

**ADJOURNED SESSION  
COUNTY BOARD MEETING  
TUESDAY, DECEMBER 16, 2003**

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

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

**COMMUNICATIONS, PETITIONS, ETC.**

A letter was received from Rep. Dean Kaufert thanking the Board for sending him a copy of the following resolutions: No. 272-102003, "Support Federal Legislation to Strengthen the Buy American Act"; No. 273-102003, "Authorize Support of Assembly Bill 390 (Housing of County Prisoners from Border States)"; No. 274-102003, "Support Assembly Bill 324 Classification of Jail Prisoners"; No. 278-102003, "Support Vitrification of PCB Waste from Operating Unit #1". Rep. Kaufert agreed with the Board's support of these issues.

The following resolutions were received from various Wisconsin counties and forwarded to the appropriate committees:

- Brown County – No. 11a, "Resolution Regarding: Opposing Modifications to Property Tax Payment System" (forwarded to Legislative Committee)
- Jackson County – "Re: Requesting Governor James Doyle and the State Legislature to examine and study the entire taxing, fees, and revenue raising activities of the State and Local Government" (forwarded to the Legislative Committee)
- Jackson County – "Re: Supporting Federal Legislation to Strengthen the Buy American Act" (forwarded to the Legislative Committee)
- LaCrosse County – "Re: Opposing Modifications to Property Tax Payment System" (forwarded to the Legislative Committee)
- Outagamie County – Resolution No. 114-2003-04 – Outagamie County is interested in forming a voluntary Municipal Regional Development Authority (MRDA) with surrounding municipalities and counties in order to encourage a large employer to locate in the Fox River Valley. (forwarded to the Legislative Committee)
- Racine County – Resolution No. 2003-123S, "Resolution by Individual Supervisors Asking Governor James Doyle and the State Legislature to Examine and Study the Entire Taxing, Fees and Revenue Raising Activities of the State and Local Governments" (forwarded to the Legislative Committee)
- Racine County – "Supporting Municipal Employment Relation Reforms – AB598 & 599" (forwarded to the Legislative Committee)
- Waushara County – Resolution No. 33-12-03, "Resolution Opposing Modifications to Property Tax Payment System" (forwarded to the Legislative Committee)

The following resolution was received from the Southwest International Business, Trade and Economic Development Council Board of Directors and forwarded to the Legislative Committee – "Resolution Supporting Modernization of the Mississippi River Locks."

Petition for Zoning Amendment from Richard Bowman, Town of Black Wolf, for zoning change from R-1(FP) to R-1(FP removed from part) for single family residence was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Lori & Jose Bustamante, Stuart Ter Horst, Eugene Kifer and Edward Schneider, Town of Oshkosh, for zoning change from R-4 (Multi family) to R-1 (single family) for existing single family homes was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Nemecek & Associates, Inc., Town of Menasha, for zoning change from R-2/R-3 to R-3 for a duplex was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from The Palmier B. Kampo Survivor's Trust, Wells Fargo Trust Department, Trustee, Town of Neenah, for zoning change from B-2 to R-1 for a single-family residence was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Raymond J. Weitz, Family Trust, Town of Omro, for zoning change from M-2, A-2, R-1, B-2 to A-2 for a building was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Dave Voss, Town of Wolf River, for zoning change from Wetland zoning to

elimination of Wetland Zoning for a private driveway and single-family home was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from the Winnebago County Planning & Zoning Committee, for amendments to the following sections of the Winnebago County Town/County Zoning Ordinance was referred to the Planning & Zoning Committee. Those sections are: 17.03(3)(a)(1) Fences; 17.02(7)(d) Conditional Uses; 17.02(7) Use Restrictions; 17.02(11) - Penalties; 17.03(3)(f)(1) - Boathouse Height; 17.03(9)(b)(7) & (8) - Agricultural Conditional Use; 17.10 - G-1 Garage Lot District (floating); 17.15(3) - Special Agri-Business Provisions; 17.19(3)(b) – Extraction Setback Standards; 17.20(4)(c)(4)(a)(1) – Shoreland Fill; 17.17(4) – Average Street and Shore Yards; 17.28(4)(c)(2)(b) – Business Sign Location from Intersection; 17.28(4)(d)(3) – Business Sign Size; 17.37(14) – Business Signs; and, 17.37(105) – Temporary Sign.

