

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, FEBRUARY 22, 2011**

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

Motion by Supervisor Robl and seconded to adopt the amended agenda with the change of order of the Resolutions so that Resolution No. 189-22011 will be acted on prior to Resolution No. 159-12011. CARRIED BY VOICE VOTE.

PUBLIC HEARING

Kathleen Propp, 1936 Hazel Street, Oshkosh, representing the Winnebago County League of Women Voters, urged the Board to reduce their size to 28 members.

Margie Davey, 885 Portside Court, Oshkosh, discussed the 5,600 signatures that were collected in 2006 requesting that the Board size be reduced.

Tim Suess, 1820 Orchard Lane, Oshkosh, acting student body President at UW-Oshkosh, reported that their Board just passed a resolution recommending that the Winnebago County Board remain at 36 members.

Jerry Frey, Chairman of the Town of Oshkosh, asked that the Board vote to keep their membership at 36 members.

Ann Marshall, 1120 Olson Avenue, Oshkosh, supports reducing the size of the County Board.

Jim Erdmann, 2492 Hickory Lane, Oshkosh, supports keeping the County Board at 36 members.

Mike Dillon, 1365 Fox Burrow Court, Town of Menasha, supports keeping the County Board at 36 members.

Mark Luebke, Chairman of the Town of Clayton, supports keeping the County Board at 36 members or only reducing it to 35 members.

Donna Lohry, 511 West Bent Avenue, Oshkosh, supports keeping the County Board at 36 members.

COMMUNICATIONS, PETITIONS, ETC.

A note from the family of Ron Eichman was read thanking the Board for the flowers they sent for Ron's funeral.

Notice of Claim from Condon Oil (Lakeshore Mart LLC location) for damage to a gas pump caused by a Sheriff's Department vehicle was referred to the Personnel & Finance Committee.

Notice of Claim from Douglas Eake for damage to his vehicle caused by a county snow plow was referred to the Personnel & Finance Committee.

Notice of Claim from John Meyer for damage to his vehicle caused by an accident with a county truck was referred to the Personnel & Finance Committee.

Notice of Claim from Michael Drexler for damage to his mail box caused by a county snow plow was referred to the Personnel & Finance Committee.

Lincoln County, Resolution No. 2011-01-05, "Support Legislative Changes to Modify Binding Arbitration for Public Employees" was referred to the Legislative Committee.

Racine County, Resolution No. 2010-111, "Resolution by Intergovernmental Relations Committee Supporting Action by the Wisconsin State Legislature to End Predatory Lending in Wisconsin" was referred to the Legislative Committee.

Vernon County, Resolution #2011-12, "Rescinding Changes Made to Prevailing Wage Laws" was referred to the Legislative Committee.

Petition for Zoning Amendment from Nicholas C. Potratz; NC Potratz, LLC; and Tina Schettle, Town of Omro, for a zoning change for tax parcel nos. 016-0375-05, 016-0375-02, 016-0377(p) from A-2 to R-3 for single family residential was referred to the Planning & Zoning Committee

Petition for Zoning Amendment from Martin Nikodem, Town of Clayton, for a zoning change for tax parcel no. 006-0095-00(part) from Agricultural to R-1 for single family residential was referred to the Planning & Zoning Committee

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Norton reported on his attendance at the WCA Legislative Exchange in Madison. He stated that they met with state legislators and met the Governor's new cabinet. Supervisor Norton, Mark Harris and Chairman Albrecht also met with Senator Randy Hopper and discussed the fact that Winnebago County employees have made

concessions and pay a percentage of their health insurance premiums. He reported that Chairman Albrecht was lobbying for additional state and federal aid for land acquisitions at Wittman Regional Airport. Chairman Albrecht also asked Senator Hopper to work on getting Governor Walker to attend EAA this summer.

Supervisor Rengstorf asked the Board members to look at the Winnebago County Specialized Transportation Council report—printed on East Central Wisconsin Regional Planning Commission letterhead—that was placed on their desk because it contains some very interesting information about the council and their services. Supervisor Rengstorf stated that information about Conflict Resolution training was also placed on their desks. If they would like additional information, they should contact Kristi Bradish in the Winnebago County Conflict Resolution Center.

Supervisor Barker reminded everyone that the Urban Chicken Workshop is coming up. It will be held on Saturday, March 26 from 9:00 a.m. until 1:00 p.m. at the Winnebago County Expo Building.

Supervisor Jacobson distributed contact information for area state and federal legislators, so that Supervisors can contact them about potential funding cuts that would adversely affect Advocap and other service agencies.

Supervisor Eisen reported on his attendance at the initial consultant meeting to study the consolidation of 911 center operations for Calumet, Outagamie and Winnebago Counties. The study will cost approximately \$78,000 and will be completed in 85 days.

Motion by Supervisor Finch and seconded to approve the proceedings from the January 4 and January 18, 2011 Winnebago County Board meetings. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris discussed some of the changes that may occur if the state's current budget repair bill is passed. He explained that non-represented employees, union employees without 2011 contracts in place and elected officials of the county will see a 5.8% of payroll contribution to the Wisconsin Retirement System. That contribution will start with the second payroll in March 2011. Executive Harris stated that as this time the highway and dispatchers' unions do not have settled contracts. Unions that have contracts in place will not be impacted with these changes until their contracts are up.

