

**ADJOURNED SESSION
COUNTY BOARD MEETING
TUESDAY, JUNE 15, 2004**

Chairman David Albrecht 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: Weber, Barker, Griesbach, Hotynski, Scoville, Maehl, Koziczkowski, Klitzke, Lauson, Albrecht, Thompson, Lennon, Machotka, Sundquist, Wingren, Jacobson, Norton, Warnke, Nielsen, Robl, Harris, Kline, Lorenz, Kramer, Schaidler, Finch, Farrey, Sievert, Arne, Diakoff, Brennand, Egan, Rankin, Rengstorf and O'Brien. Excused: Pech, Steineke and Widener.

Motion by Supervisor Robl and seconded to approve the agenda so the order the resolutions are presented is as follows: No. 51-62004, No. 55-62004, No. 56-62004, No. 63-62004, followed by No. 50-62004 and then the remainder of the resolutions in numeric order. CARRIED BY VOICE VOTE.

COMMUNICATIONS, PETITIONS, ETC.

Thank you notes were received from Supervisors Robl and Widener for the flowers they both received while they were recuperating.

A letter was received from Senator Michael Ellis thanking the Board for sending him a copy of Resolution No. 22-42004: "Support Amended Assembly Bill 616 (Redefines the definition of indigency in regards to legal assistance)." He will keep the Board's position on this issue in mind when this comes before the legislature during their next session.

Notice of Claim was received from Atty. George Curtis for David J. and Christine M. Mack for injuries sustained as a result of an accident with Thomas Weber was referred to the Personnel & Finance Committee.

Notice of Circumstances of a Claim was filed in the County Clerk's Office by Atty. John Peterson for Marie Schweikl, Susan Will and Monica Taylor in regards to the death of Louis E. Schweikl. When and if a "Notice of Claim" is filed with the Clerk in this matter, it will be presented to the Board for their referral.

The following resolutions were received from various Wisconsin counties and forwarded to the Legislative Committee:

- Dunn County – Resolution No. 63 – regarding Taxpayers Bill of Rights (TABOR) Legislation
- Florence County – Resolution 2004, "Taxpayers Bill of Rights"
- Polk County – Resolution No. 39-04, "Resolution Calling for the Governor to Require that the Wisconsin Department of Commerce Revise the Milk Volume Production (MVP) Program to Protect Water Quality"
- Sheboygan County – Re: Opposing Taxpayer's Bill of Rights (TABOR)
- Waupaca County – No. 8 (2004-2005), "Taxpayer's Bill of Rights"

Petition for Zoning Amendment from John Fred Boss, Town of Oshkosh, for zoning change from A-2 to R-1 for residential purposes was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Richard Schramm, Town of Neenah, for zoning change from A-2 to R-2 for single-family residential was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Lee and Sharon Schuhart, 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 Shelly Perzentka, Town of Nekimi, for zoning change from agricultural to residential for a home and business was referred to the Planning & Zoning Committee.

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

Petition for Zoning Amendment from Charles Linde, Town of Black Wolf, for zoning change from R-1/FP to R-1/FP revised for a single-family home was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Carl Borchert, Town of Clayton, for zoning change from A-1 to R-2/M-2 for 3 residential lots and 1 commercial lot was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Algoma Developments, LLC, Town of Algoma, for zoning change from B-3/A-2 to B-3 for commercial development was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Donald Bachaus, Town of Clayton, for zoning change from R-2 to A-3 for two-family residences was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Leslie Achterberg, Town of Nepeuskun, for zoning change from A-2 to R-1 for residential purposes was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Scott Eckstein, Town of Clayton, for zoning change from A-2 to R-1 for residential use was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Frederick Albright, Town of Omro, for zoning change from R-1/A-2 to R-1 for Lot 1 and A-2 for Lot 2 for a single-family residence and general agricultural purposes respectively was referred to the Planning & Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Rengstorf reported that the Judiciary & Public Safety Committee and Sheriff Brooks are working with the Human Services Department to setup a visual sanctions program. This would allow some of the county's inmates to serve part of their sentences out of the jail and under the supervision of the Human Services Department. Other counties are doing this and have found that people involved in this program are less likely to become repeat offenders. He will keep the Board informed on their progress with this program.

Supervisor Koziczowski asked that the Board review the Human Services Department's 2005 Budget information that was included in their packet. Public hearings on this budget will be held in Neenah on June 23 and in Oshkosh on June 24. The Board is encouraged to attend one of these sessions.

