

**ADJOURNED SESSION  
COUNTY BOARD MEETING  
TUESDAY, APRIL 28, 1998**

Chairman Joseph N. Maehl called the meeting to order at 6:00 P.M. in the Supervisors' Room, Fourth Floor, Courthouse, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an Invocation by Supervisor Wagner.

Roll Call: All present.

Supervisor Robl moved and it was seconded to adopt the agenda. CARRIED BY UNANIMOUS VOICE VOTE.

**COMMUNICATIONS, PETITIONS, ETC.**

Notice of Claim from Robert B. Ciarpaglini regarding alleged violation of the Fair Debt Collection Practices Act by Corporation Counsel John Bodnar was referred to the Personnel & Finance Committee.

Notice of Claim from Gloria Jenson regarding damages to vehicle as a result of an accident with the Coroner's van was referred to the Personnel & Finance Committee.

Petition for Zoning Amendment from John Materna for change from B-3 to A-2 for a residence and recreation area was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from James Clapper for change from A-2 to R-2 for a single-family residential home was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Dennis Markham, Secretary, Phenco, Inc., for change from agricultural to B-3, General Business, for an office/shop, light industrial, was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from John E. Kies for change from R-1 to B-3 for parking and a new building was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Bonny Borchert for change from A-1 to B-3 for a bike trail, possible park & ride and commercial, was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Town of Menasha for change from P-1 to R-5 PUD for mixed residential was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Steven Lee Boegh for change from B-2 to B-3 landscape and brick sales and storage was referred to the Planning & Zoning Committee.

Information regarding registering for the May 20, "County Officials 1998 Spring Workshops" in Fond du Lac was read. Supervisors that are interested in attending should contact the County Clerk's Office by May 15.

The 1998 WCA District Meetings schedule was presented. Copies of the schedule were distributed to the Board. Winnebago County will be meeting with the other counties in the East Central District on April 29 at the Holiday Inn City Centre in Green Bay. Anyone interested in attending, should contact the County Clerk's Office.

The Wisconsin Department of Commerce sent information on their 1998 application training sessions for the "Wisconsin Community Development Block Grant Program." There will be three sessions--May 18 in Madison; May 27 in Green Bay; and May 28 in Rice Lake. Anyone interested in attending, should contact the County Clerk's Office.

A letter from Senator Alan Lasee regarding Assembly Bill 362 was read.

AB 362 relates to classifying county jailers as protective occupation participants for the purposes of the Wisconsin Retirement System.

A letter from Linda Wolfe thanking the Board for her retirement luncheon and gifts was read.

**COUNTY BOARD CHAIRMAN'S REPORT**

**COUNTY BOARD CHAIRMAN'S APPOINTMENTS**

**COMMITTEE ON AGING**

Chairman Maehl asked for confirmation of the re-appointment of the following people to the Committee on Aging: Roger Waterman, Bernice Butkiewicz and Merle Kontos. Their terms will expire April 17, 2001. Motion by Supervisor Montgomery and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

**APPOINTMENTS BY THE COMMITTEE ON COMMITTEES**

Chairman Maehl asked that the following appointments of the Committee on Committees be approved.

Motion by Supervisor Troxell and seconded to accept the appointments of the Committee on Committees. CARRIED BY UNANIMOUS VOICE VOTE.

After a short recess, the Committees announced their officers.

**UNIVERSITY OF WISCONSIN EDUCATION, EXTENSION & AGRICULTURE COMMITTEE  
AND**

**LAND CONSERVATION COMMITTEES**

Joseph Maehl (C)

Nancy Barker (VC)

Patrick Brennand (Sec)

John Hue

Stephen Rankin

**AVIATION COMMITTEE**

David Albrecht (C)

John Hue (VC)

Anne Lawson (Sec)

Donald Arne

Stephen Rankin

**PROPERTY MANAGEMENT AND MAINTENANCE COMMITTEE**

Jacquelyn Wagner (C)

Bernard Egan (VC)

Donald Griesbach (Sec)

Patrick Brennand

James Koziczkowski

**PLANNING & ZONING COMMITTEE**

John Schaidler (C)

Joanne Gorr Sievert (VC)

Eugene Troxell (Sec)

Jeanette Diakoff

David Metzsig

**JUDICIARY & PUBLIC SAFETY COMMITTEE  
AND  
EMERGENCY MANAGEMENT COMMITTEE**

Harvey Rengstorf (C), J & PS  
Donald Griesbach (VC), J & PS; (C) EMC  
Jacquelyn Wagner (Sec), J & PS  
Patrick O'Brien (VC), EMC  
Bill Wingren (Sec), EMC

**COMMITTEE ON COMMITTEES**

David Albrecht  
Kenneth Robl  
Joanne Gorr Sievert  
Patrick O'Brien  
Joseph Maehl

**INFORMATION SYSTEMS COMMITTEE**

Patrick Brennand (C)  
John Schaidler (VC)  
Thomas Pech, Jr. (Sec)  
David Metzsig  
Donald Arne  
Donald Griesbach  
Herbert Kramer

**PERSONNEL AND FINANCE COMMITTEE**

David Albrecht (C)  
David Kollath (VC)  
Eugene Troxell (Sec)  
Jeanette Diakoff  
James Lauson

**PARKS & RECREATION COMMITTEE**

James Lauson (C)  
Terry Footit (VC)  
Dennis Payne (Sec)  
Donald Arne  
Patrick O'Brien

**PARK VIEW HEALTH CENTER COMMITTEE**

Ron Montgomery (C)  
Thomas Widener (VC)  
Laura Bertrand (Sec)  
Dorothy Schwartz  
Robert Warnke

**HIGHWAY COMMITTEE**

Kenneth Robl (C)  
Bernard Egan (VC)  
Herbert Kramer (Sec)  
Terry Footit

Joanne Gorr Sievert

**PUBLIC HEARING**

Philip Charley, a Detective with the Oshkosh Police Department, spoke in support of a medical examiner versus a coroner.

Marjorie Dahms, 824 Starboard Court, Oshkosh, spoke in support of a medical examiner versus a coroner.

