

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, FEBRUARY 28, 2011**

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

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

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

Motion by Supervisor Robl and seconded to adopt the agenda with the following changes: Health Insurance Planning presentation by Jan Stage will be before the County Board Chairman's Report; Resolution Nos. 352, 353 and 348 will be voted on prior to Resolution No. 309. CARRIED BY VOICE VOTE.

PUBLIC HEARING

The following people spoke in support of Resolution No. 348-12012, "Appropriate \$1,608,450 to Purchase Vacant Land Adjacent to Wittman Regional Airport and Authorize Subsequent Bond Issue for that Purpose":

- Elizabeth Hartman, CEO of Chamco, Inc. and resident of Winnebago County, 432 Hazel Street, Oshkosh
- Sam Tobias, Fond du Lac County Planning and Parks Director, Fond du Lac, Wisconsin
- Al Hartman, speaking as Chair of the Provisional Board of Directors for Angels on the Water, one of the founders of Aero Innovate and as the Dean of the College Business at UW-Oshkosh, 3276 Old Orchard Lane, Oshkosh
- Paul Sundquist, 222 Hudson Street, Oshkosh

Ann Marshall, League of Women Voters, 1120 Olson Avenue, spoke in support of Resolution No. 351-22012, "Authorize Execution of Agreement to Consolidate the City of Oshkosh and City of Neenah Health Departments into the Winnebago County Health Department".

The following people spoke in opposition to Resolution No. 348-12012, "Appropriate \$1,608,450 to Purchase Vacant Land Adjacent to Wittman Regional Airport and Authorize Subsequent Bond Issue for that Purpose":

- Larry Last, 3827 Red Oak Court, Oshkosh
 - Mr. Last also expressed his opposition to Resolution No. 322-122011, "Authorize Wittman Regional Airport to Purchase a Runway Broom at a Cost of \$750,000 to be Funded by General Obligation Bonds Totaling \$600,000 and Airport Unrestricted Fund Balance Proceeds of \$150,000"
- Greg Selenka, 260 Hartland Road, Oshkosh

COMMUNICATIONS, PETITIONS, ETC.

Notice of Claim from Damon Ford for injuries sustained at the Winnebago County jail was referred to the Personnel & Finance Committee.

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

Notice of Claim from Gateway Retail Center Limited Partnership for excessive assessment was presented to the Board, but not referred to the Personnel & Finance Committee for action.

Petition for Zoning Amendment from Kurt Plechaty, Town of Nekimi, for a zoning change for tax parcel no. 012-0512 from A-1 to A-2 residential and light agriculture was referred to the Planning & Zoning Committee

Lincoln County – Resolution No. 2012-02-08, supporting U.S. House of Representatives Bill No. 2250 and U.S. Senate Bill 1392 regarding standards for industrial, commercial and institutional boilers, process heaters and incinerators—was referred to the Legislative Committee

Calumet County – Resolution No. 2011-23, "Resolution Supporting Niagara Escarpment Legislation" was referred to the Legislative Committee

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Eisen reported that tonight Outagamie County will be acting on their updated Airport Overlay Zoning Ordinance. A small group of Winnebago County residents on Stroebe Island worked with Outagamie County to reach an arrangement so that they were not adversely affected by this new ordinance. Supervisor Eisen commended Mark Harris for his efforts in this process.

Supervisor Eisen also reported on his attendance at the Wisconsin Counties Association Judicial & Public Safety Steering Committee meeting on February 17. Mr. Ray Lueck from the Wisconsin Office of Justice Assistance

reported on the benefits of “alternatives to incarceration” to counties. Supervisor Eisen stated that the WCA is holding an education seminar on March 26 on this topic. In addition, the Wisconsin Attorney General’s Office presented an update on Wisconsin’s conceal carry law at the February 17 meeting.

Supervisor Robl received a letter from the Wisconsin Department of Transportation (WisDOT) regarding the completed study of the US 441 project. The letter states that they will be holding information meetings on this project later this spring.

Motion by Supervisor Robl and seconded to approve the proceedings from the January 3 and January 17, 2012 Winnebago County Board meetings. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE’S REPORT

Executive Harris reported that if tonight’s refunding bond resolutions are approved, the county will save approximately \$753,000.

Executive Harris stated that the following county projects are being closed out and returning the indicated amounts to the county’s debt service fund:

- County Trunk Highway (CTH) M project – \$233,000
- CTH B project - \$177,000
- CTH FF project - \$99,000
- Remodel of the Administration Building - \$904,000

Executive Harris explained that there were a couple of smaller projects that cost more than expected, so the total amount returned to debt service was approximately \$1.4 Million. These additional funds will allow the county to have a lower debt service rate than expected.

Executive Harris asked for the Board’s support of the following Resolutions:

- No. 351-22012, “Authorize Execution of Agreement to Consolidate the City of Oshkosh and City of Neenah Health Departments into the Winnebago County Health Department
- No. 349-22012, “Authorize Appropriation of \$500,000 to Winnebago County Industrial Development Board”
- No. 348-22012, “ Appropriate \$1,608,450 to Purchase Vacant Land Adjacent to Wittman Regional Airport, and Authorize Subsequent Bond Issue for that Purpose”

COUNTY EXECUTIVE APPOINTMENTS

Aging & Disability Resource Center Committee

Executive Harris asked for approval of his appointment of Claire Steger, 237 Stevens Street, Neenah, to the Aging & Disability Resource Center Committee. Motion by Supervisor Widener and seconded to approve. CARRIED BY VOICE VOTE.