Supervisor Finch informed the Board that letters were received from Alisha Fahley and Amy Jencks thanking the Board for the 2004 Winnebago County scholarships they received.

Supervisor Egan reported that Rush Lake, the nation's largest prairie pothole east of the Mississippi River, has been in serious ecological trouble for the past few years. Winnebago County and surrounding towns have worked for the past four years to develop a plan to save Rush Lake. Supervisor Egan informed the Board that the plan was submitted and approved to receive a \$420,000 grant from an Upper Fox River group. They are also fifth in line to receive a \$500,000 national grant. They will also be receiving a \$100,000 grant from Ducks Unlimited. Money will be used to put in a new dam and to open up various channels in the lake. Work will begin in either 2005 or 2006. Supervisor Egan thanked the Winnebago County Land & Water Department for their help with this project.

Supervisor Barker reported that there will not be a Legislative Committee meeting in June. Their next meeting will be Monday, July 26.

Supervisor Barker asked that Chairman David Albrecht reconsider his appointment of Jerry Schuster to the Land Conservation Committee. Supervisor Barker expressed her support of current member Joe Olson and his continued membership on the Land Conservation Committee.

Supervisor Maehl read a letter from Ben Mott and Josh Oliver, seniors at Neenah High School, thanking the Land & Water and UW-Extension Departments for the assistance they gave them in their independent study environmental biology class.

Supervisor O'Brien asked the Board to read the press release that was placed on their desks announcing the Solid Waste Management Board's \$200,000 contribution to the DNR's recycling aids program in 2003 and 2004. Supervisor O'Brien stated that the SWMB continues to provide support to the towns and thanked them for their efforts as well.

Supervisor Rankin thanked the Board for allowing him to attend the state-wide UW-Extension Conference in Eau Claire. He explained that the mission of county UW-Extension offices for the past 150 years, has been to "extend the services and knowledge of the University of Wisconsin to every corner of the state."

Supervisor Farrey asked that Chairman Albrecht reconsider his appointment of Jerry Schuster to the Land Conservation Committee and re-appoint Joe Olson to that committee.

Motion by Supervisor Robl and seconded to approve the May 4 and 18, 2004 County Board proceedings.
CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Van De Hey commended the county Emergency Management and Public Health Departments and local officials for their efforts during the on-going flood emergency.

COUNTY EXECUTIVE'S APPOINTMENTS

Board of Health

Executive Van De Hey asked for the Board's approval of her re-appointment of Supervisors Stephen Rankin, Joanne Sievert, James Koziczowski and Nancy Barker, and her appointment of Supervisor Arne, to the Board of Health. These are two-year terms that will expire on April 18, 2006. Motion by Supervisor O'Brien and seconded to approve. CARRIED BY VOICE VOTE.

Industrial Development Board

Executive Van De Hey asked for the Board's approval of her re-appointment of Supervisors Paul Sundquist

and James Lauson to the Industrial Development Board. These are two-year terms that will expire April 18, 2006. Motion by Supervisor O'Brien and seconded to approve. CARRIED BY VOICE VOTE.

Long Term Support Advisory Committee

Executive Van De Hey asked for the Board's approval of her re-appointment of David Green and John Spanbauer to the Long Term Support Advisory Committee. These are three-year terms that will expire April 17, 2007. Motion by Supervisor O'Brien and seconded to approve. CARRIED BY VOICE VOTE.

Tri-County Recreation Association Board of Directors

Executive Van De Hey asked for the Board's approval of her re-appointment of Supervisors Phillips Scoville and John Schaidler to the Tri-County Recreation Association Board of Directors. These are two-year terms that will expire April 18, 2006. Motion by Supervisor Lauson and seconded to approve. CARRIED BY VOICE VOTE.

UW-Fox Valley Board of Trustees

Executive Van De Hey asked for the Board's approval of her re-appointment of Supervisors Joseph Maehl, Nancy Barker and Stephen Rankin (alternate) to the UW-Fox Valley Board of Trustees. These are two-year terms that will expire April 18, 2006. Motion by Supervisor Sievert and seconded to approve. CARRIED BY VOICE VOTE.

Winnebago County Housing Authority

Executive Van De Hey asked for the Board's approval of her re-appointment of Larry Schuster to the Winnebago County Housing Authority. This is a five-year term that will expire April 21, 2009. Motion by Supervisor Hotynski and seconded to approve. CARRIED BY VOICE VOTE.

CHAIRMAN'S REPORT

Chairman Albrecht reported that he received an e-mail from Supervisor Tom Widener stating that he is doing well and hopes to go home from the hospital in the near future. Chairman Albrecht tried contacting Supervisor Harold Steineke to see how he is doing, but he was not able to reach him.

