

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, OCTOBER 15, 2019**

Chairman Shiloh Ramos 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: 31 - Konetzke, Brunn, Borchart, Eisen, Ramos, Defferding, Smith, Nussbaum, Spellman, Albrecht, Gabert, Binder, Konrad, Schorse, Wojciechowski, Gordon, Lautenschlager, Norton, Warnke, Singstock, Buck, Locke, Wise, Finch, Youngquist, Rasmussen, Keller, Egan, Ellis, Snider and Joas. Excused: 5 – Lenz, Wingren, Powers, Farrey and Robl.

Motion by Supervisor Albrecht and seconded by Supervisor Konetzke to adopt the agenda for tonight's meeting with an amendment to the agenda, Resolutions 223-102019 and 227-102019 will be brought forward before Resolution 217-102019. CARRIED BY VOICE VOTE.

PUBLIC HEARING

The following persons spoke in support of Ordinance No. 223-102019 – “Amend Section 19.13 of the General Code of Winnebago County Regarding the Handling of Domesticated Animals in Specified Areas of the Winnebago County Park System”:

- Kate Harrell, 1624 Doemel Street, Oshkosh
- Dwight Mason, 4085 Summerview Drive, Oshkosh
- Jeanne Smith, 1315 W. 5th Avenue, Oshkosh
- Amy Mehling, 2659 Templeton Place, Oshkosh
- Rachel Stoffel, 2531 Bowen Street, Oshkosh
- Shanna Her, 4090 Sharratt Drive, Oshkosh
- Amy Schwab, 3955 Prairie Court, Oshkosh
- Gabriella Pereira da Silva, 4090 Summerview Drive, Oshkosh
- Lilly Ames, 1055 Zacher Drive, Oshkosh
- Richard Schwab, 3955 Prairie Court, Oshkosh
- Kara Hartkopf, 1630 Covington Drive, Oshkosh
- Jessica Graf, 410 Dakota Street, Oshkosh
- Rebecca Graf, 873 Jackson Avenue, Omro
- Mary Flacke
- Jamie Schwarz, 1265 Maricopa Drive, Oshkosh
- Kim Redlin, 810 Graceland Drive, Oshkosh
- Tara Feiter, 3990 Summerview Drive, Oshkosh
- Kiley Oestrich, 1960 W. Snell, Oshkosh
- Bill Schwab, 916 Lincoln Street, Menasha
- Annie Venrooy, 2385 Abbey Avenue, Oshkosh
- Stephanie Pereira da Silva, 4090 Summerview Drive, Oshkosh
- Tim Moore, 1719 Chestnut, Oshkosh
- Feiter siblings, 3990 E. Sunnyview Drive, Oshkosh

The following person spoke in opposition of Ordinance No. 223-102019 – “Amend Section 19.13 of the General Code of Winnebago County Regarding the Handling of Domesticated Animals in Specified Areas of the Winnebago County Park System”:

- Ken Friedman, 1275 Huron Court, Oshkosh

The following person spoke in support of Amendatory Ordinance No. 09/03/2019 – Winnebago County Zoning Department is requesting a text and map amendment to the Floodplain Zoning, Chapter 26, of the Winnebago County General Code:

- Steve Gohde, City of Oshkosh, Assistant Director of Public Works
- Allen Davis, City of Oshkosh, Community Development Director

The following persons expressed concern regarding Amendatory Ordinance No. 09/03/2019 – Winnebago County Zoning Department is requesting a text and map amendment to the Floodplain Zoning, Chapter 26 of the Winnebago County General Code:

- George Gilles, 1625 Laurie Avenue, Oshkosh
- Jessica Bradley, 2633 Knott Road, Oshkosh
- Tracy Frost, 1675 Brentwood Drive, Oshkosh
- Kevin Radloff, 2162 James Road, Oshkosh
- Dennis Radloff, 2370 James Road, Oshkosh

The following person spoke in favor of finding ways to help the prison system in Wisconsin be more effective and avoid incarceration:

- Sister Mary Jo Selinsky, 2280 Patriot Lane, Oshkosh

COMMUNICATIONS AND PETITIONS

The following correspondence was presented to the board by Susan Ertmer, County Clerk:

- Zoning Petitions:
 - No. 1 – Petition for zoning change from Jason Bellis; Town of Winchester; for tax parcel no.028-0302-02; rezone from A-2 General Agriculture with wetland to A-2 General Agriculture without wetland was referred to the Planning and Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Snider announced that he celebrated his 50th Wedding Anniversary in Michigan's Upper Peninsula. While there, he noted ATV/UTV activity.

