

**ADJOURNED SESSION
WINNEBAGO COUNTY BOARD OF SUPERVISORS
TUESDAY, JUNE 18, 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, Lauson, Albrecht, Pech, Thompson, Steineke, Madison, Radewan, Sundquist, Wingren, Jacobson, Norton, Nielsen, Robl, Eichman, Kline, Tierney, Schaidler, Finch, Farrey, Sievert, Arne, Diakoff, Brennand, Rankin, Rengstorf, O'Brien, Koziczowski, Kramer and Egan. Excused: Hert and Widener.

Motion by Supervisor Robl and seconded to adopt the agenda with the change of resolutions by acting on Resolution No. 38-62002 after Resolution No. 34-62002. CARRIED BY VOICE VOTE.

COMMUNICATIONS, PETITIONS, ETC.

Notice of Claim from Karen S. Allen for injuries she incurred after falling on the front steps at the Winnebago County Courthouse was referred to the Personnel & Finance Committee.

An e-mail was received from Representative Terri McCormick thanking the Board for sending her the following resolutions: 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)" and Resolution No. 30-52002: "Guarantee Future Funding for Wisconsin's Tobacco Prevention Efforts".

A letter was received from George L. McLeod, District Director of the Wisconsin Department of Transportation regarding his agreement with 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)".

The following resolutions were received from various counties:

- Jackson County – Resolution No. 46-5-02 "State Funding for Mental Health Inpatient Hospitalization at State Institutions";
- Oconto County – Resolution No. 37-02 – "Support Legislation That Would Allow Additional Court Costs to be Used to Establish County Security Funds Statewide";
- Ozaukee County - "State Funding for Long Term Mental Health Inpatient Hospitalizations at State Institutions"

A conference hosted by WCA and Great Lakes Inter-Tribal Council, Inc entitled "Progressing Through Partnerships" is being held July 30th through August 1st, at Lake of the Torches Resort Casino. Anyone interested in attending can contact the County Clerks' Office.

WCA is sponsoring the 2nd Annual Native American Educators Conference on July 23rd through July 25th in Lac du Flambeau. Anyone interested in attending can contact the County Clerks' Office.

A thank you card was received from the David Green family for flowers sent following David's death.

A thank you card was received from David and Susan Albrecht for flowers sent following the death of David's sister Phyllis.

Petition for Zoning Amendment from Dennis and Jill Buehring, Town of Utica, for zoning change from A-1 to A-2 for single family dwelling was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from James and Dianna M. Gibson, Town of Algoma, for zoning change from A-2 to R-2 for residential lots with a back lot for owner dwelling was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Dennis Kleist, Town of Wolf River, for zoning change from A-2 to R-1 for residences was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Mark Frank, Town of Winchester, on behalf of the Winnebago County Highway Department, for zoning change from A-1 to P-1 for a Highway Department maintenance satellite shop was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Robert and Carol Beiser, Town of Winneconne, for zoning change from A-2 to R-2 for a single family residential subdivision was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Merle Wolford, Town of Nekimi, for zoning change from agricultural to R-1 for division into 7 lots was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Thomas and Gail Fishel, Town of Menasha, for zoning change from R-1 to R-2 for residential purposes was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from John L. and Caroline A. Nelson, Town of Neenah, for zoning change from A-2 to R-2/A-2 for residential purposes was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from North Street East LLC, North Street West LLC, Town of Neenah, for

zoning change from B-3, M-2 to M-1, Light Industrial for distribution and light manufacturing was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Judith L. Grimes and the Town of Neenah, for zoning change from A-2 to R-2 and M-1 for a single family dwelling and green space was referred to the Planning & Zoning Committee.

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

Petition for Zoning Amendment from Donald Remer, Town of Omro, for zoning change from B-2/R-1/A-2 to A-2 for farmland or residential home was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Town of Clayton for zoning change from P-1 to B-2 for Parkland was referred to the Planning & Zoning Committee.

