

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

Motion by Supervisor Robl and seconded to approve the agenda with the change of order of the resolutions so that No. 239-72005 will be voted on first. CARRIED BY VOICE VOTE.

**COMMUNICATIONS, PETITIONS, ETC.**

A "Notice of Claim" was received from Donald Steiner for damage to his vehicle caused when he drove on a recently tarred county road. Mr. Steiner's claim was forwarded to the Personnel & Finance Committee for review.

Information was presented to the Board about the 2005 International Trade, Business & Economic Development Council (ITBEC) Conference. It will be held August 17-18 at the Lake of the Torches Resort Casino in Lac du Flambeau, Wisconsin. Anyone interested in attending should contact the County Clerk's Office.

A letter was distributed to the Board from Senator Michael Ellis in which he thanked them for sharing their opinion on the transfer of recycling funds, an increase to the cigarette tax and the construction of frontage roads on portions of Highway 45 in Winnebago County.

A letter from Rep. Gregg Underheim was received thanking the Board for sending him a copy of Resolution No. 213-62005, "Support Reduction in Youth Smoking in Wisconsin" and Resolution No. 226-62005, "Oppose Use of Segregated Recycling Fund for Non-Recycling Related Uses." Rep. Underheim will keep the Board's position in mind when these issues come before the Assembly.

The following resolutions were received and forwarded to various committees:

- Adams County, Resolution No. 6-130-2005, "Resolution Opposing 2005 Senate Bill 114 and Assembly Bill 225 Classifying County Jailers as Protective Occupation Participants" was referred to the Legislative Committee.
- Adams County, Resolution No. 6-42-2005, "Opposition to the Department of Natural Resources Use of Wildlife Damage Funds for Chronic Wasting Disease" was referred to the Land Conservation Committee.
- Adams County, Resolution 6-40-2005 opposes Assembly Bill 412, which allows for the condemnation of public land, was referred to the Legislative Committee.
- Adams County, Resolution No. 6-38-2005, "Supporting State Efforts to Address the Non-Native Aquatic Invasive Species Problem" was referred to the Land Conservation Committee.
- Douglas County, Resolution No. 69-05, which endorses increasing the Wisconsin excise tax to \$1.00 on each package of cigarettes, was referred to the Legislative Committee.
- Jackson County, Resolution No. 31-6-05, which calls for the State of Wisconsin to heed the results of the recent statewide referendum that supports the state's funding of human service programs and the circuit court system, was referred to the Judiciary & Public Safety Committee.
- Langlade County, Resolution #54-2005, which supports, "full state funding for circuit courts and human services programs", was referred to the Legislative Committee.
- Marathon County, "To Support State Efforts to Address the Non-Native Aquatic Invasive Species Problem" was referred to the Land Conservation Committee.
- Monroe County, Resolution No. 7-05-3, "State Transportation Fund Segregation" was referred to the Legislative Committee.

Petition for zoning amendment from Deborah S. Matulle, Town of Omro, for zoning change for tax parcel no. 016-078601 from A-2/R-1 to A-2 for a hobby farm was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Harrison Sturgis, Jr., Town of Neenah, for zoning change for tax parcel no. 010-0214-01(p) from A-2 to R-1 (Lots 2 & 3 of proposed CSM) for residential development was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Michael Blank, Town of Menasha, for zoning change for tax parcel no. 008-0308-01-01 from R-2 to R-5 for Lake Breeze Condominiums was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Mary Doverspike, Town of Neenah, for zoning change for tax parcel no. 010-0342-08 from R-1 to R-2 for residential purposes was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Eric R. Otte, J.E. Arthur & Associates, Inc.; Town of Omro, for zoning

change for tax parcel no. 016-0349, from R-1 to R-2 for a single-family residence was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Fox Valley Fibre, Inc., Town of Vinland, for zoning change for tax parcel no. 026-0521(p) from A-2 to M-1 for an existing building and parking areas was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Herbert F. H. Hoppe, Town of Winchester, for zoning change for tax parcel nos. 028-0520-01-01, 028-0520-01-02 and 028-0520-01-03 from B-2 to R-1 for residential lots was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Michael G. Ellis, Town of Vinland, for zoning change for tax parcel no. 026-0622-02(p) from A-2 to R-1 for single family residence was referred to the Planning & Zoning Committee.

