

**ADJOURNED SESSION  
WINNEBAGO COUNTY BOARD OF SUPERVISORS  
TUESDAY, MAY 21, 2002**

Chairman 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 Rankin.

Present: Sevenich, Barker, Griesbach, Hotynski, Scoville, Maehl, Klitzke, Widener, Lauson, Albrecht, Pech, Thompson, Steineke, Madison, Radewan, Sundquist, Wingren, Jacobson, Norton, Hert, Nielsen, Robl, Eichman, Kline, Tierney, Schaidler, Finch, Farrey, Sievert, Arne, Diakoff, Brennand, Rankin, Rengstorf and O'Brien. Excused: Koziczkowski, Kramer and Egan.

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

**COMMUNICATIONS, PETITIONS, ETC.**

Notice of Claim from Stephan Lindo for damage to his truck caused by gravel thrown up by a Parks Department lawnmower was referred to the Personnel & Finance Committee.

Notice of Claim from Sandra Ashauer for personal items lost while she was in the Winnebago County Jail was referred to the Personnel & Finance Committee.

Notice from Atty. Brian C. Hough for Carol Schaidler for injuries incurred while in the Winnebago County Jail was referred to the Personnel & Finance Committee.

Two letters were received from Senator Michael Ellis thanking the Board for sending him the following resolutions: Resolution No. 4-42002: Support Free Public Library Services; Resolution No. 5-42002: Support State Funding for Long-Term (One Year or More) Mental Health Inpatient Hospitalizations at State Institutions; Resolution No. 416-32002: Support Continued Utility Aid Payments to Municipalities and Counties Hosting Utility Plants; Resolution No. 419-32002: Oppose Governor McCallum's Budget Reform Proposal and Resolution No. 421-32002: Authorize the Filing of a Claim Against State of Wisconsin and the Wisconsin Department of Corrections for \$23,933.90 (Unpaid Jail Fees: State Prisoners)

An e-mail was received from John Reinemann, of Governor Scott McCallum's Office, thanking the Board for sending copies of the following resolutions to Governor McCallum: Resolution No. 4-42002: Support Free Public Library Services and Resolution No. 5-42002: Support State Funding for Long-Term (One Year or More) Mental Health Inpatient Hospitalizations at State Institutions

The following resolutions were received from various counties:

- Florence County – resolution offering a “framework for a comprehensive solution” to the State of Wisconsin's budget deficit problem
- Ozaukee County – Resolution No. 02-6 – “Requesting the Wisconsin Counties Association to Implement a Strategic Planning Process”

Petition for Zoning Amendment from Richard Halbrook, Halbrook Builders, Inc., Town of Menasha, for zoning change from flood plain to non-flood plain for new home construction was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Rodney A. Felty, Town of Clayton, for zoning change from R-3 to R-1 for a single-family home was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Sharon Baer, Town of Neenah, for zoning change from A-1/R-2 to A-2 for general agriculture and a single-family residence was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Spencer H. Rolph, Town of Omro, for zoning change from B-2/R-2/A-2 to A-2 for agricultural use was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Bret Blickhahn, Town of Clayton, for zoning change from A-2 to R-1 for construction of residential homes was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Patricia K. Mueller, Town of Omro, for zoning change from A-2/R-1 to A-2 for agricultural purposes was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from John Porter, Town of Nepeuskun, for zoning change from A-2 to M-1 for a design business was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Sally Clark, Town of Nekimi, for zoning change from A-1 to R-1 for residential purposes was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Thomas Hren, Town of Winchester, for zoning change from A-1 to A-2 for horse ranch/farming was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Keith Decker, Double Decker Development LLC, Town of Oshkosh, for zoning change from HB-3 to M-1 for storage buildings was referred to the Planning & Zoning Committee.

## **COMMITTEE REPORTS**

Supervisor Lauson reported that almost 900 people attended the racetrack season opener and that they are anticipating better attendance as the season progresses. Supervisor Lauson stated that the racetrack promoters have been actively marketing the racetrack in the community to bolster attendance.

Supervisor Barker reported that there will not be a Legislative Committee meeting in May. The next meeting will be in June.

Supervisor Sievert distributed fliers to the Board advertising the 1<sup>st</sup> Annual WIOUWASH Quad Recreational Trail Fundraiser. It will be held on Saturday, June 1 at Trail Head Park in Larsen. Supervisor Sievert invited everyone to attend this special event.

Motion by Supervisor Finch and seconded to approve the proceedings from the April 16, 19 & 23, 2002 meetings. CARRIED BY VOICE VOTE.

## **COUNTY EXECUTIVE'S REPORT**

Executive Van De Hey extended her appreciation for the new Board's enthusiasm as the county begins this year's challenging budget process. She also stated that she was glad that the Board's annual tour went well and she encouraged the new members to visit other county facilities as well.

Executive Van De Hey reported that the 5-Year Capital Improvement Plan has been completed and will be presented at a public forum in either June or July.

Executive Van De Hey reported that, in an effort to reduce costs, the county is now advertising job openings on Channel 10. This is a free service that is also used by the City of Oshkosh and the State of Wisconsin to advertise their job openings.

Executive Van De Hey stated that the opening night at the racetrack went very well and she is optimistic about its future. She also reported that the county will have a booth at this year's county fair. She asked that individual Supervisors consider spending time at the booth to help inform the public about Winnebago County.