Supervisor Norton announced that an Aging and Disability Resource Center (ADRC) Adhoc Diversity Committee meeting will be held on Thursday, October 24, 2019 at 3:00 p.m. at the Winnebago County Human Services Department, Oshkosh. At 6:00 p.m., October 24th, Marcella Nicholson, Milwaukee County Board of Supervisor Vice-Chairman, will speak on "Racism as a Health Issue".

Supervisor Egan announced that there will be a Legislative Meeting on October 28, 2019 at 8:30 a.m. at the James P. Coughlin Building.

Motion by Supervisor Albrecht and seconded by Supervisor Konetzke to approve the proceedings from the September 3, 2019 special orders meeting and the September 17, 2019 county board meeting. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Mark Harris announced that the 2020 Winnebago County Budget Books are available on the County's website.

Executive Harris commended Marleah Keuler for Parkview Health Center being rated the number one nursing home in Wisconsin by Newsweek Magazine. Taking second place, is Brewster Village in Outagamie County. Brewster Village's Administrator, Morgan Hinkley, is a prior administrator at Park View Health Center.

Executive Harris announced that Justin Fisher, Senior Vice President of Robert W. Baird & Co., would be presenting the rates and terms of the bond issues.

Executive Mark Harris spoke in support of the following resolutions:

- Resolution No 220-102019: Authorize Execution of a Lease Agreement Extension Between Winnebago County and Oshkosh B'Gosh
- Resolution No. 225-102019: Authorize a Capital Project for the University of Wisconsin Oshkosh – Fox Cities Campus for an Addition to the Child Care Center at a Cost of \$267,300, Funded with an Advance from the General Fund to be Reimbursed from a Subsequent Bond Issue
- Resolution No. 226-102019: Authorize a Capital Project for the University of Wisconsin Oshkosh – Fox Cities Campus for the Reconstruction of the South Parking Lot at a Cost of \$167,600, Funded with an Advance from the General Fund to be Reimbursed from a Subsequent Bond Issue
- Resolution No. 230-102019: Approve Amendment #2 to the Ground Lease and Use Agreement Between Winnebago County and the Experimental Aircraft Association, Inc.
- Resolution No. 231-102019: Approve a Building Transfer Agreement Between Winnebago County and the Experimental Aircraft Association, Inc.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Ramos reported that Supervisors Farrey, Robl, Powers, Wingren and Lenz were excused from tonight's meeting.

Chairman Ramos reminded Supervisors that County Board Budget meetings will begin on Monday, October 28th at 6:00 p.m. They will continue on Tuesday, October 29 at 8:30 a.m. Tuesday is also County Government Day. Students from Winnebago County will tour the Courthouse and Administration Building, have lunch with Veterans and County Board Supervisors, and then participate in a mock county board budget meeting.

**ACKNOWLEDGEMENT OF OSHKOSH YOUTH
SOCCER ASSOCIATION'S (OYSA) DONATION FOR SOCCER FIELD IMPROVEMENTS**

Rob Way, Parks Director, accepted a donation from the Oshkosh Youth Soccer Association to be used to improve drainage on the soccer fields at County Park. Dave Edwards, President of the OYSA, presented the County with a check for \$2,172.00.

PROBLEM SOLVING APPROACH TO CRIMINAL JUSTICE

Christian Gossett, Winnebago County District Attorney, presented the board with a Problem-Solving Approach to Criminal Justice. Mr. Gossett provided information and numbers regarding education and incarceration. Wisconsin spends more on incarceration than it does on the UW System. Overall violent crime in the United States has fallen in the past 25 years, but violent crime in rural areas has surpassed the national average. Rural jurisdictions are more resistant to criminal justice reform and lighter sentences despite public support for more services and less support for mass incarceration. He provided graphs showing incarceration rates for different areas of the United States and the world.

Mr. Gossett reported on the reasons people are incarcerated. He provided reports showing the daily inmate population at the Winnebago County Jail. He stated what the District Attorney's office can do to impact the jail population. Mr. Gossett discussed how the District Attorney's office could improve, what the needs of jail population are, and what the community needs to do to provide help for this population. He provided a list of Justice Support Services. Mr. Gossett provided plans for renovations to the Orrin King building to be able to facilitate monitoring the capability of diversion programs instead of incarceration.

Mr. Gossett then took questions from the board. A copy of his presentation is available in the County Clerk's office.

