board

Executive Harris asked for the Board's approval of his appointment of Supervisor Paul Eisen to the Menasha Library Board. This is a three-year term that will expire on June 30, 2013. Motion by Supervisor Finch and seconded to approve. CARRIED BY VOICE VOTE.

Mississippi Valley Health Services Commission

Executive Harris asked for the Board's approval of his appointment of Supervisor Tom Widener to the Mississippi Valley Health Services Commission. This is a two-year term that will expire on June 30, 2012. Motion by Supervisor Kline and seconded to approve. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported that Supervisors Eichman, Miller and Neubauer are excused from tonight's meeting.

Chairman Albrecht thanked Supervisor Farrey for his donation to the county's scholarship fund.

Chairman Albrecht announced that he will be presenting his recommendation for appointment to Supervisor District 3 at the July meeting.

Chairman Albrecht recognized Supervisor Norton for bring a birthday cake for tonight's meeting.

PRESENTATION OF 2010 COUNTY SCHOLARSHIPS

Supervisor Widener presented Winnebago County's 2010 Scholarships to the following students: Julia Sprangers, Oshkosh West High School; Emily Wagner, Oshkosh North High School; Heather Smaby, Neenah High School; Benjamin Brand, Oshkosh West High School; Logan Schneider, Menasha High School; Joshua McAfee, Omro High School; Mikaela Skalmoski, Neenah High School; and Erin Look, Neenah High School. Breana Butt, an Omro High School graduate, was also awarded a scholarship, but she was not able to attend tonight's meeting. The Board recognized the students with a round of applause.

INVESTING IN YOUR FUTURE – CHANCELLOR DAVID WILSON, UW-COLLEGES & UW-EXTENSIONS

Chris Kniep, UW-Extension Department Head and Family Living Educator, introduced Chancellor David Wilson of UW-Colleges and UW-Extensions. Chancellor Wilson began his presentation by thanking the Board for their continued support and investment in UW-Fox Valley and the UW-Extension Department of Winnebago County.

Chancellor Wilson explained the structure of the University of Wisconsin and how it's broken into the following four sections:

- Two doctorate/research universities – Madison and Milwaukee
- 11 comprehensive-to-masters universities – Oshkosh, Stevens Point, Whitewater, etc.
- 13 UW colleges – UW-Fox Valley, etc.
- UW Extension systems

Chancellor Wilson stated that the UW-Extension has the third largest budget in the University of Wisconsin system at \$225 Million. UW-Madison has the largest budget at \$2.5 Billion and UW-Milwaukee is second with an operating budget of approximately \$700 Million. The operating budgets of UW-Oshkosh and UW-Stevens Point are ranked fourth and fifth respectively.

Chancellor Wilson explained that there are four major divisions in UW-Extension:

1. Broadcasting & Media Innovations
2. Continuing Education, Outreach and E-Learning
3. Cooperative Extension (offices in all 72 counties and three tribal nations in Wisconsin)
4. Entrepreneurship & Economic Development (12 small business development centers across the state)

Chancellor Wilson explained that over 13,000 students are enrolled at the 13 UW colleges. These colleges are staffed by approximately 980 full-time faculty.

Chancellor Wilson stated that every year the 75 cooperative extension offices serve approximately 1.5 million people in the State of Wisconsin—that is approximately 35% of the state's entire population. These offices are staffed by approximately 1,600 faculty and staff.

Chancellor Wilson stated that approximately 33% of the UW colleges and extension offices funding comes from the state and approximately 11-12% comes from the federal government. Chancellor Wilson explained that Winnebago and Outagamie Counties have made a "huge investment in the future" of UW-Fox Valley, because they own the facilities on the campus and they pay 40% of the salaries for the professional staff and 100% of the salaries for the support staff. Chancellor Wilson explained that the UW colleges and the extension offices literally cover the whole State of Wisconsin and provide services to its citizens.

Chancellor Wilson addressed the Board about the success of their investment in UW-Fox Valley. He explained that at this year's commencement, seven students received their Bachelor of Science Degree in Engineering because of, "the most innovative program of its kind in the United States." This nationally accredited program at UW-Fox Valley is the result of a partnership between themselves and UW-Platteville that allows students to receive their bachelor degree in engineering from UW-Platteville without ever leaving the UW-Fox Valley campus. Chancellor Wilson stated that 48 students have graduated from that program over the last five years and 47 of them are employed as engineers in this area, which is a great return on the investment the county is making on UW-Fox Valley.

Chancellor Wilson also explained that students who graduate from UW-Fox Valley or any of the other two-year campuses with an Associates Degree and then transfer to one of the four-year colleges, have an 82% graduation rate. This is the highest graduation rate in the UW system.

Chancellor Wilson also praised the county for their investment in the Communication Arts Center at UW-Fox Valley. He stated that it not only benefits UW-Fox Valley, but it also benefits the community as a "major cultural and information hub". They are currently averaging 13 events each week at the center.

Chancellor Wilson stated that the Barlow Planetarium is another wonderful asset at UW-Fox Valley and last year drew over 6,000 visitors from across the state. Likewise, the Weis Earth Science Museum provided tours to more than 11,000 school children and thousands of other guests from around the world.

Chancellor Wilson also commended the UW-Fox Valley Foundation for their contributions to the success of the UW-Fox Valley campus and its students through scholarships and fundraising.

Chancellor Wilson explained that last week the UW Board of Regents froze the tuition for the two-year

colleges for the fourth straight year. A student at a two-year campus like UW-Fox Valley will pay \$1,500 less in tuition than a student at a four-year campus, \$3,300 less than a student at UW-Milwaukee and \$4,000 less than a student at Madison. A two-year campus is a wonderful opportunity for those families that would find it financially difficult to send their child to a four-year campus for the first two years of a bachelor's degree.

Chancellor Wilson thanked Winnebago County for their support of the University Extension Office and the \$500,000 that they budgeted last year for its operations. Chancellor Wilson explained that the county's investment leverages additional money and services from the state and federal government and from the University of Wisconsin. He described and explained various UW-Extension programs and how they partner with local organizations to meet the needs of the community:

- Home and community education groups
- Master gardeners
- Farmers
- Youth coalition
- Department of Corrections
- United Way and partner agencies
- Department of Natural Resources
- After School Matters program for Menasha youth
- Oshkosh Area Community Pantry
- Oshkosh Collaboration Workgroup
- Wisconsin Nutrition Education Program

Chancellor Wilson explained that the UW colleges and the UW Extension offices are partnering to propose a new program called the University of Wisconsin System E-Campus. This will provide one location for people to access all of the on-line bachelor and master degree programs from all of the universities in the state.

