

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, APRIL 21, 2009**

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: Koneczke, Barker, Griesbach, Eisen, Ramos, Roh, Koziczowski, Smith, Widener, Albrecht, Gabert, Riste, Thompson, Lennon, Gearhart, Hall, Wingren, Jacobson, Norton, Warnke, Robl, Eichman, Schmuhl, Kline, Locke, Nelson, Finch, Sievert, Diakoff, Brennand, Egan, Ellis, Rengstorf and Reinert. Excused: Hamblin and Farrey

Motion by Supervisor Robl and seconded to adopt tonight's agenda with the change of order of the resolutions so that No. 184-42009 is acted on before No. 177-42009. CARRIED BY VOICE VOTE.

PUBLIC HEARING

The following people expressed concerns or voiced their opposition to Resolution No. 184-42009, "Creating a Long-Term Care District Comprised of Fond du Lac, Manitowoc and Winnebago Counties":

- Jay Schroeder, 1295 North Lake Street, Neenah
- Leah Kitz, 1317 Washington Avenue, Oshkosh
- Sue Sokel, county resident
- Lynn Malinoski, 741 Fieldcrest Drive, Menasha
- Gary Harms, 420 East Melvin Avenue, Oshkosh
- Donna Lohry, 511 West Bent Avenue, Oshkosh
- Ashley Heise, 4815 Plummers Point Road, Oshkosh
- Mary and Tom McCourt, 533 School Avenue, Oshkosh

One woman, who did not give her name or address, spoke to the Board about her concerns regarding employment at nursing homes.

Julie Fevola of the Christine Ann Center, and Kathleen Diedrich, Child Support Agency Director and Attorney spoke in support of Resolution No. 194-42009, "Approve Filling of Half-time Secretarial Position in the District Attorney's Office which was Approved in the 2009 Budget but was not Filled Within the (90) Days of January 1, 2009."

COMMUNICATION, PETITIONS, ETC.

A memo from Linda Kollmann, Winnebago County Emergency Management Director, regarding the April 23, 2009 tornado drill was read. The tornado watch drill will start at 1:00 p.m. on Thursday, April 23, followed by a tornado warning drill at 1:10 p.m.

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

Notice of Claim from Jennifer A. Ziemer for damage to her vehicle caused by a pothole on State Highway 76 was referred to the Personnel & Finance Committee.

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

Resolutions from other government agencies:

- City of Omro – "Resolution to Winnebago County in Support of the Eureka Bridge Replacement to be Engineered for a Minimum 10' Center Span Vertical Height at Normal Water Levels to Enhance Recreational Boating Traffic and Tourism on the Fox River from Oshkosh to Berlin" was referred to the Highway Committee
- City of Kenosha, by Alderperson Ray Misner – "To Register the City of Kenosha Common Council's Opposition to the Governor's Proposal to Require the Observation and the Recordation of Racial Information Obtained Through Traffic Stops" was referred to the Judiciary & Public Safety Committee
- Outagamie County – opposes legislation that will eliminate the spring election for non-partisan offices and the shortened terms for non-partisan officers elected after the elimination of the spring election was referred to the Legislative Committee.
- Oconto County – "Opposition of S.149 'Weekend Voting Act' and '2009 Assembly Joint Resolution 2'" referred to the Legislative Committee.
- Trempealeau County – "Requesting that the State of Wisconsin Department of Corrections Increase Reimbursement Payments for State Probation and Parole Prisoners Held in the Trempealeau County Jail" was referred to the Judiciary & Public Safety Committee.

Petition for zoning amendment from Donald Otto, Town of Rushford for tax parcel no. 022-0800-02 from A-2 to R-1 for residential dwelling was referred to the Planning & Zoning Committee.

Petition for zoning amendment from John R. Davel, Town of Menasha for tax parcel no. 008-0055-04 from B-2 to B-3 for a contractor office was referred to the Planning & Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Schmuhl asked that the Board members look over the brochure she placed on their desks entitled, "Back to Nature in East Central Wisconsin". She explained that this brochure is the result of the county's partnership with ITBEC and it contains a lot of recreational information about Winnebago County and the surrounding counties.

Supervisor Finch explained that the Parks Department is having a rummage sale to raise funds for various rehabilitation projects for the Parks Department. It will be held on Saturday, May 23 at the Expo Center. Supervisor Finch then thanked Patty Francour, Information Systems Director, for the adjustments her department made to after-hours options for the county's 727-4888 main number.

Supervisor Finch also stated that he will be asking the Legislative Committee to discuss H.R. 45 which is the Blair Holt Firearm Licensing and Record of Sale Act of 2009.

Supervisor Barker reported that on March 26 she attended a preview of the Communications Art Center at UW-Fox Valley, which will open in September 2009. Supervisor Barker also attended a WCA seminar called "Wind on Water" where wind mills/wind energy was discussed. She has information if anyone would like to see it.

Supervisor Koziczkowski informed the Board that the Human Services Board will not pursue drug prescription coverage with either Med One or NACo. Both organizations would require the county to enter into an exclusive contract with them.

Supervisor Koziczkowski also stated that the State of Wisconsin is looking at cutting \$59 Million from Human Services budgets across the state. These cuts will have significant impacts on the services the Human Services Department can provide to the citizens of Winnebago County.

Supervisor Kline reminded the Legislative Committee that there will be a meeting on Monday, April 27. An amended agenda for this meeting will be sent out later in the week.

Supervisor Rengstorf reminded the Board about the Drug Court graduation that will take place on Monday, April 27 at noon. He told the Board that none of the county's past Drug Court graduates has re-offended.

Supervisor Jacobson reported that the Information Systems Department held a county board supervisor e-mail/Outlook training session that was attended by two supervisors.

Supervisor Widener reported that 42 students participated in the county's scholarship program this year. This is the highest number of participants since 2002. Students from 12 high schools participated—including Xavier and Fox Valley Lutheran high schools and students that are home schooled. Nine winners were selected by three faculty members at UW-Fox Valley. Supervisor Widener thanked Rene Mehlberg of the UW-Extension Office for her help in coordinating the scholarship program.

Supervisor Widener then spoke about the engineering building project at UW Fox Valley. He explained that Outagamie County does not support the engineering study for this project that was approved by the Winnebago County Board, so that money will now be used to complete the project.