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

Supervisor Sundquist discussed the role of International Trade, Business & Economic Development Council (ITBEC) and how the four counties of Fond du Lac, Calumet, Kewaunee and Winnebago have been active in marketing area tourism and industries. He also presented the Board members with a copy of ITBEC's new topographical map of Lake Winnebago. The map also shows businesses, boat launches, parks, rest areas, etc. that are on or near Lake Winnebago. The public can obtain these maps from the Oshkosh Convention and Tourism Bureau.

Supervisor Barker reported that there will not be a Legislative Committee meeting in July.

Supervisor Schaidler reported that very important public hearings are being held across the state regarding the proposed amendments to Chapter NR 115, Wisconsin Administrative Code, which deals with shoreland standards. He explained that Resolution No. 227-72005, "Oppose Proposed Amendments to Chapter NR 115, Wisconsin Administrative Code", addresses the Planning & Zoning Committee's concerns with these proposed amendments and their affect on the county's Planning & Zoning Department. He encouraged the Board to attend the public hearing that will be held at the Grand Chute Town Hall on Wednesday, July 27. Supervisor Schaidler stated that local units of government and other groups are very concerned about the ramifications if these amendments pass, so he hopes Board members will try to attend this public hearing.

Motion by Supervisor Lauson and seconded to approve the proceedings from the June 21, 2005 county board meeting. Supervisor Griesbach stated that his "aye" vote was not listed for Resolution No. 213-62005 and he asked that the proceedings be amended to show his vote on that Resolution. Motion to approve the proceedings as corrected—CARRIED BY VOICE VOTE.

## **COUNTY EXECUTIVE'S REPORT**

Executive Harris gave the Board an update on the status of the county's 2005 budget and how the county is faring half way through 2005. Executive Harris explained that year-to-date totals are close to being on target because even though there have been deficits in some areas, other areas were able to offset those deficits.

Mr. Harris presented a Powerpoint presentation that showed and explained some of the problems and issues that Winnebago County is facing in 2005:

- Since 1987, the undesignated fund balance has been declining as a percentage of the county's total spending because either the reserve fund went down or because spending went up without a significant change in the reserve fund. In 2004, this balance was below 6%, because \$1.9 Million was taken out of that fund to balance the budget. In 2005, approximately \$1.5 Million has been budgeted out of the undesignated fund balance to cover operating expenses. This will bring us to just a little over 4% of total spending in the undesignated fund balance. Any further depletion of this fund will jeopardize our bond rating.
- Revenues: intergovernmental revenues is approximately ½ of our total revenues—it has been growing, but the tax levy is growing at a faster rate. Overtime, county spending has caused the tax levy to increase, because intergovernmental funds from the state and federal government have decreased. In 2005, Winnebago County will lose about \$600,000 in Medicaid reimbursement, approximately \$160,000 in transportation aids, \$100,000 in state-shared revenues, \$50,000 in in-direct cost reimbursement; \$30,000 in W-2 administration. These funds will probably continue to decline. As intergovernmental revenues decline, the tax levy will increase.
- New development and property market values should increase by approximately 6%. However, when you take into consideration the reduction in intergovernmental revenues, as well as, the projected revenues generated by the "Fees, Fines and Other" category, we can only allow for a 2.2% increase in total spending.
- Since 1995 county spending has been increasing by approximately 4% each year. When you take into consideration that a 6% increase in the tax base will only allow for a 2% increase in spending, without a tax increase, an average 4% increase in total spending each year will not be acceptable. Executive Harris recommends that the rate of spending be brought down to 2% or 3%.

- Operational Tax Levy Limit for operational expenditures is \$4.71. We are currently at \$4.39, so we are getting very close to this limit. There is a limit on capital expenditures, but that can be exceeded by a ¾ vote of the Board. Executive Harris explained that there is a benefit to money being spent as a capital expenditure if it eventually causes a reduction in operational expenses. He went on to explain that in the case of Park View Health Center, if money is spent on capital improvements that makes it operate more efficiently, then that would reduce operational expenses and the strain on the operational tax levy limit.