Chancellor Wilson stated that with the county's continued support the UW system will serve the needs of the county's residents and give the county a positive return on their investment.

ASPHALT REPLACEMENT PROGRAM – MIKE ELDER, FACILITIES DIRECTOR

Mike Elder, Winnebago County Facilities Director, explained that this is a multi-year project that will repair or replace failing asphalt surfaces at the county's facilities. In 2006, the courthouse parking lot was repaired. The next project is the Dawes Street parking lot, which is across the street from the Administration Building.

Mr. Elder explained that the Dawes Street parking lot was originally two residential lots that the county acquired approximately 25 years ago. The homes were razed, their foundations were demolished and the area was paved. Mr. Elder stated that this area has now settled and the base of the parking lot is failing, which is causing the asphalt to break up into small pieces.

Mr. Elder stated that the county will be hiring an engineering firm to design the parking lot, which must comply with the City of Oshkosh's parking lot requirements for green space and stormwater drainage. The estimated cost of the project is \$162,000, which will be included in a future bonding issue. The whole project should be done by the spring of 2011.

Mr. Elder took questions from the Board.

PARK VIEW HEALTH CENTER - STORAGE BUILDING

Margie Rankin, Park View Health Center Administrator; and Mike Elder, Facilities Director; spoke to the Board about the need for an underground storage space and space for therapy services at the Park View Health Center. Ms. Rankin stated that in 2008 the new Park View Health Center opened. Since that time, they have reduced their staff by 56 full-time positions—mostly through attrition—which has reduced their operating expenses. Park View Health Center's property allowance—the amount medical assistance pays the county towards the facility's mortgage—went from \$5.00/day to \$18.42/day, totaling \$672,000 in 2009.

Ms. Rankin reported that the county receives \$122,640 annually in private room allowance. In addition, utility costs at Park View have decreased by \$245,000 per year. Since moving into the new facility, their operating levy has decreased by \$1.1 Million, despite expenses going up 3%-5%. Ms. Rankin stated that the county should be proud that they have a facility like Park View Health Center where the residents and their families are so happy with their care and the facility itself.

Ms. Rankin explained that the new building was designed to give optimum space to the residents' rooms and licensed beds. Because there was no discussion on razing the Pleasant Acres building, space for storage, therapy, the kitchen and staff were minimized. Pleasant Acres was going to be used for additional storage for Park View Health Center.

Ms. Rankin explained that currently, equipment and residents' supplies are being stored at the old Pleasant Acres building and the Rehabilitation Pavilion. When something is needed during regular business hours, two

employees and a lift truck go to those buildings and retrieve the supplies or equipment.

Ms. Rankin explained that she believes the best solution would be to have an underground storage area at the new Park View facility that is climate controlled and could be accessed 24 hours a day, seven days a week.

Ms. Rankin showed slides of the current storage and therapy space situations at Park View Health Center.

Ms. Rankin also discussed the need for an increase in space for therapy. She explained that they have had a 69% increase in requests for therapy—physical, occupational and speech. This increase has come about because of the type of residents that live at Park View—they are people with high therapy needs.

Ms. Rankin explained that Park View Health Center's current therapy space of 1,452 sq. ft. is well below the industry standard range of 2,352 sq. ft. to 4,368 sq. ft. Ms. Rankin stated that they are proposing therapy space of 2,652 sq. ft.

Mr. Elder stated that they have looked at various options for storage/therapy space and explained his concerns for the different options. The alternative preferred by the Facilities & Property Management and the Park View Health Center Committees is an addition to the north end of the facility. It would be connected by walkways at the basement and first floor levels. This addition would allow for storage in the basement and therapy rooms on the first floor. Construction at the north end of the facility will also be less disruptive to the residents. Mr. Elder showed architectural drawings of Park View Health Center and the proposed addition.

Mr. Elder stated that the estimated cost for this project is \$1.3 Million. Ms. Rankin explained that this project is in the 5-year capital project plan. She also explained that Medicare is the primary payer for therapy and that since they have moved into the new Park View Health Center, their therapy reimbursement has gone up by \$1 Million.

Ms. Rankin and Mr. Elder took questions from the Board.

WITTMAN REGIONAL AIRPORT UTILITY EXTENSION PRESENTATION – PETER MOLL, AIRPORT DIRECTOR

Peter Moll, Wittman Regional Airport Director, reported that the airport is considering extending utilities to a hangar area at the north end of the airport. Mr. Moll explained that they have two lease agreements in place and one hangar under construction. They are experiencing some "challenges" with this construction because utilities going to that area are "either insufficient or non-existent".

Mr. Moll explained that ideally they would like to have four hangars constructed in this area. To reach this goal, they will need to bring natural gas, water, sewer and electricity to this area from 20th Street. The utilities will be brought to a central location and then individual lines will go from that central location to the individual hangars.

At approximately 7:50 p.m., Chairman Albrecht called for a brief recess. The Board reconvened at 8:05 p.m.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant, Steve VanLinn; and property owners Gary & Mary VanLinn, Town of Neenah, for a zoning change to R-2 for tax parcel no. 010-0092-11. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 06-01-10. A requested zoning change from R-1 (Single Family non-subdivided) to R-2 (Single Family subdivided). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 18, 2010)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant, Jim Sehloff, Davel Engineering; and property owner, Shannon Zambrano, Town of Menasha, for a zoning change to R-2 for tax parcel no. 008-0456-01-02. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 06-02-10. A requested zoning change from R-1 (Single Family non-subdivided) to R-2 (Single Family Subdivided). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 18, 2010)

RESOLUTION NO. 25-52010: CANCEL TAX CERTIFICATES - TOWN OF RUSHFORD, WINNEBAGO COUNTY, WISCONSIN

WHEREAS, sec 75.105(2), Wisconsin Stats., authorizes the governing body of a County to cancel, if desired, all or a portion of the unpaid real estate property taxes for which a tax certificate has been issued, plus interest and penalties on those taxes, if all of the conditions of the attached agreement are met; and

WHEREAS, Frederick G. VanHandel has acquired the real property located in the Town of Rushford, Winnebago County, Wisconsin, which together consists of three parcels on State Rd 116 (parcel numbers 022-0963, 022-0964 & 022-0972); and

WHEREAS, Frederick G. VanHandel has agreed to undertake the remedial action and restore the environment at the property consistent with the requirements of all applicable state and federal laws; and

WHEREAS, Frederick G. VanHandel agrees to maintain and monitor the property as required under DNR rules and any contract entered into under those rules; and

WHEREAS, there are delinquent real estate taxes of \$7,378.89 for the years 1999 through 2009, plus special assessments owed in the amount of \$15.00, and interest of \$4,950.93 (interest figure through May 31, 2010); and

WHEREAS, Frederick G. Van Handel has agreed to pay all future property taxes beginning with the tax year 2010 when due

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that pursuant to Section 75.105, Wisconsin Statutes, it hereby cancels the tax certificates in the following order, contingent upon all conditions in the attached Agreement having been determined by the Wisconsin Department of Natural Resources to have been met by Fredrick G. Van Handel:

DNR case #02-71-274234 is closed – cancel 1999 – 2003 taxes

DNR case #03-71-120368 is closed – cancel 2004 – 2006 taxes

DNR case #02-71-274240 is closed – cancel 2007 – 2009 taxes

Submitted by:

PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Motion by Supervisor Roh and seconded to amend Lines 36-38 by changing "is" to "when." Supervisor Kline accepted Supervisor Roh's amendment.