## **REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS**

Supervisor Rankin stated that he had the privilege of attending the Land Conservation's 50<sup>th</sup> anniversary convention in Madison. He noted that Peter Van Airsdale, Winnebago County's Land & Water Conservation Department Director, has served the county for 25 years. He commended Mr. Van Airsdale for the wonderful job he has done for Winnebago County during the past 25 years.

Supervisor Rankin also shared with the Board the following information that he learned at the convention in Madison: Langlade and Columbia Counties had to lay off some of their employees; consumption of cheese has gone up 6% in the United States; the dairy industry puts \$35,000 a minute into Wisconsin's economy; 25% of Wisconsin dairy farmers are grazing their cows in addition to feeding them in the barn; and, Wisconsin loses five family farms a day. Supervisor Rankin thanked the county for letting him attend this very important meeting in Madison.

Supervisor Griesbach commented on the letter of commendation that Don Wilmot, Winnebago County's Emergency Management Director, received from Dan Dahlke of the State of Wisconsin's Department of Military Affairs and Emergency Management. In his letter, Mr. Dahlke commends Mr. Wilmot for all his work and accomplishments in 2003. Supervisor Griesbach also commended Mr. Wilmot and his staff on their accomplishments and hard work during the past year.

Supervisor Barker reported that she too had attended the Land Conservation's 50<sup>th</sup> Anniversary convention in Madison. She reported that at the convention she learned that many family-run farms will not be able to continue because the wife has had to take a job away from the farm in order to provide health insurance for her family. The Governor and the Legislature are studying this issue and hopefully will come up with a solution so that the wives of farm families don't have to take non-farm jobs just so they can provide health insurance for their families.

Supervisor Barker reported that there will not be a December Legislative Committee meeting. Their next meeting will be held on January 26, 2004. If anyone has an item for that agenda, they should let her know as soon as possible.

Motion by Supervisor Robl and seconded to approve the November 3 & 4 and November 18, 2003 County Board proceedings. Supervisor Widener asked that the 5<sup>th</sup> paragraph under "REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS" on Page 133 be corrected by changing the word "completed" on the first line to "begun." He also asked that the last sentence of that paragraph be corrected to read, "A presentation will then be made to the County Board in April or May." Proceedings as corrected - CARRIED BY VOICE VOTE.

## **COUNTY EXECUTIVE'S REPORT**

Executive Van De Hey asked for the Board's support of Resolution Nos. 305-122003, "Authorize the Submission of a State Grant Application on Behalf of Winnebago County for a Brownfield Site Assessment Grant" and 306-122003, "Oppose Senate Bill 272/Assembly Bill 588."

Executive Van De Hey stated that she attended the opening ceremony for the newly completed Highway 10. She commended the Town of Clayton for their efforts in raising money to extend and make the WIOUWASH Trail safer along the new Highway 10.

Executive Van De Hey reported that the cursory study of combining local public health departments has been completed and it was determined that at this time it is not feasible for the Cities of Menasha or Oshkosh to participate in a combined public health department. The possibility is still being discussed with the City of Neenah.

## **COUNTY EXECUTIVE'S APPOINTMENTS**

**Corporation Counsel – John Bodnar**

Executive Van De Hey asked for approval of her re-appointment of John Bodnar as Winnebago County's

Corporation Counsel. This is a two-year term that will expire on December 31, 2005. Motion by Supervisor Sundquist and seconded to approve. CARRIED BY VOICE VOTE.

