

**ADJOURNED SESSION
COUNTY BOARD MEETING
TUESDAY, AUGUST 17, 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: Barker, Griesbach, Hotynski, Maehl, Koziczowski, Klitzke, Widener, Lauson, Albrecht, Pech, Thompson, Steineke, Lennon, Machotka, Sundquist, Wingren, Jacobson, Norton, Warnke, Nielsen, Robl, Kline, Lorenz, Kramer, Schaidler, Farrey, Sievert, Arne, Diakoff, Brennand, Egan, Rankin, Rengstorf, Harris, Finch and O'Brien. Excused: Scoville and Weber.

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

COMMUNICATIONS, PETITIONS, ETC.

Information on the WCA's educational seminar entitled, "Homeland Security" was shared with the Board. It will be held on Monday, August 30 in Eau Claire. Anyone interested in attending should contact the County Clerk's Office.

Notice of Claim for Brian Johns for money missing at the time of his release from the jail was referred to the Personnel & Finance Committee.

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

- Dunn County – Resolution No. 82 – "urging the Wisconsin state legislature to introduce and support legislation requiring computer and consumer electronics producers to take back their products, phase out the use of hazardous materials and recycle these products responsibly."
- Sauk County – Resolution 106-04 – "Respectfully Recommending Consideration of Broadening the State Sales Tax to Fund the K-12 Educational System"

Petition for Zoning Amendment from Ted E. Dominowski, Town of Menasha, 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 George Dearborn, Town of Menasha, for zoning change from B-5 to B-5 for allowed district uses was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Kathryn J. Boss-Thomsen, Town of Oshkosh, for zoning change from R-1 to R-2 for a single family residence was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Jim Snyder, Town of Clayton, for zoning change from R-2 to R-2 and R-3 for a one and two-family residences was referred to the Planning & Zoning Committee.

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

Petition for Zoning Amendment from Carol Wiese, Town of Clayton, for zoning change from B-3 to M-2 for engine re-manufacturing was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from James B. Potratz, Town of Omro, for zoning change from R-1/A-2 to A-2 for farming was referred to the Planning & Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Barker announced there will not be a Legislative Committee meeting this month.

Supervisor Koziczowski stated he had attended the NACo Convention in Phoenix Arizona. He brought back information from seminars he attended and hoped to share it with department heads to see if any was relevant.

Supervisor Maehl asked each supervisor to look at the WCA Handbook that had been placed on their desk. He encourage each supervisor to read the entire book and share its' contents with their constituents.

Supervisor Egan reported the Facilities budget will be over by approximately \$100,000 due to increased heat and utility costs.

Supervisor Arne invited the County Board to attend a joint meeting of the Park View Health Center and Facilities & Property Management Committees to be held on Wednesday, August 25 at 3:30 p.m. in the Pleasant Acres lounge. Mike Elder, Director of Facilities will give a report on repairs and capital projects that would be needed over the next 5-10 years. This will assist the committees in determining if status quo, repair or replacement is the appropriate action.

Supervisor Pech asked Supervisor Arne if the meeting could be changed to the evening to accommodate those who work during the day.

Supervisor Sundquist asked supervisors to look at the insert to the WCA Handbook entitled "County

Government-History, Services, Funding". Supervisor Sundquist suggested each supervisor read the pamphlet, as they will be surprised at the programs and services provided by the County.

Supervisor Jacobson reported Park View Health Center income statement showed 59.8% of projected revenue and 55.8% of projected expenses through July, 2004. Their projected budget for 2005 should be approximately \$944 less than this year.

Motion by Supervisor Robl and seconded to approve the July 13, 2004 County Board proceedings.
CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

County Executive Van De Hey stated she was happy to see so many supervisors attending the Winnebago County Fair this year. Executive Van De Hey attended the City of Neenah dedication of the Veterans Memorial Bridge, which is the linkage between the cities of Neenah and Menasha.

Executive Van De Hey attended the ground breaking of the new tower at Wittman Regional Airport. Supervisor Nielsen added the Federal Government is paying \$4 million. The tower will be 125 feet compared to the 65 feet for the current tower and take approximately 1 1/2 years to build.

COUNTY EXECUTIVE'S APPOINTMENTS

Director of Land & Water Conservation Department

Executive Van De Hey asked for the Board's approval of her appointment of Tom Davies as the Director of the Land & Water Conservation Department. Motion by Supervisor Barker and seconded to approve. CARRIED BY VOICE VOTE.

