

**ADJOURNED SESSION  
COUNTY BOARD MEETING  
TUESDAY, NOVEMBER 20, 2001**

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: Barker, Griesbach, Karras, Maehl, Klitzke, Widener, Lauson, Albrecht, Pech, Leschke, Madison, Zamzow, Sundquist, Wingren, King, Norton, Hert, Nielsen, Robl, Eichman, Kline, Kramer, Finch, Spanbauer, Sievert, Arne, Diakoff, Brennand, Egan, Rankin, Rengstorf and Metzsig. Absent: Kollath. Excused: Savas, Koziczowski, Green, Crowley and Schaidler.

Motion by Supervisor Robl and seconded to adopt the agenda with the following change of order of the resolutions: ...#332-112001, #320-112001, #329-112001, #321-112001, #322-112001, etc. CARRIED BY VOICE VOTE.

**COMMUNICATIONS, PETITIONS, ETC.**

A notice was read from the WCA regarding an educational seminar entitled, "Homeland Security". It will be held on Monday, December 17, 2001, at the Holiday Inn Civic Center in Eau Claire, Wisconsin.

Notice of Claim received from Carlos Molina for personal items lost while he was incarcerated in the Winnebago County jail was referred to the Personnel & Finance Committee.

Notice of Claim received from Margaret Wilson for personal items lost while she was incarcerated at the Winnebago County Huber Center was referred to the Personnel & Finance Committee.

The following resolutions were received and forwarded to the Legislative Committee and other pertinent committees:

- Florence County – No. 01-25: "Supporting Federal Legislation to Require Importers of Foreign Dairy Products to Contribute to the Costs of U.S. Dairy Promotions"
- Green Lake County – No. 33-2001, "Relating to: Attack on America"
- Kewaunee County – "Supporting Legislation to Preserve Wisconsin's Wetland Programs in the 2002 Farm Bill"
- La Crosse County – No. 125-10/01: "Request Wisconsin Legislation to Update Poverty Guidelines and to Increase Funding to Help with Financial Pressures Imposed by the State"
- La Crosse County – No. 120-10/01, "Support of Four Year Terms for County Board Supervisors"
- Lincoln County – No. 60-2001, "WI Counties Association Strategic Planning"

Petition for Zoning Amendment from Warren Utecht, Town of Clayton, for zoning change from A-2 to R-2 a single-family subdivision was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Jeffrey Ogden, Town of Clayton, for zoning change from A-2 to R-2 for residential purposes was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from P.W. Bender, Town of Nekimi, for zoning change from A-1 to M-1 for ethanol production was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from P.W. Bender, Town of Nekimi, for zoning change from A-1 to M-1 for ethanol production was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Gerald D. Mathusek, Town of Algoma, for zoning change from A-2 to R-2 for a new subdivision was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Dan P. Wood, Town of Oshkosh, for zoning change from A-2 to B-3 (HB) for a landscaping business was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from H.W. Skip Pipkorn, Town of Oshkosh, for zoning change from A-2 to Residential for a single-family home was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from George Dearborn, Town of Menasha, for zoning change from R-2 to M-2 for a fire station and related uses was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Carl Borchert, Town of Clayton, for zoning change from R-3/A-1 to A-2 for agricultural purposes was referred to the Planning & Zoning Committee.

Motion by Supervisor Kollath and seconded to approve the proceedings from the October 16, 2001 meeting. CARRIED BY VOICE VOTE.

## **PUBLIC HEARING**

No one addressed the board.

## **COMMITTEE REPORTS**

Supervisor Rankin reported that the City of Omro recently held a community outreach program for their Hispanic residents. The city wanted to make them aware of the facilities and programs that are available to them, such as the community center, the library and the municipal swimming pool. Supervisor Rankin reported that it was very well attended.

Supervisor Barker reported that the Legislative Committee will be meeting on Monday, November 26 and that the agenda has been placed on the members' desks.

Supervisor Widener thanked the Chairman and Vice Chairman for their efforts in helping Winnebago County attempt to recoup money from the Federal government to cover costs incurred by Winnebago County in the January, 1999 Sosnoski lawsuit.

Supervisor Widener reported that Supervisor Schaidler will not be at tonight's meeting because he injured his knee and had to have surgery. He said that Supervisor Schaidler will be recuperating for the next six to eight weeks and that he sends his regards to the Board.