Executive Van De Hey also discussed the following:

- Budget kick-off meeting was held on May 21; county departments are expected to submit budgets with a zero percent increase
- Asked for the Board's support of Resolution No. 28-52002, "Authorize Intergovernmental Agreement: FOXCOMM System"
- She has been meeting with municipal chairmen and mayors to discuss collaborating on different municipal services

## **COUNTY EXECUTIVE'S APPOINTMENTS**

### **Advocap Board of Directors**

Executive Van De Hey asked for the approval of her re-appointment of Supervisors Norton and Widener and her appointment of Supervisors Koziczkowski, Jacobson and Scoville to the Advocap Board of Directors.

Supervisor Jacobson is completing the term of Helen Savas. His term will begin immediately and end on April 20, 2003. Supervisor Scoville is completing the term of David Green. His term will begin immediately and end on April 20, 2003. Supervisors Norton, Widener and Koziczkowski's terms begin immediately and will end on April 21, 2004.

Motion by Supervisor Lauson and seconded to approve these appointments. CARRIED BY VOICE VOTE.

### **Affirmative Action Commission**

Executive Van De Hey asked for the approval of her re-appointment of Michael Woods, Sheriff's Department, to the Affirmative Action Commission. This is a three-year term that will expire April 20, 2005.

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

### **Commission on Aging**

Executive Van De Hey asked for the approval of her re-appointment of Loretta Konrad, 7800 Highway 44, P.O. Box 313, Pickett and Gerald Kratsch, 1625 Elmwood Avenue, Apt. 210, Oshkosh; and the appointment of Patricia Wirth, 410 E. Wisconsin Avenue, Neenah to the Commission on Aging. Ms. Wirth is replacing Marge Neshek who passed away. These are three-year terms that will expire April 20, 2005.

Motion by Supervisor Lauson and seconded to approve these appointments. CARRIED BY VOICE VOTE.

#### **East Wisconsin Counties Railroad Consortium**

Executive Van De Hey asked for the approval of her re-appointment of Supervisor Kramer and her appointment of Supervisor Klitzke to the East Wisconsin Counties Railroad Consortium. Supervisor Klitzke will replace Supervisor Ken Robl whose term expired. These are two-year terms that will expire April 21, 2004.

Motion by Supervisor Lauson and seconded to approve these appointments. CARRIED BY VOICE VOTE.

#### **Board of Health**

Executive Van De Hey asked for the approval of her re-appointment of Supervisors Rankin, Koziczowski, Pech, Barker and Sievert to the Board of Health. These are two-year terms that will expire April 21, 2004.

Motion by Supervisor Finch and seconded to approve these appointments. CARRIED BY VOICE VOTE.

#### **Industrial Development Board**

Executive Van De Hey asked for the approval of her re-appointment of Supervisors Lauson and Sundquist and her appointment of Supervisor Widener to the Industrial Development Board. Supervisor Widener will replace Supervisor Nielsen whose term expired. These are two-year terms that will expire April 21, 2004.

Motion by Supervisor Pech and seconded to approve these appointments. CARRIED BY VOICE VOTE.

#### **Long Term Support Advisory Committee**

Executive Van De Hey asked for the approval of her re-appointment of Supervisor Koziczowski and her appointment of Supervisor Rankin to the Long Term Support Advisory Committee. Supervisor Koziczowski, who currently sits on this Committee as a representative of the Health Board, will now represent the Human Services Board. His term will expire on April 18, 2003.

Supervisor Rankin will represent the Board of Health and replaces Helen Savas. His term will expire April 18, 2003.

Motion by Supervisor Lauson and seconded to approve these appointments. CARRIED BY VOICE VOTE.

#### **Neenah Library Board**

Executive Van De Hey asked for the approval of her appointment of Supervisor Widener to the Neenah Library Board. Supervisor Widener will replace Steven Spanbauer when Mr. Spanbauer's term expires on June 30, 2002. Supervisor Widener's term will then begin and expire on June 30, 2005.

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

#### **Public Safety Building Board**

Executive Van De Hey asked for the approval of her re-appointment of Supervisor Sundquist and her appointment of Supervisor Hotynski to the Public Safety Building Board. These are three-year terms that will expire April 21, 2005.

Motion by Supervisor Lauson and seconded to approve these appointments. CARRIED BY VOICE VOTE.

#### **Solid Waste Management Board**

Executive Van De Hey asked for the approval of her re-appointment of Supervisors O'Brien and Brennan and Gerald Konrad, 2141 Fairview, Oshkosh, and her citizen appointment of Roger Jaeger, 214 E. River Drive, Omro, to the Solid Waste Management Board. These are three-year terms that will expire April 21, 2005.

Motion by Supervisor Lauson and seconded to approve these appointments. CARRIED BY VOICE VOTE.

#### **Tri-County Recreation Association Board of Directors**

Executive Van De Hey asked for the approval of her re-appointment of Supervisor Schaidler and the appointment of Supervisor Scoville to the Tri-County Recreation Association Board of Directors. Supervisor Scoville will replace Supervisor Finch whose term has expired. These are two-year terms that will expire April 21, 2004.

Motion by Supervisor Barker and seconded to approve these appointments. CARRIED BY VOICE VOTE.