### **Grievance Review Board**

Executive Van De Hey asked for approval of her re-appointment of Tom Englebert to the Grievance Review Board. This is a five-year term that will expire on December 31, 2008. Motion by Supervisor Lauson and seconded to adopt. CARRIED BY VOICE VOTE.

### **Local Emergency Planning Committee**

Executive Van De Hey asked for the approval of her re-appointment of John Opsteen and Paula Biewer to the Local Emergency Planning Committee. These are three-year terms that will expire on December 31, 2006. Motion by Supervisor Robl and seconded to adopt. CARRIED BY VOICE VOTE.

### **CHAIRMAN'S REPORT**

Chairman Maehl welcomed back Supervisor Hert from his military training. Chairman Maehl also informed the Board that Supervisor Hert will not be running for re-election because his military service has been extended well into 2004. Chairman Maehl extended well wishes to Supervisor Hert as he prepares for his military service.

Chairman Maehl read a note from Supervisor Kline thanking the Board for the floral arrangement that they sent for his father's funeral.

Chairman Maehl extended "happy birthday" wishes to Supervisors Brennand, Koziczkowski, Hert, Wingren and Steineke. He also thanked them for their donations to the Scholarship Fund.

### **PUBLIC HEARING**

Doug Young of Menasha Utilities spoke in support of Resolution No. 306-122003, "Oppose Senate Bill 272/Assembly Bill 588."

John Nichols, Director of the Oshkosh Public Library and the Winnefox Library System, spoke in support of Resolution No. 306-122003, "Oppose Senate Bill 272/Assembly Bill 588."

### **ZONING REPORTS & ORDINANCES**

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Jeffrey Liebzeit, Town of Winchester, for zoning change to R-1/R-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-01-03. A request for zoning change from R-1 (Single family non-subdivided) to R-1/R-2 (Single family non-subdivided/Single family subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – December 22, 2003)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Patricia Wagner (Personal Representative for D. Bauer), Town of Omro, for zoning change to A-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-02-03. 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 – December 22, 2003)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners Florence Angell, Gary & Elaine Coll, Robert & Margaret Case, Town of Omro, for zoning change to R-1/A-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-03-03. A request for zoning change from R-1/A-2 (Single family non-subdivided/General Farming) to R-1/A-2 (Single family non-subdivided/General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – December 22, 2003)

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Nate Potratz, Town of Omro, for zoning change to A-2/R-1/B-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-04-03. A request for zoning change from A-2/B-3(HB)/B-2 (General Farming/General Business District-Highway Business overlay/Community Business District) to A-2/R-1/B-2 (General Farming/Single family non-subdivided/Community Business). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – December 22, 2003)

REPORT NO. 005. A report from the Planning & Zoning Committee regarding a requested zoning change

from applicant and property owner Patrick Sheppard, Town of Algoma, for zoning change to R-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-05-03. 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 – December 22, 2003)

AMENDATORY ORDINANCE NO. 6. A request from the Town of Utica on behalf of Thomas & Ellen Lloyd for zoning change from A-1 to A-3. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – December 22, 2003)

AMENDATORY ORDINANCE NO. 7. A request from the Town of Black Wolf on behalf of Fabian & Joy Babel Estate for zoning change from A-2 to R-1. Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – December 22, 2003)

## **RESOLUTIONS & ORDINANCES**

### **RESOLUTION NO. 305-122003: Authorize the Submission of a State Grant Application on Behalf of Winnebago County for a Brownfield Site Assessment Grant**

WHEREAS, Winnebago County recognizes that the remediation and redevelopment of Brownfields is an important part of protecting Wisconsin's resources; and

WHEREAS, it is Winnebago County's intent to complete the Brownfield Site Assessment Grant activities described in the application regarding the remediation of that site located at 204 Railroad Street in the City of Menasha as described in the application for funds, if funds are awarded; and

WHEREAS, Winnebago County will maintain records documenting all expenditures made during the Brownfield Site Assessment Grant period; and

WHEREAS, Winnebago County will allow employees from the Department of Natural Resources access to inspect the grant site or facility and grant records; and

