

**ADJOURNED SESSION
COUNTY BOARD MEETING
TUESDAY, AUGUST 15, 2000**

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 Rankin.

The following Supervisors were present: Kollath, Barker, Griesbach, Maehl, Kozickowski, Klitzke, Widener, Lauson, Pech, Leschke, Green, Madison, Reilly, Sundquist, Wingren, King, Norton, Hert, Nielsen, Robl, Eichman, Kline, Crowley, Kramer, Spanbauer, Sievert, Arne, Diakoff, Brennand, Egan, Rankin, Rengstorf, Albrecht, Schaidler, O'Brien, Finch and Metzsig. Excused: 1 – Savas.

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

COMMUNICATIONS, PETITIONS, ETC.

Information was received on the 34th Annual Governor's Conference on Emergency Management. It will be held September 26 & 27 at the Paper Valley Hotel in Appleton. The registration deadline is September 20.

The following resolutions were received: Chippewa County, No. 29-00, "A Resolution Requesting State Funding for County Jails"; Jackson County, No. 65-7-00, "Calling for a Countywide Referendum on Whether the State of Wisconsin Should Enact Comprehensive Campaign Finance Reform" and No. 67-7-00, "Resolution Requesting State Funding for County Jails."

A Notice of Claim from Jacquelin Mulvey for damage to her parked car by a county lawn mower was referred to the Personnel & Finance Committee.

A Notice of Claim from Wade Gullikson for damage to his truck by a county lawn mower was referred to the Personnel & Finance Committee.

A Notice of Claim from Lois Meisel for damage to her car by a county lawn mower was referred to the Personnel & Finance Committee.

A Notice of Claim from Barb Luchinski for damage to her car by a county lawn mower was referred to the Personnel & Finance Committee.

A Notice of Claim from Maris Kemp for damage to her car as a result of debris falling off a county Highway Department vehicle was referred to the Personnel & Finance Committee.

Petition for zoning amendment from Fredrick Kasten, Town of Omro, for zoning change from B-2/A-2 to A-2 for farming and clean landfill site was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Garry H. Decker, Town of Black Wolf, for zoning change from A-2 to R-1 for a home site was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Mark Huetten, Town of Clayton, for zoning change from A-1 to A-2 for a new barn, house and agricultural use was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Darlene Jackson, Town of Oshkosh, for zoning change from B-3/A-2 to B-3 for Lot 1 and R-1 for Lot 2 for business and residential use was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Catherine Reed, Town of Omro, for zoning change from B-2 to B-3 for sales and service of motorcycles was referred to the Planning & Zoning Committee.

COMMITTEE REPORTS

Supervisor Hert handed out a booklet entitled "Industrial Marijuana/Hemp" prepared by Wisconsin Department of Justice, Division of Narcotics Enforcement specifically for this county. This will be discussed at a future meeting.

Supervisor Widener reported Park View Health Center received a five star rating. He also advised the Board that the Personnel & Finance Committee had approved a raise in pay for the RN's at Park View. This should help in retention of staff. He also shared a letter he received from an individual regarding their perception of the Human Services waiting room. There previously had been complaints about that area. He also voiced concerns regarding attendance at assigned committee meetings. He stated three out of four citizens attended the Human Services meeting, but only three out of eight Board members attended. The result was no quorum and the meeting had to be

cancelled.

Motion by Supervisor Robl and seconded to approve the proceedings from the July 25, 2000 meeting. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

There was not a report from the County Executive.

COUNTY EXECUTIVE APPOINTMENTS W-2 Steering Committee

On behalf of Executive Van De Hey, Chairman Maehl asked for the Board's approval of Tom Repenshek to the W-2 Steering Committee. He will replace Jim Janes who resigned. Motion by Supervisor Pech and seconded to approve. CARRIED BY VOICE VOTE.