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

Petition for Zoning Amendment from Reinhold Lehrer, Town of Clayton, for zoning change from R-3 to R-5 for duplexes was referred to the Planning & Zoning Committee.

COMMITTEE REPORTS

Supervisor Barker reported there will not be a Legislative Committee meeting this month. The next meeting will be Monday, July 22, 2002. Anyone with agenda items should contact Supervisor Barker.

Supervisor Rankin reported he had received a call from John Hue, a past County Board Supervisor.

Motion by Supervisor Lauson and seconded to approve the proceedings from the May 21, 2002 meeting.
CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Van De Hey reported the County Fair Board gave the County a booth at the upcoming fair. There are still openings to man the booth. Anyone interested in working in the booth should contact Sue Ertmer, County Clerk.

Executive Van De Hey reported the Capital Improvement Plan is in the process of being completed and copies will be forwarded to the Supervisors. A presentation will be made at the July Special Orders of Business meeting.

Executive Van De Hey said the State is still working on the budget. Information regarding the budget can be found on the "Wheeler Report", a web page provided by WCA. It is updated daily.

Executive Van De Hey said she is having the department heads prepare their budgets with a flat rate considering a worse case scenario.

Executive Van De Hey would like favorable consideration for the following resolutions: Resolution No. 38-62002: "Authorize Execution of Multi-Jurisdictional Drug Enforcement Agreement"; Resolution No. 39-62002: "Authorize Ground Lease Between Winnebago County and Wings As Eagles Mission Air Service, Incorporated"; Resolution No. 40-62002: "Authorize Temporary Exemption for Orion Flight Services from Minimum Requirement for Airport Aeronautical Services at Wittman Regional Airport"; Resolution No. 41-62002: "Authorize Temporary Exemption for Sonex, Ltd. From Minimum Requirement for Airport Aeronautical Services at Wittman Regional Airport"; and Resolution No. 42-62002: "Authorize Temporary Exemption for NewView Technologies from Minimum Requirements for Airport Aeronautical Services at Wittman Regional Airport".

COUNTY EXECUTIVE'S APPOINTMENTS

Board of Adjustment

Executive Van De Hey asked for the approval of her appointment of Tom Pupeter, P.O. Box 2098, Oshkosh to the Board of Adjustment. Mr. Pupeter replaces Patrick Seubert whose term has expired. This is a three-year term, which will expire June 30, 2005. Motion by Supervisor Lauson and seconded to approve. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Maehl read a thank you card from Adrienne Fails regarding her receiving a 2002 scholarship. Chairman Maehl reminded the Supervisors of the upcoming annual WCA conference, which will be held

September 22, 2002 in Milwaukee. Applications are in the County Clerk's Office.

Chairman Maehl extended birthday wishes to Supervisor's Norton, Farrey and Lauson. He also thanked Supervisor Lauson for his contribution to the Scholarship Fund.

PUBLIC HEARING

Chris Banaszak, Attorney for Basler Flight Service spoke in opposition of Resolution No. 40-62002: "Authorize Temporary Exemption for Orion Flight Services from Minimum Requirements for Airport Aeronautical Services at Wittman Regional Airport".

Jeff Wanke, 610 6th Street, Algoma, President of Orion Flight Services, spoke in favor of Resolution No. 40-62002: "Authorize Temporary Exemption for Orion Flight Services from Minimum Requirements for Airport Aeronautical Services at Wittman Regional Airport".