Supervisor Widener then discussed the annual report for the UW-Extension Department.

Supervisor Robl reported that as of April 16, the county Highway Department has used 72% of its 2009 winter maintenance budget. He stated that this is good news because the remaining funds should be more than adequate to cover the months of November and December.

Motion by Supervisor Robl and seconded to approve the March 3 and March 17, 2009 Winnebago County Board proceedings. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris thanked the Jones Sign Co. for donating their billboard for Tornado Awareness Week.

Executive Harris then spoke to the Board and the public about long-term family care. He explained that the State of Wisconsin has indicated that it will convert all counties to long-term family care by 2013. Milwaukee County and possibly Dane County will be the only counties large enough to have their own "stand alone" family care districts. All other counties will be forced to combine with other counties to form these districts. Mr. Harris explained that Resolution No. 184-42009, "Creating a Long-Term Care District Comprised of Fond du Lac, Manitowoc and Winnebago Counties" is being presented tonight as part of these counties' efforts to control their "own future."

Executive Harris explained that Resolution No. 184-42009 is proposing a public model district, which will allow county representation on the district's board so the county can continue to influence policies and operations of the long-term family care district. He also explained that the creation of a long-term family care district has been studied for sometime, but it wasn't until the counties' received permission from the state that they were able to move ahead with the process.

Executive Harris explained the benefits of a long-term family care district, as well as the financial impact and addressed some of the concerns people have about such a district.

COUNTY EXECUTIVE'S APPOINTMENTS

Advocap Board of Directors

Executive Harris asked for the Board's approval of his appointment of Supervisor Amy Gearhart to the Advocap Board of Directors. This is a two-year term which will expire on April 19, 2011. Motion by Supervisor Kline and seconded to approve. CARRIED BY VOICE VOTE.

Affirmative Action Commission

Executive Harris asked for the Board's approval of his re-appointments of Supervisors David Albrecht and Nancy Barker and Linda Mingus and Joaquin Lira to the Affirmative Action Commission. These are three-year terms that will expire April 17, 2012. Motion by Supervisor Robl and seconded to approve. CARRIED BY VOICE VOTE.

Commission on Aging

Executive Harris asked for the re-appointments of Esther Walling, Roger Jaeger and Supervisor Donald Griesbach to the Commission on Aging. These are three-year terms that will expire on April 17, 2012. Motion by Supervisor Finch and seconded to approve. CARRIED BY VOICE VOTE.

Winnebago County Housing Authority

Executive Harris asked for the appointment of Richard Schallert to the Winnebago County Housing Authority. Mr. Schallert will replace Larry Schuster whose term expired. This is a five-year term that will expire on April 15, 2014. Motion by Supervisor Norton and seconded to approve. CARRIED BY VOICE VOTE.

Local Emergency Planning Commission

Executive Harris asked for the re-appointments of Peter Running and Scott Jones to the Local Emergency Planning Commission. These are three-year terms that will expire on April 17, 2012. Motion by Supervisor Smith and seconded to approve. CARRIED BY VOICE VOTE.

Solid Waste Management Board

Executive Harris asked for the re-appointment of Patrick O'Brien and Supervisor Paul Eisen to the Solid Waste Management Board. These are three-year terms that will expire on April 17, 2012. Motion by Supervisor Robl and seconded to approve. CARRIED BY VOICE VOTE.

Tri-County Recreation Association Board of Directors

Executive Harris asked for the appointment of Supervisor Tena Riste to the Tri-County Recreation Association Board of Directors. Ms. Riste will fill the unexpired term of John Gilchrist whose term will expire April 20, 2010. Motion by Supervisor Finch and seconded to approve. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported that Supervisors Hamblin and Farrey are excused from tonight's meeting.

Chairman Albrecht reminded the Board that they need to fill out and sign the county's vehicle usage agreement before they can have their mileage reimbursed.

Chairman Albrecht thanked Supervisor Widener for his donation to Park View Health Center.

Chairman Albrecht introduced Mary Ann Mueller, the Assistant Winnebago County Corporation Counsel. Ms. Mueller will be the county's legal counsel at the Board's meeting in May.

DENNIS O'LOUGHLIN, PRESIDENT, WISCONSIN COUNTIES ASSOCIATION (WCA)-WCA UPDATE

Dennis O'Loughlin, Dane County Board Supervisor and President of the Wisconsin Counties Association, explained that his goal as President of WCA is to visit as many counties in Wisconsin as possible. It's been a very "enlightening" experience as he learns the various issues that counties face around the state.

Mr. O'Loughlin commended Mark O'Connell, Executive Director of WCA, and his staff in Madison for their hard work and dedication. He stated that the WCA's lobbying team is at the state capitol every day watching out for Wisconsin's counties.

Mr. O'Loughlin stated that it's been his privilege to serve as a County Board Supervisor in Dane County for the past eleven years. Since becoming a supervisor, their Board was reduced from 41 to 37 members. Mr. O'Loughlin explained that they will look again at possibly reducing their size, but not until after the federal census has been completed.

Mr. O'Loughlin stated that another one of his goals as WCA President is to promote The Wisconsin Way, which is an organization designed to get the public involved "in a continuing public conversation about modernizing and refining taxes and government in Wisconsin." (Quote is taken from The Wisconsin Way website.) Mr. O'Loughlin feels The Wisconsin Way is the "key" to positively affect the "paralysis in Madison."

Mr. O'Loughlin explained that another one of his goals as WCA President is underway and that is to create a health and wellness committee. This committee will look at various issues that people need to address to stay healthy—nutrition, exercise, etc.

Mr. O'Loughlin reported on the establishment of a WCA committee called the Constitution & Bylaws Committee. If approved, other elected officials—sheriff's, county treasurers, county clerks, etc.—will be invited to serve on this committee and get more involved in the WCA.

Mr. O'Loughlin stated that because of revenues generated by the WCA's affiliation with other organizations, they do not anticipate an increase in counties' dues any time soon.

Mr. O'Loughlin then explained the Boston Mutual Life Insurance Employee Life Option Plan that Dane County offers their employees. He stated that this is a wonderful program that helps county employees and their families who are having difficulties getting life insurance obtain a life insurance policy. Boston Mutual Life Insurance handles all the paper work, so there is no extra work required by county personnel.

