

**ADJOURNED SESSION  
COUNTY BOARD MEETING - BUDGET SESSION  
MONDAY, NOVEMBER 9, 1998**

Chairman Joseph Maehl 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 Wagner.

The following Supervisors were present: Kollath, Barker, Griesbach, Savas, Maehl, Koziczowski, Klitzke, Widener, Lauson, Albrecht, Pech, Leschke, Schwartz, Montgomery, Bertrand, Sundquist, Wingren, Wagner, Warnke, Footit, Troxell, Robl, Payne, Lawson, Crowley, Kramer, Schaidler, Finch, Hue, Sievert, Arne, Diakoff, Brennand, Egan, Rankin and Rengstorf. Excused: O'Brien.

Motion by Supervisor Robl and seconded to adopt the agenda. Supervisor Robl asked that Resolution No. 119-1198 be acted on after Resolution No. 125-1198. CARRIED BY UNANIMOUS VOICE VOTE.

**COMMUNICATIONS, PETITIONS, ETC.**

WCA Educational Seminar, "Exploring Your Options in County Jail Construction", Monday, December 7, 1998, in Wausau, Wisconsin. Registrations will be handled by the County Clerk's Office and must be in by November 27.

A copy of Bayfield County's Resolution No. 98-070, "Recommending Wisconsin County Mutual to Purchase and Provide Tire Deflation Devices" was received and referred to the Legislative Committee.

Notice of Claim from Federated Insurance regarding damage to Robert Longland's vehicle by a Winnebago County Highway Department truck was referred to the Personnel & Finance Committee.

**COUNTY BOARD CHAIRMAN'S REPORT**

Chairman Maehl told the Board that he is very proud to serve as their Chairman, and that over the year's he has seen "the Board grow in a very, very positive way." Because of this, Chairman Maehl expressed his disappointment in recent newspaper editorials that suggest that there is a north-south split on the Board. He stated that he has never known that to be the case and that their first duty as supervisors is to the whole county.

Prior to acting on Resolution No. 119-1198, Chairman Maehl explained that the issue of a new jail/law enforcement center has been an issue for more than three years and has been addressed by various committees and advisory committees. He explained that earlier this year, the County Board, in one resolution, confirmed that a 400-bed jail was needed, that it should be built on county-owned property and that the County Executive should create an ad hoc committee to coordinate the construction of this facility. It was decided that instead of hiring an architect to design the facility, the ad hoc committee would select a qualified construction team based upon their submitted proposals.

Chairman Maehl told the Board that the top three proposals were submitted by Boldt Construction (PTD, Inc.), Hunzinger Construction Co. (Clark, HNTB, PSA Grael Anhalt), and C.D. Smith Construction (Kimme & HGA). He explained that because of a "translation" problem, an improper vote was taken by the ad hoc committee. The ad hoc committee's suggestion was then given to the two proper committees of jurisdiction, Judiciary & Public Safety Committee and the Property Management & Maintenance Committee, who are presenting Resolution No. 119-1198.

Chairman Maehl invited Boldt Construction and C.D. Smith Construction to tonight's meeting so they could answer questions from the Board.

## COUNTY EXECUTIVE APPOINTMENTS

### Winnefox Library System Board

Motion by Supervisor Montgomery and seconded to approve Executive Van De Hey's re-appointment of the following people to the Winnefox Library System Board:

Judy Malueg, 420 Kraft Street, Neenah  
Connie Mitchler, 1112 Lawndale Court, Menasha  
Jo Dell'Antonia, 1768 River Mill Road, Oshkosh  
Cindy Duckert, 229 Berkeley Drive, Neenah

Motion CARRIED BY UNANIMOUS VOICE VOTE.

### PUBLIC HEARING

Frank Heckrodt, Appleton, Wisconsin, spoke in support of the funding in the proposed 1999 Budget for the Heckrodt Wetland Preserve.

Walter Chrapla, 721 Mitchell Street, Neenah, Wisconsin, questioned the dates of the budget meetings and spoke against Resolution No. 117-1198, "Adopt 1999 Annual Budget" and the increases in the debt service and unfunded liability.