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Paul Groskreutz, Town of Nekimi, for zoning change to R-5/R-1 (Planned Unit Development/Single family non-subdivided). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 06-01-02. A request for zoning change from A-2 (General Farming) to R-5/R-1 (Planned Unit Development/Single family subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 19, 2002)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Robert E. Zelhofer, Jr. and property owner Zelhofer Revocable Trust, Town of Algoma, for zoning change to R-1 (w/wetland overlay partial removed). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 06-02-02. A request for zoning change from R-1 (w/wetland overlay) to R-1 (w/wetland overlay partial removed). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 19, 2002)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant David Clark Jr. and property owners David and Sally Clark, Town of Nekimi, 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. 06-03-02. A request for zoning change from A-1 (Exclusive Agriculture) to R-1 (Single family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 19, 2002)

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners John and Tracy Porter, Town of Nepeuskun, for zoning change to M-1 (Light Industrial). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 06-04-02. A request for zoning change from A-2 (General Farming) to M-1 (Light Industrial). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 19, 2002)

REPORT NO. 005. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners Spencer and Amy Rolph, 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. 06-05-02. A request for zoning change from A-2/R-1/B-2 (General Farming/Single family non-subdivided/Community Business) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 19, 2002)

REPORT NO. 006. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Patricia Mueller and property owner Roger Kleinschmidt c/o Russell Kleinschmidt, POA, 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. 06-06-02. 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 – June 19, 2002)

REPORT NO. 007. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Double Decker Development LLC, Town of Oshkosh, for zoning change to M-1 (Light Industrial). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 06-07-02. A request for zoning change from B-3(HB) (General

Business-Highway Business overlay) to M-1 (Light Industrial). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 19, 2002)

REPORT NO. 008. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Bret Blickhahn, Town of Clayton, 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. 06-08-02. 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 - June 19, 2002)

REPORT NO. 009. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Rodney Felty, Town of Clayton, 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. 06-09-02. A request for zoning change from R-3 (Two Family residential) to R-1 (Single family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date - June 19, 2002)

REPORT NO. 010. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Halbrook Builders, Town of Menasha, for zoning change to R-2 (Remove Floodplain). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 06-10-02. A request for zoning change from R-2 (Floodplain) to R-2 (Remove Floodplain). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date - June 19, 2002)

REPORT NO. 11. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Thomas Hren, Town of Winchester, for zoning change to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 06-11-02. A request for zoning change from A-1 (Exclusive Agriculture) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date - June 19, 2002)

REPORT NO. 012. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Sharon Baer, Town of Neenah, for zoning change to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 06-12-02. A request for zoning change from A-1/R-2 (Exclusive Agriculture/Single family subdivided) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date - June 19, 2002)

AMENDATORY ORDINANCE NO. 13. A request was received from the Town of Rushford on behalf of Roger and Marjorie Langeberg for zoning change from A-1 to A-3 (parcel 022-755-02) and A-2 (parcels 022-0585, 022-0595, 022-0596, 022-0597, 022-0598 and 022-0599). Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 19, 2002)

AMENDATORY ORDINANCE NO. 14. A request from the Town of Rushford on behalf of Albright Brothers - James and David for zoning change from A-1 to A-3 (lots 1 and 3). Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 19, 2002)

AMENDATORY ORDINANCE NO. 15. A request from the Town of Utica on behalf of Len and Teresa Schmick for zoning change from A-1 to A-3. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 19, 2002)

AMENDATORY ORDINANCE NO. 16. A request from the Town of Wolf River on behalf of Cheryl K. O'Donnell for zoning change from A-1 to B. Motion by Supervisor O'Brien and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 19, 2002)

AMENDATORY ORDINANCE NO. 17. A request from the Town of Vinland on behalf of Reinke Farms for zoning change from A-1 to R-1. Motion by Supervisor Farrey and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date - June 19, 2002)

RESOLUTIONS & ORDINANCES

RESOLUTION NO. 32-62002: Disallow Claim of Carol Schaidler

WHEREAS, your Personnel and Finance Committee has had the claim of Carol Schaidler 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

Carol Schaidler dated May 2, 2002, 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. 33-62002: Disallow Claim of Stephan W. Lindo

WHEREAS, your Personnel and Finance Committee has had the claim of Stephan W. Lindo 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 Stephan W. Lindo dated May 21, 2002, 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. 34-62002: Commendation for Alleta Gentry