Chairman Albrecht also informed the Board that he had received an open records request from the local media for his home e-mail messages that relate to Park View Health Center. Chairman Albrecht advised the Board that they too are subject to these types of requests, and that they should save their county business-related e-mails for the required length of time.

Chairman Albrecht read a letter from former supervisor Mike Hert, who is stationed in Iraq. Mr. Hert also sent the County Board an American Flag that flew over their base in Iraq. Chairman Albrecht stated that the flag and his letter will be displayed in the courthouse.

COUNTY BOARD CHAIRMAN'S APPOINTMENTS

Land Conservation Committee

Chairman Albrecht asked for the Board's approval of his re-appointment of Arden Eckstein, 3960 West Larsen Road, Oshkosh, to the Land Conservation Committee.

Chairman Albrecht also asked for the Board's approval of his appointment of Jerry Schuster, 8454 Schuster Road, Berlin, to the Land Conservation Committee.

These are two-year terms that will begin on July 1, 2004.

Motion by Supervisor Diakoff and seconded to approve. CARRIED BY VOICE VOTE.

Information Systems Committee

Chairman Albrecht asked for the Board's approval of his re-appointment of Ian Dodge, 1821 Oregon Street, Oshkosh, to the Information Systems Committee. This is a two-year term that will begin on July 1, 2004.

Motion by Supervisor Brennand and seconded to approve. CARRIED BY VOICE VOTE.

PUBLIC HEARING

The following people spoke in support of Park View Health Center and its continued operation:

Mary Beth Fowler, 1440 East Forest Avenue, Neenah; Dr. William Weber, 2160 White Swan Drive, Oshkosh; Neil Starke, 301 McKinley, Omro; Susan Oaks, Omro; Sandra Koepler, 1265 Heritage Trail, Oshkosh; Ms. Johnson, 989 Solar Parkway, Neenah; Dolly Pahlow, Oshkosh; Joseph Urban, 1558 Collins, Neenah; Susan Rubic, 7853 County Road T, Oshkosh; Donna Lowry; Shirley Paulsen,

Gordon Doule, 1225 Summit Avenue, Oshkosh, expressed his concerns about safety conditions at Wittman Regional Airport.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Donald Kellogg, personal representative, and property owner Leona M. Kellogg Estate, Town of Poygan, for zoning change to A-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 06-01-04. A request for zoning change from R-1 (single family non-subdivided) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 22, 2004)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants Cory and Sara McKone and property owner Phyllis Williams, Town of Omro, for zoning change to R-1. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 06-02-04. 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 22, 2004)

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

AMENDATORY ORDINANCE NO. 06-03-04. 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 22, 2004)

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant William Kottler of Davel Engineering and property owners ASA Development/Ken & Linda Korsch, Town of Omro, for zoning change to R-2/R-1. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 06-04-04. A request for zoning change from A-2/R-1 (General Farming/Single family non-subdivided) to R-2/R-1 (Single family subdivided/Single Family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 22, 2004)

AMENDATORY ORDINANCE NO. 5. A request from the Town of Poygan on behalf of Gordon Schonscheck for zoning change from A-2 to R-1. Motion by Supervisor Rengstorf and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 22, 2004)

AMENDATORY ORDINANCE NO. 6. A request from the Town of Poygan on behalf of Richard and Lawrence Gohlke for zoning change from R-1 to A-2. Motion by Supervisor Rengstorf and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 22, 2004)

AMENDATORY ORDINANCE NO. 7. A request from the Town of Poygan on behalf of Richard and Lawrence Gohlke for zoning change from A-2 to R-1. Motion by Supervisor Rengstorf and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 22, 2004)

AMENDATORY ORDINANCE NO. 8. A request from the Town of Rushford on behalf of Steve Augsburg for zoning change from A-2 to A-3. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 22, 2004)

AMENDATORY ORDINANCE NO. 9. A request from the Town of Vinland on behalf of Jane Collen and Bart Armstrong for zoning change from A-2 to B-2. Motion by Supervisor Farrey and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 22, 2004)

AMENDATORY ORDINANCE NO. 10. A request from the Town of Rushford on behalf of Joseph and Judith Oesterreich for zoning change from A-3 to district of commercial. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 22, 2004)

AMENDATORY ORDINANCE NO. 11. A request from the Town of Rushford on behalf of Rocco and Kathryn Lewis for zoning change from A-1 to A-2. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 22, 2004)