WHEREAS, Winnebago County will submit a final report to the Department of Natural Resources which will accompany the final payment request.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby requests funds and assistance available from the Wisconsin Department of Natural Resources under the Brownfield Site Assessment Grant Program and will comply with the state rules for the program.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes Omni Associates of Appleton, Wisconsin to act on behalf of Winnebago County to submit an application to the State of Wisconsin for financial aid for Brownfield Site Assessment Grant purposes related to 204 Railroad Street in the City of Menasha, to sign documents and to take any necessary action to undertake, direct and complete approved grant activities.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 33. Nays: 0. Excused: 3 - Egan, Sievert and Tierney. Absent: 2 - Nielsen and Finch. CARRIED.

### **RESOLUTION NO. 306-122003: Oppose Senate Bill 272/Assembly Bill 588**

WHEREAS, pursuant to 1993 Wisconsin Act 496 and the 1996 Federal Telecommunications Act, local units of government are allowed to supply competitive telecommunications services to their communities; and

WHEREAS, to date, twenty-four Wisconsin communities have applied for and have been granted Competitive Local Exchange Carrier status from the Public Service Commission of Wisconsin; and

WHEREAS, most major telecommunications companies are investing their resources primarily in urban markets while rural, non-urban, and smaller communities are not receiving the advanced telecommunications services needed to sustain economic viability; and

WHEREAS, local governmental leaders are primarily responsible for the economic development and well-being of their respective communities; and

WHEREAS, Senate Bill 272 and Assembly Bill 588 will place major barriers in the way of local governments that desire to offer advanced telecommunications services to their businesses and residents, thus hindering the deployment of broadband services in Wisconsin; and

WHEREAS, your undersigned Committee believes that the only interests served by Senate Bill 272 and companion Assembly Bill 588 are those of large corporate telecommunications companies and the passage of said

Bill is contrary to the best interests of individual Wisconsin citizens.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it strongly opposes Senate Bill 272 and Assembly Bill 588.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it strongly urges the Wisconsin State Legislature to defeat those efforts by incumbent cable television and telecommunications companies to limit the deployment of competitive advance telecommunication services, including cable television, broadband and local telephone services by local units of government.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that Winnebago County hereby joins the League of Wisconsin Municipalities, the Wisconsin Counties Association, the Wisconsin Alliance of Cities, the Municipal Electric Utilities of Wisconsin, the Wisconsin Towns Association, the Citizens Utility Board, the Wisconsin Association of School Boards, the Regional Telecommunications Commission and the North Shore Cable Commission in their opposition to any efforts pursuant to said Bills to limit, inhibit, or prohibit local governments from providing competitive advanced telecommunications services to their citizens.

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 legislators representing constituents within Winnebago County; to the Wisconsin Counties Association and to the Office of Governor James Doyle.

Submitted by:  
LEGISLATIVE COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Ayes: 33. Nays: 0. Excused: 3 - Egan, Sievert and Tierney. Absent: 2 - Nielsen and Finch. CARRIED.

**RESOLUTION NO. 307-122003:            Approve Extension of Hangar Lease for Sheboygan Beverage Incorporated: Wittman Regional Airport**

WHEREAS, Sheboygan Beverage Company presently leases Hangar #3 at Wittman Regional Airport; and  
WHEREAS, Sheboygan Beverage Incorporated is desirous of extending that lease for an additional period of three (3) years for said hangar, which contains 3,584 square feet of space, for a price of \$476.00 per month for the first year of the lease, \$490.00 per month for the second year of the lease and \$504.00 for the third year of the lease; and

WHEREAS, the Aviation Committee has approved said lease extension and recommends that the County Board of Supervisors approve said lease extension.

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 extend a hangar lease between Wittman Regional Airport and Sheboygan Beverage, Incorporated for an additional three (3) year period, commencing January 8, 2004 at a price of \$476.00 per month plus sales tax for the first year of said lease, \$490.00 per month plus sales tax for the second year of the lease and \$504.00 per month plus sales tax for the third year of the lease.