Winnebago County Highway Commissioner

Executive Harris asked for approval of his appointment of Ernest G. Winters as Winnebago County Highway Commissioner. Motion by Supervisor Robl and seconded to approve. CARRIED BY VOICE VOTE.

Park View Health Center Director

Executive Harris asked for approval of his appointment of Morgan E. Hinkley as Director of Park View Health Center. Motion by Supervisor Widener and seconded to approve. CARRIED BY VOICE VOTE.

Winnefox Library System Board of Trustees

Executive Harris asked for approval of his appointment of Tasha Saecker, 1860 Beck Street, Menasha, to the Winnefox Library System Board of Trustees. Motion by Supervisor Lennon and seconded to approve. CARRIED BY VOICE VOTE.

Winnefox Library System Board of Trustees

Executive Harris asked for approval of his appointment of Elizabeth M. Irish, 929 Reddin Avenue, Neenah, to the Winnefox Library System Board of Trustees. Motion by Supervisor Widener and seconded to approve. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN’S REPORT

Chairman Albrecht reported that Supervisors Gabert and Hall are excused from tonight’s meeting.

FARMLAND PRESERVATION PLAN PUBLIC HEARING

Kay Lettau, 3795 County Road II, Larsen; speaking as a Town of Clayton Supervisor, a member of the Farmland Preservation Steering Committee and an owner of a farm in Farmland Preservation; asked that the Board postpone the approval of the Farmland Preservation Plan.

Matthew Olson, 8303 Sauby Road, Town of Winchester, Chairman of the Town of Winchester's Land Commission, asked that the Board pass the plan tonight before the State of Wisconsin makes it mandatory for current farmland preservation participants to stay in the plan.

HEALTH INSURANCE PLANNING

Karon Kraft, Winnebago County Human Resources Director, introduced Jan Stage, Vice President and Senior Benefits Consultant of Associated Financial Group. She explained that this presentation was requested by the Board late last year as an overview before the actual health insurance planning process begins.

Mr. Stage explained the information contained in the presentation that he handed out to the Board:

- The county's health insurance renews annually on October 1; the planning process is beginning now.
- The percent of increase in insurance premiums since last year declined by approximately 7% because a number of employees went from the zero deductible plan to the \$200 deductible plan.
- If nothing changes, the county will see an 11% increase in health insurance premiums in the 2012-2013 insurance year. Winnebago County's budget can not accommodate an 11% increase in health insurance premiums.
- The county's goals for the October 1 health insurance renewal are a zero increase in premiums and moving to one carrier. The county currently offers two plans so that employees have access to all health care providers in the area. Mr. Stage explained that now there are carriers who offer plans that provide access to all health care providers in the area, so the county could move to one carrier.
- Mr. Stage presented information on what Outagamie, Fond du Lac, Calumet and Sheboygan Counties are doing:
 - Offering higher deductible plans
 - Using these savings to establish health reimbursement or health savings accounts for the employees
 - Most of Winnebago County's employees are in the \$200 deductible plan. This plan is "better than average" when compared to other counties' plans.
- The insurer options for the county are: Anthem Blue Cross, Employee Trust Fund (ETF), Humana, Network, United Health Care/UMR, Wisconsin Education Association Trust (WEA), Wisconsin Counties Association and Wisconsin Physician Services (WPS)
- The proposed time line:
 - April – begin the ETF bid process
 - May – request bids from carriers
 - June – bids are due, summarized and presented
 - July – make decision on which carrier
 - August – employee communication and education
 - October 1 – renewal date

Mr. Stage took questions from the Board.

KRONOS UPGRADE AND EXPANSION – KARON KRAFT, HUMAN RESOURCES DIRECTOR

Karon Kraft, Winnebago County Human Resources Director, explained that the county has had a Kronos time keeping system in place at Park View Health Center and at the Sheriff's Office for the last few years and it is in need of an upgrade. In addition, it is felt that having the Kronos system county-wide would be very beneficial. Everyone would be on the same time keeping system, which would create one data source for the payroll system.

Ms. Kraft explained that the county upgraded their payroll system last year when the Finance Department upgraded their system. The Kronos system will integrate very well with the new payroll system and will eliminate some calculation problems that currently exist because of the county's multiple time keeping systems.

Ms. Kraft explained that the maintenance cost on the new Kronos software will be less than the maintenance costs on the old system.

Ms. Kraft then took questions from the Board.

ZONING REPORTS & ORDINANCES

REPORT NO. 001 (November 15, 2011) A report from the Planning & Zoning Committee regarding a Land Use Plan amendment to include a Farmland Preservation Plan. Motion by Supervisor Brennand and seconded to approve. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE # 11/01/11. Motion by Supervisor Brennand and seconded to adopt the amendment to the county's Land Use Plan to include a Farmland Preservation Plan. CARRIED BY VOICE VOTE. (Effective date – March 13, 2012)

REPORT NO. 001 (dated February 28, 2012). A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners, Kevin & Carrie Abitz, Town of Clayton, for a zoning change to A-2 for tax parcel no. 006-0486-01. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 02-01-12 (dated February 28, 2012). A requested zoning change from R-1 (Single Family non-subdivided) to A-2 (General Farming). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 13, 2012)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant David Yurk, Omnni Associates; and property owner, Phillip Grundy, Grundy Farms, Inc.; Town of Oshkosh, for a zoning change to R-1 for tax parcel no. 018-0452-01(p). Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 02-02-12. A requested zoning change from M-2 (Heavy Industrial) to R-1 (Single Family non-subdivided). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 13, 2012)

