

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, MAY 16, 2017**

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

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

The following Supervisors were present: Konetzke, Harpt, Eisen, Ramos, Roh, Smith, Long, Scherck, Albrecht, Gabert, Binder, Thompson, Olson, Wojciechowski, Gordon, Wingren, Norton, Warnke, Robl, Singstock, Powers, Locke, Hegg, Finch, Youngquist, Farrey, Rasmussen, Egan, Ellis, Snider and Kriescher. Excused: Barker, Lautenschlager, Brooks and Keller. There is one vacant position on the board.

Motion by Supervisor Robl and seconded by Supervisor Ellis to adopt the agenda with one correction, Resolution No. 144-52017 should have been Ordinance No. 144-52017. CARRIED BY VOICE VOTE.

PUBLIC HEARING

John Rowe, Vice-President of Operations for Cumulus Media spoke in favor of Resolution No. 140-52017: Authorizing a Media Sponsor Licensing Agreement Between Winnebago County and Cumulus Broadcasting.

COMMUNICATIONS AND PETITIONS

The following correspondence was presented to the Board by Sue Ertmer, County Clerk:

- Resolutions from Other Counties:
 - Dunn County – “Resolution No. 30 – Supporting Creation of a Nonpartisan Procedure for the Preparation of Legislative and Congressional Redistricting Plans” was referred to the Legislative Committee.
 - Outagamie County – “Resolution No. 154-2016-17 – Supports the State of Wisconsin’s proposed Recount Reform Bill” was referred to the Legislative Committee.
- Petition for Zoning Amendments
 - No. 001 – A zoning request from Keith Halder, Town of Poygan, for tax parcel no. 020-0032-03(p), to rezone from A-2 to R-1 for a single family residence was referred to the Planning and Zoning Committee.
 - No. 002 – A zoning request from Kenneth Walter, Town of Oshkosh, for tax parcel no. 018-0549-09 & 018-0549(p), to rezone from A-2 to R-1 for a single family residence was referred to the Planning and Zoning Committee.
 - No. 003 – A zoning request from Douglas Falk, Town of Winneconne, for tax parcel no. 030-0171-03, to rezone from B-2 to B-3 for personal storage facilities and bus storage facility was referred to the Planning and Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Roh commented on Resolution No. 084-122016 involving three committees, Facilities and Property Management; Personnel and Finance and Aviation. He stated that none of the committees actually voted on this resolution as presented. The resolution had been revised by adding lines 26 – 31 to the original resolution. Mr. Roh is troubled that it was even placed on the agenda for this meeting. Chairman Albrecht reminded Supervisor Roh that this resolution is being withdrawn from tonight’s agenda.

Supervisor Egan reported that the Legislative Committee meeting will be cancelled for this month due to lack of agenda items.

Supervisor Egan reported that the Planning and Zoning Department is two staff members short. He wanted to let everyone know in case of complaints regarding things not getting done. Public forum hearings for the Planning & Zoning Committee will be held on the 3rd floor of the Administration Building while the 4th floor is being reconstructed.

Motion by Supervisor Robl and seconded by Supervisor Farrey to approve the April 18, 2017 meeting proceedings. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE’S REPORT

Executive Mark Harris reported on an item that will be placed on a future agenda. Winnebago County is part of a six-county coalition in the Fox Valley Workforce Development Board. This board received an unfavorable audit from the Department of Labor. The board is currently working through differences with the Department of Labor to reach a settlement agreement. The settlement could be \$102,000.00 that would be divided between the six counties.

Executive Harris reminded the board that the Milwaukee Bucks have picked Oshkosh for the location of their D-League team and that a group of investors have chosen the Buckstaff property for this venue. There are still issues with delinquent property taxes on this property. The County Treasurer will be bringing a resolution to the board regarding this issue.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported that Supervisors Brooks and Keller asked to be excused from tonight's meeting. Chairman Albrecht asked everyone to keep Supervisor Keller in their prayers as he faces health issues.