Director of Wittman Regional Airport

Executive Van De Hey asked for the Board's approval of her appointment of Ruth Elliott as the Director of Wittman Regional Airport. Motion by Supervisor Lauson and seconded to approve. CARRIED BY VOICE VOTE.

Board of Adjustment

Executive Van De Hey asked for the Board's approval of her re-appointments of Arden Schroeder and Greg Kargus to the Winnebago County Board of Adjustment. These are three-year terms that will expire on June 30, 2007. Motion by Supervisor Lauson and seconded to approve. CARRIED BY VOICE VOTE.

Local Emergency Planning Committee

Executive Van De Hey asked for the Board's approval of her appointment of Jon Lee, Disaster Services Coordinator, American Red Cross, 36 Broad Street, Suite 150, Oshkosh, to the Local Emergency Planning Committee. Mr. Lee is filling the unexpired term of Ann Largario. His term will expire on December 31, 2006. Motion by Supervisor Sievert and seconded to adopt. CARRIED BY VOICE VOTE.

W-2 Steering Committee

Executive Van De Hey asked for the Board's approval of her appointment of Katherine Hanson, 1747A Maricopa, Oshkosh to the W-2 Steering Committee. Motion by Supervisor Sievert and seconded to adopt. CARRIED BY VOICE VOTE.

Solid Waste Management Board

Executive Van De Hey asked for the Board's approval of her appointment of Roger Jaeger, 214 East River Drive, Omro to the Solid Waste Management Board. Mr. Jaeger will fill the unexpired term of David D. Eisele. His term will expire on April 21, 2005. Motion by Supervisor Lauson and seconded to adopt. CARRIED BY VOICE VOTE.

EAST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION – HARLAN KIESOW

Harlan Kiesow, Executive Director of East Central Wisconsin Regional Planning Commission presented his annual report. Mr. Kiesow referred the supervisors to the "Annual Report" on their desk. The "Annual Report" lists commissioners, an overview of major projects from last year and a breakdown of activities by county.

Mr. Kiesow then gave a listing of major initiatives undertaken by East Central Wisconsin Regional Planning Commission:

- Regional Comprehensive Plan (Smart Growth Plan) - Although this was started in the 1970's, new state regulations have made it necessary to update the "Plan". The "Plan" is being worked on in stages called "Milestone Reports":

- Milestone Report 1 - Conditions and status of the region (adopted one year ago);
- Milestone Report 2 - Developing a vision for the region (developed spring, 2004);
- Milestone Report 3 - This is the main portion of the plan. This looks at what the future would be and how to reach it (coming out fall of 2004)
- Milestone Report 4 - Program implementation (April, 2005).

- Transportation - part of the Comprehensive Plan.
- Aerial Photography - In 2000 a regional aerial photography program was offered. East Central Wisconsin Regional Planning Commission sponsored the program. In 2005, the program will again be offered with East Central Wisconsin Regional Planning coordinating the program; however, the individual counties will contract for the flight costs. Winnebago County is expecting to participate.
- Update the Fox Cities and Oshkosh urban area transportation plans. In order to qualify for federal funds, certain criteria must be met every 5 years.
- Update of sewer service area plans. This is done every 5 years.
- NEW Study, Northeast Wisconsin Economic Study will cover 17 counties, including Winnebago County. The study is scheduled to be completed next month. It will evaluate the economy including jobs and industry. A presentation will be made to the County Board this fall.
- Northeast Wisconsin Technology Zone. East Central Wisconsin Regional Planning Commission does the administrative and technical work. This is a state program that promotes technology based industry and covers 17 counties.
- Work on the Fox River Navigational System and the Fox Locks. The Fox River Navigational Authority was formed and the governor appointed a 9-person committee, which has been working in the organizational stage. The transfer of the Fox River System from the Federal Government to Wisconsin is expected in September.
- Wind energy
- Fox Valley Ground Water Advisory Committee.
- Highway projects - including Highway 21 and 45 corridors and County Trunk A.
- All Hazard Management Plan. Winnebago County is one of the few counties that applied for and received an All Hazard Management grant to develop a plan. This plan will be presented to the County Board when completed.
- A study sponsored by the Fox Cities Economic Partnership to look at the feasibility of a Regional Industrial Park, to be completed spring, 2005.
- Non-metallic mining plan is a program administered in a five county area by East Central Wisconsin Regional Planning to do mine reclamation's for quarry's and gravel pits.