Mr. O'Loughlin stated that the WCA is also working with the League of Municipalities, National Association of Counties (NACo) and the National League of Cities to establish, "a joint powers authority with the ability to issue tax exempt bonds in Wisconsin under Wisconsin law and also make the financing vehicle available to cities, counties, schools and other governmental entities across the country." He stated that the necessary legislation to make this happen is also being worked on right now. Mr. O'Loughlin stated that this would be a "tremendous" revenue source for the WCA and that they are in "pretty good shape" to get this finalized.

Mr. O'Loughlin thanked Chairman Albrecht for giving him the opportunity to speak to the Board.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Dennis Rhodes and property owner Wisconsin Department of Transportation, Town of Oshkosh, for zoning change to M-2 for tax parcel no. 018-0114. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO.04-01-09. A requested zoning change from B-3 (General Business Dist.) to M-2 (Heavy Industrial Dist.). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – April 23, 2009)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Gerald Kalbus, Town of Black Wolf, for zoning change to B-2 for tax parcel nos. 004-0257 & 004-0258. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 04-02-09. A requested zoning change from P-1 (Institutional & Park Recreational Dist.) to B-2 (Community Business Dist.). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – April 23, 2009)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Bohn Farms, Town of Poygan, for zoning change to R-2 for tax parcel no. 020-0129. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 04-03-09. A requested zoning change from R-1 (Single Family Non-subdivided Dist.) to R-2 (Single Family Subdivided Dist.). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – April 23, 2009)

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Wade Wara, Town of Poygan, for zoning change to R-1 w/no floodplain for tax parcel no. 020-0020-04. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 04-04-09. A requested zoning change from A-2 w/floodplain (General Farming) to R-1 w/no floodplain (Single Family Non-subdivided Dist.). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date - April 23, 2009)

AMENDATORY ORDINANCE 5. A requested zoning change from the Town of Black Wolf on behalf of Anthony Voulgaris for zoning change from A-2 to R-1 for tax parcel no. 004-0497-04. Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – April 23, 2009)

AMENDATORY ORDINANCE 6. A requested zoning change from the Town of Winneconne on behalf of the Peterman Family Trust for zoning change from A-2 to R-1A for tax parcel no. 030-0102-01. Motion by Supervisor Rengstorf and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – April 23, 2009)

RESOLUTIONS AND ORDINANCES

RESOLUTION NO. 184-42009: Creating a Long-Term Care District Comprised of Fond du Lac, Manitowoc and Winnebago Counties

WHEREAS, the State of Wisconsin has authorized expansion of the long-term care program known as Family Care; and

WHEREAS, the goal of the Family Care program is to improve people's lives through:

- Choice – Giving people better choices about the services and supports available to meet their needs
- Access – Improving access to services
- Quality – Improving quality through a focus on health and social outcomes
- Cost-effectiveness – Creating a system where planning for resources and options to meet an individual's outcomes also considers the comparative costs of those options and resources; and

WHEREAS, the intent of Family Care is to eliminate waiting lists for people eligible for home and community-based long-term care services; and

WHEREAS, Section 46.2895 of the Wisconsin Statutes provides counties with the legal authority to create new public entities known as Long-Term Care Districts to provide the Family Care benefit through the operation of a Managed Care Organization (MCO); and

WHEREAS, a Long-Term Care District is created by counties via resolution but operates independently of counties and therefore imposes no financial or legal liability upon the counties that form the district beyond the Basic County Allocation (BCA) percentage outlined in current state law; and

WHEREAS, s. 46.281(4) of the Wisconsin Statutes provides that the initial annual contribution of a county offering the Family Care program for the first time shall be no more than the amount that county spent on long-term care services for the Family Care target populations in 2006, and if that amount exceeds 22 percent of a county's BCA, the amount shall be decreased to 22 percent of BCA over a five-year period; and

WHEREAS, once it is officially formed, the Long-Term Care District, which includes Fond du Lac, Manitowoc and Winnebago counties, will be required to submit a response to the State's Request for Proposals for an MCO to provide the Family Care benefit in those counties; and

WHEREAS, the Long-Term Care District service model retains public oversight of an MCO through the appointment of a governing board by the participating counties.

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

1. This document is intended to serve as the enabling resolution required under s. 46.2895(1) to form a Long-Term Care District.
2. Winnebago County declares that a need exists for a Long-Term Care District to provide long-term care services to older persons and adults with physical and developmental disabilities in this region through an MCO.
3. The purpose of the Long-Term Care District is to operate an MCO under s. 46.284 to provide the Family Care benefit.
4. The Long-Term Care District Governing Board shall be comprised of nine voting members, of which three members will be appointed by each of the participating counties. Each County will appoint at least one member representing the target populations served by the MCO. All of the members shall be appointed by the County Executive with approval by the County Board. Each county will appoint county residents who reflect the ethnic and economic diversity in the jurisdiction of the Long-Term Care District and who may not have a private financial interest in or profit directly or indirectly from any contract or other business of the Long-Term Care District. The Long-Term Care District Governing Board shall have the ability to exercise the powers and duties granted herein and by s. 46.2895 of the Wisconsin Statutes only upon the appointment of all members as provided herein.
5. The members of the Long-Term Care District Board shall serve staggered three-year terms. Of the members first appointed from each county, one shall be appointed initially for one year, one shall be appointed initially for two years, and one shall be appointed initially for three years. The initial terms for each original member shall be outlined in the bylaws of the district and such initial terms shall be communicated to the participating counties.
6. This resolution has been prepared pursuant to s. 46.2895 and creates the Long-Term Care District to operate in compliance with all requirements set forth in such statute.
7. A copy of this resolution will be sent to the secretaries of the state departments of Administration, Health Services and Revenue as required under s. 46.2895(1)(a)2.

8. This resolution and Long-Term Care District shall be effective only if the counties of Manitowoc and Fond du Lac pass a resolution in form substantially similar to that set forth herein, the legal effect of this resolution being absolutely contingent upon such action.

Submitted by:
HUMAN SERVICES BOARD

Motion by Supervisor Koziczkowski and seconded to adopt.