AMENDATORY ORDINANCE NO. 12. A request from the Town of Rushford on behalf of Leonard & Tonya Wright for zoning change from A-1 to A-2. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 22, 2004)

REPORT NO. 013. A report from the Planning & Zoning Committee regarding a requested zoning change

from applicant William Kottler of Davel Engineering and property owners Jeff Ogden and Harrison Sturgis Jr., Town of Neenah, for zoning change to M-1/R-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 06-13-04. A request for zoning change from A-2/B-3 (General Farming/ General Business) to M-1/R-2 (Light Industrial/ Single family subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 22, 2004)

RESOLUTIONS & ORDINANCES

RESOLUTION NO. 50-62004: Accept \$200,000 Domestic Preparedness Equipment Grant at Wittman Regional Airport and Appropriate Funds for the Purchase of Operating and Capital Equipment.

WHEREAS, Wittman Regional Airport is considered to be one of the premier sport aviation capitals in the world; and

WHEREAS, the Airport houses some 22 businesses and approximately 180 aircraft; and

WHEREAS, for one week each summer, hundreds of thousands of aviation enthusiasts from around the world converge on Wittman Regional Airport for the EAA Air Venture Convention; and

WHEREAS, since September 11, 2001, airports have had to re-evaluate all areas to deter terrorism from happening again; and

WHEREAS, the General Services Administration has awarded Wittman Regional Airport a \$200,000 Airport Domestic Preparedness Grant; and

WHEREAS, the funds must be used to purchase emergency preparedness operating and capital equipment; and

WHEREAS, the split between operating and capital is not known at this time.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes Wittman Regional Airport to accept the \$200,000 grant and appropriates the funds for the purchase of emergency preparedness operating and capital equipment, and

BE IT FURTHER RESOLVED that the Finance Department and Wittman Regional Airport are authorized to shift the budget dollars between operating and capital equipment lines as necessary to comply with accounting principles.

Submitted by:
AVIATION COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Nielsen and seconded to adopt. Ayes: 35. Nays: 0. Excused: 3 - Pech, Steineke and Widener. CARRIED.

RESOLUTION NO. 51-62004: Authorize Easement with Wisconsin Bell, Inc. d/b/a SBC Wisconsin

WHEREAS, Wittman Regional Airport and Wisconsin Bell, Inc. entered into a utility easement on November 26, 1986, and recorded by the Register of Deeds on December 23, 1986 and April 5, 1987; and

WHEREAS, Wisconsin Bell, Inc. d/b/a SBC Wisconsin, a Wisconsin Corporation requested to increase the easement by five (5) feet to accommodate placement of a cabinet to increase the capacity of the original easement area; and

WHEREAS, it was discovered that the previous easement had been recorded twice, but there was a deficiency in the description; and

WHEREAS, a new survey of the area was conducted and a new legal description of the survey provided by SBC Wisconsin, and it was tentatively agreed by both parties to enter into a new utility easement that will supercede the previous easement.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes rescission of a previous easement to Wisconsin Bell, Inc. recorded with the Winnebago County Register of Deeds on December 23, 1986 as Document #669369 and further authorizes execution of the attached utility easement to SBC Wisconsin, d/b/a Wisconsin Bell, on property located at Wittman Regional Airport, by the Winnebago County Executive and Winnebago County Clerk, a copy of which is incorporated by reference as a part of this resolution.

Submitted by:
AVIATION COMMITTEE

Motion by Supervisor Nielsen and seconded to adopt. Ayes: 35. Nays: 0. Excused: 3 - Pech, Steineke and Widener. CARRIED.

RESOLUTION NO. 55-62004: Transfer \$203,523 from General Fund Balance to Capital Outlay Account of Sheriff's Department for the Purchase of Two Huskie Airboats

WHEREAS, The Winnebago County Sheriff's Department currently uses hovercrafts for ice rescue operations on Lake Winnebago during the winter months; and

WHEREAS, the current hovercrafts are very susceptible to damage due to their design; and

WHEREAS, the current hovercrafts were not really designed to handle the types of situations encountered in performing ice rescues; and

WHEREAS, use of the current hovercrafts put both the officers performing the rescue and the victims in danger; and

WHEREAS, the Sheriff's Department has reviewed two different makers of alternative airboats and has determined that the Huskie Airboats will best meet the departments needs.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$203,523 from the General Fund, Undesignated Fund Balance to the Capital Outlay Account of the Sheriff's Department for the purchase of two Huskie Airboats.