### **UW-Fox Valley Board of Trustees**

Executive Van De Hey asked for the approval of her re-appointment of Supervisors Maehl and Barker, and the appointment of Supervisor Rankin as an alternate, to the UW-Fox Valley Board of Trustees. These are two-year terms that will expire April 21, 2004.

Motion by Supervisor Lauson and seconded to approve these appointments. CARRIED BY VOICE VOTE.

### **Winnebago County Housing Authority**

Executive Van De Hey asked for the approval of her re-appointment of Supervisor Norton to the Winnebago County Housing Authority. This is a five-year term that will expire April 21, 2007.

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

### **COUNTY BOARD CHAIRMAN'S REPORT**

Chairman Maehl thanked the Supervisors who went on the annual County Board tour of various county facilities. He was especially pleased that so many of the new Supervisors were able to attend.

Chairman Maehl commended Supervisor Madison on his letter to the Oshkosh Northwestern in response to their editorial on the size of the Winnebago County Board. A copy of Supervisor Madison's letter was distributed to the Board.

### **PRESENTATION OF THE 2002 WINNEBAGO COUNTY SCHOLARSHIPS**

Chairman Maehl presented scholarship checks, certificates and a county history book to each of these recipients:

Elsa Hansen, Lourdes High School, Oshkosh  
Marisa Howe, Menasha High School  
Marisa Jones, Neenah High School  
Michael Wagner, Oshkosh North High School  
Jenna Reichenberger, Oshkosh West High School  
Adrienne Fails, St. Mary Central High School, Menasha  
Amanda Matulle, Valley Christian High School, Oshkosh

### **2002 EMPLOYEE SERVICE AWARD RECIPIENT**

Margie Rankin, Park View Health Center Administrator, introduced Rozaline Rowl, a certified nursing assistant at Park View Health Center's Rehabilitation Pavilion. Ms. Rowl has been employed at Park View Health Center for ten years.

Mrs. Rankin explained that Ms. Rowl was nominated by her peers and recommended by residents and members of their families, for the 2002 Regional Wausau Employee Service Award. Mrs. Rankin explained that this award is presented to an employee who shows great compassion and generosity to the people in their care. Ms. Rowl was selected from a number of other nominees as the winner of this award.

Mrs. Rankin thanked Ms. Rowl for her service to the residents of Park View Health Center and congratulated her on receiving this award.

Ms. Rowl told the Board that she was very honored to receive this award. The Board recognized Ms. Rowl with a round of applause.

### **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 Davel Engineering and property owner James Christianson, Town of Menasha, for zoning change to R-2 (Single family subdivided). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 05-01-02. A request for zoning change from A-2 (General Farming) to R-2 (Single family subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – May 23, 2002)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Victoria Ewald and property owners Dennis & Dorothy Ewald, Town of Oshkosh, for zoning change to R-1

(single family non-subdivided). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 05-02-02. A request for zoning change from A-2 (General Farming) to R-1 (Single Family Non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – May 23, 2002)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Patrick Brennand and property owners George Brennand and Dale Fischer, Town of Nekimi, for zoning change to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE. (Supervisor Brennand abstained.)

AMENDATORY ORDINANCE NO. 05-03-02. A request for zoning change from A-1/R-3 (Exclusive Agriculture/Two Family) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Supervisor Brennand abstained.) (Effective date – May 23, 2002)

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Donald Warzynski, Town of Omro, for zoning change to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 05-04-02. A request for zoning change from R-1/A-2 (Single family non-subdivided/General Farming) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – May 23, 2002)

REPORT NO. 005. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Eric Hoffmann and property owners Phyllis Miller & Rose Riley, Town of Rushford, for zoning change to A-2/R-2 (General Farming/Single Family subdivided). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 05-05-02. A request for zoning change from B-2 (Community Business) to A-2/R-2 (General Farming/Single Family subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – May 23, 2002)

REPORT NO. 006. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Davel Engineering and property owner Oakwood Road LLC-Jeff Ogden, Town of Clayton, for zoning change to R-2 (Single Family Subdivided). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 05-06-02. A request for zoning change from A-2 (General Farming) to R-2 (Single Family Subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – May 23, 2002)

REPORT NO. 007. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Davel Engineering and property owner High Plain Meadows LLC, Town of Menasha, for zoning change to R-2 (Single Family Subdivided). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 05-07-02. A request for zoning change from R-2/A-2 (Single Family Subdivided/General Farming) to R-2 (Single Family Subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – May 23, 2002)

AMENDATORY ORDINANCE NO. 8. A request was received from the Town of Wolf River to amend Sec. 1.05, "Land Uses or Activities Agricultural Districts" of the Town of Wolf River's zoning ordinance. Motion by Supervisor O'Brien and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – May 23, 2002)

AMENDATORY ORDINANCE NO. 9. A request from the Town of Poygan on behalf of Richard and Larry Gohlke for zoning change from A-2 to R-1. Motion by Supervisor Sievert and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – May 23, 2002)

AMENDATORY ORDINANCE NO. 10. A request from the Town of Poygan on behalf of Todd Koch for zoning change from A-2 to R-1. Motion by Supervisor Sievert and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – May 23, 2002)

AMENDATORY ORDINANCE NO. 11. A request from the Town of Rushford on behalf of David & Noreen Zouski for zoning change from Mobile Home to A-3. Motion by Supervisor Rengstorf and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – May 23, 2002)

