

**ADJOURNED SESSION
COUNTY BOARD MEETING
TUESDAY, APRIL 19, 2005**

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, Scoville, Maehl, Koziczkowski, Widener, Albrecht, Thompson, Steineke, Lennon, Machotka, Sundquist, Wingren, Jacobson, Norton, Warnke, Tower, Robl, Kline, Kramer, Schaidler, Finch, Farrey, Sievert, Arne, Diakoff, Brennand, Egan, Rengstorf, Lauson, Pech, Rankin, Hotynski and O'Brien. Excused: Weber. Motion by Supervisor Robl and seconded to approve the agenda. CARRIED BY VOICE VOTE.

COMMUNICATIONS, PETITIONS, ETC.

A Notice of Claim from American Family Insurance Group for damages to Francis R. Wagner's vehicle caused by a Winnebago County Highway Department vehicle was referred to the Personnel & Finance Committee.

A letter from Senator Michael Ellis thanking the Board for their support of Assembly Bill 34, the PCB dredged material landfill ban was received.

A letter from Representative Gregg Underheim regarding Assembly Bill 34 relating to the PCB dredged material landfill bill was received.

A letter from Neenah-Menasha Fire Chief Len Vander Wyst thanking the Board for their purchase of the new Husky Air Boat was received.

A mini-conference entitled "How will Aging and Diversity Impact Your Community?" co-sponsored by the East Central Regional Planning Commission and UW-Extension will be held Friday, April 29 at Robbins Restaurant. There is no charge for registration and no need for advance registration.

The following resolutions were received and forwarded to various committees:

- Brown County, Resolution "Supporting State Efforts to Address the Non-Native Aquatic Invasive Species Problem" was referred to the Legislative Committee.
- Eau Claire County, Resolution R148-116 "Opposition to the Department of Natural Resources Use of Wildlife Damage Funds for Chronic Wasting Disease" was referred to the Legislative Committee.
- Jackson County, Resolution No. 12-3-05, "Oppose Downsizing of Intermediate Care Facilities for the Mentally Retarded (ICF-MR)" was referred to the Human Services Board.
- Price County, Resolution No. 4-05 "State Full-funding of Costs Associated with ICF-MR Restructuring" was referred to the Human Services Board.
- La Crosse County, Resolution #98-3/05, "Reduce Youth Smoking" was referred to the Board of Health.
- Marathon County, Resolution #-19-05 "To Reduce Youth Smoking" was referred to the Board of Health.

A "thank you" note was read from Amy Jencks thanking the Board for the scholarship she received for the 2004-2005 school year.

Petition for zoning amendment from Jeff Basler, Town of Nekimi, for zoning change from A-1 to A-2 for residential single family was referred to the Planning & Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Barker informed the Board the Legislative Committee meeting for Monday, April 25 was cancelled. Senator Roessler was unable to attend due to a conflict with a budget meeting; however, she will be at the next meeting scheduled for Monday, May 23. Senator Roessler will discuss raising taxes on cigarettes and giving judges discretion in sentencing drunk drivers. Anyone with agenda items should contact Supervisor Barker.

Supervisor Barker, as a member of the Environmental Land Use Committee, shared 4.2 to 4.5 billion gallons of raw sewerage ends up in unknown places. She encouraged all supervisors to attend the May 16 County Board Tour. One of the stops will be at the Land Conservation Department.

Supervisor Kline stated approximately two months ago, the Board approved waiving interest charges on taxes due so the Ponderosa Pulp building could be sold. The Treasurer received a check for \$463,000 from the sale of this property, which will be placed in the General Fund.

Supervisor Maehl gave an update from WCA on the two advisory referendum questions placed on the April 5 ballot. He stated 68 out of 72 counties placed the advisory referendum questions on their ballot. Of the 1,101,000 ballots cast, 86% voted in favor of the questions. Supervisor Maehl stated the next strategy in the process is enforcement of the referendum questions through the editorial boards and Speakers Bureau.

Supervisor Robl reported John Haese, Highway Commissioner, informed the Highway Committee 80% of the winter funding has been spent.

Motion by Chairman Albrecht and seconded to approve the March 1 and 15, 2005 proceedings. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris asked for a moment of silence in honor of Jerry and James Chang, who lost their lives last Friday in a drowning accident at Winnebago County Park.

