

**SPECIAL ORDERS SESSION
COUNTY BOARD MEETING
TUESDAY, MARCH 12, 2002**

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, Karras, Maehl, Koziczkowski, Klitzke, Widener, Lauson, Disch, Green, Madison, Zamzow, Sundquist, Wingren, Norton, Hert, Nielsen, Robl, Eichman, Kline, Pech, Albecht, Kramer, Schaidler, Finch, Spanbauer, Sievert, Arne, Diakoff, Brennand, Egan, Rankin, Rengstorf and Metzsig. Absent: Crowley and King.

A motion was made by Supervisor Robl and seconded to adopt the amended agenda. CARRIED BY VOICE VOTE.

COMMUNICATIONS, PETITIONS, ETC.

A Notice of Claim received from Kathy Kilgas regarding a pair of prescription sunglasses lost while incarcerated in the Winnebago County Jail was referred to the Personnel & Finance Committee.

WCA Educational Seminar: "Open Meetings & Public Records", Monday, March 25, at the Sheraton Madison Hotel in Madison, Wisconsin.

Letters were received from Senator Michael Ellis thanking the Board for sending him copies of the following resolutions: No. 380-22002: "Encourage Enactment of Legislation to Allow Additional Court Costs for Use to Establish Court Security Fund Statewide," and No. 387-22002: "Oppose Assembly Bill 457 (Prohibit Mandatory Overtime for Health Care Workers)." Senator Ellis said he will keep the Board's positions on these issues in mind as they go through the legislative process.

The following resolutions were received and forwarded to pertinent committees:

- Calumet County - Resolution No. 2001-36, "Resolution Authorizing Calumet County's Participation in Submitting a Multi-County Application for the Wisconsin Department of Commerce Technology Zone"-Legislative Committee
- Florence County - Resolution #02-10, "Authorization to Submit a Multi County Application for Wisconsin Department of Commerce Technology Zone"-Legislative Committee
- Jackson County – Resolution re: "Resident Responsibility Act of 2002—Adopting English as its Official Language"-Legislative Committee
- Jackson County – Resolution No. 9-2-02, "Resolution in Support of Legislation Permitting the Imposition of Additional Court Costs to be used for County Courthouse Security"-Judiciary & Public Safety Committee
- Kewaunee County – Resolution No. 48-1-02, "Authorization to submit a multi-county application for the Wisconsin Department of Commerce Technology Zone"-Legislative Committee
- Lincoln County – Resolution 2 – 2002, "To go on record encouraging the State Legislature to Enact Legislation that would allow additional court costs to be used to establish county security funds statewide"-Judiciary & Public Safety Committee
- Manitowoc County – Resolution No. 2001/2002 – 177, "Resolution Opposing Senate Bill 248 and Assembly Bill 518"-Judiciary & Public Safety Committee and Information Systems Committee
- Ozaukee County – Resolution No. 01-70, "Exemption from County Library Tax"-Judiciary & Public Safety Committee
- Sheboygan County – Resolution No. 32, "Authorization to Participate as an Eligible Applicant as Part of a Multi-County Application to the Wisconsin Department of Commerce to Obtain Designation for a Technology Zone"-Legislative Committee
- Brown County - Resolution re: "State Funding for Long Term (12 or more months) Mental Health Inpatient Hospitalizations at State Institutions"-Park View Health Center Committee.

COMMITTEE REPORTS

Supervisor Albrecht recently attended the NACo Conference. He serves on the Aviation

Advisory Committee. The committee had a concern regarding funding security for small airports. Although this has not been a financial burden for Winnebago County, many small airports are finding themselves in a position of not being able to operate. Supervisor Albrecht introduced a resolution: "To secure funding for general aviation airports and the examination of sufficiency of security funding of public owned commercial airports". They are looking at the FAA for assistance in funding of security at small airports. Supervisor Albrecht reported Winnebago County will be receiving approximately \$425,000 towards the \$850,000 in expenses incurred for purchasing of property by the airport.

Supervisor Barker reported the Legislative Committee will be meeting Monday, March 25. Anyone having agenda items should contact her by Friday, March 14, 2002.

Supervisor Widener reported the mandatory overtime bill is still in committee and has not made it to the Assembly. He feels this bill is probably "a dead issue".

Supervisor Eichman also attended the NACo Conference. He attended the Justice and Public Safety meeting, which discussed forming a grant of \$3.5 million for homeland security. President Bush wants the money sent to the state for their disbursement; however, NACo wants the money disbursed directly to the local governments. A second topic discussed was the transportation of radioactive waste. There are concerns that the DOT has not made any plans regarding roads to be used or plans for an emergency.