CHAIRMAN'S REPORT

Chairman Maehl reported Supervisor Savas sends her best and currently is in the hospital getting her medication under control. Chairman Maehl told Supervisor Barker she must be "tempting fate". The transformer in front of her house was hit by lightning last week and again last night. A tree was also struck by lightning. Chairman Maehl pointed out information on each desk regarding ITBEC. He asked each Supervisor to read it over and share the information with their constituents. Chairman Maehl stated the County had a very successful Fair. A report will be coming in the near future. He felt the attendance may be the best it has ever been.

Chairman Maehl extended birthday wishes to Supervisor's Robl and Green. Chairman Maehl stated he had seen retired County Executive Paul Stevenson. Mr. Stevenson with Supervisors Barker and Rankin do judging of the Clover Buds at the Winnebago County Fair each year. Mr. Stevenson, who now resides in Maricopa County, Arizona, is seriously thinking about running for County Supervisor. There are seven supervisors who receive an annual salary of \$116,000 per year, a car and have a staff of 15 each.

Chairman Maehl brought everyone's attention to the "Thumbs Up/Thumbs Down" page of the Post Crescent. Nine times the Post Crescent has given the County a "Thumbs Up". The Monday, August 14th edition gave a "Thumbs Up" to Supervisor Wingren on renting a table at the fair to have people come in and chat about the County Board workings.

PUBLIC HEARING

The following citizens spoke against Resolution No. 63-82000 "Authorize Placement of Advisory Referendum on County Sales Tax Upon November 7, 2000 Ballot": Sandy Forsgren, 1848 Queens Drive, Oshkosh; Jack Kline, 1602 Jacobsen Road, Town of Menasha; Walt Chrapla, 721 Mitchell Street, Neenah; Dee Durkee, 1416 Beech Street, Oshkosh and John Casper, Oshkosh Chamber of Commerce. Mr. Chrapla also spoke against Resolution No. 66-82000 "Transfer 1998 Bond Proceeds to Other Qualifying Projects". Mr. Gene Hickey, 125 N. Eagle Street, Oshkosh, thought the Board could possibly think about naming rights for the Jail to raise additional monies.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Stuart Belden and property owner Melvin Sommer, in the Town of Winchester, for zoning change to A-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-01-00. A request for zoning change from A-1 to A-2. Motion by Supervisor Schaidler and seconded to approve. Ayes: 33. Nays: 4 – Widener, Schaidler, Diakoff and Brennand. Excused: 1 – Savas. CARRIED.

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning

change from applicant Stuart Belden and property owner Melvin Sommer, Town of Winchester, for zoning change to A-2. Motion by Supervisor Sievert and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-02-00. A request for zoning change from A-1 to A-2. Motion by Supervisor Schaidler and seconded to adopt. Ayes: 33. Nays: 4 – Widener, Schaidler, Diakoff and Brennand. Excused: 1 – Savas. CARRIED.

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Davel Engineering and property owner Michael Schanke, Town of Menasha, for zoning change to remove floodplain overlay. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-03-00. A request for zoning change R-2/Flood Fringe to R-2 to remove floodplain overlay. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant James R. Schmidt and property owner Wayne's Woodenware, Town of Neenah, for zoning change to M-2/B-3. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-04-00. A request for zoning change from M-2/B-2/R-2 to M-2/B-3. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 005. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant William Sund and property owner Michael Tassoul, Town of Menasha, for zoning change to P-1. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-05-00. A request for zoning change from A-2 to P-1. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 6. A request from the Town of Poygan on behalf of Edward Michael for zoning change from A-2 to R-1. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 7. A request from the Town of Rushford on behalf of Erwin Oleson for zoning change from A-1 to A-2. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTIONS & ORDINANCES

RESOLUTION NO. 63-82000: Authorize Placement of Advisory Referendum on County Sales Tax Upon November 7, 2000 Ballot

WHEREAS, discussion has been had by the Winnebago County Board of Supervisors as to the possibility of imposing an additional 1/2% sales tax upon purchases within Winnebago County for the purpose of paying for the construction of a new jail and renovations to the present Public Safety Building; and