Executive Harris offered a suggestion regarding lifeguards at Winnebago County Park. The county is attempting to get the School District, which runs the Recreation Department, to provide the lifeguards for County Park. They had agreed to do so, but they recognize the cost for providing the lifeguards will exceed the revenue for a fee of admission. Executive Harris feels very strongly that everyone from Winnebago County should pay the same admission fee. He is encouraging the Parks Committee to work out a compromise with the School District.

Executive Harris spoke against Resolution No. 179-42005: "Authorize Institution of Community Park Soccer Field Reservation Fees". He stated the Parks Mission Statement is "Provide for the physical maintenance and development of county-owned parkland. Offer recreation programs. Provide access to and navigation aids for major bodies of water. Provide multi-use recreation trails. Promote the use of the county exposition grounds for annual County Fair and other special events." Executive Harris feels by their mission statement, the Parks Department should "offer recreation programs" such as soccer and continue the cooperative efforts that are already in place.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht thanked Supervisor Widener for his contribution to the Scholarship Fund. Chairman Albrecht said he has been interviewing for the open board positions and is hopeful that the openings will be filled by the next board meeting.

COUNTY BOARD CHAIRMAN'S APPOINTMENTS

Facilities & Property Management Committee

Chairman Albrecht asked for approval of his appointment of Supervisor Bill Wingren to the Facilities & Property Management Committee. Supervisor Wingren will replace Supervisor Klitzke, who passed away. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE.

Highway Committee

Chairman Albrecht asked for approval of his appointment of Supervisor Robert Warnke to the Highway Committee. Supervisor Warnke will replace Supervisor Robert Klitzke, who passed away. Motion by Supervisor Robl and seconded to adopt. CARRIED BY VOICE VOTE.

Personnel & Finance Committee

Chairman Albrecht asked for approval of his appointment of Supervisor Joseph Hotynski to the Personnel & Finance Committee. Supervisor Hotynski will replace Supervisor Harris, who resigned from the board. Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE.

BERGSTROM-MAHLER MUSEUM PRESENTATION

Wendy Lloyd, Communications Manager for the Bergstrom-Mahler Museum, wanted the Board to know the museum is more than a "paperweight museum". Ms. Lloyd said the museum has many things to offer including a wonderful summer festival, which is in its 31st year, children's art classes and touring exhibits.

Ms. Lloyd said the Bergstrom-Mahler Museum has a mission "to fostering an understanding of and an appreciation for the arts through the year by offering educational classes, supporting area schools and partnering with organizations to promote the arts in our community". Ms. Lloyd said this mission is met by offering a school outreach program that targets third graders. The program, which was instituted in 1979, brings approximately 3400 children to the museum each year to learn about glass, art and the blending of science and art as well as the traveling exhibits. Grants are available to pay for bussing and there is no admission charge.

PUBLIC HEARING

The following people spoke against Resolution No. 179-42005: "Authorize Institution of Community Park

Soccer Field Reservation Fees”:

- Tom Widzinski, 2677 Fisk Avenue, Town of Black Wolf;
- Bob Reinke, Jr., 3974 Apple Lane, Town of Black Wolf, current president of Oshkosh Youth Soccer;
- Tom Brauer, 1070 W 19th Avenue, Oshkosh, current president of Oshkosh United Soccer;
- Christine Nelson, 1259 Conrad Street, Oshkosh
- Karen Cole, 8472 Samuel Drive, Larsen, Town of Winchester;
- George Dobberke, 6401 Dobberke Lane, Neenah;
- John Petek, 1605 Cresview Drive, Oshkosh.

Gordon Doule, 1225 Summit Avenue, Oshkosh voiced concerns regarding the airport.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Attorney Seubert and property owner Linda Wendt, Town of Black Wolf, for zoning change to B-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 04-01-05. A request for zoning change from R-1 (Single Family subdivided) to B-2 (Community Business). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – April 25, 2005)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Carl VanDommelen, Town of Neenah, for zoning change to R-1. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 04-02-05. A request for zoning change from B-1 (Local Service District) to R-1 (Single Family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – April 25, 2005)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Martenson & Eisele, Jim Smith; and property owner Bachaus Development, Town of Clayton, for zoning change to R-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 04-03-05. 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 – April 25, 2005).

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners Gerald and Barbara Meulemans, Town of Poygan, for zoning change to R-1. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 04-04-05. A request for zoning change from B-2 (Community Business) to R-1 (Single Family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – April 25, 2005).