Supervisor Finch reported on two articles published in the Appleton Post Crescent regarding the scholarships given by Winnebago County. The second article, published Monday, March 4, was in the thumbs up section.

CHAIRMAN'S REPORT

Chairman Maehl announced a vote to be taken Thursday regarding shared revenue cuts. A proposal was passed by the Joint Committee on Finance to not reduce shared revenue for this calendar year, but to include a 25% reduction in 2003 and another 25% reduction in 2004. The formula used results in a much higher cut than 25% in some counties. 52 or 72 counties will receive the maximum cut of 65%, while the other counties will also receive reductions in excess of 25%. Chairman Maehl suggested each supervisor contact their representative in Madison to ensure there are no cuts in revenue sharing this calendar year and also request any cuts made in future years be done equitably.

Chairman Maehl reminded supervisors that there are two meetings in April. April 16 is the organizational meeting and April 23 is the regular adjourned meeting.

COUNTY EXECUTIVE'S APPOINTMENT

Human Services Board

Executive Van De Hey asked for approval of her appointment of Supervisor Steven Arne to the Human Services Board. Motion by Supervisor Robl and seconded to approve. He will complete the term of Helen Savas who passed away. His term will expire December 31, 2003. CARRIED BY VOICE VOTE

PUBLIC HEARING

Chairman Maehl reminded those present that to speak on an item it must be on tonight's agenda. Although the "Ethanol Plant" had been on the agenda, it had been removed; therefore, this was not an item to be discussed at tonight's meeting. Chairman Maehl suggested those present tonight may want to return. No one spoke during the public hearing.

PCB's - PROPOSED REMEDIATION PLAN FOR THE LOWER FOX RIVER

Executive Van De Hey gave a brief background on Winnebago County and Solid Waste Management Board's involvement in the clean-up of the Fox River and the creation of the "Heritage Corridor" through the transfer of the Fox Locks from the Army Corp of Engineers to the State of Wisconsin. The Fox River must be cleaned, but there have been several proposals and disagreements on which process should be used and who should be responsible for payment.

Executive Van De Hey introduced Dr. Cecil Lue-Hing, presenter who introduced other participants in the report: Professor Art Brooks, UW Milwaukee; Professor Don Hayes, University of Utah; Professor Harrison, UW Green Bay; Dr. Jim Patterson, professor emeritus and consultant; Dr. Nani G. Bhowmik and Glenn Kirkpatrick, engineering support. This was a small group of those doing this study. This panel was hired by an area paper company to come up with a recommendation for the best solution for clean up of the river.

Guiding principles for the study:

- Adopt Eco System or water shed approach as recommended by the International Joint Commission, which would take into account the entire river;
- Use the Remedial Investigation and Feasibility Study and the Proposed Remedial Action Plan.

As part of the study, other similar water systems were studied. The Fox River drains an area of approximately 6,000 square miles, but 93% of the drainage passes through Lake Winnebago before it enters the lower Fox River. 7% enters the Lower Fox River directly. The forces on the Fox River are carefully controlled by the 17 locks and dams, which protect the Fox from very heavy flooding.

The panel's remedial action objectives, which are mandated by federal law, are:

- Achieve surface water quality;
- Protect Human Health - remove fish advisories;
- Protect ecological receptors;
- Reduce transport of PCB's;
- Minimize down stream PCB movement during remediation;
- Rehabilitate, improve and maintain natural resources of public use (this objective was added to the mandated objectives by the panel).

The panel was interested in making the river whole, not simply removing contaminants. The panel looked at several technologies including natural recovery (not seriously considered), dredging and capping.

Dredging can feasibly remove contaminants and can achieve mass removal; however there were several concerns including re-suspension of contaminated material, residual contamination; wastewater generation, solids disposal and time horizon for recovery.

A key constraint of dredging is wastewater generation treatment during dredging. It would take a water treatment facility the size of the one in Oshkosh to handle this project. Discharges from previous river dredging demonstration projects did not meet the applicable water quality standards; therefore, this is not the recommended procedure.

Capping is another feasible technology for the Lower Fox River. Capping will give an expedited reduction of exposure of the fish life to toxic material. Expedited reduction of exposure means laying down a cap of clean material such as sand, gravel etc. which almost immediately leaves a floor of material that is not contaminated. Capping can armor the sediment and reduce the uncertainty of sediment instability. This is compatible with ecosystem rehabilitation. This process leaves a quick return of exposure reduction. Capping can be used to protect against major flooding events. It provides an immediate isolation to contaminated sediments.