Submitted by:  
AVIATION COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 33. Nays: 0. Excused: 3 - Egan, Sievert and Tierney. Absent: 2 - Nielsen and Finch. CARRIED.

**RESOLUTION NO. 308-122003:            Authorize Execution of Resolution Petitioning Secretary of Transportation for Airport Improvement Aid**

WHEREAS, Winnebago County is periodically required to petition the United States Secretary of Transportation for airport improvement aid so as to be eligible to receive grants for any projects which the airport might consider completing in the future; and

WHEREAS, your undersigned Committee desires to petition the U.S. Secretary of Transportation for airport improvement aid with regard to those projects which are attached hereto as Exhibit "B"; and

WHEREAS, petitioning the U.S. Secretary of Transportation for airport improvement aids is an initial step with regard to obtaining a grant for any project from the federal government and does not commit Winnebago County, monetarily toward accomplishing said projects, nor does it commit the federal government to granting money to Winnebago County for said projects but only makes said projects eligible in the future for federal aid.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes execution of the resolution petitioning the Secretary of Transportation for airport improvement aid which is

herewith attached as a part of this resolution as to Exhibit "A" in relationship to those projects which are listed in Exhibit "B" which is also attached and made a part of this resolution by reference.

Submitted by:  
AVIATION COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 33. Nays: 0. Excused: 3 - Egan, Sievert and Tierney. Absent: 2 - Nielsen and Finch. CARRIED.

**RESOLUTION NO. 309-122003: Authorize Support of Assembly Bill 304**

WHEREAS, Assembly Bill 304 has been introduced in the Wisconsin Legislature; and

WHEREAS, pursuant to the terms of said Bill the Municipal Employment Relations Act would be amended so as to prohibit local governmental employers from bargaining over the selection of a health care coverage plan if the employer offers to enroll its employees in a plan provided to local government employees by the Group Insurance Board or a plan that is substantially similar to a plan offered by the Group Insurance Board. Under the terms of the Bill, the Office of the Commissioner of Insurance would promulgate rules that would set out standardized benefits under health care coverage plans which could be used for determining whether any health care coverage plan is similar to the plan offered by the Group Insurance Bill; and

WHEREAS, the Bill further provides that any employer savings that result from changing the health care coverage plan provider as a result of said Bill must be used to increase salaries paid to employees affected by the changes in the future; and

WHEREAS, said Bill would further amend the Municipal Employment Relations Act to require that interest arbitrators must consider wages, hours and conditions of employment of municipal employees as a whole rather than in isolation in determining an award; and

WHEREAS, said Bill would also require the Group Insurance Board to offer long-term insurance plans to government employers and their employees; and

WHEREAS, said Bill would also direct the Secretary of Administration to organize an inter-agency task force on bulk purchasing of prescription drugs; and

WHEREAS, said Bill would also require the State to develop a standardized form upon which local government employers would seek bids for employees' health care coverage; and

WHEREAS, your undersigned Committee believes that passage of the Bill will serve the best interest of Winnebago County and its residents.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby indicates its support for the passage of Assembly Bill 304.

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 legislators representing constituents within Winnebago County, to the Wisconsin Counties Association and to the Office of Governor James Doyle.

Submitted by:  
LEGISLATIVE COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Motion by Supervisor Eichman and seconded to refer back to committee. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 310-122003: Authorize a Budget Transfer of \$100,000 from the General Fund in Order to Pay for Acquisition of Right of Way for the CTH A (CTH Y to Indian Point Road) Project**

WHEREAS, the Winnebago County Board of Supervisors previously passed a resolution authorizing the design and reconstruction of CTH A and,

WHEREAS, the project will begin at CTH Y in the City of Oshkosh and terminate at the intersection of Indian Point Road in the Town of Oshkosh and,

WHEREAS, the project is included in the County's Capital Improvements Plan and is currently on schedule for a January 2005 bid letting with construction to begin in May of the same year and,

WHEREAS, the right of way that is to be acquired is needed for construction purposes and for future maintenance of drainage structures and,

WHEREAS, the estimated cost of acquiring the right of way is \$100,000,

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

appropriates the sum of \$100,000 from the General Fund of Winnebago County for the purpose of paying said costs and,

BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors that funds to pay for said project are hereby appropriated from the General Fund of Winnebago County, with said fund being reimbursed from a subsequent bond issue.