REPORT NO. 005. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant McMahon Associates, Dave Schmalz; and property owners Palisades Properties INC/Palisades Commercial Properties LLC, Town of Menasha, for zoning change to R-5. Supervisor Schaidler said this report is being pulled per the request of the applicant and owners and will be put on the May agenda.

AMENDATORY ORDINANCE NO. 04-05-05. A request for zoning change from R-4/M-1 (Multiple Family/Light Industrial) to R-5 (Planned Residential). Supervisor Schaidler said this amendatory ordinance is being pulled per the request of the applicant and owners and will be put on the May agenda.

REPORT NO. 006. A report from the Planning & Zoning Committee regarding a requested text amendment from the Winnebago County Planning & Zoning Committee. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 04-06-05. A request for text amendment to the Winnebago County Town/County Zoning Ordinance to delete and recreate Section 17.21 (Floodplain Zoning District) in accordance with FEMA and DNR requirements. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – April 25, 2005).

AMENDATORY ORDINANCE NO. 7. A request from the Town of Black Wolf on behalf of Scot Harenburg for zoning change from B-2 to R-1. Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – April 25, 2005).

RESOLUTIONS & ORDINANCES

RESOLUTION NO. 179-42005: Authorize Institution of Community Park Soccer Field Reservation Fees

WHEREAS, for over two decades the County has been very successful in fostering relationships with numerous soccer organizations and has provided critical support by allowing them free access to their respective

sports facilities within the Community Park; and

WHEREAS, as a further means of assisting these organizations, the County has made a cumulative investment of over two million dollars into the infrastructure and upkeep of said sports facilities over the past two decades; and

WHEREAS, within the past several years accessibility issues and new operational concerns have added to the rising cost of maintaining the facilities; and

WHEREAS, similar to the County's Park Shelter Reservation Program, it is common for government entities to charge service fees for the opportunity to reserve a public facility and to set such fees at a level capable of covering a majority of the costs for upkeep of those facilities; and

WHEREAS, as a special service, the County has provided the above mentioned organizations access to an exclusive permit program under which they have been granted preferential scheduling privileges that depart from the Parks Department's standard "first-come-first-serve" policy; and

WHEREAS, your undersigned Committee recommends that as of January 31, 2006 the County enact a "site reservation fee" that will help insure that the aforementioned soccer organizations continue to have sports facilities available for their exclusive use; and

WHEREAS, your undersigned Committee further recommends, that in light of the exhaustive efforts made in arriving at a fair and equitable site reservation fee, a \$25.00 charge be applied to each recognized sports league game played on a Community Park soccer field; and

WHEREAS, in addition to instituting a sports league game fee, your undersigned Committee recommends that a site reservation fee starting at \$25.00 per game, with a not to exceed limit of \$1,750.00, be applied to approved parties seeking to program a single or multi-day sports tournament on the Community Park soccer fields.

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

That Section 19.24(12) of the General Code of Winnebago County and shall read as follows:

19.24 (12) COMMUNITY PARK SOCCER FIELD RESERVATION FEES.

STATEMENT OF INTENT. The intent of establishing the Community Park Soccer Field Reservation Fee Program is to provide an appropriate source of funding that will help insure the continued delivery of services required for the maintenance and upkeep of the Community Park Soccer Complex.

(A) Definitions. Terms used in this section shall have the following meanings:

- (1) Sports League Activity – An organized sports function involving a group of 3 teams or more (league), competing against one another according to a pre-arranged schedule of games.
- (2) Qualified League User – An individual, group, association or organization demonstrating compliance with all applicable rules and procedural requirements as they currently exist or are promulgated from time-to-time by County representatives in accordance with Section 19.24(12)(L).
- (3) Game – A single sports competition recognized as the basic unit comprising a pre-arranged schedule of league games. For purposes of administering the Community Park Soccer Field Reservation Fee Program, the time period allowed for any given game shall be limited to 1 – 120 minutes. The actual game played in the field setting shall be allowed to run in excess of two hour provided it does not conflict with a game scheduled by a different "qualified league user" in a subsequent time period.