ZONING REPORTS & ORDINANCES

- Report No. 003 – A report from the Planning and Zoning Committee regarding a requested Text and Map Amendment to the Floodplain Zoning Code, Chapter 26 of the Winnebago County General Code. Motion by Supervisor Egan and seconded by Supervisor Brunn to accept. Motion by Supervisor Eisen and seconded by Supervisor Smith to refer back to the Planning and Zoning Committee: Vote to Refer Back: AYES: 31; NAYES: 0; ABSTAIN: 0; ABSENT: 5 - Lenz, Wingren, Powers, Farrey and Robl.
 - Amendatory Ordinance No. 09/03/2019 – A request from the Winnebago County Zoning Department for a text and map amendment to the Floodplain Zoning Code, Chapter 26 of the Winnebago County General Code. Motion by Supervisor Egan and seconded by Supervisor Finch to adopt. Motion by Supervisor Eisen and seconded by Supervisor Lautenschlager to refer Amendatory Ordinance No. 09/03/2019 back to the Planning and Zoning Committee. Vote to Refer Back: CARRIED BY VOICE VOTE.
- Report No. 001 – A report from the Planning and Zoning Committee regarding a requested zoning change from Kevin J. and Nancy E. Hoppe, Town of Clayton, for tax parcel no. 006-0849-01. Motion by Supervisor Egan and seconded by Supervisor Gabert to accept. CARRIED BY VOICE VOTE.
 - Amendatory Ordinance No. 10/01/19 – A requested zoning change from A-2 General Agriculture to R-1 Rural Residential for tax parcel no. 006-0849-01. Motion by Supervisor Egan and seconded by Supervisor Gabert to adopt. CARRIED BY VOICE VOTE. (Effective Date: October 21, 2019).
- Report No. 002 – A report from the Planning and Zoning Committee regarding a requested zoning change from Dennis Lang, Town of Winneconne, for tax parcel no. 030-0064(p). Motion by Supervisor Snider and seconded by Supervisor Gabert to accept. CARRIED BY VOICE VOTE.
 - Amendatory Ordinance No. 10/02/19 – A requested zoning change from A-2 General Agriculture to R-2 Suburban Low Density Residential for tax parcel no. 030-0064(p). Motion by Supervisor Snider and seconded by Supervisor Gabert to adopt. CARRIED BY VOICE VOTE. (Effective Date: October 21 2019).

RESOLUTIONS & ORDINANCES

**ORDINANCE NO. 223-102019: Amend Section 19.13 of the General Code of Winnebago County
Regarding the Handling of Domesticated Animals in Specified Areas of
the Winnebago County Park System**

WHEREAS, for several decades, Winnebago County has maintained a set of policies that allow owners of domesticated animals access to specified parklands deemed appropriate for facilitating on-leash and off-leash activities, or a combination thereof; and

WHEREAS, your undersigned Committee is interested in increasing the recreational opportunities made available to owners of domesticated animals by expanding their access to other areas of Winnebago County park property; and

WHEREAS, your undersigned Committee does hereby recommend that Section 19.13 of the General Code of Winnebago County be amended to provide owners of domesticated animals increased on-leash access to specified areas of park property.

NOW, THEREFORE, THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WINNEBAGO DOES ORDAIN AS FOLLOWS: that it hereby amends Section 19.13 of the General Code of Winnebago County to read as follows:

~~(1) No person shall bring or permit any animal in any County park at any time unless the animal is on a leash of suitable strength and not more than eight (8) feet long.~~

~~(2) No person shall bring or permit any animal except a seeing-eye dog, whether on a leash or not, to be in any building or on any designated bathing beach at any time in any County park.~~

~~(3) Animals must be under control at all times so they will not disturb or prevent the public from enjoying the facilities provided.~~

~~(4) Nothing in this section shall prohibit or restrict the use of dogs in posted dog training exercise areas.~~

~~(5) No person shall bring a horse into or ride a horse in any park or recreation trail except that horseback riding shall be permitted in areas specially designated for horses.~~

~~(6) There shall be no dog training or running either on or off leash at the Asylum Point Park during the period April 15 through July 15 in any year.~~

~~(7) Dogs shall be allowed to run off leash within the signed designated fenced enclosure located in the northeast portion of the Winnebago County Community Park. No dog shall be permitted in any other area of the Winnebago County Community Park.~~

~~(8) No person shall bring or permit any animal to be present on a county operated recreation trail unless the animal is on a leash of suitable strength and not more than eight (8) feet long.~~

19.13 PETS AND ANIMALS.

No domesticated animals shall be allowed onto Park property, except as follows:

(1) With the exceptions as noted in Section 19.13(4)(5)(11)(12)&(14), no person shall bring or permit any domesticated animal onto Park property at any time unless the animal is on a leash of suitable strength with a maximum length of six (6) feet.