Motion by Supervisor Hall and seconded to amend the resolution by adding the following starting on Line 40, "BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that upon passage of this resolution, the amount of back taxes shall be placed in an escrow account controlled by Winnebago County by Mr. Van Handel and shall be returned to Mr. Van Handel upon completion of the clean up of the property." Ayes: 2 – Smith and Hall. Nays: 28. Excused: 5 - Miller, Reynolds, Eichman, Neubauer and Sievert. LOST.

Motion by Supervisor Swanson to forgive the interest on the back taxes. No second to this motion.

Vote on Resolution as presented: Ayes: 20. Nays: 10 – Eisen, Ramos, Roh, Hamblin, Gabert, Swanson, Hall, Hegg, Rengstorf and Reinert. Excused: 5 - Miller, Reynolds, Eichman, Neubauer and Sievert. CARRIED.

RESOLUTION NO. 50-62010: Authorize County Bridge Aid for Replacement of Culverts in the Town of Clayton

WHEREAS, § 82.08(3), Wis. Stats., allows a town to petition the County for funds to offset costs of constructing or repairing culverts or bridges within the town; and

WHEREAS, pursuant to § 82.08(3), Wis. Stats., the town and county shall each pay one-half of the total cost of construction or repair. In determining the cost of construction or repair of any bridge or culvert, the cost of construction or repairing any approach not exceeding 100 feet in length shall be included; and

WHEREAS, the Town of Clayton has petitioned the Winnebago County Highway Committee for funds needed to replace culverts pursuant to § 82.08(3), Wis. Stats.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes County Bridge aid to the Town of Clayton for the replacement of culverts the total amount of said project not to exceed that amount listed with the amount contributed by Winnebago County to be controlled pursuant to § 82.08(3), Wis. Stats.

<u>TOWN</u>	<u>LOCATION</u>	<u>TOTAL AMOUNT OF PROJECT</u>
Clayton	Woodenshoe Road	\$26,737.46

Submitted by:

HIGHWAY COMMITTEE

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

RESOLUTION NO. 51-62010: Authorize \$300,000 of Funding Needed to Begin Acquisition of Right of Way for the County Trunk Highway (CTH) T Project

WHEREAS, the Winnebago County Board of Supervisors supports the design and reconstruction of CTH T from CTH Y to CTH G; and

WHEREAS, the project will begin approximately .25 miles south of CTH Y and continue north to the intersection of CTH G, a distance of approximately 4 miles; and

WHEREAS, the project is in the Winnebago County Five-Year Capital Improvement Plan; and

WHEREAS, the project will include construction of one roundabout which will be located at the intersection of CTH Y and CTH T; and

WHEREAS, the adjacent area near the CTH T corridor is expected to continue to develop rapidly in the near future as other local and state highway projects are completed; and

WHEREAS, the roadway surface on CTH T is continuing to deteriorate due to the age and condition of the original concrete road bed and inadequate subgrade materials beneath it; and

WHEREAS, the estimated cost to acquire the right of way needed to construct the project is \$300,000.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$300,000 from the General Fund of Winnebago County for the right of way costs related to the reconstruction of County Trunk Highway T.

BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors that funds to pay for said deficit are hereby appropriated from the General Fund of Winnebago County with the General Fund to be reimbursed from a subsequent bond issue.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Motion by Supervisor Farrey and seconded to refer the Resolution back to Committee. Ayes: 14 – Konetzke, Barker, Eisen, Roh, Smith, Hamblin, Thompson, Warnke, Locke, Hegg, Finch, Farrey, Rengstorf and Reinert. Nays: 16. Excused: 5 - Miller, Reynolds, Eichman, Neubauer and Sievert. LOST.

Vote on Resolution as presented – Ayes: 26. Nays: 3 – Konetzke, Hegg and Rengstorf. Abstain: 1 – Gabert. Excused: 5 - Miller, Reynolds, Eichman, Neubauer and Sievert. LOST. (3/4's of membership required).

RESOLUTION NO. 52-62010: Authorize \$55,000 of Funding Needed to Relocate the Endangered Species of Mussels in the Fox River in Conjunction With the CTH K Bridge Project in the Town of Rushford

WHEREAS, the Winnebago County Board of Supervisors supports the design and reconstruction of the CTH K Bridge over the Fox River; and

WHEREAS, the Department of Natural Resources has directed Winnebago County to identify and relocate all endangered species of mussels that are in the vicinity of the limits of the CTH K bridge project; and

WHEREAS, it is anticipated that the endangered species of mussels must be removed from the project area by August 2010 in order to allow the project to be constructed in 2011; and

WHEREAS, the total cost of funding for the mussel relocation is \$55,000 which shall be allocated from Federal funds (\$41,600) and Winnebago County funds (\$13,400).

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$55,000 to the CTH K Bridge project for the project costs to relocate this endangered species with funding of \$41,600 of Federal funds and the balance of \$13,400 to come from the General Fund undesignated fund balance.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 28. Nays: 2 – Thompson and Hegg. Excused: 5 - Miller, Reynolds, Eichman, Neubauer and Sievert. CARRIED.

RESOLUTION NO. 53-62010: Authorize Project Funding of \$2,105,000 for the CTH D ARRA Pavement Resurfacing Project Located in the Towns of Winneconne and Vinland Poygan

WHEREAS, there are Federal ARRA (American Recovery and Reinvestment Act) funds allocated for the CTH D resurfacing project; and

WHEREAS, the Winnebago County Board of Supervisors supported the design of the CTH D project, which begins at STH 116 in the Town of Winneconne and terminates at a location east of the Pumpkinseed Creek Bridge in the Town of Vinland Poygan; and

WHEREAS, CTH D is classified as a Major Collector with an ADT (average daily traffic) of 700 vehicles per day; and

WHEREAS, the current condition of the roadway is continuing to deteriorate and has severe wheel rutting, "flushing" of the roadway surface and transverse and longitudinal pavement cracks; and

WHEREAS, the total estimated cost of funds needed to fund this project is approximately \$2,105,000, of which \$1,564,000 would be Federally funded and \$541,000 would be funded by Winnebago County and,

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$2,105,000 for the purpose of paying said costs for the resurfacing of CTH D,

BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors that funds to pay for said project are hereby appropriated from the General Fund of Winnebago County, with said fund being reimbursed from Transportation Aides of \$1,564,000 and a subsequent bond issue of \$541,000 in order to pay for the project costs.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Supervisor Robl corrected the Resolution by changing "Vinland" to "Poygan". Ayes: 29. Nays: 1 – Hegg. Excused: 5 - Miller, Reynolds, Eichman, Neubauer and Sievert. CARRIED.