## **RESOLUTIONS & ORDINANCES**

### **RESOLUTION NO. 19-52002:                      Establish Salaries for Constitutional Offices of Winnebago County**

BE IT RESOLVED, by the Winnebago County Board of Supervisors that the annual salary rates for the following constitutional offices of Winnebago County for the term commencing after January 1, 2003 shall be as follows:

<u>Office</u>	<u>Annual Salary 2003</u>	<u>Annual Salary 2004</u>	<u>Annual Salary 2005</u>	<u>Annual Salary 2006</u>
Sheriff	\$ 73,398	\$ 75,600	\$ 77,868	\$ 80,204
Clerk of Courts	\$ 52,602	\$ 54,180		
Coroner	\$ 49,850	\$ 51,346		
County Clerk	\$ 49,850	\$ 51,346		
Register of Deeds	\$ 49,850	\$ 51,346		
Treasurer	\$ 49,850	\$ 51,346		

BE IT FURTHER RESOLVED, that the above positions be provided with County-paid fringe benefits at the same level as is provided to the County's appointed department heads.

BE IT FURTHER RESOLVED, that funds to cover the cost of this action be included as part of the budgets for the respective years.

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Motion by Supervisor Rengstorf and seconded to leave these salaries at this year's rate for all years listed. Those salaries would be as follows:

	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Sheriff	\$ 71,260	\$ 71,260	\$71,260	\$71,260
Clerk of Courts	\$ 51,070	\$ 51,070		
Coroner	\$ 48,398	\$ 48,398		
County Clerk	\$ 48,398	\$ 48,398		
Register of Deeds	\$ 48,398	\$ 48,398		
Treasurer	\$ 48,398	\$ 48,398		

Vote on this amendment – Ayes: 20. Nays: 15 – Sevenich, Barker, Hotynski, Widener, Lauson, Albrecht, Madison, Jacobson, Robl, Kline, Tierney, Finch, Diakoff, Rankin and O'Brien. Excused: 3 – Koziczowski, Kramer and Egan. CARRIED.

Motion by Supervisor Kline and seconded to allow a 3% increase to the Sheriff's salary in 2005, with that also being the salary in 2006. The Sheriff's salary would then be as follows:

	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>
Sheriff	\$71,260	\$71,260	\$73,398	\$73,398

Vote on this amendment – Ayes: 19. Nays: 16 – Sevenich, Barker, Widener, Lauson, Albrecht, Pech, Thompson, Steineke, Madison, Jacobson, Hert, Robl, Arne, Diakoff, Rengstorf and O'Brien. Excused: 3 – Koziczowski, Kramer and Egan. CARRIED.

Vote on Resolution as amended: Ayes: 21. Nays: 14 – Sevenich, Barker, Hotynski, Widener, Lauson, Albrecht, Pech, Madison, Jacobson, Kline, Tierney, Finch, Diakoff and O'Brien. Excused: 3 – Koziczowski, Kramer and Egan. CARRIED.

**RESOLUTION NO. 20-52002: Accept Two-Year Bid of Rogers Publishing Company for Printing of Official Winnebago County Directory**

BE IT RESOLVED by the Winnebago County Board of Supervisors that the following bid be accepted and contract executed:

Rogers Publishing Company, 908 East Main Street, Winneconne, Wisconsin, to print the Official Winnebago County Directory for the years 2002-2003 and 2003-2004 at the following costs:

2002-2003 Directory – 3,000 copies - \$5,193.00  
2003-2004 Directory – 3,000 copies - \$5,453.00

Submitted by:  
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 33. Nay: 1 – Madison. Absent: 1 – Schaidler. Excused: 3 – Koziczowski, Kramer and Egan. CARRIED.

**RESOLUTION NO. 21-52002:**

**Replace One Full-Time Position of Corrections Officer with One Full-Time Position of Corporal: Sheriff's Department**

WHEREAS, in order to provide more consistent supervisory staffing in the Corrections Division and the Patrol Division of the Sheriff's Department it is necessary to create one additional position of Corporal in the Corrections Division; and

WHEREAS, the Sheriff has determined that the most cost-effective method of providing such staffing is through the conversion of one position of Corrections Officer to a position of Corporal.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that one full-time position of Corrections Officer be replaced with one full-time position of Corporal within the Table of Organization of the Winnebago County Sheriff's Department.

BE IT FURTHER RESOLVED, that funds necessary to cover the cost of this action be applied from within the budget of the Sheriff's Department.

Submitted by,  
JUDICIARY & PUBLIC SAFETY COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. (It was noted that the Judiciary & Public Safety Committee's vote on this resolution was 5-0.) Ayes: 33. Nays: 1 – Jacobson. Absent: 1 – Nielsen. Excused: 3 – Koziczowski, Kramer and Egan. CARRIED.

**Presentation of a Scholarship**

At this point in the meeting, Chairman Maehl presented a 2002 Scholarship to Leah Shea from Winneconne High School.