WHEREAS, Alleta F. Gentry has been employed with Human Services of Winnebago County, for the past twenty-six years, and during that time has been a most conscientious and devoted County employee; and

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

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

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

Submitted by,
PERSONNEL AND FINANCE COMMITTEE
Motion by Supervisor Albrecht and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 38-62002: Authorize Execution of Multi-Jurisdictional Drug Enforcement Agreement

WHEREAS, Winnebago County has participated in the operation of a Multi-Jurisdictional Drug Enforcement Unit (MEG Unit) for a number of years; and

WHEREAS, no written agreement has been ever approved by those municipalities providing personnel or in-kind support to the MEG Unit for that Unit's operation; and

WHEREAS, the Sheriffs, Police Chiefs and Legal Counsels for the municipal entities participating in the MEG Unit have recommended that a written Inter-governmental agreement be adopted by each municipal entity which is participating in the MEG Unit ; and

WHEREAS, the attached Agreement has been reviewed and approved by all Sheriffs, Police Chiefs and Legal Counsel from entities participating in the MEG Unit operating in the Fox Valley Area; and

WHEREAS, your undersigned Committee has reviewed the attached Multi-Jurisdictional Drug Enforcement Agreement and recommends its approval pursuant to the authority provided to Winnebago County by Section 66.0301, Wisconsin Statutes, regarding inter-governmental cooperation agreements.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that pursuant to that authority provided to it under Section 66.0301, Wisconsin Statutes, that it hereby does approve the attached Multi-Jurisdictional Drug Enforcement Agreement and hereby authorizes the Winnebago County Executive and Winnebago County Clerk to execute said Agreement on behalf of Winnebago County.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 33. Nays: 1 - Tierney. Absent: 2 - Rankin and O'Brien. Excused: 2 - Hert and Widener. CARRIED.

RESOLUTION NO. 35-62002: Replace One Full-Time Position of Secretary I with One Full-Time Position of Office Supervisor: Child Support

WHEREAS, the current supervisory arrangement in the Child Support Office has involved a combination of two previously existing separate positions of Child Support Director and Attorney; and

WHEREAS, increases in the size of the subordinate staff and a significant increase in the number of required court appearances has made it difficult for the Child Support Director/Attorney to devote adequate time and attention to day-to-day office management and training activities while representing the Child Support Office in a significantly expanded court schedule; and

WHEREAS, the duties of a currently vacant position of Secretary I in the Child Support Office can be redistributed so that the position can be replaced with a new position of Office Supervisor without adversely impacting the secretarial output of the Office.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that one full-time position of Secretary I be abolished and replaced with one full-time position of Office Supervisor in the Child Support Office; and

BE IT FURTHER RESOLVED, that funds necessary to cover the cost of this action be applied from within the budget of the Child Support Office.

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

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 35. Nays: 0. Absent: 1 - Rankin. Excused: 2 - Hert and Widener. CARRIED.

ORDINANCE NO. 36-62002: Amend Section 3.05(4)(a)(4) of the General Code of Winnebago County (Expense Reimbursement - Automobile Mileage)

WHEREAS, the Winnebago County Finance Director has recommended that Section 3.05(4)(a)(4) of the General Code of Winnebago County be amended so as to clarify the County's policy for mileage reimbursement in relationship to automobile trips commencing from the home of an employee or elected official ; and

WHEREAS, your undersigned Committee believes that the amendment contained below will serve to clarify the County's policy with regard to automobile mileage expense reimbursement.

NOW, THEREFORE, BE IT ORDAINED by the County Board of Supervisors of the County of Winnebago does ordain as follows:

That Section 3.05(4)(a)(4) of the General Code of Winnebago County be amended to read as follows:

(4) EXPENSE REIMBURSEMENT. (a) Automobile Mileage Expense: ...