RESOLUTIONS AND ORDINANCES

RESOLUTION NO. 352-22012: Resolution Awarding the Sale of \$3,910,000 Taxable General Obligation Refunding Bonds

WHEREAS, on January 17, 2012, the County Board of Supervisors of Winnebago County, Wisconsin (the "County") adopted a resolution (the "Authorizing Resolution") authorizing the issuance and providing for the sale of taxable general obligation refunding bonds (the "Bonds") in an amount of approximately \$3,920,000 for the public purpose of refunding obligations of the County, including interest on them, specifically, the 2014 through 2019 maturities of the Taxable General Obligation Refunding Bonds, dated March 1, 2003 (the "Refunded 2003 Bonds") and the 2015 through 2020 maturities of the Taxable General Obligation Refunding Bonds, dated April 15, 2004 (the "Refunded 2004 Bonds") (collectively, the "Refunded Obligations") (hereinafter the refinancing of the Refunded Obligations shall be referred to as the "Refunding") (the "Project");

WHEREAS, due to certain provisions contained in the Internal Revenue Code of 1986, as amended, it is necessary to issue the Bonds on a taxable rather than tax-exempt basis;

WHEREAS, pursuant to the Authorizing Resolution, the County has directed Robert W. Baird & Co. Incorporated ("Baird") to take the steps necessary to sell the Bonds;

WHEREAS, Baird, in consultation with the officials of the County, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on February 28, 2012;

WHEREAS, the County Clerk (in consultation with Baird) caused notice of the sale of the Bonds to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the Bonds for public sale;

WHEREAS, the County has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation");

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the County. Baird has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference;

WHEREAS, the County Board of Supervisors now deems it to be necessary, desirable and in the best interest of the County that the Bonds be issued in the aggregate principal amount of \$3,910,000.

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

Section 1A. Ratification of the Notice of Sale, Official Notice of Sale and Offering Materials. The County Board of Supervisors of the County hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Official Notice of Sale and any other offering materials prepared and circulated by Baird are hereby ratified and approved in all respects. All actions taken by officers of the County and

Baird in connection with the preparation and distribution of the Official Notice of Sale and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Award of the Bonds. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal (as modified on the Bid Tabulation and reflected in the Pricing Summary referenced below and incorporated herein), plus accrued interest to the date of delivery, is hereby accepted. 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. The good faith deposit of the Purchaser shall be retained by the County Treasurer until the closing of the bond issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Bonds. The Bonds shall be designated "Taxable General Obligation Refunding Bonds"; shall be issued in the aggregate principal amount of \$3,910,000; shall be dated March 15, 2012; 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 D-1 and incorporated herein by this reference. Interest is payable semi-annually on April 1 and October 1 of each year commencing on October 1, 2012. 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 Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds shall not be subject to optional redemption.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E 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 Bonds 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 2012 through 2019 for the payments due in the years 2012 through 2020 in the amounts set forth on the Schedule. The amount of tax levied in the year 2012 shall be the total amount of debt service due on the Bonds in the years 2012 and 2013; provided that the amount of such tax carried onto the tax rolls shall be abated by any amounts appropriated pursuant to subsection (D) below which are applied to payment of principal of or interest on the Bonds in the year 2012.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds 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 Bonds, 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 Bonds 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.

(D) Appropriation. The County hereby appropriates from amounts levied to pay debt service on the Refunded Obligations or other funds of the County on hand a sum sufficient to be irrevocably deposited in the segregated Debt Service Fund Account created below and used to pay the interest on the Bonds coming due on October 1, 2012 as set forth on the Schedule.

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 \$3,910,000 Taxable General Obligation Refunding Bonds, dated March 15, 2012" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The County Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Bonds; (ii) any premium not used for the Refunding which may be received by the County above the par value of the Bonds 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 Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds 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 Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds 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 Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Bonds 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.

(C) Remaining Monies. When all of the Bonds 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 Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium not used for the Refunding and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the County and disbursed solely for the purpose for which borrowed or for the payment of the principal of and the interest on the Bonds. 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. In order to accomplish the purpose for which the Bonds are issued, proceeds of the Bonds shall be transferred to the Escrow Account, as provided in Section 15 hereof. 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 for which the Bonds have been issued has been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose shall be deposited in the Debt Service Fund Account.

Section 8. Execution of the Bonds; Closing; Professional Services. The Bonds 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 Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds 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 Bonds 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 Bonds, 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 Bonds is hereby ratified and approved in all respects.

Section 9. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by the County Clerk or County Treasurer (the "Fiscal Agent").

Section 10. Persons Treated as Owners; Transfer of Bonds. The County shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond 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 Bond 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 Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond 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 Bond or Bonds 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 Bond surrendered for transfer.

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

Section 11. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest

payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County at the close of business on the Record Date.

Section 12. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds 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 previously executed on behalf of the County and on file in the County Clerk's office.

Section 13. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Bonds 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 14. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Bonds, 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 Bonds 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 Bonds).