Supervisor Egan reminded the Board that the courthouse security meeting is scheduled for Wednesday, November 28 @ 7:00 p.m. in the Courthouse Lounge Room. Everyone is encouraged to attend.

Supervisor Albrecht reported that Senator Kohl's office has informed him that legislation is now in place for Winnebago County to recoup the money lost in the 1999 Sosnoski lawsuit.

Motion by Supervisor Lauson and seconded to approve the October 16, 2001 proceedings. CARRIED BY VOICE VOTE.

## **COUNTY EXECUTIVE'S REPORT**

Executive Van De Hey also commended Chairman Maehl, Vice Chairman Albrecht and Duncan Henderson, Airport Manager, on their efforts to pursue Federal reimbursement of the money Winnebago County paid out in the Sosnoski lawsuit.

Executive Van De Hey reported that she participated in the University of Wisconsin's telethon for Ataxia and Alzheimer's. She thanked all the people involved in the telethon and those who made donations to this worthy cause.

Executive Van De Hey reported that the intergovernmental solid waste agreement with Brown and Outagamie Counties has been signed. She thanked the other counties for their cooperation in getting this program implemented.

Executive Van De Hey stated that after intense scrutiny by Moody's Investment Services, Inc., Winnebago County has retained its AA2 credit rating. She explained that we are able to retain this credit rating because of our low debt service and adequate financial reserves.

Executive Van De Hey commended Chuck Orenstein, Finance Director, and other department heads for their efforts in keeping spending down in the 2002 budget. She stated that it was a difficult budget to put together, but that we are \$.26 below the state operational cap. Executive Van De Hey stated that the state cap can not be exceeded.

## **CHAIRMAN'S REPORT**

Chairman Maehl extended "happy birthday" wishes to Supervisors Finch, Klitzke and Spanbauer, and to Chuck Orenstein, Finance Director.

Chairman Maehl reported that as of October 31, 2001, the Board has contributed \$2,580 to the scholarship fund, bringing the reserve balance in that account to \$14,110.

Chairman Maehl reported that a recent newspaper article stated that Waupaca County earned more than \$716,000 in interest by investing the \$19.6 Million they borrowed to build their law enforcement center. Chuck Orenstein stated that Winnebago County also invests money borrowed for capital projects and that the interest that is earned goes into that capital project's fund.

## **PUBLIC HEARING**

No one addressed the Board.

## **ZONING REPORTS & ORDINANCES**

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owners Richard & Janice Collins, Revocable Trust, Town of Neenah, for zoning change to A-2. Motion by Supervisor Sievert and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11-01-01. A request for zoning change from A-1 (Exclusive Ag) to A-2 (General Farming). Motion by Supervisor Sievert and seconded to accept. CARRIED BY VOICE VOTE. (Effective date – November 26, 2001)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Andie Shie, Martensen & Eisele, and property owner Mike Bradley, Town of Omro, for zoning change to A-2. Motion by Supervisor Sievert and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11-02-01. A request for zoning change from A-2/R-1 (General Farming, Single family non-subdivided) to A-2 General Farming. Motion by Supervisor Sievert and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – November 26, 2001)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Andrew Dumke, Town of Winneconne, for zoning change to R-1. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11-03-01. A request for zoning change from B-2 (Community Business) to R-1 (Single Family non-subdivided). Motion by Supervisor Sievert and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – November 26, 2001)

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Gary Yakes, Yakes, Bauer, Kindt & Phillips, S.C., and property owner EOS V LLC, Town of Oshkosh, for zoning change to B-3 (HB). Motion by Supervisor Sievert and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11-04-01. A request for zoning change from A-2 (General Farming) to B-3 (HB). Motion by Supervisor Sievert and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – November 26, 2001)

REPORT NO. 005. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Harry H. Long Moving Storage & Express, Inc., and property owner Karen Thorne, Town of Clayton, for zoning change to M-2. Motion by Supervisor Sievert and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11-05-01. A request for zoning change from A-2 (General Farming) to M-2 (Heavy Industrial). Motion by Supervisor Sievert and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – November 26, 2001)

REPORT NO. 006. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Mary Somers and property owner Morgen Jorgensen, Town of Menasha, for zoning change to P-1. Motion by Supervisor Sievert and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11-06-01. A request for zoning change from B-3 (General Business) to P-1 (Institutional & Recreational Park District). Motion by Supervisor Sievert and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – November 26, 2001)

