

**SPECIAL ORDERS SESSION  
COUNTY BOARD MEETING  
TUESDAY, JANUARY 3, 2012**

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

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

The following Supervisors were present: Konetzke, Barker, Eisen, Ramos, Miller, Roh, Smith, Widener, Hamblin, Albrecht, Grabner, Thompson, Lennon, Reynolds, Hall, Wingren, Jacobson, Norton, Warnke, Robl, Singstock, Neubauer, Kline, Locke, Hegg, Finch, Sievert, Farrey, Diakoff, Brennand, Egan, Ellis, Nelson and Kriescher.

Excused: Gabert and Englebert.

Motion by Supervisor Robl and seconded to approve the amended agenda for this evening's meeting. CARRIED BY VOICE VOTE.

**PUBLIC HEARING**

The following people addressed the Board and expressed their opposition to the Outagamie County Airport Overlay Ordinance:

Fred Steenis, 2175 Butte des Morts Beach Road, Neenah; Laurel Eihusen, 2335 Stroebe Island Drive, Appleton; Dale Youngquist, Chairman of the Town of Menasha, 1478 Windmar Drive, Neenah; Steve Bunnaw, 209 Stroebe Road, Appleton; Fred Liethen, 2400 Stroebe Island Drive, Appleton; Mike Pheifer, 9350 Timber Ridge, Neenah; Fred Piette, 2395 Stroebe Island Drive, Appleton.

**COMMITTEE REPORTS**

Supervisor Norton explained the "Facing the New Reality" handout that was given to the Board. This is something that he received as a member of the Advocap Board. Additional information is available at the website listed on the handout. A presentation will also be given to the Board in the spring.

Supervisor Norton shared information regarding Brown County's Lean Management program presentation that was given at the WCA's Human Services fall meeting. A copy of Brown County's web page describing their program was distributed.

Supervisor Eisen announced his appointment to the 2012 WCA's Conference Program Planning Committee. The 2012 Conference will be held in LaCrosse County on September 23-25, 2012.

Supervisor Lennon announced that the Aviation Committee will be meeting at 8:30 a.m. on Wednesday, January 4, 2012.

**OUTAGAMIE COUNTY AIRPORT OVERLAY ORDINANCE**

Timothy Roach, Outagamie County Zoning Administrator; and Mike Hendrick, Outagamie County Planning Director; were invited by the Winnebago County Planning Department to discuss the Outagamie County Airport Overlay Ordinance that they are developing. Mr. Roach gave a brief history of the ordinance and where they are with the process today.

Mr. Roach stated that in 1981, Outagamie County adopted a zoning ordinance that covered the land at the end of the runways at Outagamie County Airport. That ordinance is still in effect in Outagamie County, but not in Winnebago County. In 1981, Outagamie County felt that it was sufficient protection for the airport to not pursue extending it into Winnebago County.

Mr. Roach explained that the ordinance controls how the land three miles out from the end of the runways can be used. The closer you get to the runways, the more restrictive land uses become. Incompatible land uses for land around an airport are residential. Compatible land uses with an airport include industrial and commercial. Mr. Roach stated that some low-density residential use is allowed near their airport.

Mr. Roach explained that about 10 years ago Outagamie County attempted to make amendments to the ordinance which would adopt the ordinance into Winnebago County, giving them coverage around the entire airport. There was a lot of opposition at that time from residents of Stroebe Island because they have smaller lots than the ordinance would allow.

Mr. Roach explained that these lots on Stroebe Island are smaller than the ordinance allows, but because they existed before the ordinance would go into affect, they would be identified as "non-conforming". Mr. Roach stated that it's the non-conforming designation that is upsetting the Stroebe Island residents.

Mr. Roach stated that "non-conforming" is a term that is recognized by the courts and is used across Wisconsin and the entire United States to describe lots that don't meet the minimum lot size requirements.