**RESOLUTION NO. 22-52002:**

**Replace One Full-Time Position of Public Relations/Fund Raising Coordinator with One Part-Time Position of Admissions Coordinator: Park View Health Center**

WHEREAS, the recent vacancy in the position of Public Relations/Fund Raising Coordinator has provided the Administrator of Park View Health Center with an opportunity to evaluate and reorganize several administrative functions in order to better utilize existing staff positions, to reduce costs, and to concurrently enhance non-levy revenues to Park View; and

WHEREAS, the best staffing arrangement at this time would require the replacement of the vacant full-time position of Public Relations/Fund Raising Coordinator with a part-time position of Admissions Coordinator.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that one full-time position of Public Relations/Fund Raising Coordinator be abolished and replaced with one part-time (50%) position of Admissions Coordinator.

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

Motion by Supervisor Widener and seconded to adopt. Ayes: 33. Nays: 1 – Wingren. Absent: 1 – Nielsen. Excused: 3 – Koziczowski, Kramer and Egan. CARRIED.

**RESOLUTION NO. 23-52002:**

**Authorize Acceptance of Joint DATCP/DNR Nonpoint Source Pollution Abatement Grant in 2003**

WHEREAS, pursuant to Sec. 92.14 and 281.65, Wis. Stats., the Wisconsin Department of Agriculture, Trade and Consumer Protection and the Wisconsin Department of Natural Resources are authorized to jointly allocate funds to assist counties in carrying out land & water resource protection programs and services that focus on the abatement of nonpoint sources of pollution; and

WHEREAS, your Land & Water Conservation Department has submitted a joint grant application to DATCP and DNR, in the amount of \$694,000 for staff support and cost sharing of pollution abatement projects to be installed in 2003.

NOW, THEREFORE, BE IT RESOLVED: by the Winnebago County Board of Supervisors that, should the aforementioned grant application be approved by DATCP and DNR, the Land Conservation Committee Chairman is hereby authorized, on behalf of Winnebago County, to accept the grant in or near the amount of \$694,000.

BE IT FURTHER RESOLVED that the approved grant be allocated, on the basis of the aforementioned application, to the Winnebago County Land & Water Conservation Department 2003 budget revenue accounts 100-151-4208 and 100-152-4208, with applicable dollar amounts to be reflected in the appropriate expenditure accounts in 100-151 and 100-152.

Submitted by:  
LAND CONSERVATION COMMITTEE

Motion by Supervisor Maehl and seconded to adopt. Ayes: 33. Nays: 0. Absent: 2 – Eichman and Nielsen. Excused: 3 – Koziczowski, Kramer and Egan. CARRIED.

**RESOLUTION NO. 24-52002:                    Support Wisconsin Department of Transportation Recommendation for the Expansion of USH 41 to Six Lanes from Breezewood-Bell (Neenah) to STH 26 (Oshkosh)**

WHEREAS, USH 41 runs through all of Winnebago County and directly impacts all of its citizens; and  
WHEREAS, USH 41 is the most important highway in the Fox Valley in terms of the transportation system and as such, enhances the economic and social opportunities for citizens of the region and state; and

WHEREAS, the Winnebago County Highway Department continues to work with the Department of Transportation, the public, and other local governments to develop a long range plan for the highway corridor; and

WHEREAS, the Wisconsin Department of Transportation (the Department) has completed an engineering and environmental study of USH 41 from the Breezewood/Bell interchange, in the City of Neenah, to the STH 26 interchange, in the City of Oshkosh; and

WHEREAS, the Department has developed plans to expand USH 41 from 4-lane to 6-lane, including major interchange upgrades at Breezewood/Bell, STH 110, STH 21, and the bridge/causeway structure across Lake Butte des Morts to accommodate other modes of transportation; and

WHEREAS, the preferred alternatives were developed and selected within the context of a public involvement process, with input and review from numerous stakeholders at informational meetings and briefings; and

WHEREAS, the preferred alternatives developed as part of the USH 41 corridor study were deemed to provide the most benefit for the traveling public and the state's transportation system, best meeting the needs of the growing urbanized areas and increasing traffic volumes.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby expresses its support for the findings and recommendations from the USH 41 Corridor Study from Neenah to Oshkosh, as presented by the Wisconsin Department of Transportation.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of this Resolution be transmitted by the County Clerk to the Secretary of Transportation for the State of Wisconsin; to all legislators representing Winnebago County constituents and to the office of Governor Scott McCallum.

Submitted by:  
HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 31. Nays: 4 – Madison, Jacobson, Tierney and Arne. Excused: 3 – Koziczowski, Kramer and Egan. CARRIED.

**RESOLUTION NO. 25-52002:                    Authorize Contract with the Wisconsin Department of Agriculture, Trade and Consumer Protection for Administrative Services in the Wisconsin Conservation Reserve Enhancement Program**

WHEREAS, the Wisconsin Department of Agriculture, Trade and Consumer Protection has contracted with the USDA Farm Services Agency to administer the Wisconsin Conservation Reserve Enhancement Program (CREP); and

WHEREAS, this program offers \$240 million dollars in federal and state payments to landowners, in 51 eligible counties throughout Wisconsin, who agree to take land out of crop production and to install water quality protection practices, such as streamside-vegetative buffers, grassed waterways and wetland restorations; and

WHEREAS, of an estimated \$3.5 million in landowner incentive payments expected to be available in

Winnebago County, \$600,000 comes from the state in bonded funds that can only be administered by the County; and

WHEREAS, pending County participation in the program, your Personnel & Finance Committee has approved, a budget transfer of \$50,000 in unbudgeted state CREP funds into the Land & Water Conservation Dept. 2002 budget to account for landowner payments projected to be made during the remainder of the year; and

WHEREAS, the Conservation Reserve Enhancement Program is only available to landowners in those Counties that, by signed contract, agree to assist the Wis. Dept. of Agriculture, Trade and Consumer Protection in the administration of the state portion of the program.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the Land Conservation Committee is hereby authorized to carry out its statutory powers, as defined in Chapter 92.07, Wis. Stats., for the purpose of providing administrative services in the Conservation Reserve Enhancement Program according to the contract, now authorized by this Board, with the Wisconsin Department of Agriculture, Trade and Consumer Protection.