AMENDATORY ORDINANCE NO. 7. A request from the Town of Wolf River on behalf of Dallas Niemuth for zoning change from A-2 to R-1. Motion by Supervisor Metzsig and seconded to adopt. CARRIED BY VOICE VOTE. (Supervisor Brennand abstained from voting ) (Effective date – November 26, 2001)

### **RESOLUTIONS & ORDINANCES**

**RESOLUTION NO. 332-112001: Authorize Transfer of \$500 to Repairs Fund, Winnebago County Board of Supervisors (Repair of County Board Voting Score Board)**

WHEREAS, the voting score board for the Winnebago County Board of Supervisors was previously wired in such a way that a light flashed on, that was visible to other supervisors and the general public, when a supervisor indicated that he or she wished to speak on a topic before the Board ; and

WHEREAS, the voting score board presently does not show any indication that a supervisor wishes to speak on a topic, with only that supervisor and the Chair of the Board presently being aware of the supervisor's request to speak on a topic; and

WHEREAS, your undersigned supervisors desire that the voting score board be repaired so that a light will flash on whenever a County Board Supervisor indicates his or her intent to speak on a topic.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$500 from the General Fund of Winnebago County to the Repair Fund of the Winnebago County Board of Supervisors for the purpose of repairing the voting score board of the Winnebago County Board of Supervisors so as to allow a light to flash on anytime a supervisor desires to speak on a topic before the Board.

Submitted by:

THOMAS PECH JR., DIST. #12  
JEANETTE DIAKOFF, DIST. #33  
RONALD EICHMAN, DIST. #24  
BILL WINGREN, DIST. #18  
PATRICK BRENNAND, DIST. #34  
MIKE HERT, DIST. #21  
COUNTY BOARD SUPERVISORS

Supervisor Pech withdrew this resolution. Motion by Supervisor Pech and seconded to re-submit this resolution. Ayes: 27. Nays: 5 – Griesbach, Karras, Lauson, King and Rengstorf. Excused: 5 - Savas, Koziczkowski, Green, Crowley and Schaidler. Absent: 1 – Kollath. CARRIED.

**RESOLUTION NO. 299-92001: Authorize Appropriation of \$140,000 to Nurse Call System - Capital Outlay Fund - Park View Health Center (Nurse Call System)**

WHEREAS, the present nurse call system at Park View Health Center is outdated and is continuously in need of repair; and

WHEREAS, the replacement of said system is presently needed.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$140,000 from the Winnebago County General Fund to the Nurse Call System - Capital Outlay Fund of Park View Health Center's Budget for the purpose of replacing the nurse call system at that facility..

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the General

Fund of Winnebago County shall be refunded the amount of \$140,000 from a subsequent bond issued for the purpose of replacing the nurse call system at Park View Health Center.

Submitted by:  
PARK VIEW HEALTH CENTER COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Widener and seconded to adopt. Ayes: 31. Nays: 1 – Robl. Excused: 5 - Savas, Koziczowski, Green, Crowley and Schaidler. Absent: 1 - Kollath. CARRIED.

**RESOLUTION NO. 317-112001: Authorize the transfer of \$161,500 from the General Fund to the Infrastructure Upgrade Capital Project fund for moving and upgrading the fiber optic cable system related to the CTH Y resurfacing and new Jail projects.**

WHEREAS, construction of the new jail will require the addition of additional fiber optic cable to support the new facility; and

WHEREAS, the 5-year capital improvements plan includes a project to resurface CTH Y between Hwy 45 and CTH A; and

WHEREAS, it would be prudent to do the installation of the first part of the fiber optic cable and telecommunications updating project in advance of any resurfacing of CTH Y; and

WHEREAS, an amount of \$161,500 is needed to do the first part of the fiber optic cable update project.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes a budget transfer of \$161,500 from the Winnebago County General Fund to the Infrastructure Upgrade Capital Project Fund for the purpose of starting the first phase of the fiber optic cable and telecommunications project.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the General Fund of Winnebago County shall be reimbursed for the full amount of this Budget Transfer from the proceeds of the subsequent bond issue for this expenditure.

Submitted by:  
INFORMATION SYSTEMS COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Brennand and seconded to adopt. Supervisor Brennand asked that the Information Systems Committee vote of "4-0" be added to the resolution. Ayes: 32. Nays: 0. Excused: 5 - Savas, Koziczowski, Green, Crowley and Schaidler. Absent: 1 – Kollath. CARRIED.