Executive Harris also explained that the budget repair bill limits contract negotiations to wages and those wages can only be negotiated up to the prior year's consumer price index (CPI). He stated that Sheriff's deputies union negotiations would not change at this point, but internal comparables will be different.

Executive Harris explained that the county would not be allowed to collect union dues through payroll deduction and union members would have the option of paying union dues themselves on an annual basis.

Executive Harris stated that the loss of collected bargaining rights will also impact area bus systems by making them ineligible for \$45 Million in federal transit money.

Executive Harris wanted to make employees aware that this bill will affect their take-home pay as soon as next month.

COUNTY EXECUTIVE APPOINTMENTS

East Central Wisconsin Regional Planning Commission

Executive Harris asked for approval of his reappointments of Supervisor Ken Robl and Jim Erdman to the East Central Wisconsin Regional Planning Commission. These are two-year terms that will expire on April 17, 2012.

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

FoxComm User Technical Committee

Executive Harris asked for approval of his appointment of Dean Kaderabek to the FoxComm User Technical Committee. Motion by Supervisor Farrey and seconded to approve. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

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

Chairman Albrecht stated that at the March 1 Special Orders meeting he will be presenting a resolution that will direct specific individuals who will be responsible for working with county staff to develop the supervisors' districts during the redistricting process. He explained that it would be difficult for county staff to complete this project if they are getting input from all 36 supervisors.

Chairman Albrecht announced that the airport land acquisition report that was on tonight's agenda will actually be presented at the March 1 Special Orders meeting.

COUNTY BOARD CHAIRMAN'S APPOINTMENT

Personnel & Finance Committee

Chairman Albrecht asked for approval of his appointment of Supervisor Bill Roh to the Personnel & Finance Committee. Supervisor Roh will fill the vacancy on this committee left by the passing of Ronald Eichman. Supervisor Roh has given up his position on the Facilities & Property Management Committee to take this appointment. Motion by Supervisor Finch and seconded to approve. CARRIED BY VOICE VOTE.

Facilities & Property Management Committee

Chairman Albrecht asked for approval of his appointment of Supervisor Larry Kriescher to the Facilities & Property Management Committee. Supervisor Kriescher will fill the vacancy on this committee left by Supervisor Roh who accepted an appointment to the Personnel & Finance Committee. Motion by Supervisor Finch and seconded to approve. CARRIED BY VOICE VOTE.

RUNWAY SNOW BLOWER – PETER MOLL, WITTMAN REGIONAL AIRPORT DIRECTOR

Peter Moll, Wittman Regional Airport Director, presented information to the Board on the runway snow blower that they hope to acquire. He stated that this blower is part of the airport's 2011 Capital Improvement Project.

Mr. Moll explained that clearing snow off of runways at an airport is different than clearing snow from a road or highway because of the width of a runway, which is why this type of snow blower is a necessary piece of equipment.

Their current blower is 20 years old, which is about 10 years beyond the FAA recommended life cycle of snow removal equipment in this part of the country. They have had some significant problems with the blower, including a cracked transmission case, failed u-joints and a broken air band clutch. Mr. Moll stated that when the air band clutch broke they were able to fix it, but they got the last replacement parts available in the country to do the repair. If this type of repair needs to be done again, they would be, "in very tough shape." Mr. Moll stated that a new blower will have a higher discharge rate, plus better visibility for the driver.

Mr. Moll explained that a new blower will cost approximately \$650,000, but because they are dealing with the Wisconsin Bureau of Aeronautics' 80/20 program, they will fund 80% of the blower and the county will fund 20%. The county will write the specifications for the blower, but the Wisconsin Bureau of Aeronautics will select the manufacturer.

Mr. Moll took questions from the Board.

RESOLUTIONS AND ORDINANCES

RESOLUTION NO. 189-22011: Recommend that Size of Winnebago County Board of Supervisors be Established at 32 Members in Relationship to the Process of Drawing New Supervisory Districts

WHEREAS, Winnebago County should soon receive the results of the 2010 U.S. Census; and

WHEREAS, Wisconsin Statutes requires that upon the receipt of said census data, that a new supervisory district plan be drawn and adopted with regard to the Winnebago County Board of Supervisors; and

WHEREAS, the Winnebago County Planning Department and the Judiciary and Public Safety Committee of the Winnebago County Board of Supervisors believes that it is in the best interest of proceeding with said process for the Winnebago County Board of Supervisors to make an initial recommendation to the Planning Department and the Judiciary and Public Safety Committee as to the number of supervisory districts to be established in said process; and

WHEREAS, Winnebago County Judiciary and Public Safety Committee recommends that the Winnebago County Board adopt this resolution, recommending that 32 supervisory districts be established, if possible, in utilizing the census data provided to Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby recommends to the Winnebago County Planning Department and the Winnebago County Board of Supervisors Judiciary and Public Safety Committee that 32 county board supervisory districts be established, if possible, in drafting a map of Winnebago County Board Supervisory Districts subsequent to the receipt of 2010 U.S. Census Bureau data.