- (4) the distance for mileage reimbursement is defined as the shorter of the distances, either from the person's place of residence or the person's office and the travel destination. All travel shall be by the most direct route with an allowance to be made for reasonable variations due to route conditions. Mileage shall be paid to the person whose private motor vehicle is used. Where a number of persons are making the same trip, travel shall be in the fewest necessary number of motor vehicles.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that said amendment shall become effective as of the date following the date of the amendment's publication.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 34. Nays: 1 - Eichman. Absent: 1 - Rankin. Excused: 2 - Hert and Widener. CARRIED.

ORDINANCE NO. 37-62002: Create Section 3.13 of the General Code of Winnebago County: Procedure for Sale or Lease of Property and Contracting for Revenue- Generating Services

WHEREAS, Winnebago County has not formally adopted any policy establishing a procedure for sale or lease of property or for contracting for revenue-generating services; and

WHEREAS, your undersigned Committee believes that the creation of an Ordinance establishing said policy is necessary to provide guidance to Department Heads in relationship to the sale or lease of property or in relationship to contracting for revenue-generating services; and

WHEREAS, your undersigned Committee believes that the adoption of such an Ordinance shall also provide a fair and equitable procedure in relationship to such matters.

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

That Section 3.13 Procedure for Sale or Lease of Property and Contracting for Revenue-Generating Services is hereby created and shall read as follows:

3.13 PROCEDURE FOR SALE OR LEASE OF PROPERTY AND CONTRACTING FOR REVENUE-GENERATING SERVICES:

- (1) **PURPOSE.** The purpose of this Ordinance is to establish a procedure for the sale or lease of County property or for contracting with outside persons or entities for revenue-generating purposes.
- (2) **COMPETITIVE MEANS FOR SALE OR PROPERTY OR CONTRACTING FOR REVENUE-GENERATING ACTIVITIES.** Whenever practical, County Department Heads shall use competitive means to obtain the best prices for the sale or lease of property, or with regard to entering into any contract for services that would generate revenue for the County. This Section shall not apply to the sale or lease of goods and services to other governmental entities.
- (3) **PROCEDURES.** The Finance Department shall establish written procedures in relation to this Ordinance and all departments of Winnebago County, both elected and appointed, shall comply with such procedures.
- (4) **REVIEW OF PROCEDURES.** The Personnel and Finance Committee shall review the procedures established by the Finance Department on an annual basis and shall make recommendations for changes. Both the Committee and County Executive shall approve changes in written procedures. When necessary, such changes in procedures shall be brought before the County Board for approval.
- (5) **EFFECTIVE DATE.** This section of the Code shall take effect July 1, 2002.

Submitted by:

PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 34. Nays: 2 - Norton and Tierney. Excused: 2 - Hert and Widener. CARRIED.

RESOLUTION NO. 39-62002: Authorize Ground Lease Between Winnebago County and Wings As Eagles Mission Air Service, Incorporated

WHEREAS, Wings As Eagles Mission Air Service, Incorporated desires to lease approximately 24,000 square feet of space at Wittman Regional Airport for the purpose of constructing a 100 x 100 foot hangar upon the property and operating an air service at Wittman Regional Airport; and

WHEREAS, the undersigned Aviation Committee recommends that Winnebago County enter into a lease to rent said property to said air service at an initial rate of \$.11 per square foot per year (\$2,640 annually), with said rate to be in effect for at least the first three (3) years of said lease agreement; and

WHEREAS, your undersigned Aviation Committee believes that said lease will be beneficial to Winnebago County and Wittman Regional Airport.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and Winnebago County Clerk to enter into a ground lease agreement with Wings As Eagles Mission Air Service, Incorporated for a twenty (20) year period, commencing on June 1, 2002 at an initial rate of \$.11 per square foot per year for approximately 24,000 square feet of property at Wittman Regional Airport, with said property to be utilized for the purpose of operating an air service at Wittman Regional Airport. A complete copy of said Ground Lease may be obtained from the Airport Director or from the Office of Corporation Counsel.