(2) Leashed animals are allowed on the WIOUWASH and Mascoutin Valley State Recreation Trails and at specified times at the Sunnyview Exposition Center during scheduled events and per the edicts set-forth within the Sunnyview Exposition Center Policy Statement/Administrative Directive.

(3) Persons shall be allowed to have domesticated animals on-leash at County boat landings only when being transferred from vehicles to boats, or boats to vehicles.

(4) With the exception of the section of Community Park shared use path crossing through the Community Park Natural Way, persons shall be allowed to have domesticated animals on-leash on the Community Park shared use path and such persons shall be permitted to utilize those Community Park parking lots that abut the shared use path to facilitate direct transfer of their animal(s) from vehicle to path, or from path to vehicle.

(5) No person shall bring or permit any animal except a service animal access into any building or onto any Nature Area, nor onto any parkland including disc golf courses, rugby and soccer fields, prairie plantings, playgrounds or play areas, shade shelters, ballfields, ponds, picnic or lawn areas, or public event areas.

(6) While on the Community Park shared use path domesticated animals shall yield to bicycles, strollers, roller bladders, skate boarders, walkers, runners, those using mobility assistance devices, and, with the exception of marked crosswalks, all motorized vehicles.

(7) No leashed animals shall be allowed on the segment of shared use path within the Community Park soccer complex during sports tournament events unless written permission is granted by the Director.

(8) Persons making use of either the Community Park on-leash or off-leash facilities shall be allowed to shepherd a maximum of two dogs at any given time.

(9) Animals must be under control at all times so they will not disturb the park setting or prevent the public from enjoying the facilities provided.

(10) No person shall bring a horse into or ride a horse onto Park property except that horseback riding shall be permitted in areas specially designated for horses.

(11) Nothing within Winnebago County General Code Chapter 19.13 shall prohibit or restrict dogs from being present in posted off-leash dog park areas.

(12) Service animals as defined by the ADA are allowed onto all Park property with on-leash restrictions excepting where these devices interfere with the service animal's work or the individual's disability prevents using these devices.

(13) Owners are required to clean up any waste deposited by their domesticated animal and properly dispose of it off-site.

(14) Rules set forth in Winnebago County General Code Chapter 19.13 may be waived by the Director or his/her designee as circumstances may require for fixed periods of time.

Motion by Supervisor Finch and seconded by Supervisor Norton to adopt. CARRIED BY VOICE VOTE.
Passage of Ordinance No. 223-102019 amends Sec. 19.13 of the General Code of Winnebago County to provide owners of domesticated animals increased on-leash access to specified areas of park property.

A copy of Ordinance No. 223-102019 is available from the Winnebago County Clerk's Office, 112 Otter Avenue, Oshkosh, Wisconsin. This information is also available in the General Code section of Winnebago County's website at: <http://www.co.winnebago.wi.us/GeneralCode>

RESOLUTION NO. 227-102019: Awarding the Sale of \$9,575,000 General Obligation Promissory Notes

WHEREAS, on September 17, 2019, the County Board of Supervisors of Winnebago County, Wisconsin (the "County"), by a vote of at least 3/4 of the members-elect, adopted a resolution (the "Initial Resolution") authorizing the issuance of general obligation promissory notes (the "Notes") in an amount not to exceed \$9,575,000 for the public purpose of paying the cost of constructing, remodeling, demolishing and improving roads, highways, bridges, buildings and sites, including airport runway projects, and acquiring and installing furnishings, fixtures and equipment (the "Project"); and

WHEREAS, it is the finding of the County Board of Supervisors that it is necessary, desirable and in the best interest of the County to sell the Notes to Robert W. Baird & Co. Incorporated (the "Purchaser"), pursuant to the terms and conditions of its note purchase proposal attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal").