Supervisor Koziczkowski; Dr. Bill Topel, Human Services Director; Ken Stoffel, Human Services Deputy Director; Ellen Shute, Administrative Services Division Manager; Katie Mnuk, Lakeland Long-Term District Project Coordinator; Jim Meisinger, Director of Creative Care Options, Fond du Lac County; and Todd Romenesko, Director of Calumet County Human Services Department, answered questions from the Board.

Motion by Supervisor Norton and seconded to amend the resolution as follows:

- On Page 2, item 4., first line, change “nine voting members” to “fifteen voting members”; second line change “three members” to “five members”; third line change “at least one member” to “at least two members”
- On Page 2, item 5., third and fourth lines, change “one shall be appointed initially for two years, and one shall be appointed initially for three years” to “two shall be appointed initially for two years, and two shall be appointed initially for three years”

Vote on Supervisor Norton’s amendment – Ayes: 8 – Konetzke, Eisen, Ramos, Gabert, Riste, Thompson, Norton and Locke. Nays: 26. Excused: 2 – Hamblin and Farrey. LOST.

Vote on Resolution as presented: Ayes: 19. Nays: 15 – Konetzke, Eisen, Ramos, Gabert, Riste, Thompson, Norton, Eichman, Schmuhl, Locke, Nelson, Finch, Diakoff, Egan and Reinert. Excused: 2 - Hamblin and Farrey. CARRIED.

At 8:50 p.m., Chairman Albrecht called for a brief recess. The Board reconvened at 9:05 p.m.

RESOLUTION NO. 177-42009: Support Increase in Tax Deductibility Rate for Charity Drivers

WHEREAS, on January 15, 2009, Representative Thomas Petri introduced legislation to increase the tax deductibility rate for charity drivers from \$.14 a mile to \$.55 a mile; and

WHEREAS, said rate has not been increased for many years, despite the fact that gas prices have more than doubled since the time that said rate was established; and

WHEREAS, the Legislative Committee of the Winnebago County Board of Supervisors believes that the Charitable Driving Tax Relief Act sponsored by Thomas Petri is in the best interest of citizens of Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby supports the passage of the Charitable Driving Tax Relief Act as proposed by Representative Thomas Petri.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the County Clerk to transmit a copy of this resolution to Congressman Thomas Petri and to Senators Herbert Kohl and Russell Feingold and to the Wisconsin Counties Association.

Submitted by:
LEGISLATIVE COMMITTEE

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

RESOLUTION NO. 178-42009: Support Spending of Federal Economic Renewal Grants on American Products

WHEREAS, the economic downturn is having a critical impact on everyday Americans who are struggling to maintain or find jobs in an increasingly difficult environment; and

WHEREAS, those same Americans are the taxpayers that provide the revenue needed to operate essential government services; and

WHEREAS, Congress and President Obama are planning a taxpayer-sponsored economic recovery package that will provide billions of dollars to assist economically devastated cities and states so as to immediately provide jobs to millions of out-of-work Americans through considerable infrastructure rebuilding, green energy projects and other projects that will require manufactured components; and

WHEREAS, our taxpayer dollars should be spent to maximize the creation of American jobs and restoring the economic vitality of our communities; and

WHEREAS, any domestically produced products that are purchased with economic recovery plan monies will immediately help struggling American families and will help stabilize our greater economy; and

WHEREAS, any economic recovery plan spending should, to every extent possible, include a commitment from governmental units to buy materials, goods and services for projects from companies that are produced within the United States, thus employing the very workers that pay the taxes for the economic recovery plan spending in the first place.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that Winnebago County commits itself to work to maximize the creation of American jobs and restore economic growth and opportunity by spending economic recovery plan funds on products and services to the greatest extent possible, that will both create jobs and help keep Americans employed.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that Winnebago County commits to purchase, to the extent possible, both products and services that are made or performed in the United States of America with economic recovery monies provided to Winnebago County by the American taxpayers.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that procurement policies shall be adjusted in ways, if necessary, to identify and provide the American products and services that will maximize the success of our nation's economic recovery plan.

Submitted by:
LEGISLATIVE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 8 – Eisen, Ramos, Gabert, Hall, Wingren, Jacobson, Locke and Ellis. Nays: 23. Excused: 5 - Hamblin, Riste, Lennon, Finch and Farrey. LOST.

RESOLUTION NO. 179-42009: Commendation for Sandra J. Christensen

WHEREAS, Sandra Christensen has been employed with the Winnebago County Sheriff's Office, for the past twenty years, and during that time has been a most conscientious and devoted County employee; and

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

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

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

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 180-42009: Commendation for Virginia Sherer

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

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

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

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

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 181-42009: Authorize Acceptance of Joint DATCP/DNR Soil And Water Resource Management and Nonpoint Source Pollution Abatement Grant in 2010

WHEREAS, pursuant to Sec.92.14, 281.65 and 281.66, Wis. Stats., the Wisconsin Department of Agriculture, Trade and Consumer Protection and the Wisconsin Department of Natural Resources are authorized to jointly allocate funds to assist counties in carrying out land & water resource protection programs and services that focus on the abatement of nonpoint sources of pollution; and

WHEREAS, your Land & Water Conservation Department has submitted a joint grant application to DATCP and DNR, in the amount of \$509,836 for staff support and cost sharing of pollution abatement projects to be installed in 2010.

NOW, THEREFORE, BE IT RESOLVED: by the Winnebago County Board of Supervisors that, should the aforementioned grant application be approved by DATCP and DNR in part or in entirety, the Chair of your Land Conservation Committee is hereby authorized, on behalf of Winnebago County, to accept the approved grant amount.

BE IT FURTHER RESOLVED that the approved grant be allocated, on the basis of the aforementioned application, to the appropriate Winnebago County Land & Water Conservation Department 2010 budget revenue accounts, with applicable dollar amounts to be reflected in the appropriate expenditure accounts.

Submitted by:
LAND CONSERVATION COMMITTEE

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

RESOLUTION NO. 182.42009: Disallow Claim of David Langkau

WHEREAS, your Personnel and Finance Committee has had the claim of David Langkau 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 David Langkau dated February 16, 2009, 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. 183-42009: Disallow Claim of Dr. Neil S. Freund

WHEREAS, your Personnel and Finance Committee has had the claim of Dr. Neil S. Freund 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 Dr. Neil S. Freund dated January 26, 2009, 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 Eisen voted nay.)