Executive Harris explained and encouraged the Board to approve Resolution No. 236-72005, "Authorize the Hiring of Horty-Elving & Associates to Perform the Architectural Engineering Work for a New Park View Health Center and Appropriate \$2 Million to the Project for Architectural and Other Project Start-up Costs." Executive Harris explained that the figures in this resolution are based on the cost of the new building to be a maximum of \$20 Million, with the total maximum cost of the project being approximately \$22 or \$23 Million. If this resolution can't be agreed upon as presented, he hopes that the Board can come to some sort of agreement on how to amend the resolution so that the project can be successful.

Executive Harris took questions from the Board on budget and Park View Health Center issues.

## **COUNTY EXECUTIVE'S APPOINTMENTS**

### **Board of Health**

Executive Harris asked for the Board's approval of his appointment of Jill Collier, 434 West North Water Street, Neenah, to the Board of Health. Ms. Collier replaces Denise McHugh whose term has expired. This is a two-year term that will expire on July 31, 2007.

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

## **COUNTY BOARD CHAIRMAN'S REPORT**

Chairman Albrecht explained to the Board that he will not be making the appointment to Supervisor District 16 as he had planned. The person he was going to appoint recently took a position with the county's District Attorney's Office and he didn't think the appointment would be appropriate. In addition, the person that was interested in the vacancy in Supervisor District 26 has decided not to ask for appointment to the board. Efforts are continuing to make appointments to both of these districts.

Chairman Albrecht thanked Supervisors Sievert and Kramer's for their donations to the county's scholarship fund.

Chairman Albrecht stated that he met with Chuck Orenstein, County Finance Director, to begin the budgeting process for the Board. He explained that like all departments, he will be looking for ways to reduce expenses.

Chairman Albrecht welcomed Supervisor Kramer back from his absence at the Board meetings while he recovered from his injuries.

## **PUBLIC HEARING**

Gordon Doule, 1225 Summit Avenue, Oshkosh, addressed the Board about his concerns with safety at Wittman Regional Airport.

## **ZONING REPORTS & ORDINANCES**

REPORT NO. 001 and AMENDATORY ORDINANCE NO. 07-01-05 regarding a requested zoning change from applicant Gary Werner and property owner Pine Street Development, Town of Neenah, for zoning change to R-5 for Tax Parcel No. 010-0180-02 was withdrawn by Supervisor Schaidler.

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Peter White, Town of Winneconne, for zoning change to R-1 for Tax Parcel No. 030-0029-03. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 07-02-05. 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 July 25, 2005).

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant David Schmalz of McMahan Associates, and property owner Norwegian Bay Properties LLC, Town of Wolf River, for zoning change to R-1 for Tax Parcel No. 032-0611(p). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 07-03-05. 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 July 25, 2005).

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Wm. John Thiel, Town of Winchester, for zoning change to R-1 for Tax Parcel No.

028-0657-01. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 07-04-05. A request for zoning change from P-1 (Institutional & Recreational Park District) to R-1 (Single Family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date July 25, 2005).

REPORT NO. 005. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners Christopher & Kathryn Pfaendtner, Town of Winchester, for zoning change to A-2 for Tax Parcel Nos. 028-0523, 028-0523-03, 028-0570 & 028-0523-02. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 07-05-05. 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 July 25, 2005).

REPORT NO. 006. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Davel Engineering, Inc., and property owner AZC Investment Corp.—Alan Ament, Town of Menasha, for zoning change to B-5 for Tax Parcel Nos. 008-0515(p) & 008-0521-02-01. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 07-06-05. A request for zoning change from A-2 (General Farming) to B-5 (Planned Commercial District). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date July 25, 2005).