**COUNTY EXECUTIVE'S REPORT**

Executive Van De Hey told the Board that the County is very close to finalizing a contract with Ameritech for a Work Force Development center. They hope to have it resolved by June 1, 1998.

Executive Van De Hey asked for the Board's support of Resolution No. 13-498, "Authorize Appropriation of \$750,000 (PeopleSoft Software Implementation Project)." She explained that this appropriation of funds must be made in order to continue the implementation and conversion of the County's computer system.

Executive Van De Hey asked for the Board's support of Resolution No. 25-498, "Amend Chapter 11 General Code of Winnebago County (Licensure and Regulation of Retail Food Establishment, Etc.)."

**APPOINTMENT OF MAINTENANCE DIRECTOR**

Executive Van De Hey asked for the Board's approval of her appointment of Michael S. Elder as Director of Maintenance. His appointment would be effective May 11, 1998.

Motion by Supervisor Brennand and seconded to approve this appointment.  
CARRIED BY UNANIMOUS VOICE VOTE.

**APPOINTMENT OF DIRECTOR OF CHILD SUPPORT AGENCY**

Executive Van De Hey asked for the Board's approval of her appointment of Mary M. Kools as Director of the Child Support Agency. Her appointment would be effective immediately.

Motion by Supervisor Lauson and seconded to approve this appointment.  
CARRIED BY UNANIMOUS VOICE VOTE.

**AFFIRMATIVE ACTION COMMISSION - LINDA MINGUS**

Executive Van De Hey asked for the Board's approval of her appointment of Linda M. Mingus, 1786 Leonard Road, Oshkosh, to the Affirmative Action Commission. Her term would begin immediately and end on April 21, 2001.

Motion by Supervisor Wagner and seconded to approve this appointment.  
CARRIED BY UNANIMOUS VOICE VOTE.

**COUNTY EXECUTIVE'S APPOINTMENTS OF BOARDS AND COMMISSIONS**

A motion was made by Supervisor Wagner and seconded to cast one vote for all of Executive Van De Hey's appointments. Motion by Supervisor Crowley and seconded that each appointment be voted on individually. The Board voted on each appointment separately.

**COMMUNITY PROGRAMS BOARD**

Executive Van De Hey asked for the Board's approval of her appointments of Supervisors Schwartz, Savas, Montgomery and Rengstorf; and citizens David Thompson, James Hanseder and Sam Barnard to the Community Programs Board.

Their terms would begin immediately and end on April 21, 2001.

Motion by Supervisor O'Brien and seconded to approve this appointment.  
CARRIED BY UNANIMOUS VOICE VOTE.

#### **WINNEBAGO COUNTY HOUSING AUTHORITY**

Executive Van De Hey asked for the Board's approval of her appointment of Charles Retzlaff, 319 Jackson Street, Omro. His term would begin immediately and end on April 21, 2003.

Motion by Supervisor Lauson and seconded to approve this appointment.  
CARRIED BY UNANIMOUS VOICE VOTE.

#### **ADVOCAP BOARD**

Executive Van De Hey asked for the Board's approval of her appointments of Supervisors Kollath and Widener to the Advocap Board. Their terms would begin immediately and end on April 21, 2000.

Motion by Supervisor Montgomery and seconded to approve this appointment. CARRIED BY UNANIMOUS VOICE VOTE.

#### **SOLID WASTE MANAGEMENT BOARD**

Executive Van De Hey asked for the Board's approval of her appointments of Supervisors Lauson and Robl to the Solid Waste Management Board. Their terms would begin immediately and end on April 21, 2001.

Motion by Supervisor O'Brien and seconded to approve this appointment.  
CARRIED BY UNANIMOUS VOICE VOTE.

#### **EAST WISCONSIN COUNTIES RAILROAD CONSORTIUM**

Executive Van De Hey asked for the Board's approval of her appointments of Supervisors Robl and Kramer to the East Wisconsin Counties Railroad Consortium. Their terms would begin immediately and end on April 21, 2000.

Motion by Supervisor O'Brien and seconded to approve this appointment.  
CARRIED BY UNANIMOUS VOICE VOTE.

#### **PUBLIC SAFETY BUILDING BOARD**

Executive Van De Hey asked for the Board's approval of her appointments of Supervisors Sundquist and Payne to the Public Safety Building Board. Their terms would begin immediately and end on April 21, 2000.

Motion by Supervisor Troxell and seconded to approve this appointment.  
CARRIED BY VOICE VOTE - Nays: Footit and Pech.

#### **TRI-COUNTY RECREATION ASSOCIATION BOARD OF DIRECTORS**

Executive Van De Hey asked for the Board's approval of her appointments of Supervisors Crowley and Schaidler to the Tri-County Recreation Association Board of Directors. Their terms would begin immediately and end on April 21, 2000.

Motion by Supervisor Lawson and seconded to approve this appointment.  
CARRIED BY VOICE VOTE - Nay: Finch.

#### **AFFIRMATIVE ACTION COMMISSION**

Executive Van De Hey asked for the Board's approval of her appointments of Supervisors Barker and Klitzke to the Affirmative Action Commission. Their terms would begin immediately and end on April 21, 2001.

Motion by Supervisor Troxell and seconded to approve this appointment.

CARRIED BY UNANIMOUS VOICE VOTE.

#### **EAST CENTRAL REGIONAL PLANNING COMMISSION**

Executive Van De Hey asked for the Board's approval of her appointment of Douglas Martell, 1815 East County Road Z, Oshkosh, to the East Central Regional Planning Commission. His term would begin immediately and end on April 21, 2000.

Motion by Supervisor O'Brien and seconded to approve this appointment.  
CARRIED BY VOICE VOTE.

#### **INDUSTRIAL DEVELOPMENT BOARD**

Executive Van De Hey asked for the Board's approval of her appointments of Supervisors Lauson, Sundquist and Hue to the Industrial Development Board. Their terms would begin immediately and end on April 21, 2000. Because of their positions, the other appointees to this Board are: Joseph Maehl, County Board Chairman; John Bodnar, Corporation Counsel; Jane Van De Hey, County Executive; David Albrecht, Chairman of the Personnel & Finance Committee; Mayor Joe Laux, City of Menasha, and Director Doug Pearson, Chamco, City of Oshkosh.