RESOLUTION NO. 54-62010: Authorize Appropriation of \$500,000 to Winnebago County Industrial Development Board

WHEREAS, the Winnebago County Industrial Development Board was created in 1979 to promote economic development within Winnebago County; and

WHEREAS, at the time of its development, the Winnebago County Industrial Development Board was provided \$1,000,000.00 in County funding to create a Revolving Loan Fund to spur economic development and job growth within Winnebago County; and

WHEREAS, no additional appropriations of funds have been made by Winnebago County to the Winnebago County Industrial Development Board's Revolving Loan Fund for the last 30 years; and

WHEREAS, monies from the Revolving Loan Fund have been used to promote the creation of numerous jobs within Winnebago County over the past 30 years; and

WHEREAS, the total of available money in Winnebago County Industrial Development Board's Revolving Loan Fund at the present time is slightly more than \$1.3 million dollars; and

WHEREAS, The Winnebago County Industrial Development Board and the Winnebago County Executive believe it would be in the best interests of Winnebago County that additional monies be appropriated by Winnebago County to the Winnebago County Industrial Development Board for inclusion in the Revolving Loan Fund in that during these recessionary times it is imperative to the growth of Winnebago County that funds be available to assist Winnebago County municipalities in the creation of new jobs within Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$500,000.00 from Winnebago County's undesignated fund balance to the Winnebago County Industrial Development Board for use within the Winnebago County Industrial Development Board's Revolving Loan Fund.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 29. Nays: 1 – Reinert. Excused: 5 - Miller, Reynolds, Eichman, Neubauer and Sievert. CARRIED.

RESOLUTION NO. 55-62010: Authorize \$1,000,000 2-Year Loan to Winnebago County Industrial Development Board

WHEREAS, the Winnebago County Industrial Development Board has requested that Winnebago County make a loan to the Winnebago County Industrial Development Board in the amount of \$1,000,000.00 to be paid back over a 2-year period, at an annual interest rate of 2.0% per year, effective August 1, 2010, with interest payments upon the loan balance due monthly, and any unpaid balance on the principal of the loan due on August 1, 2012; and

WHEREAS, funds from the Winnebago County undesignated fund balance would be utilized for said loans; and

WHEREAS, Winnebago County's present investment return rate on 2-year time deposits is average 1.2% per year; and

WHEREAS, the Winnebago County Industrial Development Board would use the proceeds from said loan to spur economic development within Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the investment of \$1,000,000.00 from Winnebago County's undesignated fund balance in the form of a loan to the Winnebago County Industrial Development Board for a 2-year period, commencing August 1, 2010, at an interest rate of 2.0% per year, with interest upon said loan to be paid on a monthly basis and any unpaid loan balance due and payable to Winnebago County on August 1, 2012.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 30. Nays: 0. Excused: 5 - Miller, Reynolds, Eichman, Neubauer and Sievert. CARRIED.

RESOLUTION NO. 56-62010: Authorize Extension by Winnebago County Industrial Development Board of 2-Year Loan to City of Menasha

WHEREAS, in August 2005 the Winnebago County Industrial Development Board made a ~~2-year loan~~ 5-year loan to the City of Menasha in the amount of 1.3 million dollars; and

WHEREAS, the City of Menasha is presently current on its loan payments pursuant to the terms of said loan; and

WHEREAS, the City of Menasha has requested that the Winnebago County Industrial Development Board extend said loan through August 2012; and

WHEREAS, the Winnebago County Industrial Development Board has approved the extension of said loan through August 2012, subject to the approval of the Winnebago County Board of Supervisors, as is required pursuant to the Winnebago County General Code.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the extension of a loan by the Winnebago County Industrial Development Board to the City of Menasha in August 2005, for an additional 2-year period, through August 2012.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Chairman Albrecht noted that "2-year loan" on Line 10 should be changed to "5-year loan." Ayes: 28. Nays: 2 – Hegg and Reinert. Excused: 5 - Miller, Reynolds, Eichman, Neubauer and Sievert. CARRIED.

RESOLUTION NO. 57-62010: Authorize Sheriff's Department to Accept Registration Fees of \$136,000 and Appropriate Those Funds to Contract for a Training Class to be Held at the Sheriff Department Facilities in the Fall of 2010

WHEREAS, the Sheriff Department would like to host the "School of Police Staff and Command" program during the Fall of 2010; and

WHEREAS, the school would be conducted at the Sheriff's Department facilities and include roughly 40 potential students from various law enforcement agencies; and

WHEREAS, a small number of these students would include present Winnebago County Sheriff's Department personnel; and

WHEREAS, the Department would like to act as the "conduit" for accepting registration fees and transmitting them to the organization that will be doing the training; and

WHEREAS, the correct accounting for this involves recognizing registration revenues and consulting / professional services expenses; and

WHEREAS, the Sheriff's Department's 2010 budget does not include either the revenue or expense that is noted above; and

WHEREAS, there is no financial impact to the Sheriff Department for this transaction other than the cost of its own personnel who would be attending, which cost is already included in the 2010 budget.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Sheriff Department to accept registration fee revenues of \$136,000 and appropriate the funds to paying for consulting / professional services to conduct the training.

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

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

RESOLUTION NO. 58-62010: Authorize the Child Support Agency to accept grant funds of \$48,105 and appropriate the funds to equipment purchases and office furnishings

WHEREAS, the Wisconsin State Bureau of Child Support has been granted funding through the American Recovery and Reinvestment Act of 2009 (ARRA) and have proportioned part of those funds to Winnebago County.

WHEREAS, the Winnebago County Child Support Department has been allotted \$48,105 of this funding to upgrade and replace office furnishings and automation equipment; and

WHEREAS, the first portion of the funding in the amount of \$25,085 will be used for imaging, scanning, and filing systems software for files contained within the agency; and

WHEREAS, the second portion of the funding in the amount of \$23,020 will be used for the replacement of office chairs, printers, and a shredder; and

WHEREAS, it would be in the best interests of the citizens of Winnebago County that the Winnebago County Child Support Department accept and use these funds as described above.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Child Support Agency to accept grant funds of \$48,105 from the State of Wisconsin and appropriate the funds to expenses as described above and as outlined on the attached budget transfer form.