Submitted by:

JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Motion by Supervisor Wingren and seconded to amend "32" to "28". Ayes: 4 – Thompson, Wingren, Jacobson and Norton. Nays: 27. Excused: 4 – Miller, Widener, Hamblin and Neubauer. LOST.

Motion by Supervisor Finch and seconded to amend the "32" to "36". Ayes: 20. Nays: 11 – Ramos, Roh, Albrecht, Hall, Wingren, Jacobson, Norton, Warnke, Robl, Kline and Brennand. Excused: 4 – Miller, Widener, Hamblin and Neubauer. CARRIED.

Vote on Resolution as amended to 36 – Ayes: 21. Nays: 10 – Ramos, Roh, Albrecht, Hall, Wingren, Jacobson, Norton, Warnke, Kline and Brennand. Excused: 4 – Miller, Widener, Hamblin and Neubauer. CARRIED.

RESOLUTION NO. 159-12011: Reduce Size of Winnebago County Board of Supervisors to 35 Members

WHEREAS, Section 59.10 Wisconsin Statutes, as amended, provides county boards throughout the State of Wisconsin with the authority to reduce the size of the county board on a one-time basis subsequent to re-appointment after a decennial census; and

WHEREAS, your undersigned supervisors believe that any sizeable reduction in the size of the Winnebago County Board of Supervisors would limit the contact that persons in rural towns have with their elected supervisor; and

WHEREAS, county government is important to persons in rural areas in that many direct services are provided to persons in unincorporated areas by county government, whereas, such services are provided in incorporated areas by city or village governments; and

WHEREAS, your undersigned County Board Supervisors believe that it is in the best interest of Winnebago County and the electors within their districts to implement a slight reduction in size of the Winnebago County Board of Supervisors so as to preserve meaningful representation to all persons with Winnebago County in relationship to county government and particularly those in rural areas; and

WHEREAS, Winnebago County has zoning approval authority in all 16 towns in Winnebago County under Chapter 59 Wisconsin Statutes, but does not have zoning approval authority in city or villages in Winnebago County. This exemplifies that supervisor districts in the rural town areas is critical and should not be diminished anymore than required by law.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that pursuant to Section 59.10, Wisconsin Statutes, the size of the Winnebago County Board of Supervisors is hereby reduced from 36 supervisors to 35 supervisors.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Planning Department of Winnebago County is hereby directed to prepare a map with the proposed redistricting plan pursuant to this Resolution and submit such map to the Judiciary and Public Safety Committee of the County Board of Supervisors within ninety (90) days of the date of this Resolution.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said redistricting map shall be subject to the final approval of the full Winnebago County Board of Supervisors.

Submitted by:
CHUCK FARREY, DISTRICT #30
JEROLD FINCH, DISTRICT #28
HARVEY RENGSTORF, DISTRICT #35
THOMAS KONETZKE, DISTRICT #1
NANCY BARKER, DISTRICT #2
JIM ENGLEBERT, DISTRICT #3
DONALD MILLER, DISTRICT #6
LAWRENCE SMITH, DISTRICT #8
TIM HAMBLIN, DISTRICT #10
MARIBETH GABERT, DISTRICT #12
TRAVIS SWANSON, DISTRICT #13
SUSAN LOCKE, DISTRICT #26
GUY HEGG, DISTRICT #27
JOANNE SIEVERT, DISTRICT #29
TOM ELLIS, DISTRICT #34
TOM EGAN, DISTRICT #33
COUNTY BOARD SUPERVISORS

WITHDRAWN by Supervisor Farrey.

RESOLUTION NO. 168-22011: Commendation for Kenneth C. Stoffel

WHEREAS, Ken Stoffel has been employed with the Winnebago County Department of Human Services, for the past twenty-eight years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Ken Stoffel has now retired from those duties, and it is appropriate for the Winnebago County Board of Supervisors to acknowledge his years of service.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that sincere appreciation and commendation be and it hereby is extended to Ken Stoffel for the fine services he has rendered to Winnebago County.

BE IT FURTHER RESOLVED, that the County Clerk send a copy of this Resolution to Ken Stoffel.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 169-22011: Approve Values of Tax Deeded Property

WHEREAS, Section 3.03(1)(a), General Code of Winnebago County requires that all tax deeded lands have their appraisal prices determined by the Personnel and Finance Committee of the Winnebago County Board of Supervisors and approved by the County Board of Supervisors; and

WHEREAS, an appraisal of tax deeded property acquired as a result of delinquent real estate taxes as a consequence of an In Rem action have been made; and

WHEREAS, the parcel numbers, legal descriptions and the appraised values of said tax deeded properties are as follows:

CITY OF OSHKOSH, PARCEL NO. 902-0357
FORMERLY 1218 WINNEBAGO AVE, OSHKOSH WI 54901
The West Sixty (60) feet of Lot Seven (7) of Block One (1) in
HENNING'S PLAT OF LOT 9 OF BLOCK 28, in the Second Ward,
City of Oshkosh, Winnebago County, Wisconsin
\$12,500.00