BE IT FURTHER RESOLVED that the Land & Water Conservation Department, under jurisdiction of the Land Conservation Committee, shall provide administrative services to the Conservation Reserve Enhancement Program within existing and future budget limits, as established by the County Board of Supervisors.

BE IT FURTHER RESOLVED that to help offset costs the County may incur in this program, service fees be charged to program participants according to the fee schedule in Attachment 1.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes that the sum of \$50,000 be transferred from the CREP operating Grant Fund to the CREP Operating Payment Fund of the Land and Water Conservation Department for the provision of the foregoing services.

Submitted by:  
LAND CONSERVATION COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

#### **ATTACHMENT 1**

### **SERVICE FEE SCHEDULE FOR ADMINISTRATION OF THE WISCONSIN CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP) IN WINNEBAGO COUNTY\***

#### **15% of the state CREP payment per contract, with the following limits:**

For 15 year contracts: \$200 minimum and \$500 maximum.

For Perpetual Conservation Easements: \$500 minimum and \$1,000 maximum

\*Note: Service fees are subject to annual review and revision by the Land Conservation Committee as part of the annual budget development process.

Motion by Supervisor Maehl and seconded to adopt. Ayes: 35. Nays: 0. Excused: 3 – Koziczowski, Kramer and Egan. CARRIED.

#### **ORDINANCE NO. 26-52002:                   Amend Section 3.01(4) and 3.07 of the General Code of Winnebago County (Procedures for Competitive Purchasing and Procedures Regarding Capital Outlay)**

WHEREAS, Section 3.07 of the General Code of Winnebago County: Procedure for Competitive Purchasing by Winnebago County Departments, et al, ordains a procedure for the competitive purchase of goods by Winnebago County Departments; and

WHEREAS, said ordinance ordains procedures which are far in excess of what is required by statute with regard to the purchase of goods and services by Winnebago County; and

WHEREAS, the present ordinance presently results in Winnebago County unnecessarily taking formal bids with regard for the purchase of various goods and services, despite the fact that such formal bidding is not required by Wisconsin Statute, thus resulting in unnecessary expenses to Winnebago County in formal bid preparation costs and publishing costs each year; and

WHEREAS, in the opinion of your Finance Director and Purchasing Agent, the present ordinance, because of the formal restrictions within it, fails to guarantee Winnebago County the lowest price or the best goods and

services in many instances; and

WHEREAS, the attached proposed amendment of Section 3.01(4), General Code of Winnebago County, and as a consequence, the amendment of Section 3.07, General Code of Winnebago County, would provide a more streamlined purchasing procedure which would remove unnecessary bureaucratic requirements and would be more likely to ensure that taxpayers receive the best price for those goods and services purchased by Winnebago County.

NOW, THEREFORE, BE IT ORDAINED by the County Board of Supervisors of the County of Winnebago that it hereby does amend Section 3.01(4) of the General Code of Winnebago County and Section 3.07 to read as follows:

### FINANCE AND TAXATION - CHAPTER 3

#### **3.01 ADMINISTRATION AND COUNTY BUDGET....**

3.01(4) CAPITAL OUTLAY. (a) Capital outlay **expenditures related to Public Works Projects**, shall be subject to the Statement of Policy No. 74-1 as adopted by the Winnebago County Board of Supervisors on March 19, 1974.

1. The approval of this budget does not grant authority for the purchase of the requested individual items. It is only an indication of various departmental requests. Each request will be reviewed during the year.
2. All requests for capital purchases shall be made to the County Executive. If purchase is approved, County Executive will determine the method of purchase and the purchaser (Purchasing Agent or Department Head).
3. The total cost of all combined Capital Outlay items purchased by a County department during the budget year may not exceed the total budget for Capital Outlays for that department absent prior approval of the Winnebago County Board of Supervisors, pursuant to the procedure which is provided in Section 65.90, Wisconsin Statutes. Purchases by a department in excess of the estimated costs of an individual item budgeted for a Capital Outlay shall be approved, in advance, by the Winnebago County Executive and the Committee of the Winnebago County Board of Supervisors having jurisdiction over that department. That Department shall report to the County Board at budget time. Any additions, deletions, or substitutions of Capital Outlay items to a department's budget during the course of a budget year must be approved, in advance, by the Winnebago County Executive and the Committee of the Winnebago County Board of Supervisors having jurisdiction over that department.

#### **3.07 PROCEDURE FOR COMPETITIVE PURCHASING BY WINNEBAGO COUNTY DEPARTMENTS; DOCUMENTATION REQUIREMENTS: EXEMPTIONS.**

(1) PURPOSE. The purpose of this Ordinance is to establish a procedure whereby the purchase of goods and services by Winnebago County operating units costing in excess of \$1,000 shall be procured **using competitive means**.