Motion by Supervisor O'Brien and seconded to approve these appointments. CARRIED BY VOICE VOTE. Nay - Pech.

#### **BOARD OF HEALTH**

Executive Van De Hey asked for the Board's approval of her appointments of Supervisors Crowley, Koziczkowski, Rankin, Pech and Sievert to the Board of Health. Their terms would begin immediately and end on April 21, 2000.

Motion by Supervisor Troxell and seconded to approve these appointments. CARRIED BY VOICE VOTE. Nay - Crowley.

#### **SOCIAL SERVICES BOARD**

Executive Van De Hey asked for the Board's approval of her appointments of Supervisors Savas, Koziczkowski, Montgomery, Pech and Leschke to the Social Services Board. Their terms would begin immediately and end on April 21, 2000.

Motion by Supervisor Montgomery and seconded to approve these appointments. CARRIED BY VOICE VOTE. Nay - Crowley.

#### **CONVERSION FROM CORONER TO MEDICAL EXAMINER**

Supervisor Montgomery introduced Dr. John R. Tegatz of the Milwaukee County Medical Examiner's Office; and Daniel Dringoli, one of the authors of "Examination of Coroner and Medical Examiner Systems (Project Summary)".

Mr. Dringoli explained that he and Mr. Larson's "Examination of Coroner and Medical Examiner Systems" is a graduate thesis. They offered to do their thesis on this issue instead of researching an something for area businesses, because they wanted to save the County some tax dollars on having a study done. The purpose of the study was to make cost comparisons between counties electing a coroner, or counties appointing a regional medical examiner/forensic pathologist.

Mr. Dringoli explained that currently, Winnebago County pays other agencies, such as Milwaukee, Brown or Waukesha Counties, to perform autopsies for them. They studied the cost effectiveness of this practice,

compared to a regional medical examiner/forensic pathologist.

They also studied whether "efficiency of service" would improve if there was a regional medical examiner/forensic pathologist.

They surveyed law enforcement, medical examiners across the state, coroners from the six counties (Winnebago, Fond du Lac, Outagamie, Calumet, Waupaca and Waushara) and district attorneys. He said that the largest response came from law enforcement and that they overwhelmingly favored a medical examiner, who is trained in death investigation.

Mr. Dringoli explained that as part of their study, he and Mr. Larson conducted personal interviews with Dr. Taggetz and Dr. Schmunk of Brown County. They also conducted interviews over the telephone with Dr. Hanzlick of the Centers for Disease Control (CDC) in Atlanta. Mr. Hanzlick is, "the most authored person on coroner systems and medical examiner systems in the country." Mr. Dringoli also spoke with the Executive Director of the American Board of Pathologists.

They also contacted law enforcement, district attorneys and funeral homes in the counties that had switched to the medical examiner system. They wanted to determine if there had been any problems as a result of the change, such as a decrease in service. In the six counties they contacted, none of them reported any problems or expressed a desire to go back to the coroner system.

In their data research, they received a lot of information from the CDC and from the National Institute of Justice.

Mr. Dringoli explained that the purpose of this study is to, "instill positive death investigation, people who are trained and qualified to assist law enforcement in investigating deaths." He further explained that they are not criticizing the job currently being done, but that they feel either the County Board or some governing board should, "have control over who gets into this position."

Mr. Dringoli stated that their thesis recommends switching to a medical examiner; and at a later date, contracting with other counties for forensic pathologist services.

Budgetary issues were also included in the thesis. Mr. Dringoli noted that Brown County's figures do not include the approximately \$70,000 that they collect for services rendered to other counties.

Dr. Teggatz, Deputy Chief Medical Examiner from Milwaukee County, went over the historic and traditional aspects of the coroner position. Dr. Teggatz explained that when cities started going to a medical examiner system at the turn of the century, it "put medicine into death investigation".

Dr. Teggatz explained that in 1960 forensic pathology officially became an established sub-speciality of medicine. He further explained that a forensic pathologist has gone to medical school and has five or six years post-medical school training.

Dr. Teggatz told the Board that even after 15 years as a forensic pathologist, he still comes across things that he cannot understand or explain. He is amazed that someone with less training, such as a coroner or medical examiner, makes these types of determinations. He said this is a difficult job and the person doing it needs to know what questions to ask and when to do an autopsy. Dr. Teggatz predicted that with a medical examiner or forensic pathologist, the county's number of autopsies would increase.

Dr. Teggatz explained the importance of assisting police at a death scene and determining if it is a homicide.

Dr. Teggatz told the Board that this issue is something that communities are facing nationwide. He said that communities are demanding more education and expertise in death investigation. Based on a recent research report put out by the U.S. Department of Justice, which gives national guidelines on death investigation, and on his attendance at national meetings with medical examiners and forensic pathologists, Dr. Teggatz feels that nationwide there is a need for the expertise of a

forensic pathologist.

Dr. Teggatz said that nationwide, approximately one third of deaths that are investigated need autopsies.

Mr. Dringoli told the Board that in 1997, Winnebago County had approximately 1,200 deaths and 55 autopsies.

Dr. Teggatz said that currently there are only 300 to 400 practicing forensic pathologists. He explained that a pathologist working in a hospital makes more money than a forensic pathologist and that it may be a challenge to find a person interested in the position.

Mr. Dringoli stated that each of the counties, (Winnebago, Fond du Lac and Outagamie) pay out approximately \$35,000 annually for forensic work. If there were a regional pathologist, the counties would use that money towards the pathologist's salary.

District Attorney Joe Paulus told the Board that over the years Winnebago County has had from 3 to 11 homicides a year. This year they have had 6 homicide cases already.

Mr. Paulus spoke to the Board about the "courtroom costs" of autopsies. When he has to call in a forensic pathologist to testify at a murder trial, it typically costs his department \$3,000 to \$5,000 per case. So far this year, his costs have been approximately \$30,000 for a forensic pathologist. If the average number of homicides continues this year, there could be another \$25,000 to \$40,000 in "courtroom costs".