The panel recommends the following remedies:

- Sub-aqueous capping of contaminated sediments in reaches 1, 3, and the upper portion of Reach 4 (Reach 4A):
 - Reach 1 - approximately 180 - 240 acres
 - Reach 3 - approximately 120 acres

- Reach 4A - approximately 360-600 acres
- Capping material should be sand, gravel (coarse or fine) or cobble for armour to protect against the forces of erosion;
- Will be able to create and enhance habitat
- The panel estimates and reasons continued removal in 4B and 5 by navigational dredging will eventually remove significant amounts of contaminants in the lower reaches going into Green Bay.

Because the problem is so large for Green Bay, the panel concluded the best thing to do is to arrest the movement of sediments from the upper reaches to Green Bay and allow the dredging of the Corp and natural recovery to complete the job some time in the future.

The proposed schedule will take about 10 seasons or years. The Class B version or quick in and out version recommended by the State would take 31 seasons. To do the State's proposal right, the panel estimates it would take 61 seasons. A copy of the complete report was given to County Executive Van De Hey and Chairman Maehl. Anyone interested in access through the web can locate the report with the following address: www.johnsonco.com , then see Lower Fox River Link.

STUBENRAUCH ARCHITECTS PRESENTATION

Supervisor Egan spoke on a presentation by Stubenrauch to the County Board several months ago regarding space needs. The presentation included an addition to the Orrin King Administration Building, building a new Courthouse, and tearing down the Public Safety Building. The costs for the various projects were \$9 to \$13 million. Other options were looked at later in an effort to save money including renovating the Public Safety Building and moving the District Attorney's office into that space. The rent paid for the District Attorney's office this year is \$95,000, in 2003 \$105,000 and \$115,000 in 2004.

Supervisor Egan introduced Tom Miron and Joe Clark from Stubenrauch Architects. They presented a "summary of options", which included the previous three options as well as two new options.

- Option #1: This option would move all non-court-related offices out of the Courthouse. The hope was to free enough space for all courts related offices to be located in the Courthouse; however, the space was inadequate. An additional 12,000 square foot addition would be needed for adequate space needs. This option was not pursued because the required circulation paths needed to remain the same, but could not with the addition. The cost for this option was approximately \$12.5 million.
- Option #2: This options is an extension of option #1. This option would increase the addition to the Courthouse to 40,000 square feet at a cost of approximately \$11.8 million.
- Option #3: This option was proposed as the most comprehensive solution. This option eliminated the need for the Public Safety Building by demolishing the building for additional parking and added 51,446 square feet to the Courthouse. All existing offices would remain in the Courthouse, but would be distributed in areas to allow certain floors to have secured entry. The cost for this option was approximately \$13.8 million.
- Option #4: This option looks at moving all Court-related offices to the Public Safety Building and the Courthouse becoming another Administrative building. Although all Court-related offices could fit into the building, there were concerns regarding height limitations. The cost for this option was approximately \$10.6 million.
- Option #5: This option was looked at as the short term solution. This option would relocate the District Attorney's office from the Beach Building to the Public Safety Building after the Sheriff's Department has relocated. The cost to renovate and re-roof the building is approximately \$685,000.

Concern was raised regarding spending for the short-term solution when it will be inevitable that another option will probably be used in several years. Supervisor Egan's response was the cost for

renovation would be recovered in approximately 4 to 5 years. The large renovation would probably not be undertaken for at least 8 years or more, thus saving the County \$125,000 per year or more on rent. Anyone interested in looking at the full proposal by Stubenrauch, can view it in the County Clerks office.

At 7:35 p.m. a motion was made by Supervisor Finch and seconded to convene in closed session pursuant to State Stats. Section 19.85 (1)(g) for the purpose of conferring with legal counsel who rendering oral or written advise concerning strategy to be adopted by the Board with respect to litigation in which it is or is likely to become involved. A roll call vote was taken. Ayes: 35. Nays: 0. Absent 2 - Crowley and King. CARRIED.

At 9:27 p.m. the Board reconvened in open session. Motion by Supervisor Robl and seconded to adjourn until March 19, 2002 at 6:00 p.m. CARRIED BY VOICE VOTE. The meeting was adjourned at 9:29 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 Special Orders Session on March 12, 2002.

Patricia Rabe, Deputy
Winnebago County Clerk