RESOLUTION NO. 185-42009: Oppose Part of Assembly Bill 75 (2009-2011 State Budget Bill) as it Relates to Certified Public Expenditure Program, Estimates, Nursing Home Bed Tax and Nursing Home Appeal Elimination; and Support Assembly Bill 802 Assuring Park View Health Center of Receipt of Supplemental Payment and Certified Public Expenditure Payments for Nursing Homes

WHEREAS, reimbursement for Medical Assistance residents residing at county nursing homes is underfunded; and

WHEREAS, the cost of nursing home care continues to rise due to increased acuity, inflation related to wages/benefits, utilities and other expenses; and

WHEREAS, the Winnebago County contribution that is used to supplement the Medical Assistance funding for the care of Park View Health Center residents is used by the State of Wisconsin to capture federal supplemental payments for the State Medical Assistance Program; and

WHEREAS, a significant portion of the supplemental payment funds are used by the State for the Medical Assistance Trust Fund, and are not fully returned to Winnebago County; and

WHEREAS, 2005 Wisconsin Act 107 (205 AB 802) requires that any revenue generated based upon county nursing home losses above the amounts contained in the State Budget must be paid to county nursing homes; and

WHEREAS, in 2009, this payment amount would equal to approximately \$630,000 in payments to Park View Health Center; and

WHEREAS, the proposed State Budget increases the nursing home bed tax by \$75.00 per bed per month in fiscal year 2009-2010, and by \$95.00 per bed per month thereafter in order to fund a 2% rate increase, but appropriates two-thirds of this bed tax to the Medical Assistance Trust Fund; and

WHEREAS, the proposed State Budget eliminates the nursing home appeal fund from which \$45,000 was budgeted to Park View Health Center in 2009.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby indicates its support for Certified Public Expenditure Program payments to county nursing homes continuing pursuant to the formula developed in 2005 Wisconsin Act 107 (205 AB 802), whereby county nursing homes rightfully receive the federal funds generated by their losses.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it indicates its support for a minimum 3% nursing home Medical Assistance rate increase supported by the minimum bed tax needed for the rate increase without diverting funds to the Medical Assistance Trust.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it opposes the elimination of the Nursing Home Appeals Fund.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it opposes those parts of Assembly Bill 75 in relationship to those issues noted above.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to transmit a copy of this resolution to all state legislators representing constituents within Winnebago County; to the Office of Governor James Doyle; and to the Wisconsin Counties Association.

Submitted by:
LEGISLATIVE COMMITTEE

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

RESOLUTION NO. 186-42009: Disallow Claim of Steven J. Taylor

WHEREAS, your Personnel and Finance Committee has had the claim of Steven J. Taylor 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 Steven J. Taylor dated February 9, 2009, 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. 187-42009: Approve Revision to Vehicle Use Policy

WHEREAS, the Winnebago County Board recently adopted a comprehensive Vehicle Use Policy; and

WHEREAS, one of the provisions in the policy changed the period regarding alcohol use to require that no alcohol shall have been consumed within twelve (12) hours prior to driving on County business or driving a County vehicle; and

WHEREAS, it has been determined that this provision would be subject to union bargaining; and

WHEREAS, no such bargaining has taken place; and

WHEREAS, it has been determined that eight (8) hours of non alcohol use would be a reasonable period to expect prior to driving a county vehicle or driving a personal vehicle on County business and this was the provision in the prior policy.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby amends the County Vehicle Policy section 3.12 changing the language prohibiting alcohol use prior to driving a County vehicle from twelve to eight hours per the attachment.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 188-42009: Authorize Participation in the Wisconsin Gypsy Moth Suppression Grant Program to Assist the City of Oshkosh

WHEREAS, invasive species of all kinds are on the increase in Wisconsin; and
WHEREAS, the Gypsy Moth can cause severe damage to Oak Trees; and
WHEREAS, the City of Oshkosh, in Winnebago County, has a 129 acre area scheduled to be treated for Gypsy Moth Suppression; and
WHEREAS, the State of Wisconsin, under Chapter NR 47, Wis. Administrative Code, provides a Gypsy Moth Suppression Grant Program to help share the costs associated with Gypsy Moth control; and
WHEREAS, under Chapter NR 47.913(1)(a), Wis. Administrative Code, Winnebago County must participate to be eligible for said grant funds; and
WHEREAS, the City of Oshkosh has formally requested assistance from the Winnebago County Land and Water Conservation Department (LWCD) to secure possible grant funds; and
WHEREAS, participation by the Winnebago County LWCD, in cooperation with the City of Oshkosh, will benefit County constituents and have no negative impact on the 2009 LWCD budget.
NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that the Land and Water Conservation Department is hereby authorized to accept a grant of \$6,288 and apply the funds in assisting the City of Oshkosh with participation in the Wisconsin Gypsy Moth Suppression Grant Program.
BE IT FURTHER RESOLVED, that the Revenue and Expenses associated with this program be included within the appropriate accounts in the Land and Water Conservation Department Budget.

Submitted by:
LAND CONSERVATION COMMITTEE
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 189-42009: Authorize an Appropriation of \$350,000 For the Replacement of the Courthouse Roof

WHEREAS, the Winnebago County 5-year capital improvements program includes a program to replace aging roofs on County buildings; and
WHEREAS, the Winnebago County Board supports the replacement of roofs as they become necessary to prevent leaking and damage to County property; and
WHEREAS, the Courthouse roof is the next roof scheduled for replacement and would be done during 2009; and
WHEREAS, the current roof is over 35 years old and has reached the end of its useful life; and
WHEREAS, there are various areas with severe deterioration and moisture and rain are able to enter the building envelope.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$350,000 to the roof replacement capital project fund to be used to replace the roof over the Courthouse.
BE IT FURTHER RESOLVED that funds to pay for said improvements be appropriated from balances remaining in the roof replacement capital project fund from prior years.

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

Motion by Supervisor Griesbach and seconded to adopt. Ayes: 31. Nays: 0. Excused: 5 - Hamblin, Riste, Lennon, Finch and Farrey. CARRIED.