**RESOLUTION NO. 318-112001: Authorize Executive to Contract With Ameritech for ISDN Prime Service: New Winnebago County Jail**

WHEREAS, the Information Systems Department and Ameritech have negotiated a potential contract for telephone service at the new Winnebago County Jail; and

WHEREAS, pursuant to the terms of said contract, Winnebago County would contract with Ameritech for ISDN Prime Services over a five (5) year period and Ameritech would provide Winnebago County said services at a reduced monthly charge of approximately \$1,066; and

WHEREAS, your Information Systems Committee and Personnel and Finance Committee have reviewed said contract and recommend its authorization.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and the Winnebago County Clerk to execute a contract with Ameritech for ISDN Prime Services over a five (5) year period at the new Winnebago County Jail. A copy of said contract is attached hereto and made a part of this resolution by reference..

Submitted by:  
INFORMATION SYSTEMS COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Brennand and seconded to adopt. Ayes: 32. Nays: 0. Excused: 5 - Savas, Koziczowski, Green, Crowley and Schaidler. Absent: 1 – Kollath. CARRIED.

**RESOLUTION NO. 319-112001: Authorize the Preparation of the 2002 Application and the County’s Matching Share Regarding Specialized Transportation Services to the Elderly and Disabled**

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Department of Human Services to prepare and submit to the Wisconsin Department of Transportation an application for assistance anticipated to be \$209,704 during 2002 under Section 85.21 of the Wisconsin Statutes, in conformance with the requirements issued by that Department and also authorizes the obligation of county funds in the amount of \$41,941 in order to provide the required local match.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes that funds budgeted for this purpose are included in the 2002 Budget, be and the same are hereby made available to cover Winnebago County's share of this project.

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

Submitted by:  
HUMAN SERVICES BOARD

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 32. Nays: 0. Excused: 5 - Savas, Koziczowski, Green, Crowley and Schaidler. Absent: 1 – Kollath. CARRIED.

**ORDINANCE NO. 320-112001: Amend Chapter 13, Section 13.11 of the General Code of Winnebago County Livestock Waste Management**

WHEREAS, it is well documented and widely recognized that nutrients and organic matter from mismanaged or misapplied livestock waste are major contributors to the water quality degradation in the rivers, lakes and streams throughout Wisconsin, including those in Winnebago County; and

WHEREAS, the degradation of the water resources in Winnebago County imposes a threat to the environment, health and economic welfare of the citizens of the county; and

WHEREAS, the Winnebago County Land Conservation Committee, in an effort to further protect the water resources of Winnebago County.

NOW, THEREFORE, BE IT ORDAINED by the County Board of Supervisors of the County of Winnebago, that Chapter 13, Sec. 13.11 of the General Code of the Winnebago County be amended to read as follows:

13.11 PERMIT FEE

- (1) The initial fee for a permit under this chapter shall be \$100.00.
- (2) The initial fee for a permit issued after the fact shall be doubled.
- (3) The renewal fee for a permit under this chapter shall be \$50.00.

Submitted By:  
LAND CONSERVATION COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Ayes: 32. Nays: 0. Excused: 5 - Savas, Koziczowski, Green, Crowley and Schaidler. Absent: 1 – Kollath. CARRIED.

**ORDINANCE NO. 329-112001: Rescind Section 1.12(2) of the General Code of Winnebago County (Amend Definition of “Committee Meeting”)**

WHEREAS, the report of the Exploration Committee of the Winnebago County board of Supervisors recommended that no per diems be paid in the future for attendance of supervisors at schools, institutes, conferences or of meetings of committees of which they are not members; and

WHEREAS, a rescission of Section 1.12(2)(b) of the General Code of Winnebago County relating to the definition of “committee meeting” is necessary to accomplish said recommendation.

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

That Section 1.12(2)(b) of the General Code of Winnebago County is hereby rescinded effective April 16, 2002. ( A copy of said ordinance is herewith attached)

Submitted by:  
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 6 – Pech, Leschke, Hert, Nielsen, Sievert and Metzsig. Nays: 26. Excused: 5 - Savas, Koziczowski, Green, Crowley and Schaidler. Absent: 1 – Kollath. LOST.