CITY OF OSHKOSH, PARCEL 914-0540
FORMERLY 308 W 19TH AVE, OSHKOSH WI 54902
Lot Twenty-Six (26) in SMITH GROVE LAND CO'S
REPLAT, in the Thirteenth Ward, City of Oshkosh, Winnebago County,
Wisconsin, per Leach's Map of 1894 and now in the Fourteenth Ward
of said city
\$16,000.00

CITY OF OSHKOSH, PARCEL 915-0440
FORMERLY 1713 ASHLAND ST, OSHKOSH WI 54901
Lot Eleven (11) of Block Three (3) in GREUNEWALD,
HILTON & BURDICK'S SUBDIVISION, in the Fifteenth
Ward, City of Oshkosh, Winnebago County, Wisconsin
\$9,000.00

CITY OF OSHKOSH, PARCEL NO. 915-0499
FORMERLY 13 E CUSTER AVE, OSHKOSH WI 54901
The East 52 feet of Lot Seven (7) of Block One (1) in
WASHBURN'S ADDITION, in the Tenth Ward, City of Oshkosh,
Winnebago County, Wisconsin, per Leach's Map of 1894, and now
In the Fifteenth Ward of said City -
The East 52 feet of the North 4 feet of Lot Six (6) and the
East 50 feet of Lot Six (6), excepting therefrom the North
4 feet thereof, all in Block One (1) in WASHBURN'S ADDITION,
in the Tenth Ward, City of Oshkosh, Winnebago County, Wisconsin,
per Leach's Map of 1894, and now in the Fifteenth Ward of said City.
\$8,000.00

WHEREAS, the appraised value of said property as provided by the treasurer have been approved by the committee as is required by Section 3.03(1)(a) of the General Code of Winnebago County and is herewith submitted to the Winnebago County Board of Supervisors for approval.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the appraised value of the parcel of property listed above, which was acquired by the Winnebago County Treasurer for tax delinquency pursuant to an In Rem judgment.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 29. Nays: 0. Excused: 4 – Miller, Widener, Hamblin and Neubauer. Absent: 2 – Diakoff and Egan. CARRIED.

ORDINANCE NO. 170-22011: Amend Chapter 13 of the General Code of Winnebago County (Livestock Waste Management)

WHEREAS, it is well documented and widely recognized that nutrients and organic matter from mismanaged or misapplied livestock waste contributes to water quality degradation in the streams, rivers and lakes throughout Wisconsin, including those in Winnebago County; and

WHEREAS, the degradation of the water resources in Winnebago County poses a threat to the environment, health and economic welfare of the citizens of the county; and

WHEREAS, the Winnebago County Land Conservation Committee and Land and Water Conservation Department, in an effort to further protect the water resources of Winnebago County, must periodically revise and update referenced State Statutes, technical standards, definitions, and other wording within the Winnebago County Livestock Waste Management Ordinance (Chapter 13 of the Winnebago County General Code); and

WHEREAS, to provide uniformity with other Chapters of the General Code of Winnebago County and to identify a separate Chapter 13 Permit Fee Schedule.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors, that effective January 1, 2012, Section 13.11 of Chapter 13 of the General Code of Winnebago County be amended to read as follows:

13.11 PERMIT FEE

- (1) Fees for permits shall be as established from time to time by the Land Conservation Committee and subsequent County Board approval. Upon adoption by the County Board, the approved fees shall be maintained on a current fee schedule in the Land and Water Conservation Department office.
- (2) Fees for all after the fact permit applications shall be doubled.
- (3) The renewal fee for a permit under this chapter shall be in accordance with the current fee schedule.

Submitted by:
LAND CONSERVATION COMMITTEE

Motion by Supervisor Farrey and seconded to adopt. Ayes: 28. Nays: 1 – Albrecht. Excused: 4 – Miller, Widener, Hamblin and Neubauer. Absent: 2 – Diakoff and Egan. CARRIED.

ORDINANCE NO. 171-22011: Amend Fees for Livestock Waste Management Permits Issued Under Chapter 13 of the General Code of Winnebago County Livestock Waste Management

WHEREAS, the permit fees have not been adjusted since the establishment of the Livestock Waste Management Ordinance in 1985; and

WHEREAS, the costs associated with issuing permits, and assuring compliance with Chapter 13 have grown substantially since 1985; and

WHEREAS, the Livestock Waste Management Permit also addresses the storm water and erosion control requirements under Chapter 17.31 of the General Code of Winnebago County (Storm Water and Erosion Control Ordinance) and includes the Erosion Control Permit at no additional cost; and

WHEREAS, the Winnebago County Land Conservation Committee and Land and Water Conservation Department, in an effort to reduce departmental levy requirements and direct a portion of the associated permit costs to those citizens utilizing the services.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors, that effective January 1, 2012, the attached Chapter 13 Permit Fee Schedule be utilized for permits issued under Chapter 13 of the General Code of Winnebago County.