Janet Moldenhauer, 1845 Wisconsin Street, Oshkosh, Wisconsin, representing the Fox Valley Sierra Club and the Winnebago County Audubon Society, spoke in support of the funding for the Heckrodt Wetland Preserve. She also expressed concern that there is no money budgeted for bike trails connecting the cities to the county park system

Lisa Lenz, Town of Vinland, questioned the involved committees' change of opinion regarding the construction of the new law enforcement center.

Jim Rossmeyssl, representing Boldt and PTD, Inc., urged the Board to select his companies for the construction of the new law enforcement center. He expressed their disappointment when their proposal's evaluation put them in first place and then they were not selected to do the project. He urged the Board not to support Resolution No. 119-1198, "Authorize Retention of C.D. Smith Company of Fond du Lac to Provide Construction Management Services and HGA Company of Milwaukee to Provide Architectural Services to Winnebago County in Construction of New Law Enforcement Center."

Dennis Kimme of Kimme & Associates, Inc., informed the Board that they had representatives present to answer any questions they might have.

### RESOLUTIONS AND ORDINANCES

#### **RESOLUTION NO. 117-1198: Adopt 1999 Annual Budget**

BE IT RESOLVED, by the Winnebago County Board of Supervisors that the 1999 Annual County Budget, a copy of which is incorporated herein by reference, be and same is hereby adopted.

Submitted by:  
Personnel & Finance Committee

Motion by Supervisor Albrecht and seconded to adopt. (This resolution will be voted on following the presentation of the 1999 proposed budget by the County Executive and after any amendments to the budget are presented and acted on.)

**RESOLUTION NO. 118-1198:            Authorize the Preparation of the 1999 Application and the County's Matching Share Regarding Specialized Transportation Services to the Elderly and Disabled**

WHEREAS, Section 85.21 of the Wisconsin Statutes authorizes the Wisconsin Department of Transportation to make grants to the counties of Wisconsin for the purpose of assisting them in providing specialized transportation services to the elderly and the disabled; and

WHEREAS, each grant must be matched with a local share of not less than 20% of the amount of the grant; and

WHEREAS, this body considers that the provision of specialized transportation services would improve and promote the maintenance of human dignity and self-sufficiency of the elderly and the disabled.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Winnebago County on this 9<sup>th</sup> day of November, 1998 authorizes the Winnebago County Department of Community Programs to prepare and submit to the Wisconsin Department of Transportation an application for assistance, anticipated to be \$179,045 during 1999 under Section 85.21 of the Wisconsin Statutes, in conformance with the requirements issued by that Department and also authorizes the obligation of county funds in the amount of \$35,809 in order to provide the required local match.

BE IT FURTHER RESOLVED that funds budgeted for this purpose and included in the 1999 budget be and the same are hereby made available to cover Winnebago County's share of this project.

BE IT FURTHER RESOLVED that the Winnebago County Board of Supervisors authorize Department of Community Programs to execute a state aid contract with the Wisconsin Department of Transportation under Section 85.21 of the Wisconsin Statutes on behalf of Winnebago County,

Submitted by:  
COMMUNITY PROGRAMS BOARD

Motion by Supervisor Schwartz and seconded to adopt. Ayes: 37. Nays: 0. Excused: 1 – O'Brien.  
CARRIED.

**AMENDED**

**RESOLUTION NO. 119-1198:            Authorize Retention of C.D. Smith Company of Fond du Lac to Provide Construction Management Services and HGA Company of Milwaukee to Provide Architectural Services to Winnebago County in Construction of New Law Enforcement Center**

WHEREAS, Winnebago County has solicited requests for proposals for construction management and architectural services with regard to the construction of a new law enforcement center; and

WHEREAS, after a detailed review of those proposals submitted, your undersigned Committees have determined that the construction and design solutions provided by the C.D. Smith Company of Fond du Lac and HGA Architecture Company of Milwaukee for a 400 bed jail facility was most efficient and qualified proposal submitted; and

WHEREAS, C.D. Smith Company and HGA Architecture Company are leaders within the State of Wisconsin in jail design and construction; and

WHEREAS, your undersigned Committees recommend retaining the services of C.D. Smith Company and HGA Architecture Company to provide construction management and design services for the construction of a new law enforcement center building.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and Winnebago County Clerk to enter into a contract to retain the firm of C.D. Smith Company, Fond du Lac, Wisconsin to provide construction management services for the construction of a new law enforcement center building and HGA Architecture of Milwaukee to provide

architectural services for the construction of a new law enforcement center building.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the cost of said services shall be paid out of monies previously appropriated from a recent bonding issue for the purpose of construction of a new law enforcement center and that the total fee of C.D. Smith and HGA Architecture, jointly, for said project shall not exceed 12.55% of the total project cost. Total project cost not to exceed \$21,587,000.