Mr. Paulus explained that if Winnebago County employed a forensic pathologist, there would not be these additional costs.

Since becoming District Attorney, Mr. Paulus has had over 50 homicide cases. Siting a recent homicide case, Mr. Paulus explained what the benefits would have been if Winnebago County had a medical examiner right at the scene of the crime. He further explained that quicker access to a medical examiner would help solidify the evidence.

Mr. Paulus stated that, "Barry Busby is doing a fine job", but he feels that there is a better way to do it, to insure that things are done even better in the future, and that, "these things don't fall through the cracks." He feels that the costs of having a medical examiner will be offset by the savings of not having a coroner and the reduction in his courtroom costs.

Dr. Teggatz said that medical examiners and forensic pathologists readily exchange information, which eliminates county's having to pay to have testimony from various specialists. He also explained that medical examiners and forensic pathologists also provide the necessary comfort and assistance to the families of the deceased.

### **ZONING REPORTS & ORDINANCES**

REPORT NO. 001. A report from Planning & Zoning Committee re: rezoning to R-1 for creation of a parcel less than 5 acres in size. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY UNANIMOUS VOICE VOTE.

AMENDATORY ORDINANCE NO. 04-01-98. A request from Kim R. Neubauer Tigert for zoning change from A-2 (General Farming) to R-1 (Rural Residential District, Single-Family, non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

AMENDATORY ORDINANCE NO. 2. A request from the Town of Black Wolf on behalf of Black Wolf Farms for rezoning from A-2 to R-1. Motion by Supervisor Brennand and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

AMENDATORY ORDINANCE NO. 3. A request from the Town of Rushford on behalf of David & Goldean Jorgensen for rezoning from A-1 to: Lot 1 & 2, A-3; and Lot 3, A-2. Motion by Supervisor Egan and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

AMENDATORY ORDINANCE NO. 4. A request from the Town of Rushford on behalf of Gerald Werch and Ray Bosveld, Banner Hill Enterprises, for



rezoning from A-2 to A-3. Motion by Supervisor Egan and seconded to adopt.  
CARRIED BY UNANIMOUS VOICE VOTE.

**REPORTS, RESOLUTIONS & ORDINANCES**

**RESOLUTION NO. 2-498: Authorize Support of Assembly Bill 672 (Highway Right-of-Way Plats)**

WHEREAS, Assembly Bill 672 would require a right-of-way plat for highways to be recorded with the Register of Deeds and would also allow descriptions of properties to be referenced by the plat; and

WHEREAS, Assembly Bill 672 would simplify the descriptive process for land identification thus making property identification easier; and

WHEREAS, Assembly Bill 672 would not contravene the County's present Land Records Ordinance provisions; and

WHEREAS, your undersigned Committees believe that the passage of Assembly Bill 672 would serve the best interest of citizens of Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby supports the passage of Assembly Bill 672.

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

Submitted by:  
LEGISLATIVE COMMITTEE  
AND  
PLANNING & ZONING COMMITTEE

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

**RESOLUTION NO. 3-498: Authorize Support of Assembly Bill 774 (Septic Pumping and Disposal)**

WHEREAS, Assembly Bill 774, which is presently pending before the Wisconsin State Legislature, would require identification of all private sanitary systems within the State by the year 2001; and

WHEREAS, said Assembly Bill would also require the administration of a maintenance program for private sanitary systems which are similar to the present state maintenance program for the pumping of holding tanks; and

WHEREAS, your undersigned Committee believes that the administration of such a program would be readily implementable via Winnebago County's GIS System; and

WHEREAS, your undersigned Committee believes that the passage of said Assembly Bill would be in the best interest of the citizens of Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes its support for the passage of Assembly Bill 774.

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

Submitted by:  
PLANNING & ZONING COMMITTEE

Motion by Supervisor Schaidler and seconded to adopt. Ayes: 36.  
Nays: 1 - Egan. Excused: 1 - Kramer. CARRIED.

**RESOLUTION NO. 4-498: Oppose Assembly Bill 806 (Government Taking of Property)**

WHEREAS, Assembly Bill 806 is presently pending before the Wisconsin State Legislature which would require a governmental unit to appraise property if a taking or a probability of value reduction in property would occur; and

WHEREAS, said Assembly Bill would apply to all levels of governmental action including the issuance of permits, plats, etc.; and

WHEREAS, your undersigned Committee is opposed to said Bill based upon the vague nature of the definition of the term "taking" as used in said Bill and the extreme potential costs to both the County and all units of government should said Bill be passed.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes its opposition to the passage of Assembly Bill 806.

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

Submitted by:  
PLANNING & ZONING COMMITTEE

Motion by Supervisor Schaidler and seconded to adopt. Ayes: 37.  
Nays: 0. Excused: 1 - Robl. CARRIED.

**RESOLUTION NO. 5-498: Oppose Assembly Bill 807 (Notification to Property Owner of Ordinance Amendments)**

WHEREAS, Assembly Bill 807 is presently pending before the Wisconsin State Legislature, which would require governmental units to notify all affected property owners if an ordinance amendment is made which would affect the real property; and

WHEREAS, said Bill, if passed, would exempt an owner of real property from regulation pursuant to any ordinance amendment if the owner proves that no notice of said ordinance amendment was received; and

WHEREAS, ordinance amendments frequently affect numerous property owners to the extent that it is almost impossible to determine every property owner which may be affected by an amendment to an ordinance; and

WHEREAS, the requirements placed upon governmental units by Assembly Bill 807 could potentially require thousands of certified mailings to property owners believed to be affected by an ordinance change; and

WHEREAS, your undersigned Committee opposes the passage of said legislation.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes its opposition to the passage of Assembly Bill 807.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to transmit a copy of this resolution to all legislators representing constituents within Winnebago

County; to the Wisconsin Counties Association and to the office of Governor Tommy Thompson.

Submitted by:  
PLANNING & ZONING COMMITTEE

Motion by Supervisor Schaidler and seconded to adopt. Ayes: 38.  
Nays: 0. Excused: 0. CARRIED.