Livestock Waste Management Ordinance – Permit Fee Schedule

Animal Lot Construction and/or Alteration/Erosion Control Permit	\$300.00
Animal Lot Construction and/or Alteration/Erosion Control Permit when LWCD provides project design and/or construction oversight:	\$500.00
Manure Storage Facility Construction and/or Alteration/Erosion Control Permit:	
Up to 2,000,000 gallon capacity:	\$500.00
2,000,000 to 4,000,000 gallon capacity:	\$750.00
Over 4,000,000 gallon capacity	\$1,000.00
Manure Storage Facility Abandonment/Erosion Control Permit:	\$500.00

Permit Renewal Fee: \$100.00

Note: Required fees will be added together to determine the permit cost when multiple structures are being constructed, altered or abandoned.

Example: new animal lot with no LWCD design or construction involvement with a 1,500,000 Gallon manure storage facility would be \$300 + \$500 = \$800.

Note: Per 13.11(2) the initial fee for a permit issued "after the fact" shall be doubled.

Note: Permits are valid for two years from the date of issuance.

Submitted by:
LAND CONSERVATION COMMITTEE

Motion by Supervisor Farrey and seconded to adopt. Ayes: 28. Nays: 1 – Albrecht. Excused: 4 – Miller, Widener, Hamblin and Neubauer. Absent: 2 – Diakoff and Egan. CARRIED.

RESOLUTION NO. 172-22011: Disallow Claim of City of Oshkosh

WHEREAS, your Personnel and Finance Committee has had the claim of City of Oshkosh 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 City of Oshkosh dated January 17, 2011, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 173-22011: Disallow Claim of Pit-Stop Event Services

WHEREAS, your Personnel and Finance Committee has had the claim of Pit-Stop Event Services 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 Pit-Stop Event Services dated January 3, 2011, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 174-22011: Disallow Claim of Secura Insurance Company for Thomas Varde

WHEREAS, your Personnel and Finance Committee has had the claim of Secura Insurance Company for Thomas Varde 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 Secura Insurance Company for Thomas Varde dated December 20, 2010, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE. (Supervisor Farrey abstained.)

ORDINANCE NO. 175-22011: Adjust Land Fee Schedule [Chapter 21.05 (2) (a)] and Land Rental Rates [Chapter 21.05 (3)] at Wittman Airport.

WHEREAS, landing fees for commercial aircraft operations and land rental rates for private and commercial hangar construction, ramps, parking lots and agricultural purposes were previously adjusted in March 2001; and WHEREAS, Wittman Regional Airport is mandated by the state and federal government grant assurances to maintain fee and rental structures which will make the airport as self-sustaining as possible; and

WHEREAS, landing fees and land rental rates have not kept up with inflation since the previous adjustment.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it adjust the landing fee and land rental rates displayed.

<u>County Code</u>	<u>CATEGORY</u>	<u>CURRENT RATE</u>	<u>PROPOSED RATE</u>
21.05 (2) (a)	Landing Fee (Domestic)	\$1.00/1000 lbs GLW	\$1.10/1000 lbs GLW
21.05 (2) (a)	Landing Fee (International)	\$2.00/1000 lbs GLW	\$2.20/1000 lbs GLW
21.05 (3) (a)	Land for hangars, aprons taxiways tie down areas (<100,000 sf)	\$550.00 annual minimum or \$0.13/sf/yr	\$600 annual minimum or \$0.15/sf/yr
21.05 (3) (b)	Bare land for aeronautical purposes	\$550.00 annual minimum or \$0.13/sf/yr	\$600 annual minimum or \$0.15/sf/yr
21.05 (3) (c)	Bare land for non-aeronautical purposes	\$700 annual minimum or \$0.35/sf/yr	\$775 annual minimum or \$0.40/sf/yr
21.05 (3) (d)	Paved ramps or parking lots	\$700 annual minimum or \$0.20/sf/yr	\$775 annual minimum or \$0.23/sf/yr
21.05 (3) (e)	Land for unrestricted agricultural cultivation purposes	\$47.00/acre	\$52.00/acre
21.05 (3) (f)	Land for restricted agricultural cultivation purposes	\$36.00/acre	\$39.50/acre
21.05 (3) (g)	Land restricted to the cultivation of hay only	\$25.00/acre	27.50/acre

Submitted by:
AVIATION COMMITTEE

Motion by Supervisor Lennon and seconded to adopt. Motion by Supervisor Hall and seconded to refer back to committee to get at least a 25% increase in the fees and an escalator clause for at least the rate of inflation included in the fee schedule. Motion to refer back to committee - Ayes: 19. Nays: 10 – Eisen, Albrecht, Thompson, Lennon, Norton, Warnke, Robl, Kline, Hegg and Brennand. Excused: 4 – Miller, Widener, Hamblin and Neubauer. Absent: 2 – Diakoff and Egan. CARRIED.