RESOLUTION NO. 190-42009: Approve Transfers of Funds to Various Departments at 2008 Year End to Cover Final Budget Overages for the Year

WHEREAS, it has been determined that several departments have budget overruns as the financial records of the County were being closed out for 2008; and
WHEREAS, it is recommended by the Finance Department that budget transfers be approved to cover the 2008 overruns; and

WHEREAS, all of the overruns in one category could be covered by moving funds from other categories of the individual departments' 2008 budget; and

WHEREAS, all of the departments had sufficient funds in other expense categories to cover their overages thus eliminating the need to transfer funds from general fund undesignated fund balance.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfers per the attached budget transfer form to cover departmental overages in their 2008 budgets.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 31. Nays: 0. Excused: 5 - Hamblin, Riste, Lennon, Finch and Farrey. CARRIED.

RESOLUTION NO. 191-42009: Approval of ANR Pipeline Company Request for a Permanent Easement for Installing and Maintaining a Gas Pipeline Running Under and Across the WIOUWASH Trail

WHEREAS, later this year the Wisconsin Department of Transportation intends to implement a project designed to improve aspects of the Hwy. 41/Hwy. 45 interchange; and

WHEREAS, in order to accommodate the highway project the ANR Pipeline Company is obligated to re-establish the location and orientation of its gas pipeline which currently traverses the highway interchange construction area; and

WHEREAS, in response to the Wisconsin Department of Transportation's requirement, the ANR Pipeline Company is requesting that it be granted a permanent easement in order to install and maintain a gas pipeline under and across a section of the WIOUWASH Trail near the Westwind Road parking lot; and

WHEREAS, the ANR Pipeline Company shall assume responsibility for ensuring that all the affected property along the WIOUWASH Trail is restored to an acceptable standard, as determined by the Winnebago County Parks Department; and

WHEREAS, the ANR Pipeline Company shall assume responsibility for all liabilities arising out of the exercise of the permanent easement; and

WHEREAS, you're undersigned Committee believes that it would be in the best interest of Winnebago County to proceed in approving the aforementioned permanent easement in order to accommodate improvements at the Hwy. 41/Hwy. 45 interchange.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes the County Executive to proceed to grant a permanent easement to the ANR Pipeline Company in order to install and maintain a gas pipeline under and across the WIOUWASH Trail in accordance with the attached Easement document.

Submitted by,
PARKS AND RECREATION COMMITTEE

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

RESOLUTION NO. 192-42009: Support Senate Bill 107 (Electronics Recycling Bill)

WHEREAS, discarded electronic devices represent a significant and growing portion of the waste entering Wisconsin landfills, estimated at 10,000 tons of computer monitors and 24,000 tons of televisions landfilled annually; and

WHEREAS, many components of electronic equipment, including metals, plastic, and glass, can be reused or recycled, while others, including cadmium, lead, mercury, chromium and brominated flame retardants, may present environmental hazards if not managed correctly; and

WHEREAS, these devices contain valuable components and materials that, if recycled, would preserve natural resources; and

WHEREAS, the Winnebago County Solid Waste Management Board has determined that the proper collection and recycling of electronic waste is a priority as exemplified by the on-going, subsidized electronic waste recycling program; and

WHEREAS, the Governor's Task Force on Waste Materials Recovery and Disposal recommended in December 2006 that state policy be developed to provide environmentally sound recycling and reuse of discarded televisions, monitors, laptops and desktop computers; and

WHEREAS, producers, manufactures and retailers of these devices should share in the management and proper end-of-life disposal of these products; and

WHEREAS, Senate Bill 107 has been introduced in the Wisconsin legislature as an act relating to the sale, disposal, collection, and recycling of electronic devices, granting rule-making authority, making an appropriation, and providing penalties; and

WHEREAS, Senate Bill 107 is consistent with the recommendations on electronic waste made by the Governor's Task Force on Waste Materials Recovery and Recycling;

NOW, THEREFORE, BE IT RESOLVED that the Winnebago County Solid Waste Management Board supports the passage of Senate Bill 107, its enactment into law in Wisconsin and the development of a segregated fund for fees collected to administer and enforce the resulting law and regulations.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Brown County, Outagamie County, Wisconsin Counties Association, Wisconsin Towns Association, League of Wisconsin Municipalities, Wisconsin Alliance of Cities, Winnebago County State Representatives and State Senators and Governor James Doyle.

Submitted by:
SOLID WASTE MANAGEMENT BOARD

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

RESOLUTION NO. 193-42009: Amend the Table of Organization for Winnebago County Information Systems Department

WHEREAS, the current Table of Organization for the Winnebago Information Systems Department identifies one (1) full-time Systems Analyst position and two (2) full-time Network Technician positions; and

WHEREAS, the Director desires to eliminate one (1) full-time Systems Analyst position when it becomes vacant in June, 2009 due to a retirement and add (1) full-time Network Technician position to increase the operational efficiency of the Department and better meet the County's current Information Systems needs; and

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Table of Organization for the Winnebago County Information Systems Department is amended to eliminate one (1) full-time Systems Analyst position and add one (1) full-time Network Technician position; for a total of three (3) Network Technicians within the Information Systems Table of Organization. The position description for the Network Technician position is attached hereto and is made a part of this resolution by reference.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 194-42009: Approve filling of half-time secretarial position in the District Attorney's Office which was approved in the 2009 Budget but was not filled within ninety (90) days of January 1, 2009

BE IT RESOLVED, by the Winnebago County Board of Supervisors that a half-time position for a secretary was added to the table of organization for the District Attorney's Office in the 2009 budget process and the associated costs for this position were included in the approved departmental budget.

BE IT FURTHER RESOLVED, that even though more than ninety (90) days have passed since January 1, 2009 when this position was created it can be filled at this time.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 195-42009: Reauthorization of the Winnebago County Self-Funded Workers' Compensation Insurance Program

WHEREAS, the County of Winnebago is a qualified political subdivision of the State of Wisconsin; and

WHEREAS, the Wisconsin Worker's Compensation Act (Act) provides that employers covered by the Act either insure their liability with worker's compensation insurance carriers authorized to do business in Wisconsin, or to be exempted (self-insured) from insuring liabilities with a carrier and thereby assuming the responsibility for its own worker's compensation risk and payment; and

WHEREAS, the State and its political subdivisions may self-insure worker's compensation without a special order from the Department of Workforce Development (Department) if they agree to report faithfully all compensable injuries and agree to comply with the Act and the rules of the Department; and

WHEREAS, the Personnel and Finance Committee at its meeting of April 2, 2009, approved the continuation of the self-insured worker's compensation program, in compliance with Wisconsin Administrative Code DWD 80.60(3).