REPORT NO. 007. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant John Davel, Davel Engineering, Inc.; and property owner Charles Thompson, Thompson & Associates Land Development, Town of Neenah, for zoning change to R-2 for Tax Parcel No. Sunset Terrace Plat, Lots 140-141, 135, 72-83, 85-89 & Outlot 1. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 07-07-05. A request for zoning change from R-2 with SWDD (Single Family subdivided with surface water drainage district overlay) to R-2 without SWDD (Single Family subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date July 25, 2005).

AMENDATORY ORDINANCE NO. 8. A request from the Town of Utica on behalf of William & Marianne Davies for zoning change from A-1 to RRR for Tax Parcel No. 024-0536. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date July 25, 2005).

AMENDATORY ORDINANCE NO. 9. A request from the Town of Vinland on behalf of Brad Schoon for zoning change from A-2 to R-1 for Tax Parcel No. 026-0099-06. Motion by Supervisor Farrey and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date July 25, 2005)

AMENDATORY ORDINANCE NO. 10. A request from the Town of Rushford on behalf of William & Carol Weiss for zoning change from A-1 to A-2 for Tax Parcel Nos. 022-0496, 022-0582 and 022-0583. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date July 25, 2005)

## **RESOLUTIONS & ORDINANCES**

### **RESOLUTION NO. 239-72005: Create Position of Systems Analyst and Reclassify a Program Manager Position in the Winnebago County Information Systems (IS) Department**

WHEREAS, there is no longer a need for a Database Coordinator position in the Business Analysis section of the Winnebago County IS Department; and

WHEREAS, the needs of the Business Analysis section can be better served with a Systems Analyst position; and

WHEREAS, there has never been a full-time supervisory position in the Business Analysis section; and

WHEREAS, the reclassification of the Program Manager position in the Business Analysis section to Information Systems Development Supervisor would fill the need for a full-time supervisory position.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that a Systems Analyst position be, and hereby is created and a Database Administrator position is eliminated within the Winnebago County Information Systems Department, Business Analysis section; and

BE IT FURTHER RESOLVED, that a Program Manager position is reclassified to Information Systems Development Supervisor in the Information Systems Department, Business Analysis section; and

BE IT FURTHER RESOLVED, That these two (2) transactions will have an annualized cost savings of approximately \$9,780.

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Maehl. CARRIED.

**RESOLUTION NO. 220-62005: Authorize Appropriation of \$280,000 for Air Conditioning Repairs at the Winnebago County Department of Human Services Building**

WHEREAS, Winnebago County's 5-Year Capital Plan identifies a need to replace the air conditioning chillers in the Winnebago County Human Services Building in Oshkosh; and

WHEREAS, one of the chillers experienced a failure in the summer of 2002 resulting in a reduction of air conditioning capacity within said building; and

WHEREAS, the entire building cooling system is now operating at 80% of its design capacity; and

WHEREAS, the chillers on the air conditioning unit are nearly 20 years old; and

WHEREAS, one stage of the chiller heat exchanger has rusted completely through; and

WHEREAS, attempts have been made to find replacement heat exchangers, but the County has had no success in finding said part; and

WHEREAS, the heat exchanger cannot be patched.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes an appropriation of \$280,000 for the purpose of making necessary repairs to the air conditioning system at the Oshkosh Human Services Building.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said appropriation shall be derived from the proceeds of a future bond to be issued by Winnebago County for capital improvements, the issuance of which is authorized pursuant to this resolution.

Submitted by:

PERSONNEL & FINANCE COMMITTEE

FACILITIES & PROPERTY MANAGEMENT COMMITTEE

Motion by Supervisor Egan and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Maehl. CARRIED.

**RESOLUTION NO. 221-62005: Authorize Appropriation of \$292,000 to Replace the Roof at the Winnebago County Human Services Building in Oshkosh**

WHEREAS, the roof of the Oshkosh Human Services Building is a single ply Firestone mechanically attached membrane which was installed in 1985; and

WHEREAS, a roofing consultant who inspected the roof in 1999 at that time estimated the remaining life on the roof to be 6 to 9 years in length; and

WHEREAS, the roof is presently deteriorating and allowing water to infiltrate the building envelope; and

WHEREAS, if the roof on the Human Services Building is not replaced, further deterioration will continue allowing more moisture into the building envelope, which will cause deterioration in the underlying structure, some of which is wood, to the point that additional and more expensive repairs will be needed in the future.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$292,000 to replace the roof at the Winnebago County Human Services Building in Oshkosh.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said roof shall be paid for from the proceeds of the issuance of a future bond which shall be issued for capital improvements by Winnebago County, which is hereby authorized pursuant to this resolution.