RESOLUTION NO. 176-22011: Oppose Constitutional Amendment Providing for the Appointment of Certain Constitutional Offices

WHEREAS, a joint Assembly resolution presently pending before the State Legislature proposes to permit counties to elect or appoint county clerks, treasurers, register of deed, surveyors and other county officers, with the exception of sheriffs, district attorneys, coroners, clerks of circuit court and county executives, county supervisors and judges, if approved by the County Board of Supervisors and if approved by county voters pursuant to referendum; and

WHEREAS, the Legislative Committee believes that said proposed change to the Wisconsin Constitution is unnecessary and the county voters should always have the opportunity of electing county office holders.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby expresses its opposition to a constitutional amendment providing for the appointment, instead of election, of certain county officials.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of this resolution be transmitted to all legislators representing Winnebago County constituents within the Wisconsin Legislature; to the office of Governor Scott Walker; and to the Wisconsin Counties Association.

Submitted by:
LEGISLATIVE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 24. Nays: 5 – Eisen, Ramos, Norton, Hegg and Kriescher. Excused: 4 – Miller, Widener, Hamblin and Neubauer. Absent: 2 - Diakoff and Egan. CARRIED.

RESOLUTION NO. 177-22011: Support Recision of Changes to the Wisconsin Prevailing Wage Law

WHEREAS, Assembly Bill 75, proposes to make a prevailing wage law applicable to any public works contract over \$25,000; and

WHEREAS, under current law, the prevailing wage requirements only apply to multiple trade public works projects of \$234,000 and single trade public works projects over \$48,000; and

WHEREAS, reducing the threshold to \$2,000 will increase the cost of small public works projects previously exempted from the prevailing wage requirement; and

WHEREAS, the increases in costs to municipalities as a result of said prevailing wage law amendment would reduce the number and/or size of public works projects or result in an increase in taxes to meet the increased cost, which would further burden property taxpayers; and

WHEREAS, any proposed changes to the prevailing wage law should be addressed outside of the budget process as separate legislations so that lawmakers may give more thoughtful consideration of changing the cost threshold for public works projects and clarifying statutory language to distinguish between routine maintenance and construction projects.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby opposes any changes to the prevailing wage law as proposed in Assembly Bill 75 and urges the Legislature and the Governor to remove these items from the budget bill.

Submitted by:
LEGISLATIVE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 16. Nays: 13 – Konetzke, Barker, Ramos, Swanson, Thompson, Reynolds, Hall, Wingren, Jacobson, Norton, Warnke, Locke and Kriescher. Excuse: 4 – Miller, Widener, Hamblin and Neubauer. Absent: 2 - Diakoff and Egan. CARRIED.

RESOLUTION NO. 178-22011: Appropriate \$960,000 to a Project to Resurface CTH MM from CTH M in the Town of Winchester to Richter Lane

WHEREAS, CTH MM from CTH M in the Town of Winchester to Richter Lane has deteriorated and is in need of resurfacing; and

WHEREAS, this project has been included in the County 5-Year Capital Improvements Plan and is scheduled for resurfacing in 2011; and

WHEREAS, this project is part of an ongoing effort to maintain the County Road system; and

WHEREAS, the Winnebago County Board supports the maintenance of the County Road System.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$960,000 to a capital project to resurface CTH MM from CTH M in the Town of Winchester to Richter Lane.

BE IT FURTHER RESOLVED that funds to pay for this project be transferred from the General Fund of Winnebago County with the General Fund being reimbursed from a subsequent bond issue.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 29. Nays: 0. Excused: 4 – Miller, Widener, Hamblin and Neubauer. Absent: 2 - Diakoff and Egan. CARRIED.

RESOLUTION NO. 179-22011: Appropriate \$1,145,931 to a Project to Resurface CTH F from CTH D to the Omro City Limits.

WHEREAS, CTH F from CTH D to the Omro City Limits has deteriorated and is in need of resurfacing; and
WHEREAS, this project has been included in the County 5-Year Capital Improvements Plan and is scheduled for resurfacing in 2011; and

WHEREAS, this project is part of an ongoing effort to maintain the County Road system; and

WHEREAS, the Winnebago County Board supports the maintenance of the County Road System; and

WHEREAS, there are sufficient funds remaining from two other road projects (CTH D and CTH E) to cover the costs of this project therefore no additional borrowing will be needed

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$1,145,931 to a capital project to resurface CTH F from CTH D to the Omro City Limits with funding coming from the following sources:

CTH D capital project fund	\$464,931
CTH E capital project fund	\$681,000

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 29. Nays: 0. Excused: 4 – Miller, Widener, Hamblin and Neubauer. Absent: 2 - Diakoff and Egan. CARRIED.