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

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 33. Nays: 2 - Maehl and Thompson. Excused: 3 - Pech, Steineke and Widener. CARRIED.

RESOLUTION NO. 56-62004: Accept Hospital Decontamination Equipment Grant of \$24,120 and Appropriate to Emergency Management Department Grant Expense Account for Equipment Purchases for Hospitals

WHEREAS, The Office of Justice Assistance (OJA) is working with the Wisconsin Division of Public Health's Hospital Bioterrorism Preparedness Program to provide funding for the purchase of decontamination equipment for hospitals, and

WHEREAS, these grants supplement Health Resources and Services administration funding, which will be used to purchase decontamination tents as well as to provide subsidies to hospitals who are building or enhancing their fixed decontamination rooms, and

WHEREAS, Winnebago County has 3 hospitals, Mercy Medical, Aurora and Theda Clark, and all will be able to receive the equipment as a result of this grant.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Emergency Management Department to accept the \$24,120 grant and use the funds to purchase decontamination equipment for the three hospitals.

No net impact to Winnebago County. The purchases are fully funded by the grant. The equipment to be purchased will be going to the three hospitals. It would be their responsibility to replace the equipment as it is used if they so choose.

Submitted by:
EMERGENCY MANAGEMENT COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Griesbach and seconded to adopt. Supervisor Griesbach corrected the amount on Lines 4, and 21 to \$26, 400. Ayes: 35. Nays: 0. Excused: 3 - Pech, Steineke and Widener. CARRIED.

RESOLUTION NO. 63-62004: Support Continued Operation of Park View Health Center as a County-owned and Operated Facility

WHEREAS, Park View Health Center is presently a licensed nursing facility which serves the needs of residents with chronic physical and mental health problems from Winnebago County and the surrounding area; and

WHEREAS, your undersigned Committee believes that Park View Health Center serves an important need for Winnebago County residents; and

WHEREAS, your undersigned Committee believes that it is in the best interest of the citizens of Winnebago County that it continue to operate as a county-owned and operated facility.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby supports the continued operation of Park View Health Center as a county-owned and operated facility.

Submitted by:
PARK VIEW HEALTH CENTER COMMITTEE

Motion by Supervisor Arne and seconded to adopt. Ayes: 35. Nays: 0. Excused: 3 - Pech, Steineke and Widener. CARRIED.

At approximately 7:30 p.m., Chairman Albrecht called for a recess. The Board reconvened at approximately 7:45 p.m..

RESOLUTION NO. 52-62004: Authorize Intergovernmental Agreement Between Winnebago County and Town of Omro: Administration of 17.31, General Code of Winnebago County (Construction Site Erosion Control and Storm Water Management Ordinance)

WHEREAS, Winnebago County recently enacted Section 17.31, General Code of Winnebago County, dealing with construction and erosion control and storm water management; and

WHEREAS, the Town of Omro has indicated to Winnebago County a willingness to administer said ordinance on behalf of Winnebago County; and

WHEREAS, the attached Intergovernmental Agreement has been prepared and approved by the Winnebago County Planning and Zoning Committee, which would allow the Town of Omro to administer said ordinance on behalf of Winnebago County; and

WHEREAS, the Winnebago County Planning and Zoning Committee believes that said Intergovernmental Agreement would serve the best interest of the citizens of Winnebago County and the Town of Omro.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the attached Intergovernmental Agreement which would provide for the administration of Section 17.31 of the General Code of Winnebago County dealing with construction site erosion control and storm water management by the Town of Omro.

Submitted by:
PLANNING & ZONING COMMITTEE

Motion by Supervisor Schaidler and seconded to adopt. Ayes: 34. Nays: 0. Excused: 3 - Pech, Steineke and Widener. Absent: 1 - O'Brien. CARRIED.

RESOLUTION NO. 53-62004: Authorize Intergovernmental Agreement Between Winnebago County and Town of Algoma: Administration of 17.31, General Code of Winnebago County (Construction Site Erosion Control and Storm Water Management Ordinance)

WHEREAS, Winnebago County recently enacted Section 17.31, General Code of Winnebago County, dealing with construction and erosion control and storm water management; and

WHEREAS, the Town of Algoma has indicated to Winnebago County a willingness to administer said ordinance on behalf of Winnebago County; and

WHEREAS, the attached Intergovernmental Agreement has been prepared and approved by the Winnebago County Planning and Zoning Committee, which would allow the Town of Algoma to administer said ordinance on behalf of Winnebago County; and

WHEREAS, the Winnebago County Planning and Zoning Committee believes that said Intergovernmental Agreement would serve the best interest of the citizens of Winnebago County and the Town of Algoma.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the attached Intergovernmental Agreement which would provide for the administration of Section 17.31 of the General Code of Winnebago County dealing with construction site erosion control and storm water management by the Town of Algoma.