(2) COMPETITIVE PURCHASING. **The Finance Department shall establish written purchasing procedures in relation to this ordinance and all departments of Winnebago County, both elected and appointed, are required to comply with such procedures.**

(3) REVIEW OF PROCEDURES. The Personnel and Finance Committee shall review the procedures on an annual basis and make recommendations for amendments. Amendments shall be approved by both the Committee and County Executive. When necessary, such amendments shall be brought before the County Board for review.

(4) EXEMPTIONS. The following procurements may be made without compliance with the competitive purchasing requirements of this section of the Code:

- (a) Purchases of natural gas, electricity, water and sewage connections from public utilities.
- (b) Real estate transactions.
- (c) Brand name, patented equipment, service or supplies available from only one as determined by the Finance Director or his designee.
- (d) Emergency purchases due to breakdown in machinery or as essential service; or when unforeseen circumstances arise, including delays by contractors, delays in transportation and unanticipated volume of work.
- (e) Services of a nature requiring both professional education and professional experience are exempt from the above requirements, except procurements relative to initial contracts of this nature where total amounts paid to a provider are reasonably expected to exceed \$25,000.
- (f) Telephone Services and Paging Services.
- (g) The purchase of used equipment at auctions or from vendors when, in the discretion of that department's respective head, the purchase of said used equipment will result in considerable savings to Winnebago County, subject to review and approval of the Finance Director or his designee.

- (h) Set-up and programming of election software and printing of election ballots.
- (i) **Purchases made from Federal or State group purchase contracts or contracts previously bid by other municipalities.**
- (j) Purchases made from another unit of government, including the state and federal government may be made without the intervention of bids.
- (k) Any other purchase may be exempted by the Finance Director or his designee with the consent of the County Executive.

(5) OTHER PURCHASING PROCEDURES. This section of the Code shall not supersede other purchasing procedures established by the General Code of Winnebago County or required by Wisconsin Statutes.

**(6) Road construction materials, supplies and services are governed by Chapter 82 and the Public Works Sections of the Wisconsin Statutes, therefore this ordinance shall not be applicable to such purchases.**

(7) EFFECTIVE DATE. This section of the Code shall take effect June 1, 1984.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that said amendments shall become effective on the date following the date of publication.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 29. Nays: 5 – Scoville, Maehl, Finch, Farrey and Arne. Absent: 1 – Lauson. Excused: 3 – Koziczkowski, Kramer and Egan. CARRIED.

**RESOLUTION NO. 27-52002: Authorize Transfer of Highway Remnant Property by Quit Claim Deed to Jeffrey A. Bradley and Mary A. Bradley**

WHEREAS, Winnebago County presently owns a parcel of property in the Town of Poygan which is remnant highway property and no longer used for highway purposes; and

WHEREAS, Winnebago County desires to transfer said property to the adjacent property owners, Jeffrey A. Bradley and Mary A. Bradley; and

WHEREAS, your undersigned Highway Committee has approved said transfer in that it is improbable that said property shall ever be used for highway purposes in the future.

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 a Quit Claim Deed to Jeffrey A. Bradley and Mary A. Bradley, 7790 Oak Hill Road, Omro, Wisconsin 54963 for the following parcel of property:

That part of the NW ¼ of NE ¼, Section 35, T19N, Range 14 East, Town of Poygan, described as that part of tax parcel 020-0498-01 lying between the East right-of-way line of Kratz Road and the West right-of-way line of County Trunk Highway FF.

Submitted by:  
HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Supervisor Robl asked that Line 26 be corrected by changing "FF" to "F". Vote on Resolution as corrected – Ayes: 35. Nays: 0. Excused: 3 – Koziczkowski, Kramer and Egan. CARRIED.

**RESOLUTION NO. 28-52002: Authorize Intergovernmental Agreement: FOXCOMM System**

WHEREAS, pursuant to Section 66.0301(2), Wisconsin Statutes, Winnebago County, Brown County, Outagamie County and Calumet County have entered into a tentative agreement, subject to the approval of the respective County Boards, to develop a public safety communications system known as FOXCOMM to serve all municipalities located in those counties; and

WHEREAS, those counties desire to consolidate their emergency communications equipment and data to avoid duplication of services, personnel, facilities and equipment and to advance the public safety in those four counties by sharing pertinent information about criminal perpetrators; and

WHEREAS, said system contains two elements: a Computer Aided Dispatch System and a Records Management System, with the Computer Aided Dispatch System to be shared by all counties and with each County maintaining its own Record Management System separately; and

WHEREAS, said agreement, which is herewith attached, spells out the responsibilities of each County under this agreement and the fiscal responsibilities of each County and the responsibilities of each County should they withdraw from the agreement or fail to fund the system pursuant to the terms of the agreement; and

WHEREAS, said agreement has been reviewed by the Information Systems Directors and the Corporation Counsels of each County; and

WHEREAS, your undersigned Committees recommend that said agreement be approved for execution by the Winnebago County Executive and Winnebago County Clerk.; and

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the Intergovernmental Agreement regarding the FOXCOMM System which is herewith attached and made a part of this resolution by reference and authorizes the Winnebago County Executive and Winnebago County Clerk to execute said agreement on behalf of Winnebago County.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE  
INFORMATION SYSTEMS COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 33. Nays: 2 – Scoville and Madison. Excused: 3 – Koziczowski, Kramer and Egan. CARRIED.