(B) Sports League Activity. A reservation fee of \$25.00 per field shall be applied to each party that requests use of any or all of the 19 lined soccer fields established within the Community Park for purposes of conducting a sports league activity. Each party shall be recognized as a "qualified league user" of the soccer field facilities provided it complies with the following:

- (1) From between January 31 through the final day in February of each calendar year, the party shall submit to the Parks Department a written schedule of league games anticipated to be played within the Community Park. Said schedule shall include one of the following:
 - (a) A minimum of two weeks of scheduled league games in which a minimum of 5 games are to be played within the Community Park.
 - (b) An unlimited amount of weeks in which a minimum of 8 games are to be played within the Community Park; and

- (2) With the written schedule of anticipated league games, the party shall submit a reservation fee payment equivalent to 25% of the total amount of league games anticipated to be played at a rate of \$25.00 per game.

Any party unable to comply with the provisions as set forth in Section 19.24(12)(A)(1)(a), shall be disqualified from being able to avail itself of services provided in reserving fields for sports league activities.

- (C) Pre-season League Scheduling. The process by which fields shall be reserved for each “qualified league user” shall be based on a procedure whereby the party that held the reservation on a specific field, date and time reserved in the previous year shall retain the same scheduling profile in the current year provided it has complied with the requirements as set forth in Section 19.24(12)(A)(1)(a)&(b). Upon commencement of the first business day in March, said scheduling profile may be expanded upon in compliance with a process whereby a representative of the “qualified league user” shall appear in person at the Parks Office and shall be permitted to expand the party’s scheduling profile as allowed on a first-come-first-serve basis. However, no more than 3 separate “qualified league users” shall be allowed to be scheduled for league play on Community Park soccer fields at any given time.

Upon commencement of the second business day in March and continuing until October 31st of each calendar year, parties that did not avail themselves of services provided in reserving fields for sports league activities in the previous year shall be provided an opportunity to make use of the aforementioned reservation services in accordance with Section 19.24(12) (A)(1)(a)(b)&(2).

- (D) On-going League Scheduling. Any party recognized as a “qualified league user” that wishes to expand its sports league scheduling while its season is on-going, shall be permitted to do so according to such rules and regulations as may be promulgated by the Parks Director in accordance with Section 19.24 (12)(K).

- (E) Post League Fee Collection. The remaining fee due for reserving soccer fields for league games, shall be paid in full within thirty (30) days following the date on which the final game was played according to the completed schedule. Additionally, a notarized record of the completed schedule of league games played during shall be submitted along with the remaining payment. Parties shall use a form supplied by the Parks Department to report said record.

- (F) Sports Tournament Competitions. A per game reservation fee shall be applied to parties that request use of any or all of the 19 lined soccer fields established within the Community Park for purposes of conducting a sports tournament competition based on a traditional bracketing system. Said fee shall be set according to the following schedule:

<u>Anticipated Number of Games</u>	<u>Per Game Reservation Fee</u>
8 – 25	\$45.00
26 – 50	\$35.00
51 – 69	\$25.00
*Anticipated Number of Games totaling 70 or more shall charged at a flat fee of \$1,750.00.	

Parties wishing to reserve Community Park soccer fields for a sports tournament competition shall comply with the following:

- (1) Prior to March 1st of the current calendar year, the party shall submit to the Parks Department a written request to play an anticipated number of tournament games on specified dates and at specified times.
- (2) Along with the written request to play tournament games, and at rate set in accordance with Section 19.24 (12)(D), the party shall submit a reservation fee payment equivalent to 25% of the total amount of tournament games anticipated to be played within the Community Park. Any party submitting a request containing less than 8 games shall be disqualified from being able to avail itself of services provided in reserving fields for sports tournament competition.

- (3) "Qualified league users" shall be permitted to reserve fields for a single sports tournament competition at no charge. Any subsequent tournament competitions scheduled by the same "qualified league user" shall be charged in full.
- (4) No more than one sports tournament competition shall be permitted to take place using Community Park soccer fields at any given time. Additionally, no sports league activities, including practices, shall be allowed to take place on Community Park soccer fields during a scheduled sports tournament competition.

(G) Post Tournament Fee Collection. The remaining fee due for reserving soccer fields for tournament games shall be paid in full within thirty days following the date on which the final game occurred according to the completed tournament schedule. The following provisions shall apply in processing of post tournament fee collections:

- (1) A notarized record of the completed tournament schedule shall be submitted along with the remaining payment. Parties shall use a form supplied by the Parks Department to report said record.
- (2) Payment shall be based upon the total number of completed games played over the duration of the tournament.
- (3) Combining both the 25% deposit fee and the post tournament fee due, no party shall pay a fee less than \$360.00 for having availed itself of services provided in reserving fields for sports tournament competitions.