WHEREAS, estimated savings and property tax relief to Winnebago County taxpayers as a result of the implementation of such a tax would equal about \$7 million dollars in interest over a ten (10) year bonding term; and

WHEREAS, voter turnout is usually highest in a presidential election and such referendum would provide the County Board of Supervisors with the best voter feedback as to this option.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves placement of an advisory referendum on the November 7, 2000 ballot with said referendum to read as follows:

DO YOU FAVOR THE IMPLEMENTATION OF AN ADDITIONAL 1/2% WINNEBAGO COUNTY SALES TAX FOR A LIMITED PERIOD OF THREE YEARS TO PAY FOR THE COST OF CONSTRUCTION OF A NEW WINNEBAGO COUNTY JAIL AND RENOVATIONS TO THE PRESENT PUBLIC SAFETY BUILDING?

Submitted by:
JOANNE SIEVERT, DIST. #31

COUNTY BOARD SUPERVISOR

Motion by Supervisor Sievert and seconded to approve. Supervisor Sundquist made a friendly motion to amend the resolution by adding "Do you favor an increase in property taxes in Winnebago County to pay for the cost of construction of a new Winnebago County Jail and renovations to the present Public Safety Building?" There was no second. Vote on initial motion: Ayes: 7 – Kollath, Klitzke, Madison, Kramer, Finch, Sievert and Arne. Nays: 30 – Barker, Griesbach, O'Brien, Maehl, Koziczkowski, Widener, Lauson, Albrecht, Pech, Leschke, Green, Reilly, Sundquist, Wingren, King, Norton, Hert, Nielsen, Robl, Eichman, Kline, Crowley, Schaidler, Spanbauer, Diakoff, Brennand, Egan, Rankin, Rengstorf and Metzsig. Excused: 1 – Savas. DEFEATED.

RESOLUTION NO. 64-82000: Authorize the Hiring of Architecture Network Inc. to Complete the Architectural Engineering Work On the Winnebago County Courthouse Security Upgrade

WHEREAS, your undersigned Committee is recommending the hiring of Architecture Network Inc. of Madison, Wisconsin, for the architectural engineering work on the Winnebago County Courthouse Security Upgrade; and

WHEREAS, Architecture Network Inc. has agreed to complete the architectural engineering work on the Winnebago County Courthouse Security Upgrade with costs not to exceed 10% of the total project cost plus reimbursable items.

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 with Architecture Network Inc. to perform architectural engineering work services for the Winnebago County Courthouse Security Upgrade pursuant to the terms outlined in the preceding paragraph.

Submitted by:
FACILITIES AND PROPERTY
MANAGEMENT COMMITTEE

Motion by Supervisor Egan and seconded to adopt. Ayes: 35. Nays: 2 – Pech and Wingren. Excused: 1 – Savas. CARRIED.

RESOLUTION NO. 65-82000: Support Midwest Railroad Initiative and Amtrak Service

WHEREAS, over the course of the next 2 1/2 years, the Wisconsin Department of Transportation will be working on a state-wide 20 year, long range state rail plan; and

WHEREAS, said plan is designed to provide increased user frequency and reduced travel time between Chicago and major Midwestern cities at speeds of up to 110 miles per hour; and

WHEREAS, routes between Green Bay and Milwaukee and Green Bay and Chicago with stops in Appleton, Neenah, Oshkosh and Fond du Lac are being explored for implementation starting in the year 2007 upon high speed trains; and

WHEREAS, 80% of the funding of such project would come from the federal government with the remainder coming from the State of Wisconsin; and

WHEREAS, the Department of Transportation has indicated that such a program will not decrease state and federal highway aid to Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby indicates its support for the Midwest Railroad Initiative and Amtrak Service to Winnebago County.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of this resolution be transmitted by the Winnebago County Clerk to the Office of Governor Tommy Thompson, to all legislators representing constituents of Winnebago County within the Wisconsin Legislature; to the Wisconsin Counties Association; and to the Offices of Senator Herbert Kohl, Senator Russell Feingold and Congressman Thomas Petri.