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1. Sale of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, and the Initial Resolution, the principal sum of NINE MILLION FIVE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$9,575,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal is hereby accepted and the Chairperson and County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. To evidence the obligation of the County, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, the Notes aggregating the principal amount of NINE MILLION FIVE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$9,575,000) for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes"; shall be issued in the aggregate principal amount of \$9,575,000; shall be dated November 5, 2019; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on April 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit B-1 and incorporated herein by this reference. Interest shall be payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2020. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit B-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes maturing on April 1, 2027 and thereafter are subject to redemption prior to maturity, at the option of the County, on April 1, 2026 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the County, and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

If the Proposal specifies that any of the Notes are subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference. Upon the optional redemption of any of the Notes subject to mandatory redemption, the principal amount of such Notes so redeemed shall be credited against the mandatory redemption payments established in Exhibit MRP for such Notes in such manner as the County shall direct.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2019 through 2028 for the payments due in the years 2020 through 2029 in the amounts in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time as other

taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Promissory Notes, dated November 5, 2019" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the County above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the County and disbursed solely for the purpose or purposes for which borrowed. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws.

(a) The County represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes shall provide an

appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax Exempt Obligations. The Notes are hereby designated as "qualified tax exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax exempt obligations.

Section 11. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 12. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the County Clerk or the County Treasurer (the "Fiscal Agent").

Section 13. Persons Treated as Owners; Transfer of Notes. The County shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 14. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the County Clerk or other authorized representative of the County is authorized and directed to execute and deliver to DTC on behalf of the County to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the County Clerk's office.

Section 16. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the

Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Chairperson and County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 18. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded October 15, 2019.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Rasmussen and seconded by Supervisor Brunn to adopt. Supervisor Eisen called for a recorded vote. VOTE ON RESOLUTION: AYES: 30; NAYES: 1 - Finch; ABSTAIN: 0; ABSENT: 5 - Lenz, Wingren, Powers, Farrey and Robl. CARRIED.

RESOLUTION NO. 217-102019: Commendation for Susan Goodrich

WHEREAS, Susan Goodrich has been employed with the Winnebago County Clerk of Circuit Courts Office for the past forty-four (44) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Susan Goodrich 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 Susan Goodrich 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 Susan Goodrich.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 218-102019: Commendation for Cindy Draws

WHEREAS, Cindy Draws has been employed with the Winnebago County Public Health Department for the past thirty-nine (39) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Cindy Draws 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 Cindy Draws 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 Cindy Draws.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 219-102019: Disallow Claim of Gary Retzlaff

WHEREAS, your Personnel and Finance Committee has had the claim of Gary Retzlaff 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 Gary Retzlaff, filed with the County Clerk on August 30, 2019, 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. 220-102019: Authorize Execution of a Lease Agreement Extension Between Winnebago County and Oshkosh B'Gosh Inc

WHEREAS, Oshkosh B'Gosh Inc desires to extend the current Lease Agreement between Oshkosh B'Gosh and Winnebago County for an additional five (5) years for the purpose of operating an office building in relationship to the operation of an apparel business; and

WHEREAS, said proposed Lease Agreement Extension is attached hereto and made a part of this Agreement by reference; and

WHEREAS, said Agreement provides that Oshkosh B'Gosh shall pay annual rent to Winnebago County as follows: for the year 2020, \$10.00 per square foot which shall be due and payable on the 10th day of January 2020; for the year 2021, \$10.25 per square foot which shall be due and payable on the 10th day of January 2021; for the year 2022, \$10.50 per square foot which shall be due and payable on the 10th day January 2022; for the year 2023, \$10.75 per square foot which shall be due and payable on the 10th day of January 2023; and for the year 2024, \$11.00 per square foot which shall be due and payable on the 10th day of January 2024; and

WHEREAS, the property to be leased consists of 8,298 usable square feet; and

WHEREAS, your undersigned Committee recommends that the Winnebago County Board of Supervisors approve extending this Agreement for an additional five (5) years, from January 1 2020, through December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and the Winnebago County Clerk to execute the attached Lease Agreement Extension between Oshkosh B'Gosh Inc and Winnebago County for the purpose of operating an office building in relationship to the operation of an apparel business pursuant to those terms outlined within the Agreement.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Lease Agreement Extension shall take effect beginning on January 1, 2020.

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

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

RESOLUTION NO. 221-102019: Authorize a Transfer of \$25,000 from the Legal Services Account to the Labor Accounts of the Office of Corporation Counsel's 2019 Budget to Cover Costs Regarding Moving Chapter 51 Mental Health Commitments In-House

WHEREAS, the Winnebago County Office of Corporation Counsel will exceed its 2019 budgeted amount for its Labor Accounts; and

WHEREAS, due to the early termination of a contract there are sufficient funds available in the Legal Services Account of the Corporation Counsel's 2019 Budget to cover the labor overages; and

WHEREAS, because of the available funds in the Legal Services Account, the Corporation Counsel's Office will not need to request funds from the Contingency Fund or Undesignated General Fund Balance Accounts.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes a transfer of \$25,000 from the Legal Services Account to the Labor Accounts of the Winnebago County Office of Corporation Counsel's 2019 Budget to cover the costs of moving Ch 51 Mental Health Commitment proceedings in-house.