EAST WISCONSIN COUNTIES RAILROAD CONSORTIUM – KEN LUCHT & L. FRANK HUNTINGTON

Executive Van De Hey introduced Frank Huntington from Wisconsin Department of Transportation, Bureau of Rails and Harbors. Mr. Huntington said currently the State and East Wisconsin Counties Railroad Consortium owns 500 miles of railway.

In the mid 1970's several private railroad companies felt several branch lines were not profitable and abandoned them. Instead of having the line revert to private ownership, the State of Wisconsin asked the counties to form a consortium, since the State could not own infrastructure at that time. The land remained owned by the Wisconsin Bureau of Railroads and Harbors, but the transit commission took over the ownership of the infrastructure.

Mr. Huntington said the Rail Transit Commission is eligible for State Grants through the Bureau of Railroad and Harbors for rehabilitation and expansion of railroad service. The State pays 80% and 20% is a local match with counties, businesses, etc.

Mr. Huntington said 1990's growth projections were made for the year 2020. Those projections have already been passed. They are now predicting growth will increase 50% by 2020, with most growth from Highways.

Chairman Albrecht introduced Ken Lucht, Wisconsin and Southern Railroad Company. Mr. Lucht stated Wisconsin Southern Railroad Company services 18 counties. It has a long- term 50-year contract with the State of Wisconsin to do all the maintenance on the corridors. Wisconsin and South Railroad Company has exclusive operation rights for all state-owned railways.

Mr. Lucht said the current rails handle cars weighing 263,000 pounds; however, most new cars weigh 286,000 pounds. Without the ability to transport the heavier cars, Wisconsin Southern Railroad Company and other small rail companies will fall behind. Neither the rails nor the bridges are 286 compliant since they were laid 80 to 90 years ago.

In response to the weight problem, approximately three years ago, Wisconsin Southern Railroad Company began discussing a way to develop a capital improvement plan known as the "3-5-7 Plan". The "3-5-7 Plan" is a

capital improvement plan, which is a roadway map for system improvements to be 286 compliant. The plan prioritizes system improvements and looks at the mainline core system, which is from Oshkosh to Milwaukee, Milwaukee to Janesville and Janesville to Madison.

In August, 2002, the Wisconsin River Rail Transit Commission, which is a partner of the East Wisconsin Counties Railroad Consortium, was the first commission to approve the concept of the "3-5-7 Plan". East Wisconsin Railroad Consortium, Pink Lady Rail Transit System and the Pecatonica Rail Transit Commission followed with their approval.

Mr. Lucht said a booklet with aerial pictures has been prepared by East Wisconsin Railroad Consortium, which outlines the dynamics and challenges facing Winnebago County. Quarterly newsletters are also mailed to each supervisor.

One of the aspects of the "3-5-7 Plan" is a rehabilitation project. Mr. Lucht said in 2003, Wisconsin and Southern Railroad Company started planning a project in Rock County from Milton Junction to Janesville. 5 1/2 miles of 80 year old rails were replaced as well as work done to install switches, upgrade crossings and replace one out of every 4 ties. Mr. Lucht stated this project is the "heart of the system" and connects the north (Oshkosh to Milwaukee) to the south (Janesville to Madison). Most of the rail traffic coming from Winnebago County goes through Milton Junction.

Mr. Lucht said many funding strategies were looked at prior to moving this project into the Capital Improvement Plan because of the State budget crisis. These options were:

- Continue past practice of funding projects where each consortium would fund their own projects;
- Develop strategy based on usage or traffic volume;
- Equal assessment for all counties (15) that are serviced by Wisconsin and Southern Railroad Company.

Mr. Lucht stated it was determined the equal assessment was the most equitable formula. As of today, 14 of the 15 counties have approved funding for the Milton Junction project.

Mr. Lucht said Wisconsin and Southern Railroad Company provide rail service to several businesses in Winnebago County including Bemis Converter, Pickett Cooperative, Olson Milling Warehouse of Wisconsin, Utica Energy, Oshkosh Truck and Wisconsin Trucking. Mr. Lucht said these companies employ more than 2400 people, pay property taxes of \$800,000 per year of which Winnebago County receives almost \$300,000. 1800 railcars come from Winnebago County, which reduces the number of trucks on the highway by 6700.

Mr. Lucht concluded his presentation by stating Wisconsin and Southern Railroad Company is an economic development arm for Winnebago County.

CHAIRMAN'S REPORT

Chairman Albrecht read a thank you note from Katie Sawicki, a 2004 scholarship winner. Chairman Albrecht stated he spent some time at the Fair giving awards to 4-H youth. He stated this was money well spent considering one million dollars is spent by Human Services to place youth in delinquency schools.