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors, that the following is ordained:

- (1) That the self-insured worker's compensation program that is currently in effect, be continued.
- (2) That the County Clerk forward a certified copy of this Resolution to the Worker's Compensation Division, Wisconsin Department of Workforce Development.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 196-42009: Oppose the Governor's Proposed Changes to Insurance Laws and 2009 Senate Bill 20

WHEREAS, Governor Jim Doyle's 2009 Executive Budget Bill (2009 Assembly Bill 75) contains several anti-tort reform proposals including, but not limited to:

- Changing comparative negligence laws to force a defendant to pay one hundred percent of the damages when they have as little as one percent of liability;
- Forcing individuals, companies and local governments to pay for higher levels of insurance by increasing mandatory minimum auto liability insurance limits;
- Changing the definition of an "underinsured motorist" in a way that increases insurance claims;
- Requiring insurance companies to cover "uninsured motorist" insurance claims when no contact was made between the insured's car and another car, thereby increasing the risk of fraudulent claims;
- Allowing "stacking" of coverage for "underinsured motorists" such that the coverage limits for an accident are not limited to the policy relating to the particular vehicle involved in the accident;
- Forcing excess or umbrella insurers to offer to cover certain claims when the coverage was not requested by the insured; and

WHEREAS, the aforementioned anti-tort reform proposals would significantly increase the cost of providing insurance in Wisconsin; and

WHEREAS, Winnebago County currently procures its liability insurance through Wisconsin County Mutual Insurance Corporation (WCMIC); and

WHEREAS, WCMIC is a county owned and operated mutual insurance company created for the purpose of providing long-term stability in insurance coverage and insurance costs for counties; and

WHEREAS, as a mutual insurance company, WCMIC's increased cost of providing insurance resulting from the anti-tort reform proposals would be borne by counties and their taxpayers directly in the form of increased insurance premiums; and

WHEREAS, 2009 Senate Bill 20 is currently pending before the Senate Labor, Election and Urban Affairs Committee; and

WHEREAS, Senate Bill 20 would have a dramatic financial impact on counties by changing employment discrimination laws as follows:

- Allowing claimants to collect unlimited punitive damages against counties contrary to current state and federal law;
- Forcing counties to pay a punitive 10% surcharge to the court system in addition to unlimited damages;
- Forcing counties to litigate issues of compensatory and punitive damages years after the initial discrimination complaint was filed.
- Creating an irrational and inefficient complaint process where both parties have an incentive to litigate claims to the fullest extent possible; and

WHEREAS, Winnebago County faces significant budgetary challenges related to the provision of critical state and county services at a time when state and federal financial support for such services is decreasing and the burden placed on Winnebago County taxpayers is growing; and

WHEREAS, adding new costs for counties and forcing counties to increase their tax levies during our current economic downturn would be devastating to property taxpayers who can ill afford increased taxes or increased insurance costs;

NOW, THEREFORE, BE IT RESOLVED, that the Winnebago County Board of Supervisors hereby opposes the Governor's proposed changes to insurance laws included in his 2009 Executive Budget and the proposed changes to employment discrimination laws in 2009 Senate Bill 20 and strongly encourages its senators and representatives in the Wisconsin State Legislature to reject the Governor's proposals and Senate Bill 20.

Submitted by:
PATRICK BRENNAND, DIST. #32
COUNTY BOARD SUPERVISOR

Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. Supervisors Hall, Ramos and Eisen voted nay.

RESOLUTION NO. 197-42009: Support Establishing "Drug Court Month"

WHEREAS, 2009 marks the Twentieth Anniversary of the Miami-Dade Drug Court; the first Drug Court in the nation. That court sparked a national revolution that changed the face of the American Justice System; and

WHEREAS, for the past twenty years Drug Courts have been restoring lives, reuniting families and making communities across this nation safer; and

WHEREAS, Drug Courts provide focus and leadership for community-wide partnerships, bringing together public safety and public health professionals in the fight against drug abuse and criminality; and

WHEREAS, 60 to 80 percent of drug offenders sentenced to prison and over 40 percent sentenced to probation recidivate, and whereas fewer than 17 percent of Drug Court Graduates recidivate; and

WHEREAS, results of more than 100 program evaluations and at least four met analytic studies have yielded definitive evidence that Drug Courts are demonstratively effective and significantly improve substance-abuse treatment outcomes, substantially reduce drug abuse and crime, and do so at less expense than any other justice strategy; and

WHEREAS, over 25,000 judges, prosecutors, defense attorneys, substance abuse and rehabilitation professionals, law enforcement and community supervision personnel, researchers and educators, national and community leaders, and others dedicated to Drug Courts and similar types of treatment programs are healing families and communities across the country; and

WHEREAS, the Drug Court movement has grown from the 12 original Drug Courts in 1994 to 2,301 operational Drug Courts and 3,410 problem solving courts as of December, 2008; and

WHEREAS, the Winnebago County Safe Streets Committee started a Drug Court here in Winnebago County on January 1, 2006; and

WHEREAS, Friday, May 15, 2009 marks National Drug Court Commencement Day, which celebrates the promise of recovery and restored hope to Drug Court graduates and their families.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby declares that a "Drug Court Month" be established during the month of May, 2009, recognizing the practitioners and participants who make drug courts work and the significant contributions that Drug Courts have made, and continue to make, in reducing drug usage and crime in Winnebago County and across our nation.

Submitted by:
PATRICK BRENNAND, DIST. #32
COUNTY BOARD SUPERVISOR

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

RESOLUTION NO. 198-42009: Authorize Execution of a Five-Year Expo Rental Agreement with Oshkosh Kennel Club Inc.