**ORDINANCE NO. 321-112001: Amend Section 1.12(7) of the General Code of Winnebago County: Per Diem Rates - County Board of Supervisors**

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

That Section 1.12(7)(a) of the General Code of Winnebago County be amended to read as follows:

1.12 Per Diem, Mileage Expenses Requirement: County Board of Supervisors

- (7) Per Diem and expenses shall be reimbursed while attending meetings for the Winnebago County Board of Supervisors as follows:
  - (a) Per Diem:

½ day meeting (1 or more meetings totaling 4 hours or less.....	\$	50.00
Full day meeting.....	\$	75.00
Monthly County Board Meetings.....	\$	75.00
Maximum allowable per diem per day...	\$	75.00

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that the salaries of the Chairman and Vice Chairman of the County Board of Supervisors shall remain as established in Section 1.12(9) of the General Code of Winnebago County.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that said ordinance shall be effective as of April 16, 2002.

Submitted by:  
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Supervisor Rengstorf asked that the Judiciary & Public Safety Committee's vote on the resolution be corrected to "3-2".

Motion by Supervisor Brennand and seconded to amend the Resolution by eliminating the per diem payments and adding "\$400 per month or \$4,800 annual salary per supervisor." Ayes: 8 – Leschke, Madison, Norton, Finch, Spanbauer, Sievert, Brennand and Metzsig. Nays: 24. Excused: 5 - Savas, Koziczowski, Green, Crowley and Schaidler. Absent: 1 – Kollath. LOST.

Motion by Supervisor Pech and seconded to amend the resolution by eliminating the per diem and adding "\$250.00 per month or \$3,000 annual salary per supervisor." Ayes: 7 – Pech, Leschke, Hert, Nielsen, Finch, Brennand and Metzsig. Nays: 25. Excused: 5 - Savas, Koziczowski, Green, Crowley and Schaidler. Absent: 1 – Kollath. LOST.

Vote on Resolution as presented: Ayes: 19. Nays: 13 – Pech, Leschke, Madison, Wingren, King, Hert, Nielsen, Robl, Kline, Sievert, Diakoff, Brennand and Metzsig. Excused: 5 - Savas, Koziczowski, Green, Crowley and Schaidler. Absent: 1 – Kollath. LOST – required 2/3rds of membership.

At 8:10 p.m., Chairman Maehl called for a recess. At 8:23 p.m., Chairman Maehl reconvened the meeting.

**RESOLUTION NO. 322-112001:                      Establish    Fee Schedule for Sales of Copies of Ordinances: Winnebago County Zoning Office**

WHEREAS, the Winnebago County Zoning Office frequently receives requests from citizens for copies of the zoning, subdivision, sanitary or non-metallic mining ordinance; and

WHEREAS, your undersigned Committee believes that it would be in the best interest of Winnebago County to establish a fee schedule for the actual cost of preparing and printing said documents.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby establishes the following rate for sales of the following ordinances by the Winnebago County Zoning Office (sales tax included):.

Zoning.....	\$10.00
(previous fee \$7.88)	
Subdivision.....	\$ 2.00
(previous fee \$3.15)	



Sanitary.....	\$ 2.00
(previous fee \$3.15)	
Non-Metallic Mining .....	\$ 2.00
(no previous fee – new ordinance)	

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said fee schedule shall go into effect upon approval of this resolution by the Winnebago County Executive.

Submitted by:  
**PLANNING & ZONING COMMITTEE**

Motion by Supervisor Sievert and seconded to adopt. Ayes: 29. Nays: 0. Excused: 5 - Savas, Koziczkowski, Green, Crowley and Schaidler. Absent: 4 – Nielsen, Kramer, Spanbauer and Kollath.  
**CARRIED.**

**RESOLUTION NO. 323-112001: Disallow Claim of Karen Allen**

WHEREAS, your Personnel and Finance Committee has had the claim of Karen Allen 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 Allen dated June 29, 2001, 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. 324-112001: Disallow Claim of John T. Monnett Jr.**

WHEREAS, your Personnel and Finance Committee has had the claim of John T. Monnett Jr. 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 John T. Monnett Jr. dated September 13, 2001, 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. 325-112001: Disallow Claim of Michael J. Bord**

WHEREAS, your Personnel and Finance Committee has had the claim of Michael J. Bord 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 Michael J. Bord dated September 26, 2001, 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. 326-112001: Disallow Claim of Tina Eiden**

WHEREAS, your Personnel and Finance Committee has had the claim of Tina Eiden 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 Tina Eiden dated October 4, 2001, 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. 327-112001: Disallow Claim of American Family Insurance Group for Charles T. Tanner**

WHEREAS, your Personnel and Finance Committee has had the claim of American Family Insurance Group for Charles T. Tanner 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 American Family Insurance Group for Charles T. Tanner dated October 15, 2001, 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 (Supervisor Brennand abstained).