At approximately 7:05 p.m., Chairman Albrecht called for a recess. At approximately 7:20 p.m., Chairman Albrecht called the meeting back to order.

PUBLIC HEARING

No one addressed the board.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested text amendment to the county's zoning ordinance. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-01-04. A request for text amendment to Sec. 17.05(4) to add item (d). Motion by Supervisor Schaidler and seconded to adopt. Ayes: 34. Nays: 2 - Arne and Rengstorf. Excused: 2 - Scoville and Weber. CARRIED. (Effective date – August 24, 2004)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Grundy Farms, Inc., c/o G. Philip Grundy, Town of Oshkosh, for zoning change to R-1. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-02-04. 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 – August 24, 2004)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Keith Orcutt, Town of Clayton, for zoning change to A-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-03-04. 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 – August 24, 2004)

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners Joachim Weigel/Mary Alice Eisch, Town of Clayton, for zoning change to A-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-04-04. A request for zoning change from A-1 (Exclusive Ag) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – August 24, 2004)

REPORT NO. 005. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners Russell & Margeret Rilling, Town of Omro, for zoning change to R-1 for Lot 1 and A-2 for Lot 2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-05-04. A request for zoning change from R-1/A-2 (Single Family non-subdivided/General Farming) to R-1 (single family non-subdivided) for Lot 1 and A-2 (General Farming) for Lot 2. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – August 24, 2004)

REPORT NO. 006. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Mariel 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. 08-06-04. 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 – August 24, 2004)

REPORT NO. 007. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Tim Burns and property owner Alexander Irvine, Town of Algoma, for zoning change to R-1. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-07-04. 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 – August 24, 2004)

REPORT NO. 008. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners LeRoy G. and Laura A. Rank, Town of Nekimi, for zoning change to A-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-08-04. 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 – August 24, 2004)

REPORT NO. 009. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants Burton & Nancy Bradley and property owners David M. & Sally A. Clark, Town of Nekimi, for zoning change to A-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-09-04. A request for zoning change from A-1 (Exclusive Ag) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – August 24, 2004)

AMENDATORY ORDINANCE NO. 10. A request from the Town of Rushford on behalf of Arloene Runge, for zoning change from AG-1 to AG-2. Motion by Supervisor Rengstorf and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – August 24, 2004)

AMENDATORY ORDINANCE NO. 11. A request from the Town of Rushford on behalf of Ronald & Nancy Gehrke for zoning change from AG-1 to AG-2. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – August 24, 2004)

AMENDATORY ORDINANCE NO. 12. A request from the Town of Black Wolf on behalf of Vienola Ventures for zoning change from A-2 to R-1. Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – August 24, 2004)

AMENDATORY ORDINANCE NO. 13. A request from the Town of Vinland on behalf of Jim & Debra Williams and Donald Bartlett for zoning change from A-1/R-1 to A-2. Motion by Supervisor Farrey and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – August 24, 2004)

RESOLUTIONS & ORDINANCES

RESOLUTION NO. 78-82004: Request Public Dialogue with State Legislature Regarding Taxpayers Bill of Rights Amendment

WHEREAS, Assembly Substitute Amendment to 2003 Assembly Joint Resolution 55 was introduced in the Wisconsin State Assembly by Representative Frank Lasee; and

WHEREAS, said amendment is a proposed constitutional amendment modeled directly after a constitutional amendment adopted in the State of Colorado in 1992 called the Taxpayer Bill of Rights or "TABOR"; and

WHEREAS, the adoption of Assembly Substitute Amendment to 2003 Assembly Joint Resolution 55 would place into the Wisconsin Constitution a formula limiting annual increases in spending each year for all levels of government in Wisconsin which would be linked to the Consumer Price Index plus varying factors which are dependent on individual municipalities; and

WHEREAS, the State of Colorado is currently engulfed in a debate over whether to suspend or repeal TABOR due to significant budget shortfalls, a growing backlog in road projects and a ranking near the bottom of 50 states in high school graduation rates, immunization rates, higher education funding and health care coverage for children and prenatal care; and

WHEREAS, Assembly Substitute Amendment to 2003 Assembly Joint Resolution 55 is currently being reworked by groups within the Assembly and Senate in an effort to craft a new proposed Constitutional Amendment which attempts to remedy some of the errors made within the State of Colorado; and