RESOLUTION NO. 180-22011: Authorize the Road Resurfacing Project of CTH FF from STH 21 to CTH K in Omro and Appropriate \$584,000 to the Project

WHEREAS, CTH FF from STH 21 to CTH K in Omro has deteriorated and is in need of resurfacing; and
WHEREAS, this project has been included in the County 5-Year Capital Improvements Plan and is scheduled for resurfacing in 2011; and

WHEREAS, this project is part of an ongoing effort to maintain the County Road system; and

WHEREAS, the Winnebago County Board supports the maintenance of the County Road System; and

WHEREAS, Transportation Aids of \$100,000 and County Road Maintenance funding of \$200,000 are available to apply to the cost of the project; and

WHEREAS, the balance of \$284,000 would need to be funded through the 2011 General Obligation Bonding.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$584,000 to a capital project to resurface CTH FF from STH 21 to CTH K in the Town of Omro with funding coming from the following sources:

Transfer in from County Road Maintenance	\$200,000
Transportation Aids	\$100,000
2011 Bond issue	\$284,000

BE IT FURTHER RESOLVED that funds to pay for the bonding portion of the project, be transferred from the General Fund with the General Fund being reimbursed from the subsequent bond issue.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 29. Nays: 0. Excused: 4 – Miller, Widener, Hamblin and Neubauer. Absent: 2 - Diakoff and Egan. CARRIED.

RESOLUTION NO. 181-22011: Transfer \$8,000 from the 2010 Contingency Fund to the Professional Services Account of the Human Resources Department Budget to Cover Costs of the Health Risk Assessment Program

WHEREAS, employee health care costs have soared at a rate far exceeding inflation over the past several years; and

WHEREAS, various options have been looked at as a way to reduce the County costs of providing employee health care coverage; and

WHEREAS, health risk assessments coupled with deductibles and other changes to the County's health care options will help the County in controlling health care costs; and

WHEREAS, this program was developed during 2010, after the 2010 budget had been completed; and

WHEREAS, funds had been budgeted to cover the costs of the health risk assessments, but it was difficult to estimate the level of employee participation or the cost without past history to evaluate; and

WHEREAS, the County cost of the health risk assessments exceeded the amount included in the Human Resources 2010 budget.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$8,000 from the general contingency fund to the professional services account of the Human Services 2010 budget to cover the additional costs of the health risk assessments.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 29. Nays: 0. Excused: 4 – Miller, Widener, Hamblin and Neubauer. Absent: 2 - Diakoff and Egan. CARRIED.

RESOLUTION NO. 182-22011: Transfer \$3,595 from the 2011 General Contingency Fund to the Small Equipment Account of UW Extension to Replace a Paper Cutter

WHEREAS, the UW Extension has a large heavy duty paper cutter capable of cutting larger batches of paper; and

WHEREAS, UW Extension is an educational arm of the County and has a need to print and distribute large volumes of documents; and

WHEREAS, preparing these documents often includes cutting the paper down to various sizes; and

WHEREAS, the paper cutter has broken down and is not repairable; and

WHEREAS, it would be prudent to replace the paper cutter at this time.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$3,595 from the 2011 general contingency fund to the small equipment account of UW Extensions 2011 budget for the purpose of replacing the paper cutter.

Submitted by:
UNIVERSITY OF WISCONSIN EDUCATION, EXTENSION &
AGRICULTURE COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Ayes: 27. Nays: 2 – Smith and Wingren. Excused: 4 – Miller, Widener, Hamblin and Neubauer. Absent: 2 - Diakoff and Egan. CARRIED.

RESOLUTION NO. 183-22011: Authorize the Public Health Department to Accept Grant Funding of \$29,992 and Apply the Funds to Further Development of the Tri-County Health Watch Coalition

WHEREAS, grant funding of \$29,992 has been made available to the Winnebago County Health Department from the Health Watch Coalition of Wisconsin; and

WHEREAS, the funds are being made available for further development of the Tri-County Health Watch Coalition; and

WHEREAS, this coalition addresses areas of access to health care and coverage issues for the residents of Winnebago County; and

WHEREAS, it would be in the best interests of Winnebago County to accept these funds and use them for their intended purpose.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Health Department to accept a \$29,992 Health Watch Coalition of Wisconsin grant and apply the funds to costs to further develop the Tri-County Health Watch Coalition.

Submitted by:
BOARD OF HEALTH
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 184-22011: Approve Industrial Development Board Loan to the Town of Menasha

WHEREAS, Town of Menasha Town Board approved a resolution authorizing the Town to petition the Winnebago County Industrial Development Board for a loan of \$100,000 for the purpose of assisting Raven Manufacturing Inc to purchase a vacant manufacturing facility in the Town to expand and relocate its operations; and

WHEREAS, Winnebago County and its Industrial Development Board, are empowered to make such loans pursuant to the authority vested by Section 59.57(2)(f), Wisconsin Statutes; and

WHEREAS, The Town of Menasha projects that assisting said project will retain existing jobs and generate new jobs and create additional new tax base within that community and within Winnebago County; and

WHEREAS, On February 1, 2011, the Industrial Development Board has approved said loan request and is requesting that the County Board of Supervisors of the County of Winnebago approve the project for funding at this time.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that funds in the amount of \$100,000 shall be made available to the Town of Menasha from Winnebago County Industrial Development Board with such loan agreement to be for a period of five (5) years at an interest rate equal to the rate of return on Winnebago County's Pool Investment Fund plus .25% on the date that the loan is made. Said interest rate shall be adjusted as of January 1 of each year to the average rate of return on Winnebago County's Pool Investment Fund for the previous year plus .25%. Interest shall be due on the 31st day of December of every year on said loan and the principal of said loan plus any remaining interest shall be due to the Winnebago County Industrial Development Board on the 5th year anniversary date of said loan.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Industrial Development Board and any necessary County officers are authorized to execute an agreement between the Winnebago County Industrial Development Board and the Town of Menasha for the project and for said loan.