**ORDINANCE NO. 328-112001: Amend Section 19.24(2) of the Winnebago County General Code Relating to the Parks Department Shelter Fee Schedule**

BE IT ORDAINED by the County Board of Supervisors of the County of Winnebago as follows:

That Section 19.24 (2) (a) of the General Code of Winnebago County be amended to read as follows:

19.24 FEES AND CHARGES.

(2)(a) COMMUNITY PARK FEE SCHEDULE

Shelters	Group Size	Weekday Charge	Weekend Charge
#1 & #2	Up to 150	\$30.00	\$40.00
	151 – 300	\$60.00	\$60.00
	301 – 1000	\$120.00	\$120.00
	Over 1000	Negotiated minimum.\$200	Negotiated minimum \$200
#3 & #4	Up to 50	\$20.00	\$25.00
	Groups greater than 50 persons will pay at the same rates as Community Park – Shelters #1 & #2.		

LAKE WINNECONNE PARK FEE SCHEDULE

Shelters	Group Size	Weekday Charge	Weekend Charge
#1	Up to 150*	\$30.00	\$40.00
	#2	Up to 50	\$20.00
51 – 150*		\$30.00	\$40.00
Hall	Up to 200	\$60.00	\$70.00
	201 – 1000	\$120.00	\$140.00
	Over 1000	Negotiated minimum \$250	Negotiated minimum \$275

\* If group size is over 150, charge will be the same as Community Park Shelters #1 & #2.

BE IT FURTHER ORDAINED BY THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WINNEBAGO that said ordinance amendment shall take effect as of January 1, 2002.

Submitted by:  
PARKS & RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Ayes: 29. Nays: 3 – Madison, Hert and Rengstorf. Excused: 5 - Savas, Koziczowski, Green, Crowley and Schaidler. Absent: 1 – Kollath. CARRIED.

**RESOLUTION NO. 330-112001:**

**Oppose Senate Bill 248 and Assembly Bill 518:  
Prohibition of Municipal Ownership of  
Telecommunications Network**

WHEREAS, the Federal Telecommunications Act of 1996 and Act 496 of the 1993 Wisconsin Legislature allows local municipal units to supply competitive telecommunications services to their communities; and

WHEREAS, Winnebago County, through its FoxNet Telecommunications Network, shared construction costs for the construction of a high speed fiber optic telecommunications network with other municipalities and school districts within this area, the joint cost of which has exceeded \$2,000,000.00; and

WHEREAS, Winnebago County presently owns and operates part of the FoxNet Network; and

WHEREAS, FoxNet allows Winnebago County to connect all of Winnebago County's telecommunication facilities with other municipalities, 911 systems, police departments, school districts, colleges and universities in the Fox Valley area on a high speed basis; and

WHEREAS, Wisconsin Senate Bill 248 and Wisconsin Assembly Bill 518 would strictly prohibit or limit the options for the control, management and disposition of Winnebago County's fiber optic network and assets; and

WHEREAS, your undersigned Committees believe that said legislation does not serve the best interests of the citizens of Winnebago County and is designed solely for the economic benefit of large telecommunications companies and the passage of said Bills would be operationally and economically detrimental to Winnebago County, its municipalities, schools, police departments and citizens.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby expresses its opposition to Senate Bill 248 and Assembly Bill 518 (A copy of Senate Bill 248 is attached hereto) and expresses its opposition to any other potential legislation limiting the options available to Winnebago County, its municipalities, school districts, police departments, colleges and universities in regard to the ownership and operation of telecommunication and internet access services.

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 members of the Wisconsin Assembly and Wisconsin Senate; to all county clerks; to the Wisconsin Counties Association and to the Office of Governor Scott McCallum.

Submitted by:  
LEGISLATIVE COMMITTEE  
INFORMATION SYSTEMS COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Ayes: 32. Nays: 0. Excused: 5 - Savas, Koziczkowski, Green, Crowley and Schaidler. Absent: 1 – Kollath. CARRIED.