To the extent required under the Rule, the County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, 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 15. Escrow Agent; Escrow Agreement; Escrow Account. Associated Trust Company, National Association, Green Bay, Wisconsin, is hereby appointed escrow agent for the County, for the purpose of ensuring the payment of the principal of and interest on the Refunded Obligations (the "Escrow Agent").

The Chairperson and County Clerk are hereby authorized and directed to execute an escrow agreement substantially in the form attached hereto as Exhibit F (the "Escrow Agreement") (such form may be modified by said officers prior to execution, the execution of such agreement by said officers to constitute full approval of the County Board of Supervisors of any such modifications), with the Escrow Agent, for the purpose of effectuating the provisions of this Resolution.

The Bond Proceeds allocable to refunding the Refunded Obligations shall be deposited in a refunding escrow account which is hereby created with the Escrow Agent, pursuant to the Escrow Agreement, for the purpose of retaining the required amount of cash, if any, and acquiring the United States obligations provided for in the Escrow Agreement.

Upon transfer of the Bond Proceeds and any other necessary funds allocable to refunding the Refunded Obligations to the Escrow Account, the taxes heretofore levied to pay debt service on the Refunded Obligations shall be abated to the extent such transfer together with investment earnings thereon is sufficient to pay the principal of and interest on the Refunded Obligations, but such abatement shall not affect the County's pledge of its full faith, credit and resources to make such payments. The refunding escrow account created by the Escrow Agreement shall hereinafter serve as the debt service (or sinking) fund account for the Refunded Obligations. The Escrow Agent shall serve as custodian of said debt service (or sinking) funds.

Section 16. SLGS Subscriptions. The Escrow Agent and Baird are authorized to submit subscriptions for United States Treasury Securities - State and Local Government Series and to purchase other U.S. government securities on behalf of the County in such amount as is necessary in order to carry out the Refunding.

Section 17. Redemption of the Refunded Obligations. (a) The Refunded 2003 Bonds are hereby called for prior payment and redemption on April 1, 2013 at a price of par plus accrued interest to the date of redemption.

(b) The Refunded 2004 Bonds are hereby called for prior payment and redemption on April 1, 2014 at a price of par plus accrued interest to the date of redemption.

The County hereby directs the Escrow Agent appointed above to cause timely notice of redemption, in substantially the forms attached to the Escrow Agreement (the "Notices"), to be provided at the times, to the parties and in the manner set forth on the Notices.

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 Bonds in the Record Book.

Section 19. Bond Insurance. If the Purchaser of the Bonds determines to obtain municipal bond insurance with respect to the Bonds, 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 Bond 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 Bonds 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 Bond 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.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Bradley Viegut, Director, Robert W. Baird & Co., Inc., presented a summary report of the bid results for taxable general obligation refunding bond and a tax-exempt general obligation refunding bond. Bids were accepted until 10:00 a.m. this morning.

Nine bids were received for this resolution and the winning bidder is Bankers' Bank with an interest rate of 1.6180%. The issue amount of this Resolution has been reduced from \$3,910,000 to \$3,875,000. Total savings to the county resulting from the refinancing of this debt is approximately \$265,000.

Vote on this Resolution – CARRIED BY VOICE VOTE.

RESOLUTION NO. 353-22012: Awarding the Sale of \$9,200,000 General Obligation Refunding Bonds

WHEREAS, on January 17, 2012, the County Board of Supervisors of Winnebago County, Wisconsin (the "County") adopted a resolution (the "Authorizing Resolution") authorizing the issuance and providing for the sale of general obligation refunding bonds (the "Bonds") in an amount of approximately \$9,225,000 for the public purpose of refunding obligations of the County, including interest on them, specifically, the 2013 maturity of the General Obligation Promissory Notes, dated December 1, 2003 (the "Refunded 2003 Notes"); the 2013 through 2015 maturities of the General Obligation Promissory Notes, dated October 15, 2005 (the "Refunded 2005 Notes"); and the 2014 through 2016 maturities of the General Obligation Promissory Notes, dated September 5, 2006 (the "Refunded 2006 Notes") (collectively, the "Refunded Obligations") (hereinafter, the refinancing of the Refunded Obligations shall be referred to as the "Refunding");

WHEREAS, pursuant to the Authorizing Resolution, the County directed Robert W. Baird & Co. Incorporated ("Baird") to take the steps necessary to sell the Bonds;

WHEREAS, Baird, in consultation with the officials of the County, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on February 28, 2012;

WHEREAS, the County Clerk (in consultation with Baird) caused notice of the sale of the Bonds to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the Bonds for public sale;

WHEREAS, the County has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation");

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the County. Baird has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference; and

WHEREAS, the County Board of Supervisors now deems it to be necessary, desirable and in the best interest of the County that the Bonds be issued in the aggregate principal amount of \$9,200,000.