(H) Pre-season Tournament Scheduling. The process by which fields shall be scheduled for a party wishing to avail itself of services provided in reserving fields for sports tournament competition shall be based on a procedure whereby the party that held a specific tournament reservation date and time in the previous year shall retain the same scheduling profile in the current year provided it has complied with the requirements as set forth in Section 19.24(12) (D)(1)(2)(3)&(4). Upon commencement of the first business day in March, said scheduling profile may be expanded upon in following with a process whereby a representative of the party shall appear in person at the Parks Office and shall be permitted to expand said party's scheduling profile as allowed on a first-come-first-serve basis.

Upon commencement of the second business day in March, and continuing until October 31st of the current calendar year, parties that did not avail themselves of services provided in reserving fields for sports tournament competitions in the previous year shall be provided an opportunity to make use of the aforementioned reservation services in accordance with Section 19.24(12) (D)(1)(2)(3) & (4).

(I) Refunds. Pre-season league reservation fee payments and pre-tournament reservation fee payments are non-refundable. However, where mitigating circumstances have prompted the complete cancellation of a tournament event, prior to games being played, the effected party shall be allowed to reschedule the event according to Section 19.24(12)(H) and having its pre-tournament reservation fee payment reapplied accordingly.

(J) Penalties. Any party that fails to comply in providing full payment of fees applicable to the Community Parks Soccer Field Reservation Fee Program within the aforementioned thirty (30) day time-limit, shall be prohibited from taking part in the program in subsequent years until such time said payment is made in full.

(K) Use of Reservation Fee Proceeds. The proceed acquired in connection to with the implementation of the Community Park Soccer Field Reservation Fee Program, after the deduction of the cost of collection, enforcement, administration and operation, shall be used to establish, maintain and improve the Community Park Soccer Complex.

(L) Administrative Procedures. The Winnebago County Parks Director is hereby authorized to establish additional procedures for the administration of the Community Park Soccer Field Reservation Fee Program. Such procedures shall be effective upon approval of the Parks Committee of the Winnebago County Board of Supervisors.

(M) Effective Date. This ordinance shall be effective as of January 31, 2006.

Submitted by:
PARKS & RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Motion by Supervisor Sievert to amend the resolution by changing the \$25 fee per game to \$5 per person per year. There was not second for the motion. Motion by Supervisor O'Brien to amend the resolution by changing the \$25 fee per game to \$3 per person per year. There was not a second for the motion. Ayes: 14 – Barker, Hotynski, Scoville, Koziczkowski, Widener, Lauson, Steineke, Kramer, Schaidler, Finch, Sievert, Arne, Rankin and O'Brien. Nays: 20. Excused: 1 – Weber. DEFEATED.

RESOLUTION NO. 180-42005: Commendation for Cheryl L. Michler

WHEREAS, Cheryl Michler has been employed with the Winnebago County Sheriff's Department for the past twenty-four years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Cheryl Michler 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 Cheryl Michler 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 Cheryl Michler.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 181-42005: Commendation for Donna L. Kalbus

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

WHEREAS, Donna Kalbus 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 Donna Kalbus 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 Donna Kalbus.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 182-42005: Commendation for William Luce

WHEREAS, William Luce has been employed with the Sheriff's Department of Winnebago County, for the past twenty-five years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, William Luce has now retired from those duties, and it is appropriate for the Winnebago County Board of Supervisors to acknowledge his 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 William Luce for the fine services he has rendered to Winnebago County.

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

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 183-42005: Disallow Claim of Sara LaPlante

WHEREAS, your Personnel and Finance Committee has had the claim of Sara LaPlante 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 Sara LaPlante dated January 22, 2005, 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. 184-42005: Disallow Claim of Frederick Rudy

WHEREAS, your Personnel and Finance Committee has had the claim of Frederick Rudy 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 Frederick Rudy dated February 23, 2005, 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. 185-42005: Disallow Claim of Jason Tait

WHEREAS, your Personnel and Finance Committee has had the claim of Jason Tait 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 Jason Tait dated February 18, 2005, 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. 186-42005: Request Authority to Apply For Funds For Maintenance Of County-Owned Snowmobile Trails

WHEREAS, Winnebago County is interested in maintaining County owned and leased lands for public snowmobile trail use; and

WHEREAS, funds are available for snowmobile trail maintenance and snowmobile trail bridge maintenance through the Department of Natural Resources pursuant to Sec. 23.09(26), Wisconsin Statutes; and

WHEREAS, in order to participate in this project it is necessary that the County Board authorize submittal of an application for said funds.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the County Executive and the County Clerk are hereby authorized to make application on behalf of Winnebago County with the Department of Natural Resources, pursuant to Sec. 23.09(26), Wisconsin Statutes, for any financial aid that may be available for public snowmobile trail use and maintenance in Winnebago County.