**RESOLUTION NO. 6-498: Request Authority to Apply for Funds for Maintenance of County-Owned Snowmobile Trails**

WHEREAS, Winnebago County is interested in maintaining County-owned and leased lands for public snowmobile trail use; and

WHEREAS, funds are available for snowmobile trail maintenance and snowmobile trail bridge maintenance through the Department of Natural Resources pursuant to Sec. 23.09(26), Wisconsin Statutes; and

WHEREAS, in order to participate in this project it is necessary that the County Board authorize submittal of an application for said funds.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the County Executive and County Clerk are hereby authorized to make application on behalf of Winnebago County with the Department of Natural Resources, pursuant to Sec. 23.09(26), Wisconsin Statutes, for any financial aid that may be available for public snowmobile trail use and maintenance in Winnebago County.

Submitted by:  
PARKS AND RECREATION COMMITTEE

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

**RESOLUTION NO. 7-498: Create New Full-Time Position of Staff Psychiatrist: Department of Community Programs**

WHEREAS, the Department of Community Programs/Clinical Services currently has one position of Medical Director/Psychiatrist on the Winnebago County Table of Organization; and,

WHEREAS, the Department of Community Programs/Clinical Services also contracts with four part-time psychiatrists who work a combined total of approximately 40 hours per week, the equivalent of a full-time position; and

WHEREAS, it would be advantageous for the Department to consolidate the hours of the four part-time psychiatrists into a single full-time position of Staff Psychiatrist, and to place that position on the Table of Organization of the Department; and

WHEREAS, the cost of this conversion to a full-time Table of Organization position will not exceed the amount budgeted for part time psychiatric services on a contractual basis.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that one full-time position of Staff Psychiatrist be created in the Table of Organization of the Department of Community Programs; and

BE IT FURTHER RESOLVED, that this action be coincident with the placement of a qualified individual into the full-time position.

Submitted by:  
COMMUNITY PROGRAMS BOARD  
AND  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Schwartz and seconded to adopt. Ayes: 37.

Nays: 1 - Lawson. Excused: 0. CARRIED.

**RESOLUTION NO. 8-498: Commendation for Sandra M. Polzin**

WHEREAS, Sandra Polzin has been employed with Park View Health Center of Winnebago County, for the past twenty-five years and six months, and during that time has been a most conscientious and devoted County employee; and

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

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

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

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 9-498: Disallow Claim of Thomas J. Spry**

WHEREAS, your Personnel and Finance Committee has had the claim of Thomas J. Spry 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 Thomas J. Spry dated March 11, 1998, 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 & FINANCE COMMITTEE

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

**RESOLUTION NO. 10-498: Disallow Claim of Karen M. Krake**

WHEREAS, your Personnel and Finance Committee has had the claim of Karen M. Krake 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 Karen M. Krake dated February 20, 1998, 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 & FINANCE COMMITTEE

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

**RESOLUTION NO. 11-498: Oppose Assembly Bill 809 (Comprehensive Plan Compliance)**

WHEREAS, Assembly Bill 809 has been introduced in the State Legislature which would prevent the ability to condition plat approval upon compliance with a duly adopted comprehensive plan; and

WHEREAS, your undersigned Committee opposes the passage of said Bill due to the anti-planning nature of said Bill which, in effect, negates any planning effort done by the County or any municipality within it having zoning authority.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes its opposition to the passage of Assembly Bill 809.

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

Submitted by:  
PLANNING & ZONING COMMITTEE

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

**RESOLUTION NO. 12-498: Oppose Passage of Assembly Bill 862 (Shoreland Zoning Requirements)**

WHEREAS, Assembly Bill 862 was recently introduced in the State Legislature which, if passed, would eliminate the regulation of any activity within the shoreland zoning area with the exception of permanent housing or commercial/industrial matters; and

WHEREAS, the passage of said Bill would prevent the protection of natural resources, potentially decrease the value of waterfront property, and adversely impact water quality and wildlife due to over-urbanization of such areas; and

WHEREAS, your undersigned Committee is opposed to the passage of said Bill.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes its opposition to Assembly Bill 862.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to transmit a copy of this resolution to all legislators representing constituents within Winnebago County; to the Wisconsin Counties Associations and to the office of Governor Tommy Thompson.

Submitted by:  
PLANNING & ZONING COMMITTEE

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

**RESOLUTION NO. 13-498: Authorize Appropriation of \$750,000 (PeopleSoft Software Implementation Project)**

WHEREAS, the Winnebago County Board of Supervisors appropriated \$1,350,000 for the purchase and implementation of PeopleSoft business applications software, and

WHEREAS, PeopleSoft will greatly enhance our County's financial accounting, payroll and human resources and other financial capabilities, as well as solve the year 2000 problem; and

WHEREAS, PeopleSoft is a very complex package which requires enormous knowledge and past implementation experience with the product to successfully implement, and

WHEREAS, At the time the software was purchased Winnebago County believed that a basic implementation could be accomplished with minimal consulting and project management resources from outside consultants, and

WHEREAS, Winnebago County has realized that it needs additional assistance for a successful implementation, and

WHEREAS, Winnebago County has procured additional assistance but will run out of funds by the end of May, 1998 for said assistance, and

WHEREAS, the best estimate that is currently available is that Winnebago County will require an additional \$1,400,000 for a successful implementation, and

WHEREAS, Because of the difficulty of estimating the true cost of said project, it is necessary to appropriate an additional \$750,000 now and appropriate more funds for the balance of said project when a final price can be more accurately determined.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates a sum of \$750,000 to the PeopleSoft Implementation Project from the general fund for the purpose of continuing with the software implementation project.

BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors that funds to pay for said project are hereby appropriated from the General Fund of Winnebago County, with said fund to be reimbursed from a subsequent bond issue to pay for said costs of implementing PeopleSoft.

Submitted by:  
INFORMATION SYSTEMS COMMITTEE  
AND  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Brennand and seconded to adopt. Ayes: 37.  
Nays: 1. Excused: 0.