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

Section 1A. Ratification of the Official Notice of Sale and Offering Materials. The County Board of Supervisors of the County hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Official Notice of Sale and any other offering materials prepared and circulated by Baird are hereby ratified and approved in all respects. All actions taken by officers of the County and Baird in connection with the preparation and distribution of the Official Notice of Sale and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Award of the Bonds. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal (as modified on the Bid Tabulation and reflected in the Pricing Summary referenced below and incorporated herein), plus accrued interest to the date of delivery, is hereby accepted. 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. The good faith deposit of the Purchaser shall be retained by the County Treasurer

until the closing of the bond issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds"; shall be issued in the aggregate principal amount of \$9,200,000; shall be dated March 15, 2012; 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 D-1 and incorporated herein by this reference. Interest is payable semi-annually on April 1 and October 1 of each year commencing on October 1, 2012. 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 Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds shall not be subject to optional redemption.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E 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 Bonds 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 2012 through 2015 for the payments due in the years 2012 through 2016 in the amounts set forth on the Schedule. The amount of tax levied in the year 2012 shall be the total amount of debt service due on the Bonds in the years 2012 and 2013; provided that the amount of such tax carried onto the tax rolls shall be abated by any amounts appropriated pursuant to subsection (D) below which are applied to payment of principal of or interest on the Bonds in the year 2012.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds 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 Bonds, 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 Bonds 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.

(D) Appropriation. The County hereby appropriates from amounts levied to pay debt service on the Refunded Obligations or other funds of the County on hand a sum sufficient to be irrevocably deposited in the segregated Debt Service Fund Account created below and used to pay the interest on the Bonds coming due on October 1, 2012 as set forth on the Schedule.

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 \$9,200,000 General Obligation Refunding Bonds, dated March 15, 2012" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The County Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Bonds; (ii) any premium not used for the Refunding which may be received by the County above the par value of the Bonds 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 Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds 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 Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds 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 Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Bonds 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 Bonds 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 Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium not used for the Refunding and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the County and disbursed solely for the purpose for which borrowed or for the payment of the principal of and the interest on the Bonds. 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. In order to accomplish the purpose for which the Bonds are issued, a portion of the proceeds of the Bonds shall be transferred to the Escrow Account, as provided in Section 18 hereof. 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 for which the Bonds have been issued has been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose 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 Bonds 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 Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds 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 Bonds and by the Refunded Obligations and the ownership, management and use of the projects will not cause the Bonds or the Refunded Obligations 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 Bonds 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 Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds 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 Bonds 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 Bonds provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Bonds 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. Execution of the Bonds; Closing; Professional Services. The Bonds 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 Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds 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 Bonds 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 Bonds, 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 Bonds is hereby ratified and approved in all respects.

Section 11. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by the County Clerk or County Treasurer (the "Fiscal Agent").

Section 12. Persons Treated as Owners; Transfer of Bonds. The County shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond 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 Bond 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 Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond 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 Bond or Bonds 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 Bond surrendered for transfer.

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

Section 13. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds 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 previously executed on behalf of the County and on file in the County Clerk's office.

Section 15. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Bonds 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 16. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Bonds, 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 Bonds 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 Bonds).

To the extent required under the Rule, the County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, 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 17. Redemption of the Refunded 2003 Notes and Refunded 2005 Notes. The Refunded 2003 Notes and the Refunded 2005 Notes are hereby called for prior payment and redemption on April 1, 2012 at a price of par plus accrued interest to the date of redemption.

The County hereby directs the County Clerk to work with Baird to cause timely notice of redemption, in substantially the forms attached hereto as Exhibits F-1 and F-2 and incorporated herein by this reference (the "Notices"), to be provided at the times, to the parties and in the manner set forth on the Notices. All actions heretofore taken by the officers and agents of the County to effectuate the redemption of the Refunded 2003 Notes and the Refunded 2005 Notes are hereby ratified and approved.

Section 18. Escrow Agent; Escrow Agreement; Escrow Account. Associated Trust Company, National Association, Green Bay, Wisconsin, is hereby appointed escrow agent for the County, for the purpose of ensuring the payment of the principal of and interest on the Refunded 2006 Notes (the "Escrow Agent").

The Chairperson and County Clerk are hereby authorized and directed to execute an escrow agreement substantially in the form attached hereto as Exhibit G (the "Escrow Agreement") (such form may be modified by said officers prior to execution, the execution of such agreement by said officers to constitute full approval of the County Board of Supervisors of any such modifications), with the Escrow Agent, for the purpose of effectuating the provisions of this Resolution.

The Bond Proceeds allocable to refunding the Refunded 2006 Notes shall be deposited in a refunding escrow account which is hereby created with the Escrow Agent, pursuant to the Escrow Agreement, for the purpose of retaining the required amount of cash, if any, and acquiring the United States obligations provided for in the Escrow Agreement.

Upon transfer of the Bond Proceeds and any other necessary funds allocable to refunding the Refunded 2006 Notes to the Escrow Account, the taxes heretofore levied to pay debt service on the Refunded 2006 Notes shall be abated to the extent such transfer together with investment earnings thereon is sufficient to pay the principal of and interest on the Refunded 2006 Notes, but such abatement shall not affect the County's pledge of its full faith, credit and

resources to make such payments. The refunding escrow account created by the Escrow Agreement shall hereinafter serve as the debt service (or sinking) fund account for the Refunded 2006 Notes. The Escrow Agent shall serve as custodian of said debt service (or sinking) funds.

Section 19. SLGS Subscriptions. The Escrow Agent and Baird are authorized to submit subscriptions for United States Treasury Securities - State and Local Government Series and to purchase other U.S. government securities on behalf of the County in such amount as is necessary in order to carry out the Refunding of the Refunded 2006 Notes.

Section 20. Redemption of the Refunded 2006 Notes. The Refunded 2006 Notes are hereby called for prior payment and redemption on April 1, 2013 at a price of par plus accrued interest to the date of redemption.