Submitted by:  
**JUDICIARY & PUBLIC SAFETY COMMITTEE  
AND  
PROPERTY MANAGEMENT & MAINTENANCE COMMITTEE**

Motion by Supervisor Rengstorf and seconded to adopt. Chairman Rengstorf explained that after much study and visiting various types of jail facilities, these two committees recommend accepting the proposal for a 400-bed jail facility from the C.D. Smith Company.

Supervisor Wagner explained to the Board that she felt both the Judiciary & Public Safety and Property Management & Maintenance Committees should have been present when Boldt Construction, Hunzinger Construction Co. and C.D. Smith Company made their presentations to the ad hoc committee. Supervisor Wagner told the Board that after their presentations, each proposal was ranked and Boldt Construction was ranked first, C.D. Smith was second and Hunzinger was third. Because there were still a number of questions that needed to be answered, the ad hoc committee waited until the next day before making a decision. Supervisor Wagner stated that at that time, with some questions still not answered, the ad hoc committee asked Sheriff Brooks for his opinion and that he stated "he felt comfortable with Kimme." The ad hoc committee then decided that they would select C.D. Smith Construction, Kimme & HGA.

Supervisor Wagner stated she did not agree with the decision and voted no. She felt that based on the ranking of these companies by the ad hoc committee, Boldt Construction should have been selected.

After much discussion, Chairman Maehl called for a vote on the resolution. Ayes: 20. Nays: 16. Excused: 2 - . CARRIED.

**RESOLUTION NO. 120-1198: Cancel Tax Assessment – Town of Neenah, Winnebago County, Wisconsin**

WHEREAS, the parcel described below was conveyed to Winnebago County, Wisconsin, on April 26, 1996, and should have been tax exempt for the tax year 1997 and all subsequent years.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that pursuant to Section 70.74(2), Wisconsin Statutes, it hereby cancels the tax assessment for the year 1997 in the amount of \$183.01 for the following parcel of real estate:

Parcel No. 010-0203-06, Town of Neenah  
T20N, R17, S20  
PT NE NW COM N1/4 COR S 93 FT  
W 519.61 FT S 323 FT POB  
S 274.90 FT W 794.83 FT N 274.91 FT  
E 793 FT TO POB EXC HWY-D936163-1.11A  
& EXC CSM-3544

Submitted by:  
**PERSONNEL & FINANCE COMMITTEE**

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

**RESOLUTION NO. 121-1198: Support Legislation Creating New Fox Locks Commission**

WHEREAS, the historic Fox River Locks and Navigation System - the oldest operative hand operated lock system in the country, has been deteriorating for over a decade after being mothballed by the United States Army Corp of Engineers; and

WHEREAS, the reopening of the Fox River Locks System if financially achievable, is in the public's best interest because of its historical, recreational and tourism significance; and

WHEREAS, the State of Wisconsin is presently negotiating with the United States Army Corp of Engineers for transfer of ownership of the locks to the State; and

WHEREAS, a preliminary agreement has been reached to transfer ownership of the locks to the State of Wisconsin; and

WHEREAS, said agreement includes a funding plan to restore the locks to operational status and reserve fail safe contingency funds needed to close the system should that become necessary in the future; and

WHEREAS, said tentative agreement includes approximately \$15 million dollars in lump sum federal funding and \$5.3 million dollars in total state funding to be contributed over 7 years; and

WHEREAS, the State is proposing a 50-50 partnership with counties and local communities to fund its share of operation and restoration of the locks; and