WHEREAS, Winnebago County has been approached by the Oshkosh Kennel Club Incorporated to enter into a five (5) year contract for use of the Sunnyview Exposition Center facilities for an annual AKC dog show; and

WHEREAS, the Oshkosh Kennel Club Incorporated has been a tenant in good standing, of the Sunnyview Exposition Center facilities for approximately fifteen (15) years while presenting an annual AKC dog show; and

WHEREAS, the AKC dog show presented by Oshkosh Kennel Club Incorporated is open to the public and is an event of merit for the Sunnyview Exposition Center facilities.

WHEREAS, it is in the best interest of Winnebago County to permit the long range scheduling of said event to allow the promoter to secure necessary agreements with subcontractors and vendors; and

WHEREAS, the long range scheduling of events at the Sunnyview Exposition Center allows County staff to efficiently program the facilities so as to maximize their use and ensure generation of revenues.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Parks Department to enter into a five (5) year lease agreement with Oshkosh

Kennel Club Incorporated for presentation of an AKC dog show to be held annually for two days during the month of May.

Submitted by,
PARKS & RECREATION COMMITTEE

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

RESOLUTION NO. 199-42009: Application For Funding Aid From Wisconsin Department of Natural Resources to Assist in New Dock Installation As Well As Shorewall and Ramp Improvements at the Lake Poygan Boat Landing

WHEREAS, Winnebago County is responsible for maintaining seven launch facilities that enable citizens to operate boats on area lakes and rivers; and

WHEREAS, Winnebago County recognizes that properly maintained launch facilities are necessary for safe recreational boating; and

WHEREAS, financial assistance, often in the form of matching grant funds, is available from the Wisconsin Department of Natural Resources for help in improving and maintaining the County's launch facilities.

WHEREAS, it has been determined that there is a need to replace the entire 135 foot length of shorewall that makes up the launch area at the Lake Poygan Boat Landing; and

WHEREAS, it has also been determined that strong consideration must be given to both replacing and extending a large section of concrete ramp that serves as the launch area for the boat landing; and

WHEREAS, through comments solicited from boaters who frequent the Poygan Boat Landing, it has become evident that there is a need to better service activities at the site by putting in place the same type of seasonal dock currently in use at several of the other County boat landings; and

WHEREAS, Winnebago County has a balance in excess of \$200,000 available in its Boat Trailer Parking Permit Fee Program; and

WHEREAS, with the cost of the Lake Poygan Boat Landing improvements estimated at \$128,000, it is appropriate to utilize the Boat Trailer Parking Permit Fee Program as the funding source in meeting the County's obligation for providing the \$64,000 in matching funds needed for these projects; and

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that the County Executive be and he hereby is authorized to submit an application on behalf of Winnebago County to the Wisconsin Department of Natural Resources for such funding aids as may be available.

Submitted by,
PARKS AND RECREATION COMMITTEE

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

RESOLUTION NO. 200-42009: Application for Aids from Wisconsin Department of Natural Resources to Assist in Funding of a Portable Seasonal Dock to Replace Damaged Wooden Structure at Osh-O-Nee Boat Landing

WHEREAS, Winnebago County is responsible for maintaining seven launch facilities that enable citizens to operate boats on area lakes and rivers; and

WHEREAS, Winnebago County recognizes that properly maintained launch facilities are necessary for safe recreational boating; and

WHEREAS, financial assistance, often in the form of matching grant funds, is available from the Wisconsin Department of Natural Resources for help in improving and maintaining the County's launch facilities.

WHEREAS, a recent ice shove on Lake Winnebago damaged a sizeable portion of the south dock located at the Osh-o-Nee Boat Landing; and

WHEREAS, because of the high degree of boating activity that is common at the site, it can be anticipated that the absence of any docking space will cause a great deal of inconvenience for parties who elect to use the Osh-O-Nee Boat Landing; and

WHEREAS, in order to avoid possible conflicts that may arise at the boat landing, it would be appropriate to attempt to replace the damaged dock with a portable seasonal dock at an estimated cost of \$15,000; and

WHEREAS, it may be possible to defray up to \$5,000 of the expenses involved in the dock replacement project through funding assistance made available from the Wisconsin Department of Natural Resources.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that the County Executive be and he hereby is authorized to submit an application on behalf of Winnebago County to the Wisconsin Department of Natural Resources for such funding aids as may be available to engage in a dock replacement project at Osh-O-Nee Boat Landing.

Submitted by,
PARKS AND RECREATION COMMITTEE

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

ORDINANCE NO. 201-42009: Amend Appendix "A", Chapter 11, Winnebago County General Code (Fee Schedule - Winnebago County Health Department)

WHEREAS, Section 11.11 of the General Code of Winnebago County establishes standards for the licensure and regulation of retail food establishments, taverns, hotels, restaurants, tourist rooming houses and other establishments by the Winnebago County Health Department; and

WHEREAS, Section 11.11(7) of the General Code of Winnebago County establishes a fee schedule which is referred as Appendix "A" of that Chapter in relationship to charging fees for inspection, training, etc. related to the foregoing services provided by Winnebago County; and

WHEREAS, said fee schedule is amended regularly to accurately reflect the actual cost of providing said services to those places of business licensed and regulated by the Winnebago County Health Department.

NOW, THEREFORE, the County Board of Supervisors of the County of Winnebago does ordain as follows:

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that Appendix "A" of Chapter 11 of the General Code of Winnebago County is hereby amended as is indicated on those pages which are herewith attached and made a part of this resolution by reference.

BE IT FURTHER RESOLVED by the County Board of Supervisors of the County of Winnebago that Appendix "A" of Chapter 11 of the General Code of Winnebago County shall become effective on July 1, 2009.

Submitted by:
BOARD OF HEALTH

Motion by Supervisor Sievert and seconded to adopt. Ayes: 29. Nays: 2 – Albrecht and Reinert. Excused: 5 - Hamblin, Riste, Lennon, Finch and Farrey. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, May 5, 2009. CARRIED BY VOICE VOTE.

The meeting was adjourned at approximately 9:35 p.m.

Respectfully submitted,
Susan T. Ertmer
Winnebago County Clerk

State of Wisconsin)
County of Winnebago) ss

I, Susan T. Ertmer, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their regular meeting held April 21, 2009.

Susan T. Ertmer
Winnebago County Clerk