Submitted by:  
HIGHWAY COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 33. Nays: 0. Excused: 3 - Egan, Sievert and Tierney. Absent: 2 - Nielsen and Finch. CARRIED.

**RESOLUTION NO. 311-122003: Authorize a Budget Transfer of \$35,000 for Design Work for the CTH M Bridge Project over the Rat River**

WHEREAS, the Winnebago County Board of Supervisors supports the design and rehabilitation of the current bridge on CTH M, which is situated over the Rat River in the Town of Winchester and,  
WHEREAS, the design process must proceed in 2004 in order to meet a construction schedule of 2006 and,  
WHEREAS, the estimated cost of the design portion of the project including right-of-way acquisition is \$35,000 and will be funded 100% by Winnebago County and,  
WHEREAS, the estimated cost to rehabilitate the current deck structure on the bridge is approximately \$311,000, which will be offset by 80% Federal and State funds and,  
WHEREAS, the project is included in the Winnebago County's Capital Improvements Plan.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$35,000 from the General Fund of Winnebago County for the purpose of paying said costs and,

BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors that funds to pay for said project are hereby appropriated from the General Fund of Winnebago County, with the General Fund being reimbursed from a subsequent bond issue.

Submitted by:  
HIGHWAY COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 33. Nays: 0. Excused: 3 - Egan, Sievert and Tierney. Absent: 2 - Nielsen and Finch. CARRIED.

**RESOLUTION NO. 312-122003: Authorize a Budget Transfer of \$55,000 for Design Work for the CTH M Bridge Project over the Arrowhead River**

WHEREAS, the Winnebago County Board of Supervisors supports the design and reconstruction of the current bridge on CTH M, which is situated over the Arrowhead River in the Town of Winneconne and,  
WHEREAS, the design process must proceed in 2004 in order to meet a construction schedule of 2006 and,  
WHEREAS, the estimated cost of the design portion of the project including right-of-way acquisition is \$55,000 and will be funded 100% by Winnebago County and,  
WHEREAS, the estimated cost to construct the bridge is approximately \$380,000, which will be offset by 80% Federal and State funds and,  
WHEREAS, the project is included in the County's Capital Improvements Plan.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$55,000 from the General Fund of Winnebago County for the purpose of paying said costs and,

BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors that funds to pay for said project are hereby appropriated from the General Fund of Winnebago County, with said fund to be reimbursed from a subsequent bond issue.

Submitted by:  
HIGHWAY COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 33. Nays: 0. Excused: 3 - Egan, Sievert and Tierney. Absent: 2 - Nielsen and Finch. CARRIED.

**RESOLUTION NO. 313-122003: Authorize a Budget Transfer of \$26,000 from the Contingency Fund in Order to Upgrade the Railroad Crossing Signal at the Intersection of CTH Y and CTH A. Winnebago County Fiber Optic Transmission Lines will also be Relocated as Part of this Project**

WHEREAS, the Winnebago County Board of Supervisors previously passed a resolution authorizing the design and reconstruction of CTH Y and,  
 WHEREAS, the CTH Y project is scheduled to be constructed in 2006 and,  
 WHEREAS, the current railroad crossing and signal warning device located west of CTH A on CTH Y need to be upgraded in order to correspond to the design criteria for the proposed CTH Y project and,  
 WHEREAS, the Wisconsin Public Service Corporation has utility poles that must also be relocated due to the railroad crossing signal upgrade and,  
 WHEREAS, these utility poles have Winnebago County fiber optic transmission lines attached to them that must also be relocated and,  
 WHEREAS, Winnebago County is responsible for funding the railroad signal upgrade at an estimated cost of \$13,000 and the fiber optic transmission line relocation at an estimated cost of \$13,000,  
 NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$26,000 from the 2004 Contingency Fund of Winnebago County for the purpose of paying said costs.