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

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

RESOLUTION NO. 222-102019: Authorize Easement Between Winnebago County and Town of Algoma Sanitary District #1 on Tax Deed Property

WHEREAS, the Town of Algoma has requested Winnebago County grant an easement to construct, install, operate, maintain, repair, replace, and extend a water main and/or sanitary sewer and associated appurtenances on Winnebago County owned property described within the attached Town of Algoma Sanitary District #1, Town of Algoma, Winnebago County, Wisconsin, Permanent Easement, incorporated herein by reference, and made a part of this Resolution; and

WHEREAS, the undersigned Committee believes that granting said easement is appropriate in that the closest and easiest way for the adjoining property owner to accomplish hook up to sewer and water offered by the Sanitary District is to use laterals that currently exist on the property owned by Winnebago County; and

WHEREAS, granting the adjoining property owner said easement would not impede the development of the Winnebago County-owned property.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes execution of the Easement between Winnebago County and the Town of Algoma Sanitary District #1 on that property described within the attached Town of Algoma Sanitary District #1, Town of Algoma, Winnebago County, Wisconsin, Permanent Easement.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 224-102019: Request Authority to Apply to the Department of Natural Resources for Funds to Restore Pathway and Stream Bank Damage at Waukau Creek Dam and to Commit Such Funds as may be Made Available Towards the Restoration Project

WHEREAS, heavy rains during the Spring of 2019 along with an unprecedented amount of snow melt have caused large sections of the pathway and stream bank at the Waukau Creek Dam to give way; and

WHEREAS, the annual County Conservation Aids (CCA) Grant Program administered by the Wisconsin Department of Natural Resources (DNR) provides grants to all counties within the State of Wisconsin as cost-share for fish and wildlife habitat projects, including pathway and stream bank restoration; and

WHEREAS, the Parks and Recreation Committee believes that it would be prudent to take advantage of the \$1,308 made available to Winnebago County through CCA program to match the \$1,308 in funding available in the Parks grounds maintenance account; and,

WHEREAS, additional funding of \$1,192 may be made available should other counties fail to take advantage of the CCA program. Said unclaimed monies shall be divided equally among counties requesting additional funding; and

WHEREAS, it is necessary that the Winnebago County Board of Supervisors authorize submittal of an application for said funds.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Executive and the Winnebago County Clerk are hereby authorized to apply on behalf of Winnebago County to the Department of Natural Resources for the aforementioned financial aid that may be available to assist in restoration of sections of the pathway and stream bank at Waukau Creek Dam.

BE IT FURTHER RESOLVED that approval is hereby granted by the Winnebago County Board of Supervisors for additional funding aid as may be made available to the County by the Department of Natural Resources, to be committed towards the restoration of the pathway and stream bank at Waukau Creek Dam.

Fiscal Note: If awarded the additional share of grant funding, the amount required to match the total \$2,500 (\$1,308 + \$1,192) request will be addressed through funds presently available in the trails and nature preserves grounds maintenance account.

Submitted by:
PARKS AND RECREATION COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 225-102019: Authorize a Capital Project for the University of Wisconsin Oshkosh– Fox Cities Campus for an Addition to the Child Care Center at a Cost of \$267,300, Funded with an Advance from the General Fund to be Reimbursed from a Subsequent Bond Issue

WHEREAS, providing a high quality educational environment for students is a key objective at the University; and

WHEREAS, obtaining real world experience for early childhood education degree-seeking students is a key component of their education; and

WHEREAS, the current learning facility for student interns was constructed in 1990 and lacks a private area for parent/teacher conversations, safe area for children and staff for severe weather, space for teacher preparation, and sufficient storage space; and

WHEREAS, this addition of 1,800 square feet will provide a parent/teacher conference area, child care facility, teacher preparation area, and basement storage space; and

WHEREAS, this addition will better serve parent and teacher needs in the campus child care center; and

WHEREAS, the total project cost is \$534,600 and will be funded by Outagamie County and Winnebago County, each county contributing 50% of the cost.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes a capital project for the University of Wisconsin Oshkosh–Fox Cities campus for an addition to the child care center at a cost of \$267,300, to be funded with bond proceeds.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for the capital project will be advanced from the General Fund and will be reimbursed from a subsequent bond issue.