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

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

RESOLUTION NO. 59-62010: Request Sheriff to Read Declaration of Independence on Courthouse Steps on July 4, 2010

WHEREAS, the Continental Congress, by a Declaration of Independence, dated July 4, 1776, clearly declared the inhabitants of New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, were no longer colonial subjects to be exploited arbitrarily by servants of the King and Parliament of Great Britain, but now were free citizens of their own territories, and that free citizens should constitute the governments for those territories; and

WHEREAS, the Continental Congress provided that same day, by orders of their House, that their Declaration should be proclaimed aloud and published to the free citizens of the territories represented in their Congress; and

WHEREAS, the notification of the Declaration to responsible citizens was then done by sheriffs, who proclaimed it at the courthouse steps, by clergymen, who read it from their pulpits, and by printers, who printed it in their gazettes; and

WHEREAS, the Continental Congress thus initiated a process that has created the Constitutions and state governments of our Union including the Constitution and government of the State of Wisconsin.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby requests Sheriff Michael Brooks to read the Declaration of Independence from the steps of the Courthouse at 8:00 a.m. on the morning of July 4, 2010, as this was the custom in the early history of our country.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that we ask Sheriff Brooks to read the document without further comment or speech. This event is intended for those present to hear the words of the Declaration as we begin to celebrate our Day of Independence.

Submitted by:
BILL WINGREN, DISTRICT 18
WINNEBAGO COUNTY BOARD OF SUPERVISORS

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

RESOLUTION NO. 60-62010: Authorize Park View Health Center to Accept a Donation of \$3,900 and Appropriate the Funds to the Purchase of a Volaro Standing Aid for the Residents of Park View Health Center

WHEREAS, Park View Health Center is in need of equipment for assisting residents who have difficulty transferring; and

WHEREAS, the Health Fund Allocations Committee and the Oshkosh Area United Way have offered to donate \$3,900 for the purchase of a Volaro standing aid to assist residents of the facility; and

WHEREAS, it would be beneficial to the residents of the facility to accept the donation and purchase the equipment.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes Park View Health Center to accept a donation of \$3,900 from the Health Fund Allocations Committee and the Oshkosh Area United Way and appropriates the funds to the purchase of a Volaro standing aid.

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

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

RESOLUTION NO. 61-62010: Authorize Wittman Regional Airport to Purchase a Runway Broom at a Cost of \$650,000, to be funded by Grants Totaling \$520,000, and General Obligation

WHEREAS, the current runway broom has aged beyond its economic useful life; and

WHEREAS, the current equipment does not work properly due to a balancing problem with the broom; and

WHEREAS, this problem is such that the broom can only be used in one direction; and

WHEREAS, there are additional mechanical problems with the equipment making it difficult to keep it in an operational state due, partially, to its age; and

WHEREAS, the new broom can be used year round to keep the runways clear of debris and is especially useful in winter in being able to clear snow right down to the runway surface, thus reducing the need to use sand and other materials to make the runways safe for use.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$650,000 for the purchase of a new runway broom for Wittman Regional Airport.

BE IT FURTHER RESOLVED that funds to pay for said equipment be transferred from the General Fund of Winnebago County with the General Fund being reimbursed from grant funds of \$520,000 and a subsequent bond issue of \$130,000.

Submitted by:
AVIATION COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Lennon and seconded to adopt. Ayes: 26. Nays: 4 – Roh, Wingren, Hegg and Farrey. Excused: 5 - Miller, Reynolds, Eichman, Neubauer and Sievert. LOST. (3/4's of members required)

RESOLUTION NO. 62-62010: Authorize Emergency Management Department to Transfer the Use of \$9,000 of Emergency Management Planning Grant (EMPG) Funding From Operating Expenses to Capital Outlay to Upgrade the Sound/Video Systems in the Richard Meyer Community Room at the Sheriffs Office Building

WHEREAS, the Emergency Management Department receives an EMPG grant from the State each year to help cover department operational expenses, and these funds have been included in the 2010 budget; and

WHEREAS, the Emergency Management Department does not always know exactly how the funds will be used at budget time and, therefore, budgets the use of the funds as "operational expenses"; and

WHEREAS, the Richard Meyer Community Room at the Sheriff's Office Building is in need of upgrades to the sound and video systems which will be treated as a capital expenditure; and

WHEREAS, Wisconsin Statutes and County Board Rules require that transfer of funds between expense "categories" requires the County Board to approve them in cases where the amount will exceed \$3,000; and

WHEREAS, this equipment upgrade will be treated as a capital expenditure, thus, a transfer needs to be approved by the County Board in that the funds are being transferred from an operational expense to a capital expenditure; and

WHEREAS, using \$9,000 of the EMPG funding for this purchase would be a prudent and beneficial use of the funds.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Emergency Management Department to transfer \$9,000 from the "operational expenses" account to the "capital outlay" account of the Emergency Management 2010 budget for the purpose of making upgrades to the audio and video systems in the Richard Meyer Community Room at the Sheriff's Office building.

Submitted by:
EMERGENCY MANAGEMENT COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 63-62010: Commendation for Sandra Forseth

WHEREAS, Sandra Forseth has been employed with Park View Health Center, for the past twenty-eight years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Sandra Forseth 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 Sandra Forseth 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 Sandra Forseth.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

ORDINANCE NO. 64-62010: Create Section 9.31 of the General Code of Winnebago County: Smoking Prohibited in Specified Places

WHEREAS, the State of Wisconsin recently adopted § 101.123, Wis. Stats., which shall take effect on July 5, 2010; and

WHEREAS, it is economically and judicially prudent that Winnebago County adopt an ordinance mirroring the State Statute to allow law enforcement authorities within Winnebago County to issue citations for smoking violations as opposed to referring such violations to the Winnebago County District Attorney for the issuance of State forfeiture charges.

NOW, THEREFORE, BE IT ORDAINED by the Winnebago County Board of Supervisors as follows: That it hereby adopts Section 9.31 of the General Code of Winnebago County, which shall read as follows:

9.31 Prohibition of Smoking in Certain Places

- (1) Authority. This ordinance is adopted pursuant to that authority provided by § 101.123(4m), Wis. Stats.
- (2) Section 101.123, Wis. Stats., incorporated herein by reference. Section 101.123, Wis. Stats., to the extent such Statutory section requires any act be performed or prohibited, is hereby adopted and herein by reference made a part of this section of the General Code of Winnebago County as if fully set forth herein. Any act required to be performed or prohibited by § 101.123, Wis. Stats., is required or prohibited by this section of the Code.
- (3) Penalty. Any person who violates any provision of this section of the Code shall be subject to forfeitures of no less than \$100.00 but no greater than \$250.00 as is set forth in § 101.123(8), Wis. Stats.
- (4) Applicability. The provisions of this ordinance shall apply in all unincorporated areas of Winnebago County.
- (5) Effective Date: This ordinance shall become effective as of July 5, 2010.