**RESOLUTION NO. 14-498: Authorize Execution of Easement to City of Oshkosh  
(Sanitary Sewer Easement - Winnebago County  
Community Park)**

WHEREAS, the City of Oshkosh has requested Winnebago County to grant it an easement for the construction of a sanitary sewer through the Winnebago County Community Park; and

WHEREAS, your undersigned Committee believes that the granting of said easement would not only provide a benefit to the residents of the City of Oshkosh but also to the Winnebago County Park itself and recommends the granting of said easement.

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 execute the attached easement, which is made a part of this resolution by reference, to the City of Oshkosh for the construction, installation and maintenance of a sanitary sewer through property located at the Winnebago County Community Park.

Submitted by:  
PARKS & RECREATION COMMITTEE

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

**RESOLUTION NO. 15-498: Request for Clarification of Floodplain  
Regulations**

WHEREAS, provisions of the County Zoning Ordinance have been adopted in accordance with NR 116 of the Wisconsin Administrative Code as promulgated

by the Wisconsin Department of Natural Resources (DNR); and

WHEREAS, said Code provisions provide and allow for the removal of property from floodplain construction requirements provided that the property is filled to 2 feet above the regional flood elevation and that the area is contiguous to an area outside of the floodplain; and

WHEREAS, the Federal Emergency Management Agency (FEMA) does not recognize the validity of state procedures for removal of property from floodplain construction requirements, thus rendering local and state regulations moot; and

WHEREAS, the present conflict between federal and state laws make it difficult for the Winnebago County Zoning Department to administer floodplain regulations to the benefit of all citizens within Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it strongly urges the Federal Emergency Management Agency and the Wisconsin Department of Natural Resources to resolve their differences with regard to the administration of floodplain regulations in order that all involved regulatory agencies are operating within a consistent set of regulations in the future.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to transmit a copy of this resolution to all legislators representing constituents within Winnebago County; to the Offices of Congressman Thomas E. Petri, Senator Russell Feingold and Senator Herbert Kohl; to the Secretary of the Wisconsin Department of Natural Resources; to the Director of the Federal Emergency Management Agency; and to the office of Governor Tommy Thompson.

Submitted by:

PLANNING & ZONING COMMITTEE

Motion by Supervisor Schaidler and seconded to adopt. Ayes: 38.  
Nays: 0. Excused: 0.

**RESOLUTION NO. 16-498: Petition the State of Wisconsin to Fulfill Nonpoint Source Grant Commitments with Winnebago County**

WHEREAS, the Arrowhead River Rat River Daggets Creek; Pine River/Willow Creek/Lake Poygan South; and the Fond du Lac River/Lake Winnebago West Watersheds were designated as priority watersheds by the Wisconsin Department of Natural Resources, and the State of Wisconsin under the Nonpoint Source Water Pollution Abatement program; and

WHEREAS, Winnebago County, in good faith, entered into contractual agreements with the Wisconsin Department of Natural Resources, with the understanding that state program grant funds would be provided in sufficient amount to sustain staffing and the cost-share incentives for Winnebago County landowners to install conservation measures; and

WHEREAS, the Winnebago County Land and Water Conservation Department developed priority watershed plans under the guidance and in cooperation with the Wisconsin Department of Natural Resources, Wisconsin Department of Agriculture Trade and Consumer Protection, adjoining counties, and the Wisconsin Land and Water Conservation Board; and

WHEREAS, these priority watershed plans include outlines of tasks, and cost-estimates and were approved by the Department of Natural Resources, Department of Agriculture Trade and Consumer Protection, and the Wisconsin Land and Water Conservation Board; and

WHEREAS, in accordance with these approved plans, Winnebago County has entered into contracts with 173 landowners in the Arrowhead River/Rat River/Daggets Creek Watershed to install conservation practices that will improve the water quality resources in Winnebago County and the economic

viability of the landowner under contract; and

WHEREAS, the State of Wisconsin has informed your Land Conservation Committee that, due to budget shortfalls, it cannot provide funds in 1998 in the amount of \$72,600, affecting 63 landowners who have agreed to install conservation measures under their on existing contracts in the Arrowhead River/Rat River/Daggets Creek project; and

WHEREAS, Winnebago County has contacted landowners in the Pine River/Willow Creek/Lake Poygan South and the Fond du Lac River/Winnebago West Watershed and developed designs for practices in preparation for implementation funds; and

WHEREAS, the State of Wisconsin has informed your Land Conservation Committee that the \$93,962 needed to implement the watershed plans for the Pine River/Willow Creek/Lake Poygan South and the Fond du Lac River/Winnebago West Watershed projects will not be available in 1998.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it petition the State of Wisconsin to honor its commitment with Winnebago County and the landowners under contract in the Arrowhead River/Rat River/Daggets Creek project by payment of \$72,600 and that the State of Wisconsin provide \$93,962 for the Pine River/Willow Creek/Lake Poygan South and the Fond du Lac River/Winnebago West Watershed projects to begin implementation of their plans.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it authorizes the Winnebago County Clerk to forward a copy of this resolution to all legislators representing constituents within Winnebago County; the Wisconsin Counties Association; members of the Joint Finance Committee; neighboring counties with mutual watersheds; the Winnebago County Farm Bureau; the Secretary of the Wisconsin Department of Natural Resources and the office of Governor Tommy Thompson.

Submitted by:

LAND CONSERVATION COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Motion by Supervisor Hue and seconded to amend Line 26 after the words "in accordance" by adding, "with these approved plans". AMENDMENT CARRIED BY UNANIMOUS VOICE VOTE. Vote on Resolution as amended: CARRIED BY UNANIMOUS VOICE VOTE.