Submitted by:
PLANNING & ZONING COMMITTEE

Motion by Supervisor Schaidler and seconded to adopt. Ayes: 34. Nays: 0. Excused: 3 - Pech, Steineke and Widener. Absent: 1 - O'Brien. CARRIED.

RESOLUTION NO. 54-62004: Transfer \$110,000 from General Fund Balance to Park View Capital Outlay Account for the Purchase and Installation of Fire Recall Systems on All Elevators at Pleasant Acres.

WHEREAS, a recent change in the Life Safety Code now requires medical facilities such as Park View to have a fire recall system on all elevators if the building exceeds the height of 25 feet; and
WHEREAS, the Pleasant Acres facility has a height of 33 feet; and
WHEREAS, the requirement to upgrade the control systems was not known prior to the 2004 budget process;
and

WHEREAS, the deficiency was discovered during a routine inspection by State Surveyors and resulted in a non-waiverable citation; and

WHEREAS, the cost to purchase and install the systems at Pleasant Acres is approximately \$110,000.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby transfers \$110,000 from the Undesignated Fund Balance of the General Fund of Winnebago County to the Capital Outlay account of Park View Health Center for the purchase and installation of such fire recall systems on the three elevators at Pleasant Acres.

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

Motion by Supervisor Arne and seconded to adopt. Motion by Supervisor Arne to correct the amount on Lines 3, 20, 22 and 27 to \$110,225. Vote on amendment CARRIED BY VOICE VOTE.

Motion by Supervisor Thompson to make the following amendments to the resolution:

- Line 15 – Delete "upgrade the control systems" and insert "install a fire recall system".
- Line 19 – Delete "the systems" and insert "a combined control and fire recall system".
- After line 20 – Insert "WHEREAS, the number of years of expected use of the buildings at Pleasant Acres is unknown at the present time, and may be very limited, it is desirable to consider adding the required fire recall system without replacing the entire elevator control system.

WHEREAS, the cost difference between addition of a fire recall system and replacing the entire control system which includes a fire recall system is not known, and may be substantial."

- Delete lines 21-25 and insert: "NOW, THEREFORE BE IT RESOLVED by the Winnebago County Board of Supervisors that firm written quotations be obtained, showing the costs of (A) adding a fire recall system to the three elevators at Park View Health Center; and (B) installing a combined control system that includes a fire recall system; AND, if the difference between the two quotations be less than \$30,000, the combined control system be installed. If the difference be \$30,000 or more, only the fire recall system shall be ordered and installed.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby transfer a sum, sufficient to fund said authorized improvement from the undesignated Fund Balance of the General Fund of Winnebago County to the Capital Outlay account of Park View Health Center." No second to Supervisor Thompson's motion.

Vote on resolution as amended by Supervisor Arne: Ayes: 33. Nays: 1 - Thompson. Excused: 3 - Pech, Steineke and Widener. Absent: 1 - O'Brien. CARRIED.

RESOLUTION NO. 57-62004: Disallow Claim of Automotive Rentals, Inc. for Eugene Olson

WHEREAS, your Personnel and Finance Committee has had the claim of Automotive Rentals, Inc. for Eugene Olson 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 Automotive Rentals, Inc. for Eugene Olson dated March 30, 2004, 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 Kline and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 58-62004: Disallow Claim of Tim DeBord

WHEREAS, your Personnel and Finance Committee has had the claim of Tim DeBord 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 Tim DeBord dated April 13, 2004, 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 Kline and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO 59-62004: Disallow Claim of Mark Olson

WHEREAS, your Personnel and Finance Committee has had the claim of Mark Olson 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 Mark Olson dated March 30, 2004, 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 Kline and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 60-62004: Authorize Support for a Voluntary Effort to Reduce Air Emissions from All Sources Within Winnebago County

WHEREAS, since 2003, Winnebago County has been at risk of being designated as a "non-attainment" county by the Wisconsin Department of Natural Resources and the United States Environmental Protection Agency; and

WHEREAS, "non-attainment" status is triggered by a numeric score for air quality of 85 or greater for four or more days during a calendar year; and

WHEREAS, poor air quality days or "ozone alert" days typically occur during the hottest days of the summer during times of low or no air movement; and