Mr. Roach explained that ten years ago concessions were made in the ordinance that would allow them to rebuild if a resident's existing home was destroyed. At the time this amendment was made to the ordinance, there wasn't any opposition. However, at that time, the ordinance wasn't adopted into Winnebago County.

In 2009, the Outagamie County Board formed an ad hoc committee to look at the existing ordinance and make amendments to update it. The ad hoc committee consisted of Outagamie County staff, County Board Supervisors and the appropriate town officials. Representatives from Winnebago County, Town of Menasha and the Town of Clayton were not

members of the ad hoc committee, but they were invited to participate in the discussions. Informational meetings were also held in the Towns of Menasha and Clayton. Stroebe Island residents were also at those meetings. The ad hoc committee completed its work in June 2011. The recommendation, ordinance language and maps showing the Winnebago County overlay and other updates were presented at a public hearing for public comments. Mr. Roach said that he has not gotten complaints from Outagamie County residents about their property values being negatively affected by the non-conforming status.

Mr. Roach stressed that during the public hearing process Outagamie County worked to clean up language in the ordinance and, "really make it clear that these folks have the ability to rebuild their non-conforming structure."

Mr. Roach stated that the ordinance will go back to their Zoning Committee on January 10, 2012 for further review. After that, it's hoped that it will go to the Outagamie County Board of Supervisors for adoption.

Mr. Roach then took questions from the Board.

Chairman Albrecht called for a brief recess at 7:30 p.m. The Board reconvened at 7:43 p.m.

### **COUNTY BOARD CHAIRMAN'S REPORT**

Chairman Albrecht reported the Supervisors Gabert and Englebert are excused from tonight's meeting.

Chairman Albrecht announced that Supervisor Jacobson has made a donation to county's scholarship program.

### **WINNEBAGO COUNTY COMPREHENSIVE REVISION TO THE COUNTY ZONING ORDINANCE**

Jerry Bougie, Director of Planning & Zoning, explained that this process began in 2008 as an outgrowth of the county's Comprehensive Plan. A steering committee made up of local government officials and residents worked on rewriting the ordinance to make it current.

Mr. Bougie explained that a draft ordinance has been created and is being presented at regional meetings throughout the county. At the end of January there will be an open house so the ordinance can be presented to the public.

Mr. Bougie said that that Planning & Zoning Committee will hold a public hearing on March 1. The revision will be presented to the County Board at their March 6, 2012 Special Orders Session for discussion. It will then be voted on at the Board's March 20 meeting.

Mr. Bougie explained that once the ordinance is approved by the Board, towns will have up to one year to decide if they are going to come into county zoning.

Mr. Bougie took questions from the Board.

### **WITTMAN REGIONAL AIRPORT LAND ACQUISITION UPDATE**

Chairman David Albrecht updated the Board on the potential land acquisition at the Wittman Regional Airport. He presented the following timeline:

- October 2006 – county begins potential acquisition of 118 acres of Brennand property by contacting Martha Alberti, Real Estate Specialist at the Wisconsin Department of Transportation Bureau of Aeronautics
- October 2006 – real estate condition reports on Brennand property is completed by Centrum Development for the Brennand family.
- October 26, 2006 – Centrum Development offers 115.42 acres of the Brennand property to Winnebago County for \$3,116,529
- January 2007 – Winnebago County has appraisal done of the Brennand property for \$3,500
- April 2007- Smith Appraisal Services, LLC completes appraisal; 113.89 net acres @ \$20,501.24/acre for a total appraised value of \$2,335,000
- October 15, 2007 – Centrum Development contracts for an appraisal with Active Appraisal Services, Inc; 115 acres @ \$24,000/acre for a total of \$2,760,000
- January 2009 – Winnebago County enlists help from Chamco Airport Development Committee
- May 2009 – Centrum Development expresses renewed interest in selling the Brennand property to Winnebago County; new financing options are offered by sellers
- February 2010 – County Board Chairman advises Airport Director that the Glatz family is interested in selling their airport-adjacent property to Winnebago County; county contracts Rolling & Company to conduct appraisal
- April 2010 – Rolling & Company appraisal of Brennand property is received; 115.77 acres @ \$18,000/acre for a total of \$2,083,000
- June 16, 2010 – Rolling & Company appraisal on Glatz property is received; 78.88 acres @ \$14,000/acre for a total of \$1,204,000
- September 28, 2010 – County meets with Glatz family to discuss appraisal, land usage and timing of potential purchase
- October 29, 2010 – County's second meeting with Glatz family to answer the family's questions about purchase of