Submitted by:  
 HIGHWAY COMMITTEE  
 PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 33. Nays: 0. Excused: 3 - Egan, Sievert and Tierney. Absent: 2 - Nielsen and Finch. CARRIED.

**RESOLUTION NO. 314-122003: Transfer Funds from General and Salary Contingency Fund and General Fund Balance to Coroner Budget to Cover Projected Overages for 2003. Total Transfer is \$63,600**

WHEREAS, the Coroner's 2003 budget did not have sufficient funds available to pay deputies which are needed to provide adequate coverage 24 hours per day, and  
 WHEREAS, the Coroner's 2003 Pathology Services account did not have sufficient funds available due to the high number of autopsies and the fact that we had to use a more expensive pathologist in 2003, and  
 WHEREAS, as a result of the above facts, the Coroner's accounts are expected to exceed budget in the following areas for 2003.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes transfers from the following accounts to cover the overages:

Regular pay	\$	9,000
Deputy per diems		17,000
Fringe benefits		4,600
Pathology services		<u>33,000</u>
Total	\$	<u>63,600</u>

General fund	\$	32,900
Salary contingency		30,600
General fund		<u>100</u>
Total	\$	<u>63,600</u>

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

Motion by Supervisor Rengstorf and seconded to adopt. Supervisor Rengstorf asked that the Judiciary &



Public Safety Committee's vote of 4-1 be added to the resolution.

Motion by Supervisor Eichman and seconded to refer back to the Judiciary & Public Safety Committee. Ayes: 20. Nays: 13 – Barker, Griesbach, Maehl, Koziczowski, Albrecht, Pech, Steineke, Radewan, Sundquist, Kline, Schaidler, Diakoff and Rengstorf. Excused: 3 - Egan, Sievert and Tierney. Absent: 2 - Nielsen and Finch. CARRIED.

**RESOLUTION NO. 315-122003:                    Transfer \$102,080 from General Fund Contingency Fund to Park View Health Center for Replacement of the Electric Service Entry**

WHEREAS, the electrical service entry at Park View currently runs from the Heating, Venting and Air Conditioning (HVAC) Plant through underground tunnels to the two buildings that make up the facility, and

WHEREAS, the tunnels have been leaking for several years and the water is causing substantial corrosion to the metal shield that protects the copper conduit that carries the electrical power to the facilities, and

WHEREAS, the tunnels have had to be closed down to all traffic between the buildings because of the danger of the system shorting out, and

WHEREAS, a sudden electrical outage could cause a significant hazard to residents and staff that work at Park View.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$102,080 from the General Contingency Fund of Winnebago County to Park View for the replacement of the electrical service entry system.

Submitted by:  
PARK VIEW HEALTH CENTER COMMITTEE  
PERSONNEL & FINANCE COMMITTEE  
FACILITIES & PROPERTY MANAGEMENT COMMITTEE

Motion by Supervisor Widener and seconded to adopt. Supervisor Griesbach stated that the Facilities & Property Management Committee's vote on this issue was 5-0.

Vote on Resolution as presented - Ayes: 31. Nays: 1 – Rengstorf. Excused: 3 - Egan, Sievert and Tierney. Absent: 3 – Steineke, Nielsen and Finch. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, January 20, 2004.  
CARRIED BY VOICE VOTE.

The meeting was adjourned at approximately 7:40 p.m.

Respectfully submitted,  
Susan T. Ertmer  
Winnebago County Clerk

State of Wisconsin)  
County of Winnebago) ss

I, Susan T. Ertmer, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their regular meeting held December 16, 2003.

Susan T. Ertmer  
Winnebago County Clerk