**RESOLUTION NO. 17-498: Amend Paragraph 6, Section 1 of Winnebago County Investment Policy - Investment Parameters**

WHEREAS, in February, 1996, Winnebago County adopted an official investment policy pursuant to Resolution #428-296; and

WHEREAS, said investment policy was most recently amended pursuant to Resolution #126-1196, so as to update those banks and financial institutions which might be used as investment vehicles by Winnebago County; and

WHEREAS, it is now necessary to update said investment policy as a result of the merger of Oshkosh Savings Bank into Fox Cities Bank and Security Bank into M & I Bank and pursuant to the desire of the Winnebago County Treasurer to add A.G. Edwards and Sons as a financial institution through which securities might be purchased.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby amends Paragraph 6, Section 1, Investment Parameters - Diversification and Investment Depositories within the Winnebago County Investment Policy adopted pursuant to County Board Resolution #428-296 and as subsequently amended pursuant to Resolution #121-1196, so as to read as follows:

Anchor Bank S.S.B.  
Associated Bank NA  
Bank One Wisconsin



Citizen First Credit Union  
F & M Bank of Winnebago County  
Firststar Bank, Wisconsin  
First Federal Savings Bank  
First Financial Bank  
First National Bank, Fox Valley  
Fox Cities Bank  
M & I Central State Bank  
Mutual Savings Bank  
Norwest Bank Wisconsin NA  
M & I Bank of Milwaukee  
TCF Bank Wisconsin  
West Pointe Bank

The following financial institutions may be used to purchase securities:

A.G. Edwards & Sons, Inc.  
Firststar Bank, Wisconsin N.A.  
Norwest Investment Services  
Robert W. Baird & Co.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 38.  
Nays: 0. Excused: 0. CARRIED.

**ORDINANCE NO. 18-498: Amend Section 12.04(IV)(BB) of the General Code of Winnebago County (Records Retention Ordinance - Treasurers Office)**

WHEREAS, the Winnebago County Treasurer has requested that Chapter 12 of the General Code of Winnebago County - the Winnebago County Records Retention Ordinance, be amended so as to update the County's record retention policy in relationship to that office; and

WHEREAS, the proposed ordinance which is herewith attached has been approved by the State Historical Society which has also notified the Winnebago County Treasurer that it will waive notification prior to destruction of items noted as waived in the amended ordinance if approved by the Winnebago County Board of Supervisors and the County Executive; and

WHEREAS, your undersigned Committee is supportive of said amendment.

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

The amendment of Section 12.04(IV) Section BB of the General Code of Winnebago County so as to read as follows:

12.04

IV. RETENTION SCHEDULE

The following records are maintained by the various departments in County and are subject to uniform regulation unless otherwise specified. The retention period and authority are listed with each record. ...

BB. TREASURER

<u>RECORD</u>	<u>RETENTION</u>	<u>AUTHORITY</u>	<u>SHSW NOTIFICATION</u>
1. Accounts payable, detail listing & check register creation (copies)	7 years after		S 59.52 (4) (a) (9) Waived
2. Appraisals, county owned property	7 years after		Waived
3. Assessment, certified special assessment roll	Destroy after assessment collected or 7 years, whichever is longer		Waived
4. Assessment, real property	7 years after creation		Notify
5. Assessments, statement of new special assessments	5 years after creation		Waived
6. Assessments, special assessment payment register	Destroy after all assessments collected or 7 years, whichever is longer		Waived
7. Audit letters	3 years after creation		Waived
8. Balancing reports	3 years after creation		Waived
9. Bank credit/debit notices	1 year after audit		Waived
10. Bank reconciliations	3 years after audit		Waived
11. Bankruptcies	7 years after creation until superseded		Waived
12. Cash books, daily	3 years after fiscal year provided audit is completed		Waived
13. Cash drawer reconciliations	1 year after audit		Waived
14. Check register	7 years after creation		S. 59.52 (4) (a) (9) Waived
15. Checks, canceled	7 years after creation		S. 59.52 (4) (a) (9) Waived
16. Checks, outstanding	7 years after creation		S. 59.52 (4) (a) (9) Waived
17. Correspondence, general	3 years after creation		Waived
18. Deposit tickets & books	1 year after audit		Waived
19. Discontinued tax key numbers	Permanent		N/A
20. Journal entries, resolutions, cash receipts, treasurer's cash	3 years after creation		Waived
21. Lottery cards, signed	4 years including credit year	Administrative Code Ch. 20.15(5)	Waived
22. Probate fees report	7 years		Waived
23. Receipts, general & settlement	7 years after creation		S. 59.52 (4) (a) (15) Waived
24. Sale Assessments	7 years after creation		Waived

25.	Suit tax, monthly	7 years after creation		Waived
26.	Tax deeds, foreclosure	15 years after creation	S. 59.52(4)(a)(7)	Waived
27.	Tax receipts	15 years after creation	S. 59.52(4)(a)(14)	Waived
28.	Tax rolls, municipal	15 years after creation	S 59.52(4)(c)(2)	Notify
29.	Tax sales records, including sale of tax deeded land records	7 years after creation		Notify for
	to			prior
	1940			1940. Waived for
	records			and
	after			
30.	ACH transfers, Wires bank	7 years after creation	Same as paper transactions	Waived
31.	Illegal tax certificates charged back to local tax districts	3 years after charging back	S. 59.52(4)(a)(6)	Waived
32.	Cancelled bonds, coupons & promissory notes	Until audited		Waived
33.	Bond & Coupon record books, general obligation bonds	7 years after bond issue expires or following payment of all outstanding matured bonds, notes and coupons, whichever is later		Waived

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that said amendment to said ordinance shall be effective upon the date following the date of its publication.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 38.  
Nays: 0. Excused: 0. CARRIED.

**RESOLUTION NO. 19-498: Authorize Appropriation of \$15,000 to Purchase Services - Winnebago County Dept. of Social Services Budget (Family Preservation Grant)**

WHEREAS, the Family Preservation Grant received by the Winnebago County Department of Social Services has been increased by a total of \$15,000 from original estimates at the time that the 1998 Budget was passed; and

WHEREAS, as a result of said addition allocation, it is necessary to appropriate the money received from said grant for use by the Winnebago County Department of Social Services.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$15,000 from the CAT

Aids-Children Fund of the Winnebago County Department of Social Services to the Purchased Services Fund of that Department in the Winnebago County 1998 Annual Budget.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 38.  
Nays: 0. Excused: 0. CARRIED.