WHEREAS, in 2003 the air quality score for the DNR monitoring site located in Oshkosh was 79 ppb, bringing the County closer to non-attainment; and

WHEREAS, the potential health effects on County residents include irritation of the respiratory system, reduced lung function, increased asthma problems, inflammation of the lining of the lungs and other negative health effects with persons most affected including children, adults who are active outdoors, people with respiratory diseases and people with unusual susceptibility to ozone; and

WHEREAS, "non-attainment" status also has financial impacts on individuals, business and industry that includes but is not limited to the following:

1. Required use of reformulated fuels. Currently, reformulated fuels cost an additional 8 cents per gallon or about a 4% increase over early May, 2004 fuel prices. For a typical sport utility vehicle the annualized cost of reformulated fuel is in excess of \$50.00.
2. Annual vehicle inspections to assure that all emissions control devices are in working order. The average cost of emissions equipment repairs after a vehicle fails to pass an inspection is \$300.00.
3. Increased regulations of business and industry to further reduce air emissions. The cost of increased regulation is incalculable; and

WHEREAS, citizens, business and industry can take numerous voluntary actions on ozone alert days that

together will improve the air quality within Winnebago County. Such actions include, but are not limited to, the following:

1. Combine trips for business, errands and recreation.
2. Fill your vehicle's fuel tank in the evening.
3. Postpone lawn mowing and landscaping chores that use gasoline-powered equipment.
4. Carpool, bus, walk or bicycle to work.
5. Avoid using gasoline-powered recreational vehicles.
6. Avoid vehicle idling and jackrabbit starts.
7. Conserve energy in your home.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby supports the efforts of individual citizens, local governments, business and industry to undertake voluntary efforts to reduce all sources of air emissions in Winnebago County in order to protect the health of County and area residents and, to the extent possible, reduce the chance of Winnebago County being designated a "non-attainment" County by the Wisconsin Department of Natural Resources and the United States Environmental Protection Agency.

Submitted by:
STAN KLINE, DIST. #25
COUNTY BOARD SUPERVISOR

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 61-62004: Authority to Execute 2004-2006 Labor Agreement with the Winnebago County Highway Department Employees' Union, Local 1903, AFSCME, AFL-CIO

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the County Executive and the County Clerk be, and they hereby are, authorized to execute a three-year Agreement on behalf of Winnebago County and the Winnebago County Highway Department Employees' Union, Local 1903, AFSCME, AFL-CIO, for the years 2004, 2005 and 2006, effective January 1, 2004, which Agreement will provide the following major changes from the previous Agreement:

- 1) **WAGES**
 - 2.5% across-the-board (atb) increase effective January 1, 2004
 - \$0.15/hour atb increase effective October 1, 2004
 - 3.0% atb increase effective January 1, 2005
 - \$0.15/hour atb increase effective October 1, 2005
 - 3.0% atb increase effective January 1, 2006
 - \$0.20/hour atb increase effective April 1, 2006
 - \$0.15/hour atb increase effective October 1, 2006
- 2) **ARTICLE 7 – LAYOFF**

A Voluntary Layoff procedure is established.
- 3) **ARTICLE 14 – SICK LEAVE WITH PAY/DENTAL INSURANCE**
 - A. Effective January 1, 2005, all employees hired on or after January 1, 2005, and employees who elect to participate in the group dental insurance/sick leave package will accrue sick leave with pay benefits on January 1 of each year at the rate of eight (8) days per year (64 hours). Unused sick leave will accumulate from year to year. The County agrees to make available to these employees, on a voluntary basis, a dental insurance plan comparable to that offered to administrative personnel. The County will pay ninety (90) percent of the cost of the family and single plans and the employee will pay ten (10) per cent of the cost of the family and single plan.
 - B. Effective January 1, 2004, sick leave termination benefit will increase to fifty (50) percent of an employee's unused sick leave which will be paid to the retiree upon retirement. Effective January 1, 2005, the benefit will increase to sixty (60) percent. Effective January 1, 2006, the benefit will increase to sixty-five (65) percent.
- 4) **ARTICLE 18 – GROUP HEALTH PROGRAM**

- A. Effective October 1, 2004, employees will pay seven and one-half (7 ½) percent per month of the premium for health insurance, not to exceed forty dollars (\$40) for single coverage and eighty dollars (\$80) for double and family coverage.
- B. Effective October 1, 2005, employees will pay ten (10) percent per month of the premium for health insurance, not to exceed fifty dollars (\$50) for single coverage and one hundred dollars (\$100) for double and family coverage.
- C. Effective April 1, 2006, employees will pay twelve and one-half (12 ½) percent per month of the premium for health insurance, not to exceed seventy dollars (\$70) for single coverage and one hundred forty dollars (\$140) for double and family coverage.
- D. Effective October 1, 2006, employees will pay fifteen (15) percent per month of the premium for health insurance, not to exceed eighty dollars (\$80) for single coverage and one hundred sixty dollars (\$160) for double and family coverage.