Submitted by:
LEGISLATIVE COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Supervisor Barker stated this resolution should have been brought to the Board by both the Legislative and Highway Committees. Ayes: 34. Nays: 3 – Kollath, Norton and Diakoff. Excused: 1 – Savas. CARRIED.

RESOLUTION NO.66-82000: Transfer 1998 bond proceeds to other qualifying projects.

WHEREAS, The Winnebago County Board of Supervisors authorized the borrowing of \$10 million in September of 1998 for various projects, and

WHEREAS, an amount of \$2 million has not yet been spent from those bond proceeds, and

WHEREAS, the deadline to avoid arbitrage rebate penalties for spending the remaining proceeds is October 13, 2000, and

WHEREAS, by resolution 390-22000, the Winnebago County Board approved transferring \$1,805,000 of these funds to the CTH A capital project fund to be used for that project, and

WHEREAS, the CTH A project will not use all of the funding before October 13, 2000.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the transferring of the remaining funds from the September 1998 Winnebago County Bond Issue to other “qualified” projects with funds to be applied in the following order:

1. The 2000 interest payments on the bond issue totaling \$ 467,750,
2. CTH CB funding for costs incurred during 2000; approximately \$ 700,000,
3. CTH A project costs incurred during 2000; amount to be determined prior to the October 13 deadline,
4. Highway heavy equipment purchased as part of the 2000 budget – amount approximately equal to \$ 850,000,
5. Any remaining unspent funds would be applied to the purchase of equipment within the 2000 operating budget.

BE IF FURTHER RESOLVED, by the Winnebago County Board of Supervisors that the Finance Director will report back to the Board after final distribution of the remaining funds is identified.

Submitted by:

PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 34. Nays: 2 – Pech and Robl. Absent: 1 – Finch. Excused: 1 – Savas. CARRIED.

RESOLUTION NO. 67-82000: Authorize Payment for Excess Committee Days

WHEREAS, Section 59.13(2)(b), Statutes, allows that in counties with a population of 25,000 persons or more, the Board of Supervisors, may by a two-thirds vote of the members present, increase the number of days for compensation and mileage that may be paid in any year and fix the compensation for each additional day; and

WHEREAS, your undersigned Committee recommends that a per diem payment be made for those committee members who have committee days in excess of 30 days for the period between April 1, 1999 and March 31, 2000.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves a per diem compensation for persons serving on committees for more than 30 days as is shown in the attached report which is herewith attached and made a part of this resolution, for the period between April 1, 1999 and March 31, 2000.

Submitted by:

PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Supervisor's Norton and Leschke requested a listing of not only the assigned committee days, but also the unassigned committee days and the days claimed for attending seminars and conferences. Chairman Maehl approved. This list will be provided once a year along with the “Excess Committee Days” report. Ayes: 34. Nays: 3 – Norton, Hert and Nielsen. Excused: 1

– Savas. CARRIED.

RESOLUTION NO. 68-82000: Disallow Claim of Richard Boehning

WHEREAS, your Personnel and Finance Committee has had the claim of Richard Boehning 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 Richard Boehning dated June 12, 2000, 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 Albrecht and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 69-82000: Disallow Claim of Jodi L. Butzlaff

WHEREAS, your Personnel and Finance Committee has had the claim of Jodi L. Butzlaff 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 Jodi L. Butzlaff dated June 1, 2000, 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 Albrecht and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 70-82000: Disallow Claim of Andrew Butzlaff

WHEREAS, your Personnel and Finance Committee has had the claim of Andrew L. Butzlaff 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 Andrew L. Butzlaff dated June 1, 2000, 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 Albrecht and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 71-82000: Authorize Purchase of Property from Guy Gerstmeyer and Christina M. Gerstmeyer and Appropriate \$275,000 for said Purchase: Wittman Regional Airport

WHEREAS, Guy Gerstmeyer and Christina M. Gerstmeyer have recently offered 5 parcels of property for purchase along the perimeter of Wittman Regional Airport, with the combined amount of said property equaling approximately 50 acres; and

WHEREAS, Mr. and Mrs. Gerstmeyer have offered to sell said property to Winnebago County at a price of \$275,000; and

WHEREAS, your undersigned Aviation Committee believes that the purchase of said land is a important component of the Airport Master Plan and that the requested price of \$275,000 is reasonable for the purchase of said property.