their property

- March 1, 2011 – Presentation by Wittman Regional Airport, Chamco and City of Oshkosh to the County Board on the property acquisition and potential development of the area
- March 30, 2011 – Winnebago County offers to purchase Glatz property – 78.88 acres @ \$14,000/acre for a total of \$1,104,000
- March 30, 2011 – Winnebago County goes through Centrum Development and offers to purchase the Brennand property – 115.72 acres @ \$18,000/ acre for a total of \$2,083,860
- April 11, 2011 – Reff, Baivier, Breminham & Lim, S.C., presents Glatz family's counter offer to Winnebago County; Additional discussions with the attorneys and family members reveals that the family still had questions that needed further investigation
- April 19, 2011 – Winnebago County Board Resolution No. 226-42011, authorizing the purchase of the Brennand and Glatz properties is presented to the Board; resolution is referred back to the Aviation Committee for further discussion
- April 26, 2011 – Winnebago County Executive and Airport Director send a letter to the Glatz family's attorney withdrawing their offer to purchase the Glatz family's property. There are still questions about future land use and property values.
- April 28, 2011 – Centrum Development returns Winnebago County's offer to purchase the Brennand family property— price was unacceptable, sellers desired to have two separate offers based on the two individual landowners; offer contingent upon acceptance of each other; insufficient earnest money
- May 9, 2011 – Winnebago County Executive, County Board Chairman and Airport Director meets with Centrum Development and the Brennand family and their representatives; sellers want separate appraisals for each property owners' parcels
- June 1, 2011 – Rolling & Company complete appraisal on property owned by George & Kathleen Brennand (93.89 acres @ \$15,000 per acre for a total of \$1,408,300); and property owned by William Brennand (21.83 acres at \$12,000 per acre for a total of \$261,960).
- October 25, 2011 – Winnebago County Executive, County Board Chairman and Airport Director meet with Centrum Development, Brennand family and their representatives. Sellers present a revised offer to Winnebago County for the Brennand property; 80.93 acres at \$19,874.71/acre for a total of \$1,608,460. Chairman Albrecht explained that this is where they are at right now. On a large map posted in the Board Room, he showed the Board where the property that is being offered for sale is located.
- The Aviation Committee will be coming to the Board with a resolution to purchase this property for \$1,608,460 in the near future.

Chairman Albrecht stated that he recommends that the county bond for this purchase. If the Board does not approve this purchase, he will not pursue the county's acquisition of this property again.

Chairman Albrecht explained the importance of having property at Wittman Regional Airport available for development by private industries. He cited an e-mail he received about the possibility that Kestrel Aircraft Company is going to build a plant near Superior, Wisconsin and the 300 jobs that facility would create for that community. Chairman Albrecht stated that the county has been contacted at various times by businesses wanting to locate here, but because the county didn't have land to offer them nothing could be finalized. Chairman Albrecht stated that he believes the county should purchase this land because it will lead to the creation of business growth and more jobs in Winnebago County. He then took questions from the Board.

Motion by Supervisor Robl and seconded to adjourn until the Board's next meeting on Tuesday, January 17, 2012.  
CARRIED BY VOICE VOTE.

The meeting was adjourned at 8:40 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 Special Orders Session held January 3, 2012.

Susan T. Ertmer  
Winnebago County Clerk