Submitted by:
JUDICIARY AND PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Motion by Supervisor Ramos and seconded to refer back to committee. Ayes: 5 – Ramos, Hamblin, Jacobson, Hegg and Reinert. Nays: 25. Excused: 5 - Miller, Reynolds, Eichman, Neubauer and Sievert. LOST.

Vote on Resolution as presented: Ayes: 26. Nays: 4 – Ramos, Hegg, Farrey and Reinert. Excused: 5 - Miller, Reynolds, Eichman, Neubauer and Sievert. CARRIED.

ORDINANCE NO. 65-62010: Amend Section 9.14 of the General Code of Winnebago County: Smoking in County Buildings

WHEREAS, several years ago, Winnebago County enacted Section 9.14 of the General Code of Winnebago County, prohibiting smoking in County buildings and in certain outside areas of Winnebago County as well as County leased or operated vehicles; and

WHEREAS, the State of Wisconsin has adopted § 101.123, Wis. Stats., which prohibits smoking in public buildings and places throughout the State of Wisconsin; and

WHEREAS, it is imperative that definitions within the Winnebago County ordinance be updated so as to be consistent with those definitions in the new State Statute; and

WHEREAS, it is also in the best interests of Winnebago County that certain redundant parts of its present ordinance be rescinded.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors as follows: That Section 9.14 of the General Code of Winnebago County is hereby amended as is reflected in the attached written ordinance.

Submitted by:
WINNEBAGO COUNTY BOARD OF HEALTH

WITHDRAWN BY SUPERVISOR RAMOS.

RESOLUTION NO. 66-62010: Amend Chapter 22, Section D, of the Handbook of Employment Policies Covering Appointed Non-Represented Employees of Winnebago County (Retirement Benefits)

WHEREAS, the fringe benefits of Winnebago County employees represent a rapidly increasing percentage and total of employee compensation; and

WHEREAS, currently Winnebago County pays both the employer and employee's share of the Wisconsin Retirement System contribution; and

WHEREAS, the rate of growth of these fringe benefits is unsustainable and will ultimately result in more drastic adjustments to fringe benefits if they are not changed for new employees in the near future; and

WHEREAS, your undersigned County Board of Supervisors recommends that the Employee Handbook for Non-Represented Employees be amended so as to eliminate Winnebago County agreeing to pay for the full employee's share of Wisconsin Retirement System pension contributions for employees who accept employment with Winnebago County on or after August 1, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the first two paragraphs of Chapter 22, Section D, of the Handbook of Employee Policies covering non-represented employees of Winnebago County shall be amended to read as follows:

CHAPTER 22 FRINGE BENEFITS

Section D. Retirement Benefits.

All regular full-time employees and regular part-time employees who are scheduled to work over 600 hours per year shall be enrolled in the Wisconsin Retirement System, which serves as the County's pension and permanent disability program.

In addition to its required employer share of the retirement program, Winnebago County also will pay the full employee's share for those employees who were offered and accepted employment with Winnebago County on or before August 1, 2010. The level of County participation and the cost of the employee's share shall be no greater than 6.5% for general employees and 7.0% for protected employees. The level of County participation and the cost of the employee's share may be adjusted from time-to-time by action of the County Board of Supervisors. For those employees who were offered and accepted employment with Winnebago County after August 1, 2010, said employees shall be responsible for paying one-half (1/2) of the full employee's share of participation in the Wisconsin Retirement System.

Submitted by:
SHILOH RAMOS, DISTRICT #5
COUNTY BOARD SUPERVISOR

Motion by Supervisor Ramos and seconded to adopt. Ayes: 14 – Konetzke, Ramos, Roh, Smith, Widener, Hamblin, Albrecht, Gabert, Jacobson, Norton, Hegg, Farrey, Ellis and Rengstorf. Nays: 16. Excused: 5 - Miller, Reynolds, Eichman, Neubauer and Sievert. LOST.

RESOLUTION NO. 67-62010: Adopt an Amendment to the 2007 Winnebago County Handbook of Employment Policies Covering Appointed Non-Represented Employees

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that Chapter 22, Fringe Benefits, Section D, Retirement Benefits, of the Winnebago County "Handbook of Employment Policies Covering Appointed Non-Represented Employees" be amended as set forth and described in the document attached hereto.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 19. Nays: 11 – Widener, Swanson, Thompson, Hall, Wingren, Warnke, Robl, Brennand, Egan, Rengstorf and Reinert. Excused: 5 - Miller, Reynolds, Eichman, Neubauer and Sievert. CARRIED.

22. FRINGE BENEFITS

SECTION D

RETIREMENT BENEFITS. All regular full-time employees and regular part-time employees who are scheduled to work over 600 hours per year shall be enrolled in the Wisconsin Retirement System, which serves as the County's pension and permanent disability program.

In addition to paying its required Employer Share of the retirement program, Winnebago County also will pay the full Employee Share, up to 6.5% for General Employees and 7.0% for Protective Employees. **For all newly hired and appointed non-represented employees of Winnebago County beginning employment on or after July 1, 2010, in addition to paying its required Employer Share of the retirement program, Winnebago County will also pay the full Employee Share, up to 6.0% for General Employees and 6.5% for Protective Employees.** The level of County participation in the cost of the Employee Share may be adjusted from time to time by action of the County Board of Supervisors.

Under the Wisconsin Retirement System, retiring employees may be eligible for a retirement annuity based upon a payment formula that takes into consideration their length of employment under the System, their age at the time of retirement, and their qualified average earnings.

Employees terminating prior to achieving retirement age, may exercise various payment options in accordance with the rules of the program.

In addition to retirement pension benefits, permanently disabled employees may be eligible for permanent disability retirement benefits under the Wisconsin Retirement System.

Full information regarding the Wisconsin Retirement System is available through the Department of Human Resources. Most public employers in Wisconsin participate in the Wisconsin Retirement System making this benefit portable in many cases.