Submitted by:

FACILITIES AND PROPERTY MANAGEMENT COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Keller and seconded by Supervisor Snider to adopt. Supervisor Eisen called for a recorded vote. VOTE ON RESOLUTION: AYES: 29; NAYES: 0; ABSTAIN: 2 – Gabert and Schorse; ABSENT: 5 - Lenz, Wingren, Powers, Farrey and Robl. CARRIED.

RESOLUTION NO. 226-102019: Authorize a Capital Project for the University of Wisconsin Oshkosh–Fox Cities Campus for the Reconstruction of the South Parking Lot at a Cost of \$167,600, Funded with an Advance from the General Fund to be Reimbursed from a Subsequent Bond Issue

WHEREAS, the University of Wisconsin Oshkosh—Fox Cities campus south parking lot was constructed in 1990 over poor soil conditions; and

WHEREAS, the parking lot is in such poor condition that the lowest PASER rating has been given to it; and

WHEREAS, the Winnebago County Highway Department has the capability of reconstructing the new parking lot in 2020; and

WHEREAS, the total project cost is \$335,200 and will be funded by Outagamie County and Winnebago County, each county contributing 50% of the cost.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes a capital project for the University of Wisconsin Oshkosh–Fox Cities campus for the reconstruction of the south parking lot at a cost of \$167,600, to be funded with bond proceeds.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for the capital project will be advanced from the General Fund and will be reimbursed from a subsequent bond issue.

Submitted by:

FACILITIES AND PROPERTY MANAGEMENT COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Keller and seconded by Supervisor Snider to adopt. Supervisor Eisen called for a recorded vote. VOTE ON RESOLUTION: AYES: 29; NAYES: 0; ABSTAIN: 2 – Gabert and Schorse; ABSENT: 5 - Lenz, Wingren, Powers, Farrey and Robl. CARRIED.

RESOLUTION NO. 228-102019: Authorize the Parks Department to Accept a \$2,172 Donation from the Oshkosh Youth Soccer Club for the Installation of In-Ground Drainage Tile and Other Turf Improvements at the Soccer Complex

WHEREAS, the Oshkosh Youth Soccer Club (OYSC) successfully completed a fundraising drive during the 2019 Soccer Saturday Event with the proceeds to be applied towards the expense incurred by Winnebago County in the laying of drain tile in-and-around the Soccer Complex play fields; and

WHEREAS, the need to install drain tile in strategic areas throughout the Soccer Complex has been made evident by the numerous days during the summer in which large tracts of the facility were found to be inaccessible to mowers due to wet soil conditions attributable to poor drainage; and

WHEREAS, the wet soil conditions that have been persistent on many of the play fields this summer have been cause for cancelation of numerous soccer games by each of the area clubs who use the soccer complex fields; and

WHEREAS, drain tile for the soccer field is currently being installed by Parks Department employees using in-house resources; and

WHEREAS, it will be beneficial for Winnebago County to accept OYSC's \$2,172 donation to aid in the installation of drain tile in the Soccer Complex project and to assist in making other facility turf improvements.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby accepts the \$2,172 donation from the Oshkosh Youth Soccer Club and appropriates said funds for use at the Community Park Soccer Complex for the purpose of installing in-ground drainage tile and making other facility turf improvements.

Submitted by:
PARKS & RECREATION COMMITTEE
PERSONNEL & FINANCE COMMITTEE

This resolution was pulled from tonight's agenda.

RESOLUTION NO. 229-102019: Create Per Diem Report and Approval Process

WHEREAS, Winnebago County currently has no standard procedure established for turning in per diem reports; and

WHEREAS, the current system is confusing and inefficient; and

WHEREAS, your undersigned Committee is recommending a new procedure be established that would eliminate sending paper copies to multiple locations (see attached Per Diem Report Process and Approvals); and

WHEREAS, this new procedure will prevent delayed payments or lost per diem reports; and

WHEREAS, having defined rules and procedures will ensure accountability; and

WHEREAS, streamlining the per diem process will save time and resources.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the new procedure for submitting Per Diem Reports outlined in the attached Per Diem Report Process and Approvals, which is made a part of this Resolution and incorporated herein by reference.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the new per diem procedure will take effect following the April 2020 Winnebago County Board of Supervisors Orientation Meeting.