**RESOLUTION NO. 331-112001:                    Authorize Sale of Wiouwash Trail Property to Wisconsin Department of Transportation for Use in the Relocation of State Highway 10**

WHEREAS, the Wisconsin Department of Transportation desires to implement a construction project intended to relocate State Highway 10; and

WHEREAS, said improvements to State Highway 10 will involve the process of acquiring right-of-way in Winnebago County; and

WHEREAS, Winnebago County owns a 0.97 acre parcel of the WIOUWASH Trail that is needed as part of the State Highway 10 relocation project; and

WHEREAS, the Wisconsin Department of Transportation has documented its intent to compensate Winnebago County \$4,850.00 for the purchase of said property; and

WHEREAS, as part of its environmental commitments, the Wisconsin Department of Transportation is obligated to construct, on the .097 acre parcel, a 176' long below grade crossing of State Highway 10 in order to accommodate WIOUWASH Trail users; and

WHEREAS, upon completion of the below grade crossing of State Highway 10, the Wisconsin Department of Transportation shall grant Winnebago County an unrestricted permit in perpetuity for use of the below grade crossing as a State Recreation Trail; and

WHEREAS, your undersigned Committee believes that it would be in the best interest of Winnebago County to proceed with the sale of said property to the Wisconsin Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes the County Executive to proceed with the sale of the property described below to the Wisconsin Department of Transportation for the purchase price of \$4,850.00:

That tract of land being part of NE ¼ - NW ¼ and the SE ¼ - NW ¼ of Section 17, T20N, R16E, located within the Town of Clayton, Winnebago County, Wisconsin. Said parcel includes all that land of the owner lying in the following traverse:

Commencing at the West ¼ corner of said Section 17; Thence N 1°25'25" W, 640.14 feet along the west line of the NW ¼ of said section to the Point of Beginning; Thence N 88°34'35" E, 33.00 feet to the intersection of the existing east right of way of Hickory Avenue and the proposed east right of way of Hickory Avenue; Thence along the said proposed east right of way the following courses; N 6°30'09" E, 100.99 feet; Thence N 0°46'47" E, 200.16 feet; Thence N 7°57'05" E, 397.92 feet to the north line of the lands described in Document Number 738016, recorded in the

Winnebago County Register of Deeds, also being the proposed south right of way of USH 10 and the end of said courses; Thence N 87°10'31" E, 692.46 feet along said north line of described lands and proposed south right of way; Thence N 87°10'31" E, 465.58 feet along said north line of described lands and proposed south right of way; Thence continuing along said proposed south right of way the following two courses; N 88°46'13" E, 722.76 feet; Thence N 85°05'59" E, 555.40 feet to the east line of said NW ¼ and the end of said courses; Thence N 1°23'45" W, 399.53 feet along said east line to the proposed north right of way of USH 10; Thence along said proposed north right of way the following courses; S 87°41'16" W, 470.47 feet; Thence S 85°03'12" W, 1289.76 feet; Thence S 85°03'12" W, 651.92 feet to the proposed east right of way of Hickory Road and the end of said courses; Thence along said proposed east right of way the following two courses; N 6°46'04" W, 376.65 feet; Thence N 10°17'10" W, 505.92 feet to the said existing east right of way of Hickory Avenue and the end of said courses; Thence S 88°29'20" W, 33.00 feet to the said west line of said NW ¼; Thence S 1°25'25" E, 1899.95 feet along said west line to the Point of Beginning.

Said parcel contains 0.97 acres of land, more or less, for highway purposes.

Also, no Rights of Access shall accrue between the right of way of the highway currently designated as Proposed USH 10, and all of the abutting remaining property of the owner.

Submitted by,  
PARKS AND RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Ayes: 31. Nays: 1 – Griesbach.  
Excused: 5 - Savas, Koziczowski, Green, Crowley and Schaidler. Absent: 1 – Kollath. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, December 18, 2001.

The meeting was adjourned at approximately 8:47 p.m.

Respectfully submitted,  
Susan T. Ertmer  
Winnebago County Clerk

State of Wisconsin)  
County of Winnebago) ss

I, Susan T. Ertmer, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their regular meeting held November 20, 2001.

Susan T. Ertmer  
Winnebago County Clerk