**RESOLUTION NO. 29-52002: Request Continued State Funding for the Wisconsin Public Television -Green Bay Production Unit**

WHEREAS, the Wisconsin Public Television-Green Bay Production Unit has been a vital source for awarding winning state-wide and nationally distributed educational and instructional programming for over thirty (30) years; and

WHEREAS, the Wisconsin Public Television-Green Bay Production Unit has provided a conduit for the voices of Northeast Wisconsin to be heard on the important issues of the day through nationally distributed issue-oriented documentaries, state-wide live call-in programs and by providing local fees for state-wide and national news programs; and

WHEREAS, Wisconsin Public Television announced that it would be closing its Green Bay Public Television facility as of June 30, 2002 as a result of the lack of funding provided to that television station through the State Legislature's Budget; and

WHEREAS, Senator Dave Hansen has proposed the restoration of funding for the Green Bay Public Television facility in the Senate version of the Budget Repair Bill, which would require that public/private partnerships be formed to raise additional funds in order to allow the facility to become self-sufficient; and

WHEREAS, the issue of restoration of funding for the television station is now being reviewed by a Joint Conference Committee of the Legislature.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby indicates its support for continued state funding of the Wisconsin Public Television - Green Bay Production Unit.

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 Chairman of the Joint Assembly-Senate Budget Committee; to all Legislators representing constituents within Winnebago County; to the Office of Nancy J. Nusbaum, Brown County Executive; to the Office of Governor Scott McCallum and to the Wisconsin Counties Association.

Submitted by:  
NANCY BARKER, DIST. #2  
COUNTY BOARD SUPERVISOR

SUPERVISOR BARKER WITHDREW THIS RESOLUTION.

**RESOLUTION NO. 30-52002: Guarantee Future Funding for Wisconsin's Tobacco Prevention Efforts**

WHEREAS, Wisconsin taxpayers incurred significant costs as a result of health care costs, disability payments and lost productivity caused by smoking related illnesses; and

WHEREAS, Wisconsin is presently receiving tobacco settlement funds from the tobacco industry in exchange for foregoing litigation to recover the state's costs caused by past and future tobacco useage; and

WHEREAS, Wisconsin taxpayers will continue to shoulder tobacco-related costs until and unless the State of Wisconsin undertakes sustained and effective measures to reduce tobacco use among its citizens.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby requests the Wisconsin Legislature and the Governor of the State of Wisconsin to guarantee the state's commitment to fund tobacco prevention efforts at a rate of \$25 million dollars per year as is specified in Budget Act

16.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby requests the State Legislature and the Governor of the State of Wisconsin to increase the base level funding for the Wisconsin Tobacco Control Board in State Fiscal Year 2002-2003 to the amount specified in Budget Act 16. This amount shall include the appropriation of \$10 million dollars in monies from tobacco settlement revenue to the tobacco control fund.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby requests the State Legislature and the Governor of the State of Wisconsin to commit to provide future funding for ongoing efforts of the Wisconsin Tobacco Control Board in the amount specified in Budget Act 16.

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 State Legislature representing constituents within Winnebago County; to the Wisconsin Counties Association; and to the Office of Governor Scott McCallum.

Submitted by:  
LEGISLATIVE COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Ayes: 33. Nays: 2 – Thompson and Arne. Excused: 3 – Koziczkowski, Kramer and Egan. CARRIED.

**RESOLUTION NO. 31-52002:                      Authorize Amendment IV to Ground Lease Agreement Between Winnebago County and John Monnett (Wittman Regional Airport)**

WHEREAS, on August 1, 1993, John Monnett entered into a lease agreement with Winnebago County for the lease of a space in excess of 10,000 square feet of land at Wittman Regional Airport; and

WHEREAS, Mr. Monnett presently desires to amend said lease to add approximately 4,320 square feet to the description of leased property for a new total of 15,640 square feet of land leased at Wittman Regional Airport with the additional 4,320 square feet of leased property to be rented at a rate of \$.11 per square foot per year. The additional leased land will generate an additional \$475.20 per year in income to Wittman Regional Airport; and

WHEREAS, Mr. Monnett wishes to lease the property to accommodate the construction of an additional 60 foot by 72 foot hangar upon said property ; and

WHEREAS, your undersigned Aviation Committee believes that approval of the amendment to the lease shall serve the best interests of Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the execution of Amendment IV to the ground lease agreement between Winnebago County and John Monnett for the lease of an additional 4,320 square feet of property at Wittman Regional Airport at a rate of \$.11 per square foot per year for the purpose of constructing an additional 60 foot by 72 foot hangar upon Airport property. A copy of said proposed Ground Lease Agreement Amendment IV may be obtained from the Airport Director or the Office of Corporation Counsel and the terms of said ground lease agreement are incorporated by reference into this resolution.

Submitted by:  
AVIATION COMMITTEE

Motion by Supervisor Nielsen and seconded to adopt. Ayes: 34. Nays: 1 – Widener. Excused: 3 – Koziczkowski, Kramer and Egan. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until Tuesday, June 18, 2002 @ 6:00 p.m. CARRIED BY VOICE VOTE. The meeting was adjourned at 8:40 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 session meeting held May 21, 2002.

Susan T. Ertmer  
Winnebago County Clerk