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 accept the deed from Guy Gerstmeyer and Christine M. Gerstmeyer for the purchase of 5 parcels of property in the Town of Nekimi by Winnebago County to be used as Airport property in the future at a price of \$275,000. The legal description of said parcels and a map indicating the location of said parcels is attached and hereby made a part of this resolution by reference.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$55,000 from the Capital Outlay Account of Wittman Regional Airport to be used for said purchase.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and Winnebago County Clerk to borrow \$220,000 for purchase of said property from the State of Wisconsin Land Loan Program with interest payable annually on the unpaid balance at a rate of 4% per year. Principal of the loan would be paid off in 5 equal annual installments.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the purchase of said property shall be contingent upon the approval of the County's application for a loan from the Wisconsin Land Loan Program.

Submitted by:
AVIATION COMMITTEE
AND
PERSONNEL & FINANCE COMMITTEE

Legal Descriptions of said Parcels for Resolution #71-82000

- (1) A parcel of land located in the SW1/4 of the SW1/4 of Section 11, Township 17 North, range 16 East, in the Town of Nekimi, Winnebago County, Wisconsin, bounded and described as follows: Commencing at the Southwest corner of Section 11; thence N1°-15'02"W, 974.50 feet along the West line of the SW1/4 of Section 11 to a point on said West line and the point of beginning; thence N88°-44'-58"E, 321 feet to a point; thence S1°-15'-02"E 211.50 feet to a point; thence S88°-44'-58"W, 90 feet to the Southeast corner of property described in Warranty Deed recorded as Document No. 676582 recorded in Winnebago County, Wisconsin Registry; thence N1°-15'-02"W, 181.50 feet along the east line of said parcel to the Northeast corner of said parcel; thence S88°-44'-58"W, 231.00 feet to a point on the West line of the SW1/4 of Section 11 which is the northwest corner of said parcel; thence N1°-15'-02"W along said West line of said Section 11, 30 feet to the point of beginning.
- (2) A parcel of land located in the SW ¼ of the SW ¼ of Section 11, T17N, R16E, Town of Nekimi, Winnebago County, Wisconsin, bounded and described as follows: Commencing at the Southwest corner of Section 11; thence N1°-15'-02"W, 763.00 feet along the West line of the SW ¼ of Section 11 to the point of beginning; thence continuing N1°-15'-02"W, 181.50 feet along said West line; thence N88°-44'-58"E, 231.00 feet at right angles to said West line; thence S1°-15'-02"E, 181.50 feet; thence S88°-44'-58"W, 231.00 feet to the point of beginning. Said parcel contains 0.96 acres of land more or less.
- (3) A parcel of land located in the NW ¼ of the SW ¼, and the SW ¼ of the SW ¼, and the SE ¼ of the SW ¼, and the NE ¼ of the SW ¼ of Section 11, T17N, R16E, town of Nekimi, Winnebago County, Wisconsin, bounded and described as follows: Commencing at the southwest corner of Section 11; thence N01°-15'-02"W, 168.00 feet along the west line of the SW ¼ of Section 11 to the point of beginning; thence continuing N01°-15'-02"W, 595.00 feet along said West line; thence N88°-44'-58"E, 321.00 feet at right angles to said West line; thence N01°-15'-02"W, 211.50 feet; thence S88°-44'-58"W, 321.00 feet to the West line of the SW ¼ of Section 11; thence N01°-15'-02"W, 670.31 feet to the North line of the South 100 acres of the SW ¼ of Section 11 as evidenced; thence N89°-17'-43"E, 1511.96 feet along said North line to the West line of lands described in Document No. 442923;

thence S00°-49'-08"E, 270.00 feet along said West line; thence S89°-17'-43"W, 152.51 feet; thence S01°-03'-40"E, 1313.20 feet to the North right-of-way line of C.T.H. "N"; thence S89°-34'-05"W, 1253.14 feet along said North line; thence N45°-50'-47"W, 142.43 feet along said North line to the point of beginning. Said parcel contains 48.44 acres of land more or less. Subject to all easements and restrictions of record, reserving that part presently used for road purposes.