PRESENTATION OF THE 2017 WINNEBAGO COUNTY SCHOLARSHIPS

Chairman Albrecht presented the following students with Scholarship Certificates, Winnebago County History Books and checks:

- Rylee Mory, Neenah High School
- Macrina Kayllan Schry, Lourdes Academy
- Collin Haese, Neenah High School
- Allison Konrad, Oshkosh North High School
- Michelle Lokken, Oshkosh North High School
- Spencer Wein, Winneconne High School
- Lexi Tierney, Appleton North High School
- Natalie Roh, Neenah High School

The students told the Board what school they would be attending and what they were majoring in. Kayla Hubbard of Valley Christian High School was not able to attend tonight's meeting:

PRESENTATION OF 2017 SCHOLARSHIP FOR "CONTINUING EDUCATION IN THE FIELD OF PSYCHOLOGY"

Dr. Bill Topel, Director of Human Services, presented a Wisconsin County Human Services Association Scholarship for "Continuing Education in the field of Psychology" to Jazmay Felder. Ms. Felder was awarded this scholarship at the Wisconsin County Human Services Conference held May 5, 2017 in Elkhart Lake. The award is a \$250.00 scholarship for continuing education in the human services area.

Ms. Felder stated that she will be attending UW Fox Valley for psychology and education to be a guidance counselor. She will finish at UW-Oshkosh. Ms. Felder thanked everyone for the scholarship.

"ON-LINE STORE" FOR PERSONAL PURCHASE OF COUNTY-LOGO APPAREL

Sue Ertmer, County Clerk, explained the "on-line store" where supervisors and employees can order shirts from the County's website. There are a number of different styles including windbreakers. Ms. Ertmer explained where to find instructions to order on the website. Chairman Albrecht and Executive Harris have approved the "store".

ZONING REPORTS & ORDINANCES

Report No. 001 – A report from the Planning and Zoning Committee regarding a requested zoning change from Lori Chevalier and John Ross, Town of Neenah, to change from B-3 Regional Business to R-1 Rural Residential for tax parcel no. 010-0339. Motion by Supervisor Long and seconded by Supervisor Gabert to accept. CARRIED BY VOICE VOTE.

Amendatory Ordinance No. 05/01/17 – A requested zoning change from B-3 to R-1 for tax parcel no. 010-0339. Motion by Supervisor Long and seconded by Supervisor Gabert to adopt. CARRIED BY VOICE VOTE. (Effective Date: May 19, 2017)

Report No. 002 – A report from the Planning and Zoning Committee regarding a requested zoning change from CMA Investments, LLC, Town of Oshkosh, to change from R-1 Rural Residential to I-1 Light Industrial for tax parcel no. 018-0074. Motion by Supervisor Gabert and seconded by Supervisor Olson to accept. CARRIED BY VOICE VOTE.

Amendatory Ordinance No. 05/02/17 – A requested zoning change from R-1 to I-1 for tax parcel no. 018-0074. Motion by Supervisor Gabert and seconded by Supervisor Egan to adopt. CARRIED BY VOICE VOTE. (Effective Date: May 19, 2017)

Amendatory Ordinance No. 3 – A requested zoning change from the Town of Utica on behalf of Warren Davies, to rezone from A-2 Agriculture General Farming to RR Rural Residential Recreational for tax parcel no. 024-0544. Motion by Supervisor Egan and seconded by Supervisor Ellis to accept. CARRIED BY VOICE VOTE. (Effective Date: May 19, 2017)

RESOLUTIONS AND ORDINANCES

RESOLUTION NO. 84-122016: Authorize the Construction of a New Aviation Business Center (Terminal Building Replacement) at a Cost of \$5.5 Million to be Funded with the Issuance of General Obligation Promissory Notes

WHEREAS, the current terminal/office building has deteriorated significantly over the years and is in need of major improvements such as a new roof, HVAC system components, windows, and plumbing; and

WHEREAS, the current facilities, with combined 43,790 square feet and constructed principally as an airline terminal, are occupied by the County Airport administration and other building tenants, which utilize 18,720 square feet; and

WHEREAS, the current building structure and layout does not lend itself to renovation for expanded interior revenue-generating space; and

WHEREAS, the cost of replacing the roof and making other significant repairs and improvements to the existing buildings does not justify the expense in light of the amount of space currently used and needed in the facility; and