The County hereby directs the Escrow Agent appointed above to cause timely notice of redemption, in substantially the form attached to the Escrow Agreement (the "Notice"), to be provided at the times, to the parties and in the manner set forth on the Notice.

Section 21. 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 Bonds in the Record Book.

Section 22. Bond Insurance. If the Purchaser of the Bonds determines to obtain municipal bond insurance with respect to the Bonds, 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 Bond 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 Bonds 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 Bond provided herein.

Section 23. 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.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Bradley Viegut reported that nine bids were received for this Resolution. The winning bidder is BMO Capital Markets with an interest rate of 0.7089%. The borrowing amount for this resolution has been reduced from \$9,200,000 to \$8,915,000. The total savings to the county resulting from this refinancing of existing county debt is approximately \$500,000.

Vote on Resolution – CARRIED BY VOICE VOTE.

RESOLUTION NO. 348-22012: Appropriate \$1,608,450 to Purchase Vacant Land Adjacent to Wittman Regional Airport, and Authorize Subsequent Bond Issue for that Purpose

WHEREAS, Wittman Regional Airport lacks substantial portions of developable land within the airport boundaries to market to aviation businesses interested in locating on airport grounds; and

WHEREAS, opportunities for economic development at Wittman Regional Airport may have been missed in recent years because of this lack of significant developable land; and

WHEREAS, approximately 59.43 acres of land owned by George and Kathleen Brennand, and approximately 21.50 acres of land owned by William Brennand, priced collectively at \$1,608,460, are adjacent to the southeast side of the airport and are currently being offered for sale by Centrum Development; and

WHEREAS, the purchase of these parcels would provide opportunities to bring new aviation businesses to Winnebago County Wittman Regional Airport and further enhance economic development within Winnebago County; and

WHEREAS, Wittman Regional Airport has petitioned the Wisconsin Department of Transportation, Bureau of Aeronautics, for potential reimbursement through the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) and the Wisconsin Department of Transportation (DOT), Bureau of Aeronautics (BOA), of up to 97.5% of the land acquisition costs for the aforementioned parcels of property.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$1,608,460.00 from the General Fund of Winnebago County for the purchase of property adjacent to Wittman Regional Airport as described above.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County General Fund shall be reimbursed in the above amount from a subsequent bond issue.

Submitted by:
AVIATION COMMITTEE &
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Lennon and seconded to adopt. Motion by Supervisor Finch and seconded to reduce the amount to \$1 Million. Ayes: 10 – Miller, Roh, Smith, Wingren, Neubauer, Hegg, Finch, Sievert, Farrey and Kriescher. Nays: 23. Excused: 2 – Gabert and Hall. LOST. (Supervisor Brennand recused himself from voting on this Resolution.)

After much discussion, a vote was taken on the original Resolution – Ayes: 22. Nays: 11 – Miller, Roh, Smith, Wingren, Neubauer, Hegg, Finch, Sievert, Farrey, Ellis and Kriescher. Excused: 2 – Gabert and Hall. LOST. (Supervisor Brennand recused himself from voting on this Resolution.)

At 8:40 p.m., Chairman Albrecht called for a brief recess. The Board reconvened at 8:55 p.m.

ORDINANCE NO. NO. 309-112011: Adopt Winnebago County Farmland Preservation Plan: 2012-2026

WHEREAS, under 2009 Wisconsin Act 28, found in Chapter 91, Wis Stats, the Working Lands Initiative was adopted to encourage changes to farmland preservation planning, which includes modernizing county-wide farmland preservation plans to meet current land use challenges; and

WHEREAS, the current farmland preservation plan for Winnebago County was adopted in 1981 and must be amended pursuant to § 91.10(1), Wis Stats, by January 1, 2012; and

WHEREAS, Winnebago County is authorized to prepare and adopt a comprehensive plan and farmland preservation plan; and

WHEREAS, the farmland preservation plan must be a part of the adopted comprehensive plan; and

WHEREAS, a county must use the same procedures to adopt a farmland preservation plan that are used to adopt a comprehensive plan; and

WHEREAS, the Winnebago County Board of Supervisors has adopted written procedures designed to foster public participation in every stage of the preparation of a farmland preservation plan as required by § 66.100(4)(a), Wis Stats; and

WHEREAS, Winnebago County established an advisory committee that has been actively involved in the preparation, review, and adoption of a farmland preservation plan; and

WHEREAS, the advisory committee prepared a proposed farmland preservation plan with the assistance of Winnebago County staff and a consultant, and submitted the same to the Winnebago County Planning and Zoning Committee for its review and action; and

WHEREAS, the Winnebago County Planning and Zoning Committee conducted a public hearing on September 27, 2011, to solicit public input.

NOW, THEREFORE, BE IT ORDAINED by the Winnebago County Board of Supervisors that it hereby adopts the plan entitled, "Winnebago County Farmland Preservation Plan: 2012-2026" as an amendment to the Winnebago County Comprehensive Plan. Said plan is incorporated by reference herein and may be obtained upon request to the Office of the Winnebago County Planning and Zoning Department or upon the internet at internet site: <http://fyi.uwex.edu/winncofarming/draft-plan/> and is entitled "Draft 2, Farmland Preservation Plan, September 1, 2011," therein.

BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that pursuant to § 66.1001(4)(b), Wis Stats, the Winnebago County Planning Department is directed to send a copy of the Farmland Preservation Plan: 2012-2026, either electronically or otherwise, to each of the following along with an explanatory cover letter:

- 1) Carter Memorial Library (Omro)
- 2) Menasha Public Library
- 3) Neenah Public Library
- 4) Oshkosh Public Library
- 5) Winneconne Public Library
- 6) Town Clerk for each town in Winnebago County
- 7) City of Menasha City Clerk
- 8) City of Neenah City Clerk
- 9) City of Oshkosh City Clerk
- 10) City of Omro City Clerk
- 11) Village Clerk for each village in Winnebago County
- 12) Calumet County Clerk

- 13) Fond du Lac County Clerk
- 14) Green Lake County Clerk
- 15) Outagamie County Clerk
- 16) Waupaca County Clerk
- 17) Waushara County Clerk
- 18) East Central Wisconsin Regional Planning Commission
- 19) Wisconsin Department of Administration

Submitted by:
PLANNING AND ZONING COMMITTEE

Motion by Supervisor Brennand and seconded to adopt. Motion by Supervisor Sievert and seconded to refer back to committee. Vote on motion to refer back – Ayes: 24. Nays: 10 – Widener, Kline, Finch, Farrey, Diakoff, Brennand, Egan, Ellis, Nelson and Kriescher. Excused: 2 – Gabert and Hall. CARRIED.

RESOLUTION NO. 322-122011: Authorize Wittman Regional Airport to Purchase a Runway Broom at a Cost of \$750,000 to be Funded by General Obligation Bonds Totaling \$600,000 and Airport Unrestricted Fund Balance Proceeds of \$150,000

WHEREAS, the runway broom currently operating at the Winnebago County Airport has aged beyond its economic useful life; and

WHEREAS, the current runway broom is not working properly as a result of a balancing problem resulting in inefficient brooming operations in one direction; and

WHEREAS, additional mechanical problems due its age and unavailability of parts have made it difficult to keep the runway broom in an operational state; and

WHEREAS, a new runway broom can be used year round as it will keep the runways clear of debris, and it is especially useful in winter because it can be used to remove loose and packed snow and slush to create a virtual contaminant-free runway surface, thus significantly reducing the need to use sand and other materials to make the runways and taxiways safe for aircraft operations.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$750,000 to be used for the purchase of a new runway broom for Wittman Regional Airport.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for the new runway broom be transferred from the General Fund of Winnebago County with the General Fund being reimbursed from the General Obligation Bonds of \$600,000 and proceeds from the Airport Undesignated Fund Balance of \$150,000.

Submitted by:
AVIATION COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Lennon and seconded to adopt. Supervisor Kline corrected Line 26 to read: "...appropriates no more than \$750,000 to be used for the purchase of a new runway broom for Wittman Regional Airport with any excess from the project to be returned to the General Fund."

Motion by Supervisor Eisen, second by Supervisor Farrey, to amend the Resolution to change the source of the funding for this runway broom to \$410,000 from the Airport Land Capital Account and \$340,000 from the Airport Undesignated Fund Balance. After additional discussion, Supervisor Farrey withdrew his second.

Motion by Supervisor Farrey and seconded to refer back to committee. Ayes: 24. Nays: 9 – Konetzke, Eisen, Smith, Widener, Jacobson, Warnke, Neubauer, Brennand and Kriescher. Excused: 2 – Gabert and Hall. CARRIED. (Supervisor Norton abstained.)

RESOLUTION NO. 341-22012: Commendation for Mary L. Polishinski

WHEREAS, Mary L. Polishinski has been employed with the Winnebago County Human Resources Department for the past thirty-six (36) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Mary L. Polishinski 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 Mary L. Polishinski 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 Mary L. Polishinski.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 342-22012: Commendation for Tongkai Lor

WHEREAS, Tongkai Lor has been employed with the Winnebago County Facilities and Property Management Department for the past twenty-two (22) years, and during that time has been a most conscientious and devoted County employee; and

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

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

BE IT FURTHER RESOLVED that the Winnebago County Clerk send a copy of this Resolution to Tongkai Lor.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 343-22012: Disallow Claim of Steve Breister

WHEREAS, your Personnel and Finance Committee has had the claim of Steve Breister 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 Steve Breister, filed with the Winnebago County Clerk on January 9, 2012, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 344-22012: Disallow Claim of Zechariah Mathe

WHEREAS, your Personnel and Finance Committee has had the claim of Zechariah Mathe 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 Zechariah Mathe, dated January 7, 2012, and filed with the Winnebago County Clerk on January 10, 2012, 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. 345-22012: Disallow Claim of AT&T (Incident Date: 10/20/2011)

WHEREAS, your Personnel and Finance Committee has had the claim of AT&T (Incident Date: 10/20/2011) 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 AT&T (Incident Date: 10/20/2011), dated December 19, 2011, and filed with the Winnebago County Clerk's Office on January 10, 2012, 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. 346-22012: Reduce the Budgeted 2012 Transfer from the Highway Department's Fund Balance to the County Road Maintenance Cost Center by \$115,200

WHEREAS, part of the 2012 adopted budget included a transfer of \$572,133 from the Highway Fund to the County Road Maintenance cost center to reduce the tax levy needed for that area; and
WHEREAS, the State Transportation Aids that Winnebago County will receive for 2012 will exceed the amount budgeted by \$115,200; and
WHEREAS, these State Transportation Aids are required to be used for county road maintenance so they are credited to this cost center; and
WHEREAS, these additional State Transportation Aids will reduce the amount of the subsidy needed in the County Road Maintenance area.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes a reduction in the amount of funds transferred from the Highway Department to the County Road Maintenance cost center for 2012 by \$115,200.