ORDINANCE NO. 68-62010: Amend Chapter 7 of the General Code of Winnebago County: Traffic Control

WHEREAS, the Winnebago County Highway Committee has recommended a variety of amendments to Chapter 7 of the General Code of Winnebago County; and

WHEREAS, said amendments would clarify the existing ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Winnebago County Board of Supervisors: That the following sections within Chapter 7 of the General Code of Winnebago County be amended as follows:

7.05 Driveway Permits Upon County Trunk Highways is repealed and superseded by Section 7.14 of the General Code of Winnebago County;

7.14 Driveway Access to County Trunk Highways

- (1) This ordinance is adopted pursuant to the authority granted under §§ 59.03 and 66.07(2), Wis. Stats. ***This ordinance shall apply to all designated and undesignated county trunk highways in Winnebago County.***

Section 7.14 (7)(i) shall be created to read as follows:

(7) Permit Required to Construct or Reconstruct Driveway. . .

- (i) ***The Highway Department shall be authorized to remove all objects and obstructions from the right-of-way adjacent to existing driveway approaches that have not been previously authorized by a Winnebago County Highway Department permit.***

Section 7.14(9)(h) shall be amended as follows:

(9) Location, design and construction requirements

- (h) All driveways shall be constructed or reconstructed to have sloped sides. Such construction shall be accomplished using only soil materials. The side slopes of the driveway shall be sloped no more than a length-to-height grade ratio of 4:4 **2:1**. All slopes shall be seeded or sodded by the property owner.

Section 7.14(13) shall be amended to state as follows:

- (13) **Variances**. Any person or any office or department aggrieved by an order, requirement, or interpretation made by the commission may request a review of that order, requirement, or interpretation before the Winnebago County Board of Adjustment. Requests for variances shall be filed with the Winnebago County Zoning Department within 30 days of notification. ***A fee shall be paid at the time of filing pursuant to Section 17.02(12) of the General Code of Winnebago County.***

BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that the above amendments to this ordinance shall take effect on the date following the date of its publication.

Submitted by:
HIGHWAY COMMITTEE

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

RESOLUTION NO. 69-62010: Authorize Granting of Easement to Wisconsin Public Service for Gas Line, Wittman Regional Airport

WHEREAS, Wisconsin Public Service has requested that Winnebago County grant an easement to them for the purpose of constructing and maintaining a gas line at Wittman Regional Airport; and

WHEREAS, the Aviation Committee has recommended approval of the granting of said easement in that it will accommodate the extension of a pipeline which is needed by Wisconsin Public Service to accommodate an increase in service requests.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Clerk and Winnebago County Executive to execute a permanent easement for the existence and maintenance of a gas line at Wittman Regional Airport on property which is more particularly described as follows:

A part of the southwest ¼ of the northwest ¼ and part of the southeast ¼ of the northwest ¼, section 34, T18N, R16E, City of Oshkosh, Winnebago County, Wisconsin, and being comprised of a strip of land being 25 feet wide, lying southeasterly, easterly and northerly of and parallel to the reference line up to the right of way lines of Poberezny Road, Knapp Street, and State Highway 44, containing 36,034 square feet or 0.827 acres of property.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it also grants the construction easement for a strip of land being 25 feet wide lying southerly and northwesterly of, parallel with and adjacent to the aforementioned 25 foot wide strip of land lying between the east right of way line of State Highway 44 and the north property line with the EAA Aviation Foundation Inc. as shown on the attached map which is made a part of this Resolution by reference. Said construction easement shall remain active from the time construction begins until the ground surface restoration along the portion of the route has been complete. Said construction easement contains approximately 35,731 square feet or 0.821 acres.

Submitted by:
AVIATION COMMITTEE

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

RESOLUTION NO. 70-62010: Adopt an Amendment to the 2007 Winnebago County Handbook of Employment Policies Covering Appointed Non-Represented Employees

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that Chapter 22, Fringe Benefits, Section C, Group Health Insurance of the Winnebago County "Handbook of Employment Policies Covering Appointed Non-Represented Employees" be amended as set forth and described in the document attached hereto.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 29. Nays: 1 – Swanson. Excused: 5 - Miller, Reynolds, Eichman, Neubauer and Sievert. CARRIED.

22. FRINGE BENEFITS
SECTION C

GROUP HEALTH INSURANCE. Employees in regular full-time and regular part-time positions (50% or more) may participate in the single or family group health insurance programs sponsored by Winnebago County beginning on the first day of the month following their date of hire. Persons not enrolling at this time may be required to produce evidence of good health at the point of later enrollment. Employees who marry after their date of initial enrollment shall be eligible for family coverage provided that they apply within thirty days of the date of their marriage.

~~Effective with the premium for the month of October, 2003, the level of County participation in the cost of group health premiums shall be 90% of the premium for single, double or family coverage for any of the plans offered by the County and for which an employee may be eligible.~~ ***Effective with the October 1, 2010, premium, the County will contribute the following amounts to the cost of each employee's monthly group health insurance premium:***

- A. For those employees participating in any Network Health Insurance Plan offered by the County, an amount equal to 85% of the monthly premium amount of Network Health Insurance Plan 2. The contribution by the County shall be increased to 90% of the monthly premium of Network Health Insurance Plan 2 if the employee and his or her spouse complete an annual Health Risk Assessment offered by the County on or before September 1 of each year.***
- B. For those employees participating in any UMR Health Insurance Plan offered by the County, an amount equal to 85% of the monthly premium amount of UMR Health Insurance Plan 2. The contribution by the County shall be increased to 90% of the monthly premium of UMR Health Insurance Plan 2 if the employee and his or her spouse complete an annual Health Risk Assessment offered by the County on or before September 1 of each year.***
- C. Employees and their spouses must have the Health Risk Assessment performed on or before September 1, 2010, to be eligible for the 90% premium contribution for the October 1, 2010, Plan Year.***
- D. The Health Risk Assessment requirements described in Paragraphs A through C above shall not apply to spouses who are not covered under a Winnebago County sponsored health insurance plan.***

Regular part-time employees shall receive the same benefit on a pro-rata basis. Required employee premium contributions may be processed through payroll deductions and shall be eligible for special treatment under Section 125 of the Internal Revenue Code.

Terminated employees may continue their participation in the group health program in accordance with the COBRA law. Such employees are normally advised of their group health options and contribution requirements at the time of termination.

Employees who retire from County employment and are immediately eligible for a pension under the Wisconsin Retirement System shall have the option of continuing their participation, and that of their spouse and eligible dependents, in any of the group health insurance programs offered by Winnebago County, at their expense, for up to the number of years that they continuously served Winnebago County or until both the employee and spouse have attained the age of sixty-five, whichever affords the longer time frame, but not less than the amount of time provided for under the COBRA Law. This eligibility shall also apply to the spouse and eligible dependents of an employee who dies while employed by Winnebago County.