WHEREAS, a smaller energy-efficient building is needed to replace the outdated obsolete older buildings; and

WHEREAS, the razing of the existing buildings and construction of a new Aviation Business Center will convert unused parking lots and vacant land into developable revenue-generating property for future aviation and supporting businesses; and

WHEREAS, the County Board approved hiring an architect, and the architect has developed a plan with a budget of \$5.5 million; and

WHEREAS, funding from the Federal Aviation Administration (FAA) Airport Improvement Fund (AIP) and the Wisconsin Department of Transportation (DOT) Bureau of Aeronautics (BOA) is not available for 2017, and the possibility of funding for 2018 or later will not be known until later in 2017; and

WHEREAS, Wittman Regional Airport held a public hearing on April 27, 2017, to solicit input on various projects, including the construction of a new terminal/Aviation Business Center and razing of the existing terminal and west wing, for which the airport is petitioning federal and state funding; and

WHEREAS, it would be prudent to move forward with the project at this time.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates a total of \$5.5 million to the construction of a new Aviation Business Center facility.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to construct the facility shall be advanced from the General Fund of Winnebago County with said fund being reimbursed from subsequent bond issues.

Submitted by:
AVIATION COMMITTEE
FACILITIES AND PROPERTY MANAGEMENT COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

WITHDRAWN.

RESOLUTION NO. 138-52017: Commendation for Patricia R. Owen

WHEREAS, Patricia R Owen has been employed with Park View Health Center for the past thirty-three (33) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Patricia R Owen 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 is hereby extended to Patricia R Owen for the fine services she has rendered to Winnebago County.

BE IT FURTHER RESOLVED that the Winnebago County Clerk send a copy of this Resolution to Patricia R Owen.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 139-52017: Disallow Claim of Taiye Philips Oriaran

WHEREAS, your Personnel and Finance Committee has had the claim of Taiye Philips Oriaran 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 Taiye Philips Oriaran, filed with the County Clerk on March 8, 2017, 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 Rasmussen and seconded by Supervisor Ellis to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 140-52017: Authorize a Media Sponsor Licensing Agreement Between Winnebago County and Cumulus Broadcasting

WHEREAS, Cumulus Broadcasting is a corporate provider of radio broadcast services originating out of the Fox Cities that is capable of transmitting to the Upper Peninsula and to points just north of Milwaukee; and

WHEREAS, Cumulus Broadcasting desires to enter into a media licensing agreement with Winnebago County whereby Cumulus Broadcasting would become the radio broadcast media provider of the Winnebago County Parks Department and would thereby be provided with exclusive rights to maintain a mutually-favorable relationship with the Parks Department to serve the marketing interests and efforts of both parties; and

WHEREAS, pursuant to this agreement, Cumulus Broadcasting would be granted the right to install up to two advertising signs to be displayed at locations included on a list of predetermined Parks Department properties; and

WHEREAS, pursuant to this agreement, Cumulus Broadcasting would be granted rights allowing onsite presence during events at a predetermined location regardless of event sponsor, the ability to set up a portable broadcast station and transmit from predetermined sites, the right to display five (5) banners to be located at predetermined sites and place flyers in kiosks at boat landings and trail heads, and the right to include its logo on the Parks Department's webpage with a link to the Cumulus Broadcasting's webpage; and

WHEREAS, in exchange for its product support, Winnebago County will receive a minimum of four (4) separate prerecorded radio spots of 60 seconds in duration to be broadcast a minimum of fifty-two (52) spots throughout the calendar year; and

WHEREAS, the aforementioned agreement would expire on December 31, 2021, with Cumulus Broadcasting being provided the first right to renegotiate said agreement for an additional term. A copy of said agreement may be obtained from the Winnebago County Parks Director or Winnebago County Corporation Counsel and is incorporated herein by reference as a part of this Resolution.

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 Cumulus Broadcasting, which shall run through December 31, 2021, and shall contain those major terms described above.