Submitted by:
HIGHWAY COMMITTEE &
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 347-22012: Appropriate \$25,000 from the Airport Fund Balance for the Replacement of the Boiler in the West Wing of Wittman Regional Airport

WHEREAS, the boiler that services the west wing of Wittman Regional Airport has begun to leak; and
WHEREAS, because of the age of the boiler and the cost of repairs required to keep the boiler functional, it may not be economical to repair the current boiler again; and
WHEREAS, the Facilities and Property Management Department was consulted, and it was recommended that the boiler be replaced; and
WHEREAS, there are adequate funds within the Airport Fund balance to cover the cost of replacing the boiler.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$25,000 from the Airport Fund balance to replace the boiler that serves the west wing of Wittman Regional Airport.

Submitted by:
AVIATION COMMITTEE &
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 349-22012: Authorize Appropriation of \$500,000 to Winnebago County Industrial Development Board

WHEREAS, the Winnebago County Industrial Development Board (IDB) was created in 1979 to promote economic development within Winnebago County; and
WHEREAS, at the time of its development, the Winnebago County Industrial Development Board was provided \$1,000,000.00 in County funding to create a Revolving Loan Fund to spur economic development and job growth within Winnebago County; and
WHEREAS, in June 2010, the Winnebago County Board appropriated an additional \$500,000.00 to the IDB Revolving Loan Fund to meet increasing demands; and
WHEREAS, monies from the Revolving Loan Fund have been used to promote the creation of numerous jobs within Winnebago County over the past 30 years; and

WHEREAS, at the present time the total amount of available money in Winnebago County's IDB Revolving Loan Fund is slightly more than \$2.1 million dollars; and

WHEREAS, the Winnebago County Industrial Development Board and the Winnebago County Executive believe it would be in Winnebago County's best interests that additional monies be appropriated by Winnebago County to the Winnebago County Industrial Development Board for inclusion in the Revolving Loan Fund in that during these recessionary times it is imperative to the growth of Winnebago County that funds be available to assist Winnebago County municipalities in the creation of new jobs within Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$500,000 from Winnebago County's undesignated fund balance to the Winnebago County Industrial Development Board Revolving Loan Fund.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 350-22012: Appropriate an Additional \$216,000 to the Therapy Room/Storage Space Addition to Park View Health Center and Fund with General Obligation Debt Proceeds

WHEREAS, the Winnebago County Board previously appropriated \$1.3 million dollars to a project to add an addition to Park View Health Center for a therapy room and additional storage space; and

WHEREAS, the lowest bid was \$216,000 more than the amount previously estimated to do the project; and

WHEREAS, the Winnebago County Board still supports the addition project.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates an additional \$216,000 to the Park View Health Center project to add a therapy room and additional storage space.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for said improvements be transferred from the Winnebago County General Fund to the Therapy Room/Storage Space Project Fund with the General Fund being reimbursed from a subsequent bond issue.

Submitted by:
PARK VIEW HEALTH CENTER COMMITTEE,
FACILITIES AND PROPERTY MANAGEMENT COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Jacobson and seconded to adopt. CARRIED BY VOICE VOTE. (Supervisor Hegg voted nay.)

RESOLUTION NO. 351-22012: Authorize Execution of Agreement to Consolidate the City of Oshkosh and City of Neenah Health Departments into the Winnebago County Health Department

WHEREAS, the Winnebago County Board of Supervisors previously authorized the Winnebago County Executive to enter into discussions with representatives of the City of Neenah and the City of Oshkosh regarding consolidating the health departments for the City of Oshkosh and the City of Neenah into the Winnebago County Health Department; and

WHEREAS, a tentative agreement has been reached by and between the parties, subject to the approval of the respective city councils, the Winnebago County Board of Supervisors, the respective city mayors, and the Winnebago County Executive to consolidate said health departments; and

WHEREAS, the Winnebago County Board of Health and the Winnebago County Personnel and Finance Committee recommend approval of said agreement.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the attached Health Department Consolidation Agreement between the City of Neenah, the City of Oshkosh, and Winnebago County.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and the Winnebago County Clerk to execute said Agreement.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive, upon advice and consent of the Winnebago County Corporation Counsel, to make

minor amendments to said Agreement prior to its execution including, but not limited to, the completion of dates and other matters within the Agreement.

Submitted by:
BOARD OF HEALTH &
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Ramos and seconded to approve. Supervisor Ramos stated that there are some minor corrections to language in the contract and Corporation Counsel Bodnar stated that he will take care of those corrections. No action is required by the Board to make those minor corrections.

Motion by Supervisor Finch and seconded to refer back to the committee. LOST BY VOICE VOTE.
Motion to approve the Resolution – CARRIED BY VOICE VOTE. (Supervisor Finch voted nay.)

Motion by Supervisor Robl and seconded to adjourn until Tuesday, March 6, 2012 at 6:00 p.m.
The meeting was adjourned at 10:40 p.m.

Submitted by,
Susan T. Ertmer
Winnebago County Clerk

State of Wisconsin)
County of Winnebago) ss

I, Susan T. Ertmer, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their regular meeting held February 28, 2012.

Susan T. Ertmer
Winnebago County Clerk