WHEREAS, it is the opinion of your Committee that the primary lesson learned from the State of Colorado is that the placement of strict formulas in the Constitution limiting municipal spending does not allow local government to have the elasticity to react to changing circumstances or inherent flaws within the funding formula; and

WHEREAS, the Legislative Committee believes that before any amendment of this type is made to the Wisconsin Constitution, there should be first a thorough public discourse with the taxpaying public to ensure that the public has a proper understanding of the proposal; and

WHEREAS, prior to the implementation of any passage or implementation of any said proposed Constitutional Amendment, all governmental entities within the State of Wisconsin should have the ability to create physical models using a formula contained within the Constitutional Amendment to learn what the impact would be upon the municipality if such a formula had been in place in previous years as well as what such formula will mean in the future; and

WHEREAS, in 1990, the overwhelming majority of the public in the State of Wisconsin (70%) went on record in an advisory referendum stating that the Constitution should be amended to "require the State of Wisconsin to fully fund any program, service or benefit which it requires local government to provide".

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby urges the Wisconsin State Legislature to allow time for meaningful public dialogue and input before considering the adoption of a proposed Constitutional Amendment similar to the Taxpayers Bill of Rights Amendment which was adopted in the State of Colorado.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it urges the Wisconsin State Legislature to not utilize the Wisconsin State Constitution as a means for implementing fiscal policy changes within the state and instead to use State Statutes or Administrative Code Rules for such purposes.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it urges the Wisconsin State Legislature, should it pass a proposed Constitutional Amendment, to require that said amendment include language reflecting the intent of the citizens of the State of Wisconsin to "require the State to fully fund any program or service or benefit it requires local government to provide".

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of this resolution be transmitted to all State Senators and representatives 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. Supervisor Pech made the following friendly amendment to include "the Majority and Minority Leaders," on line 69. CARRIED BY VOICE VOTE.

RESOLUTION NO. 79-82004: Decline Responsibility for Enforcement of Uniform Dwelling Code

WHEREAS, on December 18, 2003, Governor James Doyle signed into law the Home Safety Act (Act 90);
and

WHEREAS, said statute places into affect the Uniform Dwelling Code within Winnebago County; and

WHEREAS, said law provides counties and municipalities with the option of adopting an ordinance for enforcement of the Uniform Dwelling Code although such law does not require counties and municipalities to do so;
and

WHEREAS, if no action is taken by a county or municipality prior to January 1, 2005, the Wisconsin Department of Commerce shall enforce the Uniform Dwelling Code for new homes in municipalities without local enforcement; and

WHEREAS, it is likely that some of the towns within Winnebago County shall adopt an ordinance for enforcement of the Uniform Dwelling Code within those towns; and

WHEREAS, it would not be cost effective for the County to hire an individual and have that person certified in all required aspects of home inspection; and

WHEREAS, the Winnebago County Planning and Zoning Committee believes that it would be in the best interest of Winnebago County to allow for individual municipal inspection or state inspection of all new homes within Winnebago County municipalities pursuant to the Uniform Dwelling Code.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby declares it to be Winnebago County's formal policy to decline to participate in the enforcement of Uniform Dwelling Code pursuant to the Wisconsin Home Safety Act.

Submitted by:
PLANNING & ZONING COMMITTEE

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

RESOLUTION NO. 80-82004: Commendation for Mary J. Mertz

WHEREAS, Mary Mertz has been employed with Winnebago County Sheriff's Department-911 Communications Center, for the past twenty-nine years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Mary Mertz 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 Mary Mertz 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 Mary Mertz.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 81-82004: Commendation for Nancy Neubauer

WHEREAS, Nancy Neubauer has been employed with Park View Health Center, for the past twenty-five years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Nancy Neubauer 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 Nancy Neubauer 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 Nancy Neubauer.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 82-82004: Commendation for Jill Rooyakkers

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

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 83-82004: Transfer \$3,528 from Salary Contingency Fund to Fringe Benefit Account of County Clerks Office

WHEREAS, a position in the County Clerks office was vacated in November of 2003; and
WHEREAS, a new person has been hired to fill the vacant position; and
WHEREAS, the newly hired person takes County Health Insurance where the other employee did not; and
WHEREAS, there was no way of knowing this when the 2004 budget was prepared; and
WHEREAS, as a result of this different benefit election, the County Clerks "fringe benefit account" will not have sufficient funds to cover the entire year 2004.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$3,528 from the Salary Contingency Fund to the Fringe Benefit Account of the County Clerk Department to cover the additional fringe benefit cost resulting from this turnover.