Submitted by:

AVIATION COMMITTEE

Motion by Supervisor Nielsen and seconded to adopt. Motion by Supervisor Nielsen and seconded to amend resolution by adding to line 31 "Approval of lease is contingent upon a clause being added to lease providing that lease would terminate in two years if hangar is not completed within that time". Motion by Supervisor Wingren to send back to committee. Ayes: 11 - Griesbach, Klitzke, Thompson, Madison, Wingren, Jacobson, Tierney, Kramer, Farrey, Brennand and Rengstorf. Nays: 25. Excused: 2 - Hert and Widener. LOST. Vote on Supervisor Nielsen's amendment: Ayes: 36. Nays: 0. Excused: 2 - Hert and Widener. CARRIED. Vote on amended resolution: Ayes: 36. Nays: 0. Excused: 2 - Hert and Widener. CARRIED.

RESOLUTION NO. 40-62002: Authorize Temporary Exemption for Orion Flight Services from Minimum Requirements for Airport Aeronautical Services at Wittman Regional Airport

WHEREAS, the Minimum Requirements for Airport Aeronautical Services at Wittman Airport, as approved by the Winnebago County Board of Supervisors on June 23, 1993, require a tenant to erect a building for aircraft storage at least 10,000 square feet in size in order to sell aviation fuels on Wittman Airport.

WHEREAS, No existing hangar buildings meeting the 10,000 square foot size are available for rent on Wittman Airport.

WHEREAS, The twenty-year agreement with Orion Flight Services and Winnebago County/Wittman Airport requires the substantial completion of a 10,000 square foot hangar within twelve (12) months of the commencement of the Agreement, or the Agreement shall be terminated; and

WHEREAS, Orion Flight Services is presently in the process of erecting a storage facility in excess of 10,000 square feet, but said facility will not be completed prior to the EAA Convention; and

WHEREAS, Orion Flight Services desires to become a full service Fixed Base Operator and sell fuel on Wittman Airport during the 2002 Experimental Aircraft Association Convention in July of 2002, contingent upon it meeting all other requirements of the Minimum Requirements for Airport Aeronautical Services at Wittman Airport, including but not limited to the installation of a 10,000 gallon Jet Fuel tanks and a 5,000 gallon AvGas storage tank.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it grants to Orion Flight Services a temporary exemption from minimal Airport Aeronautical Service Hangar Requirements so as to provide to Orion the right to sell aviation fuel on Wittman Airport during the time period while its 10,000 square foot hangar is being constructed. Said construction of the 10,000 square foot hangar shall be substantially completed not later than December 31, 2002. If the hangar is not substantially completed by December 31, 2002, the exemption providing the right to sell aviation fuels on Wittman Airport shall be revoked. Said exemption is contingent upon Orion meeting all non-hangar-related minimum requirements for Airport Aeronautical Services.

Submitted by:

AVIATION COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Motion by Supervisor Pech and seconded to remove the word "substantially" from lines 38 and 39. Ayes: 16 - Griesbach, Koziczkowski, Klitzke, Pech, Thompson, Radewan, Sundquist, Jacobson, Norton, Eichman, Tierney, Kramer, Sievert, Diakoff, Brennand and O'Brien. Nays: 20. Excused: 2 - Hert and Widener. LOST. Vote on resolution: Ayes: 14 - Barker, Scoville, Maehl, Koziczkowski, Albrecht, Steineke, Madison, Sundquist, Nielsen, Robl, Kline, Egan, Rankin and O'Brien. Nays: 22. Excused: 2 - Hert and Widener. LOST.

RESOLUTION NO. 41-62002: Authorize Temporary Exemption for Sonex, Ltd. From Minimum Requirements for Airport Aeronautical Services at Wittman Regional Airport

WHEREAS, the Minimum Requirements for Airport Aeronautical Services at Wittman Airport, as approved by the Winnebago County Board of Supervisors on June 23, 1993, require a tenant to lease a minimum of 50,000 square feet of land and have 10,000 square feet of hangar/office space in order to sell aviation fuels on Wittman Airport.