Submitted by:

PERSONNEL & FINANCE COMMITTEE

FACILITIES & PROPERTY MANAGEMENT COMMITTEE

Motion by Supervisor Egan and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Maehl. CARRIED.

**RESOLUTION NO. 227-72005: Oppose Proposed Amendments to Chapter NR 115, Wisconsin Administrative Code**

WHEREAS, Wisconsin Administrative Code Chapter NR 115 regulates shoreland zoning within the State of Wisconsin; and

WHEREAS, it is the responsibility of county zoning departments to enforce state shoreland zoning regulations; and

WHEREAS, the goal of the proposed amendments to NR 115 are to protect public rights to the navigable waters of the State of Wisconsin while allowing property owners the flexibility to make reasonable use of their property; and

WHEREAS, despite these goals, the new rules are significantly more restrictive than the current rules in a

number of significant ways, including the following:

- The prohibition of new boathouses within 75' of the water;
- the prohibition of the storing of boats, ice shanties or other similar structures within 75' of the water;
- the requirement that shoreland owners revegetate the shoreline in numerous situations when the homeowner wants to replace or structurally alter their home;
- the prohibition of construction on a parcel less than 7,000 square feet in size;
- greater restrictions with regard to the relocation of structures after fire or wind damage and with regard to setback averaging, etc.;
- the requirement that County zoning staff address such issues as tree pruning, lawn expansion, tree planting, downspout location, etc.;
- the requirement that County zoning staff verify newly required permit items such as impervious surface area requirements, revegetative requirements, etc.;
- the requirement that permits be issued for such things as playhouses, flagpoles, hot tubs, etc.; and
- the addition of significant costs to homeowners in relationship to compliance with new revegetative requirements and impervious area standards; and

WHEREAS, the Planning and Zoning Committee of the Winnebago County Board of Supervisors believes that the proposed regulations are overly restrictive and any benefits gained from such requirements are minimally beneficial in nature; and

WHEREAS, the proposed zoning regulations will greatly increase the amount of work performed by the Planning and Zoning Department and the office of Corporation Counsel in relationship to the issuance of permits and enforcement of such regulations; and

WHEREAS, said proposed regulations provide no additional funding to the counties for staff additions to enforce said regulations.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby goes on record as opposing the proposed amendments to Chapter NR 115 which are presently being promoted by the Wisconsin Department of Natural Resources.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Clerk to transmit a copy of this resolution to all state legislators representing constituents within Winnebago County; to the Secretary of the Department of Natural Resources; to the Wisconsin Counties Association and to the Office of Governor James Doyle.

Submitted by:  
PLANNING & ZONING COMMITTEE

Motion by Supervisor Schaidler and seconded to adopt. Motion by Supervisor Pech and seconded to amend Line 65 by adding "to the Majority and Minority leaders in the state Senate and House of Representatives" after "Winnebago County". Vote on amendment – CARRIED BY VOICE VOTE.

Vote on Resolution as amended – Ayes: 35. Nays: 0. Excused: 1 – Maehl. CARRIED.

**RESOLUTION NO. 228-72005: Commendation for Mary J. Brechlin**

WHEREAS, Mary Brechlin has been employed with the Winnebago County Department of Human Services, for the past forty-one years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Mary Brechlin 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 Brechlin 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 Brechlin.

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 229-72005: Disallow Claim of Michelle Warzynski**

WHEREAS, your Personnel and Finance Committee has had the claim of Michelle Warzynski 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 Michelle Warzynski dated June 9, 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. Ayes: 34. Nays: 1 – Kramer. Excused: 1 – Maehl.  
CARRIED.