5) **ARTICLE 12 – HOLIDAYS**

Effective in 2004, the Friday after Thanksgiving will be a holiday.

6) **ARTICLE 13 – VACATIONS**

Effective January 1, 2005, an additional one-half day of vacation will be provided every two (2) years after twenty (20) years of service to a maximum of thirty (30) days of vacation.

7) **ARTICLE 5 - PROBATIONARY EMPLOYEES**

Amend the length of time that temporary employees may be employed from 150 calendar days to 165 calendar days.

8) **ARTICLE 21 – OVERTIME**

Amend the language to allow the accumulation of compensatory time, not to exceed forty (40) hours.

In addition to the foregoing, the new agreement provides for modifications to the articles covering hours of work, job classifications and duration and revisions to Appendix A (pay schedules).

Submitted by,
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 33. Nays: 1 - Rengstorf. Excused: 3 - Pech, Steineke and Widener. Absent: 1 - O'Brien. CARRIED.

RESOLUTION NO. 62-62004: Authority to Execute 2004-2006 Labor Agreement with the Winnebago County Department of Human Services Employees, Local 2228, AFSCME, AFL-CIO

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the County Executive and the County Clerk be, and they hereby are, authorized to execute a three-year Agreement on behalf of Winnebago County and the Winnebago County Department of Human Services Employees, Local 2228, AFSCME, AFL-CIO, for the years 2004, 2005 and 2006, effective January 1, 2004, which Agreement will provide the following major changes from the previous Agreement:

1) **WAGES**

- 2.5% across-the-board (atb) increase effective January 1, 2004
- \$0.15/hour atb increase effective October 1, 2004
- 3.0% atb increase effective January 1, 2005
- \$0.15/hour atb increase effective October 1, 2005
- 3.0% atb increase effective January 1, 2006
- \$0.20/hour atb increase effective April 1, 2006
- \$0.15/hour atb increase effective October 1, 2006

2) **ARTICLE 7 – LAYOFF**

A Voluntary Layoff procedure is established.

3) **ARTICLE 14 – SICK LEAVE WITH PAY**

Effective January 1, 2005, the sick leave termination benefit will increase from fifty (50) percent to sixty (60) percent of an employee's unused sick leave which will be paid to the retiree upon retirement. Effective January 1, 2006, the benefit will increase to sixty-five (65) percent.

4) **ARTICLE 19 – GROUP HEALTH PROGRAM**

- A. Effective October 1, 2004, employees will pay seven and one-half (7 ½) percent per month of the premium for health insurance, not to exceed forty dollars (\$40) for single coverage and eighty dollars (\$80) for double and family coverage.
- B. Effective October 1, 2005, employees will pay ten (10) percent per month of the premium for health insurance, not to exceed fifty dollars (\$50) for single coverage and one hundred dollars (\$100) for double and family coverage.
- C. Effective April 1, 2006, employees will pay twelve and one-half (12 ½) percent per month of the premium for health insurance, not to exceed seventy dollars (\$70) for single coverage and one hundred forty dollars (\$140) for double and family coverage.
- D. Effective October 1, 2006, employees will pay fifteen (15) percent per month of the premium for health insurance, not to exceed eighty dollars (\$80) for single coverage and one hundred sixty dollars (\$160) for double and family coverage.

5) **ARTICLE 22 – OVERTIME**

Amend the language to allow for mandatory overtime assignments by seniority

In addition to the foregoing, the new agreement provides for modifications to the articles covering probationary employees, grievance procedure, job posting, vacations, funeral leave and duration and revisions to the Pay Schedule Appendices.

Submitted by,
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 33. Nays: 1 – Rengstorf. Excused: 3 - Pech, Steineke and Widener. Absent: 1 - O'Brien. CARRIED.

Chairman Albrecht announced that the July 6, 2004 Special Orders meeting has been cancelled.

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, July 13, 2004. CARRIED BY VOICE VOTE.

The meeting was adjourned at approximately 8:05 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 June 15, 2004.

Susan T. Ertmer
Winnebago County Clerk