RESOLUTION NO. 71-62010: Adopt Revisions to the Winnebago County Administrative Salary Schedule

WHEREAS, the salaries of Winnebago County's non-represented employees have not kept pace with unionized employees of Winnebago County in recent years; and

WHEREAS, it is in the best interests of Winnebago County that the salaries of non-represented employees keep pace with that of unionized employees in order to attract and maintain qualified managerial and supervisory employees throughout Winnebago County departments.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes that the Winnebago County Administrative Salary Schedule shall be amended so as to increase by 1.5% across the board, effective January 1, 2010, the wages of covered employees having continuing satisfactory job performances. Employees who terminate their employment with Winnebago County on or before June 16, 2010, except if such termination is due to the retirement, declared disability by Wisconsin Retirement System, or death of the employee, shall not be entitled to any retroactive pay or benefits.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 72-62010: Authorize Request for State and Federal Aid for Schedule of Improvements to Wittman Regional Airport

WHEREAS, Wisconsin Statutes require a Statement of Project Intentions from airport owners contemplating federal and state aid within the next six years; and

WHEREAS, this Six-Year Statement of Project Intentions is used by the Department of Transportation, Bureau of Aeronautics for planning and budgeting purposes and is not a petition for federal and/or state aid.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the attached list of proposed improvements are in the best interests of Wittman Regional Airport.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that this governing body contemplates requesting federal and/or state aid for the projects listed on the attached schedule of airport improvements.

Submitted by:
AVIATION COMMITTEE

Motion by Supervisor Lennon and seconded to adopt. Ayes: 28. Nays: 2 – Roh and Jacobson. Excused: 5 - Miller, Reynolds, Eichman, Neubauer and Sievert. CARRIED.

RESOLUTION NO. 73-62010: Adopt Policy Regarding Dental Insurance for Married Couples with Both Spouses Employed Full-Time by Winnebago County

WHEREAS, the cost of dental insurance has become increasingly burdensome for Winnebago County and its employees in recent years; and

WHEREAS, it has been a past practice that married couples having both spouses employed by Winnebago County have made no contribution to their dental insurance premiums, and it is in the best interests of Winnebago County that all employees share in the cost of dental insurance and be treated uniformly.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby creates a policy that married couples having both spouses employed by Winnebago County shall receive no reduction in monthly employee contributions for dental insurance premiums.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said change in dental insurance contributions for married couples employed by Winnebago County shall become effective as of October 1, 2010 (with the payroll deduction for October 1, 2010, dental insurance coverage occurring in September 2010).

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 74-62010: Petition the Secretary of Transportation for Airport Improvement Aid

WHEREAS, Winnebago County, Wisconsin, hereinafter referred to as the Sponsor, being a municipal Body Corporate of the State of Wisconsin, is authorized by law (§ 114.11, Wis. Stats.) to acquire, establish, construct, own, control, lease, equip, improve, maintain, and operate an airport; and

WHEREAS, the Sponsor desires to develop or improve the Wittman Regional Airport, Winnebago County, Wisconsin; and

WHEREAS, airport users have been consulted in formulation of the improvements included in this Resolution; and

WHEREAS, a public hearing was held prior to the adoption of this petition in accordance with § 114.33(2) as amended, and a transcript of the hearing is transmitted with this petition.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes that the Sponsor of said petition for Federal and/or State Aid in the following form is hereby approved:

The petitioner, desiring to sponsor an airport development project with Federal and State Aid or State Aid only, in accordance with the applicable State and Federal laws, respectfully represents and states as follows:

1. That the airport, which it is desired to develop, should generally conform to the requirements for a general aviation-type airport as defined by the Federal Aviation Administration.
2. That the character, extent, and kind of improvements desired under the project are as follows: purchase snow removal equipment; purchase turf mowing equipment; reconstruct terminal area ramps and Taxiway E; reconstruct Taxiway D ramp; repair ramp pavement; develop/expand hangar areas, including hangar removal; install/replace airport perimeter fencing; reconstruct Runway 4/22, Runway 13/31, and Taxiway C; relocate and reconstruct Taxiway B; acquire land near/in runway approaches as stated in Transportation Administrative Code Chapter 55; and any necessary related work.
3. That the airport project, which your petitioner desires to sponsor, is necessary for the following reasons: to meet the existing and future needs of the airport.

WHEREAS, it is recognized that the improvements petitioned for as listed will be funded individually or collectively as funds are available, with specific project costs to be approved as work is authorized, the proportionate cost of the airport development projects described above, which are to be paid by the Sponsor to the Secretary of the Wisconsin Department of Transportation (hereinafter referred to as the Secretary) to be held in trust for the purpose of the project; any unneeded and unspent balance after the project is completed is to be returned to the Sponsor by the Secretary; the Sponsor will make available any additional monies that may be found necessary, upon request of the Secretary, to complete the project as described above; the Secretary shall have the right to suspend or discontinue the project at any time additional monies are found to be necessary by the Secretary, and the Sponsor does not provide the same; and

WHEREAS, the Sponsor is required by law (§ 114.32(5), Wis. Stats.) to designate the Secretary as its agent to accept, receive, receipt for, and disburse any funds granted by the United States under the Federal Airport and Airway Improvement Act, and is authorized by law to designate the Secretary as its agent for other purposes.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors on behalf of the Sponsor that the Secretary is hereby designated as its agent and is requested to agree to act as such in matters relating to the airport development project described above, and is hereby authorized as its agent to make all arrangements for the development and final acceptance of the completed project whether by contract, agreement, force account, or otherwise; and particularly to accept, receive, receipt for, and disburse Federal monies or other monies, either public or private, for the acquisition, construction, improvement, maintenance, and operation of the airport; and to acquire property or interests in property by purchase, gift, lease, or eminent domain under Chapter 32 of the Wisconsin Statutes; and to supervise the work of any engineer, appraiser, negotiator, contractor, or other person employed by the Secretary; and to execute any assurances or other documents required or requested by any agency of the Federal government and to comply with all Federal and State laws, rules, and regulations relating to airport development projects.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Sponsor requests that the Secretary provide, per § 114.33(1)(a), Wis. Stats., that the Sponsor may acquire certain parts of the required land or interests in land that the Secretary shall find necessary to complete the aforesaid project.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Sponsor agrees to maintain and operate the airport in accordance with certain conditions established in Chapter Trans 55, Wisconsin Administrative Code, or in accordance with Sponsor assurances enumerated in a Federal Grant Agreement.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Executive and the Wittman Regional Airport Director be authorized to sign and execute the Agency Agreement and Federal Block Grant Owner Assurances authorized by this Resolution.

Submitted by:
AVIATION COMMITTEE

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

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, July 27, 2010. CARRIED BY VOICE VOTE. The meeting was adjourned at 10:45 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 June 15, 2010.

Susan T. Ertmer
Winnebago County Clerk