Submitted by:
PARKS COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 141-52017: Authorize Contract Between AT&T and Winnebago County for Telephone Line Service

WHEREAS, the Centrex telephone line service between Winnebago County and AT&T will expire on June 30, 2017; and

WHEREAS, AT&T offers competitive State contract pricing, for the provision of telephone line services; and

WHEREAS, AT&T presently the copper terminating inside our buildings, which eliminates the need for a third party when troubleshooting downtime; and

WHEREAS, the required service currently covers 176 specific lines for items including fax, modems, alarms, elevator alerts, and security devices throughout several Winnebago County buildings; and

WHEREAS, without this multi-year contract, Winnebago County would be required to pay month-to-month pricing for the required service. Currently the month-to-month charges would be an additional \$4,180 per month above the cost of the current contract. Over three years, this would amount to approximately \$150,480.00 (\$4,180 X 12 X 3) in additional costs; and

WHEREAS, the undersigned Committees recommend that the Winnebago County Board of Supervisors and the Winnebago County Executive approve said contract between Winnebago County and AT&T.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the extension of the contract between Winnebago County and AT&T for the provision of Centrex telephone line service to Winnebago County buildings pursuant to those terms as are contained in the attached proposed contract, which is made a part of this Resolution herein by reference.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said contract shall be for a term beginning July 1, 2017, and expiring on April 30, 2020.

Submitted by:
INFORMATION SYSTEMS COMMITTEE

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

RESOLUTION NO. 142-52017: Amend the Table of Organization for the Winnebago County Human Services Department—Administrative Services Division

WHEREAS, prior to filling a currently vacant position the duties, responsibilities, and workloads of certain administrative employees in the Administrative Division of the Human Services Department have been examined and reevaluated; and

WHEREAS, it appears possible to combine the duties currently performed by a half-time Administrative Associate—Human Services position and by a full-time Administrative Associate III position into one full-time Administrative Associate—Human Services position; and

WHEREAS, combining these two administrative positions is expected to improve efficiency of Department operations while reducing the number of authorized employees by 0.5 FTE, resulting in a cost savings to Winnebago County;

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that it hereby amends the Table of Organization for the Winnebago County Human Services Department, Administrative Services Division, by deleting one full-time Administrative Associate III position and one part-time Administrative Associate – Human Services position, and by adding one full-time Administrative Associate—Human Services position, effective immediately.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 143-52017: Authorize Execution of Airport Lease Between Janie Gee Aviation Inc and Winnebago County

WHEREAS, Janie Gee Aviation Inc desires to lease Building 1-2 at Wittman Regional Airport for a three (3) year period, with rent to be established at \$837.84 per month plus sales tax during the first year of the lease, \$837.89 plus sales tax, plus the average Consumer Price Index for all Urban Consumers (CPI-U) for the past year in the second year of the lease, and the monthly rate in year 2 plus the CPI-U for year 2 plus tax in the third year of the lease; and

WHEREAS, said lease would run from February 1, 2017, through January 30, 2020; and

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

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves a three (3) year lease between Winnebago County and Janie Gee Aviation Inc for Building 1-2 at Wittman Regional Airport pursuant to those terms as stated above. A complete copy of said lease is available upon request from the Wittman Regional Airport Manager and incorporated herein by reference as a part of this Resolution.

Submitted by:
AVIATION COMMITTEE

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

ORDINANCE NO. 144-52017: Amend Chapter 11 of the General Code of Winnebago County: Health and Social Services

WHEREAS, the Winnebago County Board of Health annually requests the Winnebago County Board of Supervisors to amend Appendix A of Chapter 11 of the General Code of Winnebago County so as to update its Permit Fee Schedule for the period from July 1 through June 30 of the upcoming year for the purpose of amending any fees to reflect changes in State law and to amend any fees so as to reflect any increased or decreased costs to the Winnebago County Department of Health; and

WHEREAS, the Winnebago County Board of Health has approved the attached 2017-2018 Permit Fee Schedule and recommends that Chapter 11 of the General Code of Winnebago County be amended upon the adoption of said Fee Schedule; and

WHEREAS, the Winnebago County Board of Health is further recommending that Chapter 11 of the General Code of Winnebago County be amended so as to delete Appendix B of Chapter 11 of the General Code of Winnebago County in that said Appendix existed solely for the purpose of regulating high-risk sexual conduct establishments within the City of Oshkosh subsequent to the mergers of the City of Oshkosh Health Department into the Winnebago County Department of Health. Said Appendix is no longer necessary in that high risk sexual conduct establishments no longer exist within the City of Oshkosh.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors for Winnebago County that Appendix B of Chapter 11 of the General Code of Winnebago County is herewith rescinded.