WHEREAS, your undersigned Committee believes that the restoration and maintenance of said locks should be paid for through user fees and private donations but that no property tax dollars should be used to support the restoration and maintenance of the locks; and

WHEREAS, your undersigned Committee is in favor of the creation of a new Fox River Locks Commission to study, review and make recommendations and ultimately maintain jurisdiction over the use function and maintenance of these locks.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby supports the introduction of legislation before the Wisconsin State Legislature to create a new Fox River Locks Commission.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby recommends that the creation of any such new Fox River Locks Commission should contain a provision in enabling legislation that said Commission shall have no taxing authority and that no property tax dollars shall be utilized for the maintenance or repair of said locks and accompanying navigation system. Such Commission shall also include representation from 3 regional foundations, i.e. Oshkosh, Fox Cities and Green Bay.

Submitted by:  
LEGISLATIVE COMMITTEE

Motion by Supervisor Lauson and seconded to approve. Ayes: 36. Nays: 1 - Widener. Excused: 1 - O'Brien. CARRIED.

**RESOLUTION NO. 122-1198: Authorize Quit Claim of Property to John E. Zupanc and Debra L. Vercauteren (Remnant Property - WIOUWASH Trail)**

WHEREAS, the WIOUWASH Trail connection into downtown Oshkosh was completed in the Fall of 1997; and

WHEREAS, included with this project was the development of a 250' X 35' section of trail through the River Mill Subdivision; and

WHEREAS, a portion of this trail located such that it would run along the established rail bed, runs between two residences; and

WHEREAS, in order to avoid possible conflicts between the landowners and trail users, the Park

Department has installed two rows of split rail fences along either side of the trail and that said installment has subsequently restricted the public to using a 22' wide pathway within the 250' long corridor; and

WHEREAS, the installment of these fences has left a strip of vacant space along the outside of the fence lines between 2' and 10' which is not used by the trail users; and

WHEREAS, in that said strips of vacant space serve no useful purpose in the function of the trail and are a minor maintenance problem, your undersigned Committee has recommended that the property be quit claimed to the adjacent landowners for the price of a survey prepared to allow a description of the property to be prepared; and

WHEREAS, John E. Zupanc and Debra L. Vercauteren, the adjacent landowners, have indicated a willingness to the Winnebago County Parks Department to obtain said property.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Clerk and Winnebago County Executive to execute a quit claim deed to John E. Zupanc and Debra L. Vercauteren, as husband and wife, to the following described real property in the City of Oshkosh, Winnebago County, Wisconsin upon payment of the sum of \$168.00 to Winnebago County:

Situated along River Mill Road, being part of Outlot 1, in River Mill Subdivision in the 12<sup>th</sup> Ward, City of Oshkosh, Winnebago County, Wisconsin, which is bounded and described as follows: Beginning at the Southeasterly (Most Easterly) corner of Outlot 1 in said Subdivision, thence North 34 degrees 36' 26" West along the Northeast line of said Outlot 222.50 ft., thence South 89 degrees 22' 25" West along the North line of said Outlot 7.16 ft., thence South 33 degrees 44' 31" East 230.42 ft. to a point on the Southeasterly line of said Outlot 1, thence Northeasterly 10.19 ft. along said line and the arc of a curve whose center lies to the Southeast whose radius is 120.00 ft. and whose chord bears North 32 degrees 55' 15" East 10.19 ft. to the Point of Beginning. Said parcel contains 0.0399 acres and is subject to all existing easements and restrictions of record.

Submitted by:  
PARKS & RECREATION COMMITTEE

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

**RESOLUTION NO. 123-1198:        Authorize Quit Claim of Property to Timothy P. Schroeder and Deborah M. Schroeder, as Husband and Wife (Remnant Property - WIOUWASH Trail)**

WHEREAS, the WIOUWASH Trail connection into downtown Oshkosh was completed in the Fall of 1997; and

WHEREAS, included with this project was the development of a 250' X 35' section of trail through the River Mill Subdivision; and

WHEREAS, a portion of this trail located such that it would run along the established rail bed, runs between two residences; and

WHEREAS, in order to avoid possible conflicts between the landowners and trail users, the Parks Department has installed two rows of split rail fences along either side of the trail and that said installment has subsequently restricted the public to using a 22' wide pathway within the 250' long corridor; and