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 26 – Kollath, Barker, Griesbach, O'Brien, Maehl, Koziczkowski, Widener, Lauson, Albrecht, Leschke, Green, Madison, Sundquist, King, Norton, Nielsen, Robl, Eichman, Kline, Schaidler, Finch, Spanbauer, Sievert, Egan, Rankin and Metzig. Nays: 11 – Klitzke, Pech, Reilly, Wingren, Hert, Crowley, Kramer, Arne, Diakoff, Brennand and Rengstorf. Excused: 1 – Savas. DEFEATED. Vote required for passage was three-quarters of membership.

RESOLUTION NO. 72-82000: Authorize Advance Land Acquisition Loan Application

WHEREAS, the Winnebago County Board of Supervisors has deemed it to be in the best interest of Winnebago County to apply for a state loan to acquire land or interest in land for improvement of Wittman Regional Airport as is described in Resolution #71-82000, which is herewith attached by reference; and

WHEREAS, said resolution authorizes the Winnebago County Executive to apply for a \$220,000 loan from the State of Wisconsin Land Loan Program for purchase of said property.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the County Executive is hereby authorized to execute all necessary loan agreement documents and associated agency agreements on behalf of Winnebago County and to file with the Secretary of Transportation application for a loan from the Wisconsin Land Loan Program; and that said application in the following form is hereby approved, to-wit:

"APPLICATION FOR LAND ACQUISITION LOAN"

By Winnebago County,

TO THE SECRETARY OF TRANSPORTATION (In Care of Wisconsin Department of transportation, Bureau of Aeronautics)

THE APPLICANT, ALSO KNOWN AS THE SPONSOR, DESIRING TO ACQUIRE LAND OR INTERESTS IN LAND, RESPECTFULLY REPRESENTS AND STATES:

1. The land to be acquired in fee simple or encumbered by easement is within the recommended minimum property limits shown in a Department approved Airport Layout Plan.
2. The land is needed for planned airport improvements and/or approach clearance, or protection from encroachment, for safety of aircraft using the airport.
3. The descriptions of the land and property interests are as follows:
50 acres more or less, residence and out buildings,
Northeast of the intersection of Knapp Street
Road and Fisk Avenue (County Road N), Town of
Nekimi, Winnebago County, and more specifically
Described as is indicated in the attached resolution
Of the Winnebago County Board of Supervisors,
#71-82000, which is herewith attached and made a
part of this application by reference.
4. The requested loan is to cover up to 80% of the total cost of the acquisition, including necessary project plans, environmental studies, land surveys, relocation costs, and all other costs incidental to the land acquisition process and cost documentation.
5. Land Loan funding breakdown:
Sponsor share (20%) \$ 55,000.00
Loan Amount (80%) \$220,000.00

Total Land Loan Project \$275,000.00

6. The Sponsor will forward 20% of the project funding, \$55,000.00 to the Bureau of Aeronautics, to be used in full before loan funds will be disbursed.
7. If actual costs incurred exceed the estimate and the established maximum is inadequate the loan amount may be adjusted up to 80% of a revised project cost by an amended agreement between the Secretary of Transportation and Winnebago County when duly authorized by resolution of the Winnebago County Board.
8. Simple interest at the rate of four percent per annum will be paid annually by Winnebago County on the unpaid balance of the loan.
9. The amount of the loan, plus interest, will be repaid to the State, in full, within five years. Repayment may be annual budget appropriations, or project appropriations of Winnebago County, State and FAA, or a combination of both methods acceptable to the Secretary of Transportation and the applicant.