Submitted by:
INDUSTRIAL DEVELOPMENT BOARD

Motion by Supervisor Kline and seconded to adopt. Ayes: 29. Nays: 0. Excused: 4 – Miller, Widener, Hamblin and Neubauer. Absent: 2 - Diakoff and Egan. CARRIED.

RESOLUTION NO. 185-22011: Designate the Week of April 4 through April 8, 2011 as "Work Zone Safety Awareness Week" in Winnebago County

WHEREAS, the Federal Highway Administration has designated April 19, 2011 through April 23, 2011 as National Work Zone Safety Awareness Week; and

WHEREAS, in a typical year, over one thousand people are killed in work zones nationwide, either as drivers, passengers or pedestrians; and

WHEREAS, in the past few years Wisconsin work zones have averaged approximately 1,200 accidents annually with an average of 15 fatalities per year; and

WHEREAS, Marc Neumeyer and Dan Melhorn, employees of the Winnebago County Highway Department were fatally injured on March 7, 2006 while working in a work zone on USH 41; and

WHEREAS, Workzone Safety Awareness Week in Winnebago County will again be dedicated to the memory of Marc Neumeyer and Dan Melhorn in 2011.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the week of April 4, 2011 through April 8, 2011 is designated "Work Zone Safety Awareness Week" in Winnebago County.

Submitted by:
HIGHWAY COMMITTEE

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

RESOLUTION NO. 186-22011: Request Authority to Apply For Funds For Maintenance Of County-Owned Snowmobile Trails

WHEREAS, Winnebago County is interested in maintaining County owned and leased lands for public snowmobile trail use; and

WHEREAS, funds are available for snowmobile trail maintenance as well as snowmobile trail bridge building and repair through the Department of Natural Resources pursuant to Sec. 23.09(26), Wisconsin Statutes; and

WHEREAS, in order to participate in this project it is necessary that the County Board authorize submittal of an application for said funds.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the County Executive and the County Clerk are hereby authorized to make application on behalf of Winnebago County with the Department of Natural Resources, pursuant to Sec. 23.09(26), Wisconsin Statutes, for any financial aid that may be available for public snowmobile trail maintenance as well snowmobile trail bridge building and repair in Winnebago County.

Submitted by,
PARKS AND RECREATION COMMITTEE

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

RESOLUTION NO. 187-22011: Authorize Execution Of Lease Agreement Between Winnebago County And Winnebago County Fair Association

WHEREAS, Winnebago County recognizes the County Fair as an important family event that benefits the quality of life in Winnebago County; and

WHEREAS, the Winnebago County Fair Association wishes to continue providing the County Fair as an event that celebrates the cultural, educational, and recreational traditions of Winnebago County.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes that the County Executive and County Clerk be and they hereby are authorized to execute the lease agreement between Winnebago County and Winnebago County Fair Association for a term beginning March 1, 2011 and ending December 31, 2015. A copy of the lease agreement is attached hereto and incorporated herein for reference.

Submitted by:
PARKS & RECREATION COMMITTEE

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

RESOLUTION NO. 188-22011: Authorize Beverage Pouring Rights Agreement Between Winnebago County and Pepsi Cola General Bottlers, Inc.

WHEREAS, Pepsi Americas Inc. (hereinafter referred to as "Pepsi") desires to enter into a beverage pouring rights agreement with Winnebago County whereby Pepsi would become the official beverage of the Winnebago County Parks Department and would thereby be provided with exclusive sales and advertising rights on predetermined Parks properties; and

WHEREAS, pursuant to this agreement, Lessees of Parks properties would agree to sell exclusively Pepsi beverage products at events which they sponsor; and,

WHEREAS, pursuant to this agreement, Pepsi would be granted rights allowing it to install and maintain soda vending machines on predetermined Parks properties; and

WHEREAS, in exchange for both its financial and material support, Winnebago County would extend to Pepsi certain promotional privileges including the right to post specified advertising related materials on predetermined Parks properties; and,

WHEREAS, in conjunction with this agreement, Pepsi would annually pay Winnebago County a support payment of \$1,000.00 as well as a compensatory sum based upon the total amount of beverage cases sold on Parks properties multiplied by the beverage case commission rate applicable within any given year over the term of the agreement; and,

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and Winnebago County Clerk to enter into an agreement with Pepsi for beverage pouring rights on Parks properties which shall run through December 31, 2015 and shall contain those major terms described above. A copy of the lease agreement is attached hereto and incorporated herein for reference.

Submitted by:
PARKS & RECREATION COMMITTEE

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

Motion by Supervisor Robl and seconded to adjourn until Tuesday, March 1, 2011. CARRIED BY VOICE VOTE.

The meeting was adjourned at 9:15 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 February 22, 2011.

Susan T. Ertmer
Winnebago County Clerk