WHEREAS, the installment of these fences has left a strip of vacant space along the outside of the fence lines between 2' and 10' which is not used by the trail users; and

WHEREAS, in that said strips of vacant space serve no useful purpose in the function of the trail and are a minor maintenance problem, your undersigned Committee has recommended that the property be quit claimed to the adjacent landowners for the price of a survey prepared to allow a description of the property to be prepared; and

WHEREAS, Timothy P. Schroeder and Deborah M. Schroeder, the adjacent landowners, have indicated a willingness to the Winnebago County Parks Department to obtain said property.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Clerk and Winnebago County Executive to execute a quit claim deed to Timothy P. Schroeder and Deborah M. Schroeder, as husband and wife, to the following described real property in the City of Oshkosh, Winnebago County, Wisconsin upon payment of the sum of \$168.00 to Winnebago County:

Situated along River Mill Road, being that part of Outlot 1, in River Mill Subdivision in the 12<sup>th</sup> Ward, City of Oshkosh, Winnebago County, Wisconsin, which is bounded and described as follows: Beginning at the Southwest (Most Southerly) corner of Outlot 1 in said Subdivision, thence North 34 degrees 36' 26" West along the Southwest line of said Outlot 1 aforesaid 258.80 ft., thence North 89 degrees 22' 25" East along the North line of said Outlot 1 aforesaid 6.48 ft., thence South 33 degrees 47' 58" East 253.91 ft. to a point of the said line 2.21 ft. and the arc of a curve whose center lies to the Southeast whose radius is 120.00 ft. and whose chord bears South 19 degrees 34' 22" West 2.21 ft. to the point of beginning. Said Parcel contains 0.0211 acres and is subject to all existing easements and restrictions of record.

Submitted by:  
PARKS & RECREATION COMMITTEE

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

**RESOLUTION NO. 124-1198: Authorize Transfer of \$11,060 from Budget Fund Balance to Building Repairs Fund (Emergency Repair of Boilers - Courthouse)**

WHEREAS, an unexpected problem necessitating emergency repair of boilers in the Winnebago County Courthouse, prior to the onset of winter, has resulted in a necessary emergency expenditure of \$11,060; and

WHEREAS, your undersigned Committee believes that said repairs were immediately necessary and recommends that a budget transfer be authorized to pay for said repairs.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$11,060 from the Budget Fund Balance to the Building Repairs Fund of the 1998 Winnebago County Budget to pay for emergency repairs of boilers in the Winnebago County Courthouse.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE  
AND  
PROPERTY MANAGEMENT & MAINTENANCE COMMITTEE

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

**RESOLUTION NO. 125-1198: Authorize Execution of Lease with Goodwill Industries**

WHEREAS, Winnebago County desires to rent office space at the Goodwill Industries Building, 1800 Appleton Road, Town of Menasha, for the purpose of administering the W-2 Program in the northern part of Winnebago County; and

WHEREAS, Winnebago County has tentatively agreed to rent approximately 569 square feet of office space in said building at a rate of \$9.25 per square foot per year (\$5,263.25 per year total) for said purpose; and

WHEREAS, Goodwill Industries desires that Winnebago County enter into a lease for a term of five (5) years, with Winnebago County having the option to terminate said lease in the event that the County ceases

operation as the W-2 administrator for Winnebago County; and

WHEREAS, your undersigned Board has reviewed said Lease and recommends that it be approved and executed by Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Clerk and Winnebago County Executive to enter into a lease for a period of five (5) years for approximately 569 square feet of office space in the Goodwill Industries Building located at 1800 Appleton Road in the Town of Menasha at a rental rate of \$9.25 per square foot per year. (A copy of the entire Lease Agreement may be obtained from the Office of the Winnebago County Corporation Counsel).

Submitted by:  
SOCIAL SERVICES BOARD

WITHDRAWN by Supervisor Koziczkowski.

Chairman Maehl adjourned the meeting at 8:10 p.m., calling for the Board to reconvene at 8:30 a.m., on Tuesday, November 10, 1998.

Respectfully submitted,

Susan T. Ertmer  
Winnebago County Clerk