WHEREAS, Winnebago County is required by State Statute and Wis. Administrative Code (Trans 54.05) to designate the Secretary as its agent to accept, receive, receipt for and disburse any funds loaned by the State of Wisconsin under the Advance Land Acquisition Loan Program.

THEREFORE, BE IT RESOLVED, by Winnebago County that the Secretary is hereby designated as its agent and is requested to agree to act as such in matters relating to the land loan project described above, and is hereby authorized as its agent to make all arrangements for the development and final acceptance of the completed work whether by contract, agreement, force account or otherwise, and particularly, to accept, receive, receipt for and disburse monies, either public or private for planning and land acquisition, for the airport, and, to acquire property or interests in property by purchase, gift, lease or eminent domain under Chapter 32 of the Wisconsin Statutes, and, to supervise the work of any engineer, appraiser, negotiator sub-agent or other person employed by the Secretary; and, to execute any assurances or other documents required or requested by any agency of the state or federal government and to comply with all federal and state laws, rules, and regulations relating to airport development projects.

THEREFORE, Winnebago County hereby requests that the Secretary order as provided in Section 114.33(8)(a) of the Wisconsin Statutes, that Winnebago County may acquire the required land or interests in land that the Secretary shall find necessary.

THEREFORE, you are requested to take such action as may be deemed necessary by the facts presented.

Submitted by:
AVIATION COMMITTEE
AND
PERSONNEL & FINANCE COMMITTEE

Due to the previous resolution being defeated, Supervisor Albrecht withdrew this resolution.

RESOLUTION NO. 73-82000: Provide Loan to Village of Winneconne - Industrial Development Board

WHEREAS, the Village of Winneconne has made a loan request to the Winnebago Industrial Development Board for the purpose of assisting the expansion of Midwest Towel and Supply, Inc.; and WHEREAS, Winnebago County and its Industrial Development Board are empowered to make such loans pursuant to the authority vested by Sec. 59.57(2)(f)(4), Wisconsin Statutes; and

WHEREAS, the Village of Winneconne projects that assisting such business development shall generate new jobs and create additional new tax base within the community and Winnebago County; and

WHEREAS, your Industrial Development Board has approved said loan request and is requesting that the County Board of Supervisors approve the project for funding at this time.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the aforementioned Winnebago County Industrial Development Project is hereby approved.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds in the amount of \$50,000 shall be made available to loan to the Village of Winneconne with such loan agreement to

be for a period of sixty (60) months and at an interest rate of 1/2 of the prime rate on the date that said loan is made, with interest due yearly upon said loan and the principal of said loan to be due to the Winnebago County Industrial Development Board on the thirtieth month anniversary date of said loan.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that actual execution of said loan shall be contingent upon the State of Wisconsin approving its CDBG-ED Loan for \$175,000 to Midwest Towel and Supply, Inc. and also contingent upon the award of an additional \$150,000 Industrial Development Loan from the Village of Winneconne to Midwest Towel and Supply, Incorporated.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Industrial Development Board and any necessary Winnebago County officers are authorized to execute an agreement between Winnebago County's Industrial Development Board and the Village of Winneconne for this project and for said loan.

Submitted by:
INDUSTRIAL DEVELOPMENT BOARD

Motion by Supervisor Maehl and seconded to adopt. Ayes: 37. Nays: 0. Excused: 1 – Savas.
CARRIED.

Motion by Supervisor Robl and seconded to adjourn until Tuesday, August 22, 2000, at 6:00 p.m. CARRIED BY VOICE VOTE. The meeting was adjourned at 8:45 p.m.

Respectfully submitted,
Patricia Rabe, Deputy
Winnebago County Clerk

State of Wisconsin)
County of Winnebago) ss

I, Patricia Rabe, 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 August 15, 2000.

Patricia Rabe, Deputy
Winnebago County Clerk