**RESOLUTION NO. 20-498: Authorize Transfer of \$4500 to Temporary Employees Fund and \$468 to Fringe Benefit Fund, Public Health Department (Additional WIC Grant)**

WHEREAS, the Women, Infant and Children's Program has been awarded an additional \$4,968 in grant funding for the current WIC fiscal year based upon a review of participation levels and a caseload increase of 60 per month; and

WHEREAS, said funds will be used to hire a temporary nutritionist to meet the increased level demand for such services; and

WHEREAS, it is necessary for the Winnebago County Board of Supervisors to appropriate said money received as a result of said additional grant.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$4,968 from the WIC Grant Fund of the Health Department with \$4500 to be transferred to the Temporary Employees Fund and \$468 to the Fringe Benefits Fund of the Health Department's Budget within the 1998 Annual Winnebago County Budget.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

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

**RESOLUTION NO. 21-498: Authorize Transfer of \$12,000 from Contingency Fund to Other Improvements Fund - Maintenance Department (Emergency Replacement of Electronic Energy Control Device)**

WHEREAS, the electronic energy control device for the boiler and air conditioning system at the Oshkosh Human Services Center needs to be replaced; and

WHEREAS, the cost of replacing said device was underbudgeted by \$12,000 at the time that the 1998 Winnebago County Annual Budget was passed; and

WHEREAS, the County Executive has approved the expenditure on an emergency basis in that the system is on the verge of failing and temporary repairs may not be able to keep the control device functioning.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that hereby authorizes the transfer of \$12,000 from the Winnebago County Contingency Fund to the Other Improvements Fund of the Maintenance Department within the 1998 Winnebago County Annual Budget for the purpose of replacement of an electronic energy control device for the boiler and air conditioning system at the Oshkosh Human Services Center.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

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

**RESOLUTION NO. 22-498: Oppose HR1534 and S1204 and S1256**

WHEREAS, under the principle of Federalism, issues of local concern are reserved for local governments and the states; and

WHEREAS, federal courts traditionally abstain from interfering in local administrative matters until all state and local remedies have been exhausted, particularly when such matters involve local land use of regulatory decisions; and

WHEREAS, legislation is pending in the Congress of the United States of America pertaining to land use which would seriously disturb these concepts; and

WHEREAS, such legislation (most recently known as HR1534, S1204 and S1256) would undermine the spirit of devolution of power to the states and municipalities and invite frivolous challenges to local zoning and land use decisions in federal court; and

WHEREAS, many local governments, particularly small townships, will be financially unable to defend themselves against such litigation and thus, may seek to fend off this litigation by simply not making appropriate land use decisions.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it opposes the above House and Senate Bills, and any related subsequent Bills to the extent that they interfere with local land use decision making and urges the defeat of those Bills.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it directs the Winnebago County Clerk to transmit a copy of this resolution to all legislators of the constituents within Winnebago County; the Wisconsin Counties Association and the National Association of Counties.

Submitted by:  
LEGISLATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Supervisor Montgomery asked that the title and text be corrected to read, "HR1534, S1204 and S1256." Vote on Resolution as corrected - Ayes: 37. Nays: 1 - Crowley. Excused: 0. CARRIED.

**RESOLUTION NO. 23-498: Authorize Execution of Grant Agreement Between Winnebago County and State of Wisconsin Land Information Board (Land Record Modernization Activities)**

WHEREAS, the State of Wisconsin Land Information Board has agreed to provide a grant to Winnebago County in the amount of \$50,385 for land records modernization activities; and

WHEREAS, your undersigned Committee deems it to be advisable to accept said grant.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive, Winnebago County Clerk and David Schmidt, as Winnebago County Land Information Officer, to execute the attached grant agreement between the State of Wisconsin Land Information Board and Winnebago County for the purpose of accepting a grant in the amount of \$50,385 for land records modernization activities, a copy of said grant agreement being attached hereto and made a part of this resolution by reference.

Submitted by:  
PLANNING & ZONING COMMITTEE

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

**RESOLUTION NO. 24-498: Authorize Payment of Per Diem and Expenses for Unassigned Committee Activities**

BE IT RESOLVED by the Winnebago County Board of Supervisors that pursuant to Section 59.13(2), Statutes, hereby authorizes the payment of per diems and any expenses as allowed by law for the attendance of County Board members and other committee and board members at those meetings listed on Exhibit "A" which is herewith attached and made a part of this resolution by reference.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 32. Nays: 3 - Bertrand, Wingren and Footit. Abstain: 2 - Leschke and Diakoff. Excused: 1 - Arne. CARRIED.

**ORDINANCE NO. 25-498: Amend Chapter 11 General Code of Winnebago County (Licensure and Regulation of Retail Food Establishments, Etc.)**

WHEREAS, the Winnebago County Board of Supervisors recently ordained Chapter 11 of the General Code of Winnebago County which created an ordinance licensing and regulating retail food establishments, taverns, hotels, restaurants, tourist rooming houses and other establishments by the Winnebago County Health Department; and

WHEREAS, after passage of said ordinance, the Director of the Winnebago County Health Department was contacted by a representative of the State Department of Agriculture, Trade and Consumer Protection, who requested that the County consider making a small number of changes in its ordinance in order to make it more readily enforceable; and

WHEREAS, your undersigned Health Board believes that the proposed amendment of this ordinance shall make said ordinance more readily enforceable and shall benefit the citizenry of Winnebago County.

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

That Chapter 11 of the General Code of Winnebago County be amended to read as is indicated in the attached ordinance.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that said amendment to Chapter 11 of the General Code of Winnebago County shall be effective as of June 1, 1998.

Submitted by:  
BOARD OF HEALTH

Motion by Supervisor Rankin and seconded to adopt. Ayes: 38. Nays: 0. Excused: 0. CARRIED.

Supervisor Schwartz moved and it was seconded to adjourn until Monday, May 18, 1998 at 8:45 A.M. for the County Board Tour. CARRIED BY VOICE VOTE. Meeting adjourned at 9:45 P.M.

Respectfully submitted,  
Susan T. Ertmer  
Winnebago County Clerk

State of Wisconsin )  
County of Winnebago )ss

I, Susan T. Ertmer, Winnebago County Clerk, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their adjourned meeting held April 28, 1998.

Susan T. Ertmer  
Winnebago County Clerk