**RESOLUTION 230-72005: Disallow Claim of SBC**

WHEREAS, your Personnel and Finance Committee has had the claim of SBC 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 SBC dated June 1, 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. 231-72005: Designate Local Council for the Oshkosh Area Early Learning Partnership as the Eligible Local Council for Purposes of the Early Learning Opportunities Act Discretionary Grant Program and Authorize Cooperative Educational Service Agency #6 (CESA 6) to Develop and Submit a Grant Application for ELOA Funding**

WHEREAS, the Early Learning Opportunities Grant Discretionary Grant Program established by the Administration on Children, Youth and Families, Child Care Bureau, within the U.S. Department of Health and Human Services, allows general units of government to designate a local council for purposes of the Early Learning Opportunities Act (ELOA) Discretionary Grant Program; and

WHEREAS, that same Act provides discretionary grant funding for Early Learning Programs within a region as applied for; and

WHEREAS, the local council for the Oshkosh Area Early Learning Partnership has approached the Winnebago County Executive with a request that it be designated as the local council for ELOA purposes; and

WHEREAS, that council has also indicated to the County Executive a desire to apply for a grant for ELOA funding through Cooperative Educational Service Agency #6 (CESA 6) to support early learning opportunities within the southern part of Winnebago County; and

WHEREAS, your undersigned Committee believes that it would be in the best interest of Winnebago County to designate the local council for the Oshkosh Area Early Learning Partnership as the eligible local council under ELOA's Discretionary Grant Program and to authorize CESA 6 to develop and submit a grant application to the U.S. Department of Health and Human Services for ELOA funding.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that pursuant to that authority granted by Sections 59.03, 59.04 and 59.51, Wisconsin Statutes, it hereby designates the local council for the Oshkosh Area Early Learning Partnership as the eligible local council for the region served by the Oshkosh Area School District, for purposes of the Early Learning Opportunities Act (ELOA) Discretionary Grant Program.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes Cooperative Educational Service Agency #6 (CESA 6) to develop and submit a grant application to the Administration on Children, Youth and Families, Child Care Bureau, within the U.S. Department of Health and Human Services, in response to the ELOA Funding Opportunity No. HHS-2005-ACF-ACYF-LO-0028, and to administer the implementation of the proposed grant project, if funded.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes CESA 6 to serve as the fiscal agent on behalf of the Local Council for the Oshkosh Area Early Learning Partnership and the fiscal agent's employer.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Local Council for the Oshkosh Area Early Learning Partnership's membership as is indicated in the attached Exhibit "A", and includes: (a)

representatives of local agencies that will be directly affected by Early Learning Programs assisted under the ELOA and this announcement; (b) other individuals concerned with the early learning issues and the locality, such as the representatives of entities providing elementary education, child care resource and referral services, early learning opportunities, child care and health services; and (d) other key community leaders.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that acceptance of said grant funds by Winnebago County shall be contingent upon entities other than the government of Winnebago County appropriating all matching funds related to said grant.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

Supervisor Kline WITHDREW this resolution.

**RESOLUTION NO. 232-72005: Authorize Payment for Excess Committee Days (April 20, 2004 thru April 30, 2005)**

WHEREAS, Section 59.13(2)(b), Statutes, allows that in counties with a population of 25,000 persons or more, the Board of Supervisors, may by a two-thirds vote of the members present, increase the number of days for compensation and mileage that may be paid in any year and fix the compensation for each additional day; and

WHEREAS, your undersigned Committee recommends that a per diem payment be made for those committee members who have committee days in excess of 30 days for the period between April 20, 2004 and April 30, 2005.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves a per diem compensation for persons serving on committees for more than 30 days as is shown in the attached report, which is hereby made a part of this resolution, for the period between April 20, 2004 and April 30, 2005.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

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

**RESOLUTION NO. 233-72005: Continue interest rate of 5.25% on Clarity Care Debt Repayment Agreement.**

WHEREAS, on November 14, 2004, Winnebago County and Clarity Care entered into a debt repayment agreement for debt owed by Clarity Care to Winnebago County; and

WHEREAS, the original interest rate on the agreement was set at 5.25%; and

WHEREAS, the agreement contains a clause that allows the County to increase the interest rate to prime + ½ percent each January 1 and July 1; and

WHEREAS, at the current time it would be best if Winnebago County maintained the interest rate at 5.25% to provide additional time for Clarity Care to recover from its fiscal difficulties.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby elects not to increase the Clarity Care interest rate at the current time and to keep the rate at 5.25%.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Maehl. CARRIED.