Submitted by:
INFORMATION SYSTEMS COMMITTEE

Motion by Supervisor Wojciechowski and seconded by Supervisor Joas to adopt. CARRIED BY VOICE VOTE. NAYES: 4

RESOLUTION NO. 230-102019: Approve Amendment #2 to the Ground Lease and Use Agreement Between Winnebago County and the Experimental Aircraft Association Inc

WHEREAS, since April 2018, Wittman Regional Airport staff have worked through a Lease Amendment process with the Experimental Aircraft Association (EAA) which has culminated in submitting for County Board approval Amendment #2 to the Ground Lease & Use Agreement between Winnebago County and EAA; and

WHEREAS, per the terms of Amendment #2 to the Ground Lease & Use Agreement, certain concessions have been made by both parties; and

WHEREAS, the terms of Amendment #2 provide mutual benefit to both parties; and

WHEREAS, in aggregate, EAA will be assessed the applicable land rental rates on approximately 220 additional acres than previously assessed; the vast majority of this increased acreage is within two week seasonal use areas; and

WHEREAS, in aggregate, EAA's rent due to Winnebago County under the amended lease agreement will increase from \$113,500 to \$230,103 per year and be subject to periodic rate increases as stipulated in the lease agreement; and

WHEREAS, Amendment #2 also includes many updates to Exhibit A, the parcel map depicting the various land areas under lease to EAA; and

WHEREAS, Amendment #2 will make further incidental changes to the existing Ground Lease & Use Agreement, as previously amended on July 29, 1995, by Amendment #1 to said agreement; and

WHEREAS, the effective date of Amendment #2 is January 1, 2019.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves Amendment #2 to the Ground Lease & Use Agreement between Winnebago County and the Experimental Aircraft Association, Inc.

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

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

RESOLUTION NO. 231-102019: Approve a Building Transfer Agreement Between Winnebago County and the Experimental Aircraft Association Inc

WHEREAS, Wittman Regional Airport staff have worked through a Lease Amendment process with the Experimental Aircraft Association (EAA) which has culminated in submitting for Board approval, Amendment #2 to the Ground Lease & Use Agreement between Winnebago County and EAA; and

WHEREAS, per the terms of Amendment #2 to the Ground Lease & Use Agreement, certain concessions have been made by both parties; and

WHEREAS, EAA desires to acquire from the county, a fee simple ownership of two buildings currently owned by the county; and

WHEREAS, the aforementioned buildings are presently known as EAA's Press Headquarters Building, located at 946 Waukau Avenue, and EAA's Blue Barn, located at 3089 Knapp Street; the Press Headquarters Building has been under lease to EAA from Winnebago County since April 1, 1994, and the Blue Barn since July 1, 1996; and

WHEREAS, in consideration of this proposed Building Transfer Agreement, EAA is willing, through Amendment #2 to the Ground Lease & Use Agreement, to remove a rent reduction clause which ultimately provides a financial incentive to Winnebago County of \$39,524 on an annual basis as a result of said removal; and

WHEREAS, the land parcels beneath and surrounding both buildings will remain in the ownership of Winnebago County and the Wittman Regional Airport; and

WHEREAS, upon execution of this agreement, the lease agreements for each building will terminate as of the effective date of the Building Transfer Agreement; and

WHEREAS, the consideration for transferring fee simple ownership of both buildings is \$1 per building, along with other good and valuable consideration aforementioned.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the Building Transfer Agreement between Winnebago County and the Experimental Aircraft Association Inc, incorporated herein by reference.

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

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

RESOLUTION NO. 232-102019: Support 2020 Census Efforts by Creating a Complete Count Committee

WHEREAS, the United States Constitution requires a census of the population of the United States every ten (10) years; and

WHEREAS, census information is used to determine the number of members each state is entitled to in the U.S. House of Representatives and it is also used to determine voting districts with regard to state legislative and local governmental bodies; and

WHEREAS, an accurate and complete census count is important to Winnebago County in determining federal and state aids and grants, economic development, housing assistance, transportation improvement aids, and many other purposes; and

WHEREAS, every resident in Winnebago County counts and ~~serve~~ **deserves** to be counted in the census.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive to form an administrative Complete Count Committee and to appoint person thereto for the purpose of promoting the census and assuring that all residents of Winnebago County are counted.

Submitted by:
MICHAEL NORTON, District 20

Motion by Supervisor Norton and seconded by Supervisor Joas to adopt as corrected. CARRIED BY VOICE VOTE.

Motion by Supervisor Albrecht and seconded by Supervisor Konetzke to adjourn until the October 28, 2019 County Board Budget meeting at 6:00 p.m. The meeting was adjourned at 9:25 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 October 15, 2019.

Julie A. Barthels
Winnebago County Deputy Clerk