Submitted by,

PARKS AND RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Ayes: 34. Nays: 0. Excused: 1 – Weber. CARRIED.

RESOLUTION NO. 187-42005: Resolution Honoring Winnebago County Supervisor Robert Klitzke in Memoriam.

WHEREAS, Robert Klitzke was a member of the Winnebago County Board of Supervisors for fourteen years; and

WHEREAS, he was a conscientious, dedicated elected official who had most recently served on the Highway Committee, Scholarship Committee, Facilities and Property Management Committee and the East Wisconsin Counties Railroad Consortium; and

WHEREAS, he unexpectedly passed away on March 1, 2005 at the age of 76.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that a resolution be approved recognizing Winnebago County Board of Supervisor Robert Klitzke for his fourteen years of dedicated public service to the citizens of Winnebago County.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 188-42005: Application for Aids from Wisconsin Department of Natural Resources to Assist in Engaging in Dredging, Shorewall and Pavement Improvements at Lake Butte des Morts Boat Landing

WHEREAS, Winnebago County is responsible for maintaining seven launch facilities that enable citizens to operate boats on area lakes and rivers; and

WHEREAS, Winnebago County recognizes that properly maintained launch facilities are necessary for safe recreational boating; and

WHEREAS, financial assistance, often in the form of matching grant funds, is available from the Wisconsin Department of Natural Resources for help in improving and maintaining the County's launch facilities; and

WHEREAS, Winnebago County has \$120,000 in assets available in its Boat Trailer Parking Permit Program intended to function as the funding source in meeting the County's obligation for providing matching grant funds.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that the County Executive be and hereby is authorized to submit an application, on behalf of Winnebago County to the Wisconsin Department of Natural Resources for such funding aids as may be available.

Submitted by,
PARKS AND RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Ayes: 34. Nays: 0. Excused: 1 – Weber. CARRIED.

RESOLUTION NO. 189-42005: Authorize Execution of Agreement with Radtke Contractors, Inc. for Maintenance of Navigation Aids

WHEREAS, Winnebago County is involved in placing buoys for recreational boating; and

WHEREAS, Winnebago County recognizes that properly marked waterways are necessary for safe recreational boating within the Navigation Aids System; and

WHEREAS, Winnebago County desires to enter into a five (5) year agreement with Radtke Contractors, Inc. for the purpose of maintaining the Navigation Aids System within Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves and authorizes execution of an agreement between Winnebago County and Radtke Contractors, Inc. for a period of five (5) years at a cost of approximately \$85,000 per year. (A copy of the proposed agreement may be obtained in its entirety (38 pages) from the Office of the Parks Department).

Submitted by:
PARKS AND RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Ayes: 34. Nays: 0. Excused: 1 – Weber. CARRIED.

RESOLUTION NO. 190-42005: Commendation to Jane Van De Hey

WHEREAS, Jane Van De Hey has served honorably as Winnebago County Coroner from January, 1991 through April, 1997; and

WHEREAS, Jane Van De Hey has served honorably as Executive of Winnebago County from April, 1997 through April, 2005; and

WHEREAS, your undersigned believe that Jane Van De Hey should be publicly commended by the Winnebago County Board of Supervisors for her many years of dedicated service to the public in both the positions of Coroner and County Executive.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby publicly commends Jane Van De Hey for her many years of public service to the citizens of Winnebago County as Coroner and County Executive for Winnebago County.

Submitted by:

THOMAS R. PECH, JR., DIST. #12

PATRICK BRENNAND, DIST. #34

JAMES LAUSON, DIST. #10

STAN KLINE, DIST. #25

ALFRED JACOBSON, DIST. #19

BILL WINGREN, DIST. #18

JOSEPH MAEHL, DIST. #6

CHUCK FARREY, DIST. #30

JEROLD FINCH, DIST. #29

DAVID ALBRECHT, DIST. #11

JOSEPH HOTYNSKI, DIST. #4

BERNARD EGAN, DIST. #35

PATRICK O'BRIEN, DIST. #38

NANCY BARKER, DIST. #2

COUNTY BOARD SUPERVISORS

Motion by Supervisor Pech and seconded to adopt. Ayes: 33. Nays: 1 – Rengstorf. Excused: 1 – Weber. CARRIED.