WHEREAS, Sonex, Ltd./John Monnett currently leases 15,640 square feet of land and will have 10,308 square feet of hangar/office space.

WHEREAS, Sonex, Ltd./John Monnett has a lease agreement ending July 31, 2018 with five additional five year extensions.

WHEREAS, Sonex, Ltd. desires an exemption from the total square footage requirements to sell fuel on Wittman Airport during 2002 contingent upon it meeting all other requirements of the Minimum Requirements for Airport Aeronautical Services at Wittman Airport, including but not limited to the installation of a 10,000 gallon Jet Fuel tank and a 5,000 gallon AvGas storage tank.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it grants to

Sonex, Ltd. a temporary exemption from minimum requirements for square footage for airport aeronautical services during 2002 so as to allow Sonex, Ltd. the right to sell aviation fuel on Wittman Airport while leasing less than the required total land area as is required by minimum requirements for Airport Aeronautical Services at Wittman Airport, provided that it meets all other minimum Airport Aeronautical Services requirements. Said exemption shall automatically expire on December 31, 2002.

Submitted by,
THOMAS PECH JR., DIST. #12
PATRICK BRENNAND, DIST. #34
COUNTY BOARD SUPERVISORS

Supervisor Pech withdrew this motion with an option to bring it back at a future date.

RESOLUTION NO.42-62002: Authorize Temporary Exemption for NewView Technologies from Minimum Requirements for Airport Aeronautical Services at Wittman Regional Airport

WHEREAS: The Minimum Requirements for Airport Aeronautical Services at Wittman Airport, as approved by the Winnebago County Board of Supervisors on June 23, 1993, require a tenant to lease a minimum of 50,000 square feet of land and have 10,000 square feet of hangar/office space in order to sell aviation fuels on Wittman Airport; and

WHEREAS: NewView Technologies currently leases 15,250 square feet of land and has 7,750 square feet of hangar/office space, and has a right of first refusal to lease an additional 10,000 square foot of unimproved land; and

WHEREAS: NewView Technologies has three lease agreements with Winnebago County/Wittman Airport:
One ending May 30, 2002 with three six-month extensions
The second ending December 31, 2004 with two three-year extensions
The third ending June 30, 2002 with two three-year extensions; and

WHEREAS: NewView Technologies desires an exemption from the hangar and square footage requirement to sell fuel on Wittman Airport during 2002 contingent upon it meeting all other requirements of the Minimum Requirements for Airport Aeronautical Services at Wittman Airport, including but not limited to the installation of a 10,000 gallon Jet Fuel tank and a 5,000 gallon AvGas storage tank.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it grant a temporary exemption to NewView Technologies from square footage and hangar requirements during 2002 for the right to sell aviation fuel on Wittman Airport while leasing less than the required total land area and hangar/office area as is required by Winnebago County's minimum requirements for airport aeronautical services provided that it meets all other minimum requirements for Airport Aeronautical Services at Wittman regional Airport. Said exemption shall automatically expire on December 31, 2002.

Submitted by:
THOMAS PECH JR., DIST. #12
PATRICK BRENNAND, DIST. #34
COUNTY BOARD SUPERVISORS

Supervisor Pech withdrew this resolution with the option to bring it back at a future date.

Motion by Supervisor Robl and seconded to adjourn until Tuesday, July 2, 2002 at 6:00 p.m. CARRIED BY VOICE VOTE. The meeting was adjourned at 8:15 p.m.

Respectfully submitted,
Patricia Rabe, Deputy
Winnebago County Clerk

State of Wisconsin)
County of Winnebago)ss

I, Patricia Rabe, Deputy 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 June 18, 2002.

Patricia Rabe, Deputy
Winnebago County Clerk