BE IT FURTHER ORDAINED by the Board of Supervisors for Winnebago County that Appendix A of Chapter 11 of the General Code of Winnebago is hereby amended to read as indicated in the attached document, marked as Appendix A: Winnebago County Health Department 2017-2018 Permit Fee Schedule.

BE IT FURTHER ORDAINED by the Board of Supervisors for Winnebago County that amendments to Chapter 11 of the General Code of Winnebago County as set forth herein shall become effective as of July 1, 2017.

Submitted by:
BOARD OF HEALTH

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

RESOLUTION NO. 145-52017: Urge Legislature to Review and Amend ATCP 49.12(1)(c), Wis Admin Code

WHEREAS, the Winnebago County Board of Supervisors approved a Farmland Preservation Plan over four years ago; and

WHEREAS, allows for voluntary landowner preference as a criteria for placement of property within Winnebago County's farmland preservation plan; and

WHEREAS, Winnebago County is presently in the process of updating its Farmland Preservation Plan, which will be submitted, upon completion, to the Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP) for certification; and

WHEREAS, officials with the DATCP have already notified Winnebago County that the agency will not certify an updated Farmland Preservation Plan if such Plan requests language that allows placement of property within the Farmland Preservation Program to be based solely upon the preference of the property owner. Officials of the DATCP have taken this stance based upon ATCP 49.12(1)(c), Wis Admin Code, which reads "The rationale [for placement on the Farmland Preservation Program] may not be based primarily on landowner preferences"; and

WHEREAS, your undersigned believes that § 91.16, Wis Stats, "Certification of Plan by the Department" does not contain language which supports the language contained in ATCP 49.12(1)(c), Wis Admin Code; and

WHEREAS, Winnebago County's present Farmland Preservation Plan has provided the opportunity for landowners to receive approximately \$97,000 in tax credits from the voluntary participation of approximately 12,934 acres in the Farmland Preservation Program.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors as follows: That it hereby urges the Wisconsin State Legislature to review ATCP 49.12, Wis Admin Code and to consider rescinding ATCP 49.12(1)(c), Wis Admin Code, which prohibits the rationale for placement of a parcel of property in the Farmland Preservation Plan from being based primarily on landowner preferences.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it directs the Winnebago County Clerk to transmit a copy of this Resolution to all legislators representing constituents within Winnebago County within the Wisconsin State Legislature; to the Wisconsin Counties Association; and to the Office of Governor Scott Walker.

Submitted by:
CHUCK FARREY, District 30

Motion by Supervisor Farrey and seconded by Supervisor Snider to adopt.

Motion by Supervisor Wingren and seconded by Supervisor Smith to send Resolution back to the Legislative Committee. Vote: AYES: 11 – Konetzke, Roh, Smith, Long, Thompson, Wingren, Norton, Robl, Singstock, Powers and Finch. NAYES: 20. ABSTAIN – 0. ABSENT – 4 – Barker, Lautenschlager, Brooks and Keller. There is one vacancy on the Board. LOST.

Vote on Resolution: AYES: 29. NAYES: 2 – Wingren and Finch. ABSTAIN: 0. ABSENT: 5 – Barker, Lautenschlager, Brooks and Keller. There is one vacancy on the Board. CARRIED.

Motion by Supervisor Robl and seconded by Supervisor Konetzke to adjourn until the June 20, 2017 meeting at 6:00 p.m. The meeting was adjourned at 6:42 p.m.

Submitted by:
Julie A. Barthels
Winnebago County Deputy Clerk

State of Wisconsin)
County of Winnebago) ss

I, Julie A. Barthels, 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 May 16, 2017.

Julie A. Barthels
Winnebago County Deputy Clerk