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

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

RESOLUTION NO. 84-82004: Support Consolidation of Law Enforcement Services

WHEREAS, all municipalities are being faced with budget shortfalls at the present time within Winnebago County; and

WHEREAS, the Judiciary and Public Safety Committee of the Winnebago County Board of Supervisors believes that law enforcement agencies within the County should be exploring ways to consolidate services rather than cutting services; and

WHEREAS, the consolidation of law enforcement services by a county requires, at the present time, the approval of the Sheriff of that County; and

WHEREAS, in order to consolidate law enforcement services, it is necessary that legislation be enacted which would allow counties, rather than individual Sheriffs, to determine the duties of a Sheriff within a county; and

WHEREAS, such legislation would require constitutional change requiring a protracted process prior to enactment.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it supports consolidation of law enforcement services within Winnebago County.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it supports the enactment of a constitutional amendment so as to allow counties to determine which duties are performed by a Sheriff within an individual county.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of this resolution be transmitted by the Winnebago County Clerk to all legislators representing constituents within Winnebago County; to the Wisconsin Counties Association and to the Office of Governor James Doyle.

Submitted by:
JUDICIARY AND PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 34. Nays: 2 - Finch and Arne. Excused: 2 - Scoville and Weber. CARRIED.

ORDINANCE NO. 85-82004: Increase Per Capita Daily Costs for Huber Law Prisoners (Section 5.01(2)(a) General Code of Winnebago County)

WHEREAS, Huber Law prisoners are presently assessed a fee of \$18.00 per day for board while incarcerated at the Winnebago County Jail; and

WHEREAS, there has been no increase in the rate charged for board to Huber Law prisoners for over one (1) year; and

WHEREAS, the Winnebago County Sheriff has recommended that said fee be raised incrementally over the next two (2) years to cover the cost of boarding Huber Law prisoners.

NOW, THEREFORE, the County Board of Supervisors of the County of Winnebago does ordain as follows: Section 5.01(2)(a) of the General Code of Winnebago County be amended to read as follows:

5.01 HUBER LAW PRISONERS ...

(2) **PER CAPITA DAILY COSTS.** (a) The per capita daily charge for maintenance and costs of the prisoner's board in the County Jail is hereby established at a rate of \$19.00 per day for all Huber Law prisoners. Each prisoner shall be charged for all meals served for each day incarcerated, regardless if the prisoner actually consuming each meal. The per day charge for all Huber Law prisoners shall be amended to the following amounts on the following dates:

January 1, 2005.....	\$ 19.25
July 1, 2005.....	\$ 19.50
January 1, 2006.....	\$ 19.75
July 1, 2006.....	\$ 20.00

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that said amendment shall become effective as of September 1, 2004.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 34. Nays: 2 - Klitzke and Norton. Excused: 2 - Scoville and Weber. CARRIED.

RESOLUTION NO. 86-82004: Authority to Execute 2004-2006 Labor Agreement with the Winnebago County Bridgetenders' Union, Local 1280 Unit, 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 Bridgetenders' Union, Local 1280 Unit, 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 – LAYOFFS**

Incorporate a Voluntary Layoff provision into the Agreement.

3) **ARTICLE 12 – 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 May 1 of each year at the rate of four (4) days per year (32 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, upon voluntary termination, a non-probationary employee will be eligible for a payout of thirty-five percent (35%) of his accumulated unused sick leave at his rate of pay in effect at the time of voluntary termination. 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 17 – INSURANCE**

- 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 29 – VACATION**

Employees after their twentieth season of service will receive one hundred (100) hours of vacation pay.

6) **ARTICLE 31 – WAGE SCHEDULE**

Shift Differential: Employees working the 4:00 p.m. – 12:00 midnight shift will receive an additional twenty-five cents (\$0.25) per hour.

In addition to the foregoing, the new agreement provides for minor modifications to the articles covering discipline and discharge, grievance procedure, duration and revisions to the pay schedule.

Submitted by,
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 32. Nays: 4 - Pech, Steineke, Farrey and Rengstorf. Excused: 2 - Scoville and Weber. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, September 7, 2004.
CARRIED BY VOICE VOTE.

The meeting was adjourned at 7:50 p.m.

Respectfully submitted,
Patricia Rabe, Deputy
Winnebago County Clerk

State of Wisconsin)
County of Winnebago) ss

I, Patricia Rabe, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their regular meeting held August 17, 2004.

Patricia Rabe, Deputy
Winnebago County Clerk