RESOLUTION NO. 191-42005: Authorize Acceptance of Joint DATCP / DNR Nonpoint Source Pollution Abatement Grant in 2006

WHEREAS, pursuant to Sec. 92.14, 281.65 and 281.66, Wis. Stats., the Wisconsin Department of Agriculture, Trade and Consumer Protection and the Wisconsin Department of Natural Resources are authorized to jointly allocate funds to assist counties in carrying out land & water resource protection programs and services that focus on the abatement of nonpoint sources of pollution; and

WHEREAS, your Land & Water Conservation Department has submitted a joint grant application to DATCP and DNR, in the amount of \$488,996 for staff support and cost sharing of pollution abatement projects to be installed in 2006.

NOW, THEREFORE, BE IT RESOLVED: by the Winnebago County Board of Supervisors that, should the aforementioned grant application be approved by DATCP and DNR in part or in entirety, the Chair of your Land Conservation Committee is hereby authorized, on behalf of Winnebago County, to accept the approved grant amount.

BE IT FURTHER RESOLVED that the approved grant be allocated, on the basis of the aforementioned application, to the Winnebago County Land & Water Conservation Department 2006 budget revenue accounts 4208-100-151 and 4208-100-152, with applicable dollar amounts to be reflected in the appropriate expenditure accounts in 100-151 and 100-152.

Submitted by:

LAND CONSERVATION COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Ayes: 34. Nays: 0. Excused: 1 – Weber. CARRIED.

RESOLUTION NO. 192-42005: Authorize Sale of Remnant Highway Property, Town of Menasha to Mike Blank

WHEREAS, the Winnebago County Highway Department is in possession of property located on Tayco Street in the Town of Menasha; and

WHEREAS, said property is no longer needed for highway purposes; and

WHEREAS, Winnebago County has advertised said property as being available for purchase; and

WHEREAS, Mike Blank, 1516 Lakeshore Drive, Menasha, Wisconsin has made an offer to Winnebago County to purchase said property for \$90,000; and

WHEREAS, the Winnebago County Highway Committee believes that acceptance of Mr. Blank's offer would be reasonable and in the best interest of the taxpayers of Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer by Warranty Deed of highway remnant property located on Tayco Street in the Town of Menasha to Mike Blank of 1516 Lakeshore Drive, Menasha, Wisconsin for the sum of \$90,000. Said property is more particularly described as Certified Survey Map No. 2581 and is located in that part of Government Lot 3, Section 10, T20N, R17E, in the Town of Menasha, Winnebago County, Wisconsin.

Submitted by:
HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 34. Nays: 0. Excused: 1 – Weber. CARRIED.

RESOLUTION NO. 193-42005: Authorize County Bridge Aid for Culvert Replacements in the Towns of Black Wolf, Clayton, Nekimi, Nepeuskun, Omro, Vinland and Utica.

WHEREAS, Section 81.38, Wisconsin Statutes, allows a town to petition the County for funds to offset the costs of constructing or repairing culverts or bridges within the town; and

WHEREAS, pursuant to Section 81.38(2), Statutes, the County shall pay the cost of such repair or construction in excess of \$750 up to \$1500 and the town and county shall each pay 1/2 of the cost of construction or repair above \$1500 ; and

WHEREAS, the Towns of Black Wolf, Clayton, Nekimi, Nepeuskun, Omro, Vinland and Utica have petitioned the Winnebago County Highway Committee for emergency replacement of culverts or bridges pursuant to Section 81.38, Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes County aid to the following Town for the following projects the total amount of said projects not to exceed that amount listed with the amount contributed by the County to be controlled pursuant to Section 81.38(2), Statutes:

<u>TOWN</u>	<u>LOCATION</u>	<u>TOTAL AMOUNT OF PROJECT</u>
Town of Black Wolf	East of Koelpin Rd	\$3,000
	West of Howlett Rd	\$3,400
	CTH Z & Country Club Rd	\$6,500
Town of Clayton	North Center Rd	\$7,500
	Fairview Rd	\$5,000
	East Shady Rd	\$5,500
Town of Nekimi	East of Ripon Place	\$4,500
	Ripple Road West of Clay Road	\$3,500
Town of Nepeuskun	Rush Lake Drive	\$10,000
Town of Omro	Harrison Street	\$5,400
	Elo Road	\$5,600
Town of Utica	North Weelaunee Drive	\$5,000
	South Weelaunee Drive	\$4,900
	James Road south of STH 44	\$4,200
	James Road north of STH 44	\$4,200

Town of Vinland	Woodenshoe Road south of CTH G	\$4,000
	Breezewood Lane west of Sunburst Rd	\$4,200
	Indian Point Road east of Dixie Rd	\$5,900

Submitted by:
HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 34. Nays: 0. Excused: 1 – Weber. CARRIED.

RESOLUTION NO. 194-42005: Authorize Budget Transfers for Various Departments to Cover Budget Overruns and Revenue Shortfalls for 2004.

WHEREAS, various departments (per the attached documentation of overruns and explanations) had budget overruns in various expense categories during 2004; and

WHEREAS, various departments also had revenue shortfalls during 2004. These shortfalls mean that additional County funds may have had to be used to make up for the shortfalls; and

WHEREAS, the list of departments falling into one of the above categories are identified in the attached budget transfer form; and

WHEREAS, the County books are nearly closed for 2004 and in order to avoid having comments included in the 2004 Comprehensive Annual Financial Report (CAFR), the Board should approve the transfers to cover the expense overruns and revenue shortfalls.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the transfers to cover the expense overruns and revenue shortfalls per the attached documentation.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 33. Nays: 1 – Thompson. Excused: 1 – Weber. CARRIED.

RESOLUTION NO. 195-42005: Authorize Park View Health Center to Accept Donation of \$5,350 for the Purchase of a Tempo Lift for Resident Needs.

WHEREAS, the Oshkosh Area United Way has offered to donate \$5,350 to Park View Health Center for the purchase of a lift for residents; and

WHEREAS, Park View has a need for this type of equipment; and

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes Park View Health Center to accept this donation and appropriates the funds for the purchase of a Tempo Lift.

Submitted by:
PARK VIEW HEALTH COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Arne and seconded to adopt. Ayes: 34. Nays: 0. Excused: 1 – Weber. CARRIED.

RESOLUTION NO. 196-42005: Establish Policy for Use of Landfill Gas as Primary Fuel Supply in County Buildings

WHEREAS, it may be economically advantageous to Winnebago County to use landfill gas in place of natural gas as a primary fuel supply in selected County buildings; and

WHEREAS, the Winnebago County Solid Waste Management Board has 15 years of successful experience in utilizing landfill gas as an energy source and it is confident that it can successfully design, construct and operate necessary equipment and systems to utilize landfill gas in County buildings at a significant cost savings; and

WHEREAS, the use of landfill gas for the heating of any County building must be economically beneficial to the County and must not endanger any County equipment nor void the warranty on any County equipment; and

WHEREAS, the ultimate decision as to whether to connect any heating plant in any County building to landfill gas as a primary fuel is ultimately an administrative decision to be made by the administrative branch of Winnebago County's government.

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

declares it to be the policy of Winnebago County that landfill gas from the Winnebago County Landfill shall be used in place of natural gas as a primary fuel supply in selected County buildings when it has been determined that the use of such gas is economically beneficial to Winnebago County.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the decision as to whether to use landfill gas as a primary fuel supply in any selected County Building shall be made by the Director of Facilities upon consultation with the Finance Director of Winnebago County and upon the approval of the Winnebago County Executive.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the connection of any County building to landfill gas as a primary fuel supply shall be subject to the Winnebago County Solid Waste Management Board agreeing to assume all financial, technical, operational and regulatory risks associated with the design, construction and operation of such an energy system for that building and the Winnebago County Solid Waste Management Board agreeing to reimburse Winnebago County for any damage to any heating system which might be caused by the use of landfill gas within that system.

Submitted by:
FACILITIES AND PROPERTY MANAGEMENT COMMITTEE

Motion by Supervisor Egan and seconded to adopt. Ayes: 33. Nays: 1 – Schaidler. Excused: 1 – Weber.
CARRIED.

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, May 3, 2005. CARRIED BY VOICE VOTE.

The meeting was adjourned at 8:30 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 April 19, 2005.

Patricia Rabe
Deputy Winnebago County Clerk