**RESOLUTION NO. 234-72005: Authorize a Transfer of \$15,000 from the Contingency Fund to Fund an Overage in County Road Maintenance - Operating Grants Due to the Unexpectedly High Number of Requests for Funds by Townships for Emergency Culvert Replacement.**

WHEREAS, the Winnebago County Board of Supervisors approved \$34,000 in the 2005 annual budget for the Bridge Aid and Culvert Replacement program; and

WHEREAS, requests from area townships in Winnebago County to use emergency culvert replacement funds exceeded the available budgeted amount of resources in the spring of 2005 by \$15,000; and

WHEREAS, the deficit in funds needs to be covered at this time,



NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$15,000 from the contingency fund in order to offset the excess expenditures related to the 2005 culvert replacement program.

Submitted by:  
HIGHWAY COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Maehl. CARRIED.

**RESOLUTION NO. 235-72005: Accept Homeland Security Grant of \$96,136 and Appropriate Funds Towards the Purchase of Anti-terrorism Related Equipment.**

WHEREAS, the Office of Homeland Security has made an anti-terrorism grant available to Winnebago County in the amount of \$96,136; and

WHEREAS, the funds would be used to purchase equipment for County law enforcement, municipal fire services and County Highway and Emergency Management Departments; and

WHEREAS, it would be in the County’s best interest to accept such funds.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Emergency Management Department to accept a grant in the amount of \$96,136 and appropriates the funds to the purchase of anti-terrorism equipment to be used by entities as mentioned above.

Submitted by:  
EMERGENCY MANAGEMENT COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Griesbach and seconded to adopt. Ayes: 34. Nays: 1 – Jacobson. Excused: 1 – Maehl. CARRIED.

At approximately 7:10 p.m., Chairman Albrecht called for a short recess. At approximately 7:20 p.m., Chairman Albrecht reconvened the meeting.

**RESOLUTION NO. 236-72005: Authorize the Hiring of Horthy-Elving & Associates to Perform the Architectural Engineering Work For a New Park View Health Center and Appropriate \$2 Million to the Project for Architectural and Other Project Start-up Costs.**

WHEREAS, the Park View facilities are very old and in need of a significant amount of capital improvements to remain in use; and

WHEREAS, the current facilities are too large and operating out of two buildings is very inefficient; and

WHEREAS, the County Board of Supervisors supports construction of a new downsized facility; and

WHEREAS, several architectural firms have been interviewed through the Request for Proposal process; and

WHEREAS, it is the recommendation of the Park View Health Center Committee, Facilities and Property Management Committees and County Executive Mark Harris that Horthy-Elving and Associates be hired to perform the architectural engineering work on the new Park View Health Center; and

WHEREAS, Horthy-Elving shall be paid a fee not to exceed 5.95% of the total projected cost plus reimbursable items not to exceed \$60,000; and

WHEREAS, additional funds are needed for soil testing and construction management initial costs.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$2 million from the General Fund of Winnebago County to the Park View Health Center Capital Project Fund for the purpose of paying said costs.

BE IT FURTHER RESOLVED that the General Fund of Winnebago County shall be reimbursed from a subsequent bond issue.

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

Motion by Supervisor Egan and seconded to adopt.

Motion by Supervisor Scoville and seconded to amend by adding the following: “WHEREAS, the total project cost of a new Park View Health Center including engineering and architectural design fees and other associated costs

shall not exceed \$18 Million.” Vote on amendment – Ayes: 15 – Hotynski, Scoville, Albrecht, Pech, Thompson, Lennon, Sundquist, Wingren, Robl, Kline, Farrey, Sievert, Arne, Diakoff and Brennand. Nays: 20. Excused: 1 – Maehl. LOST.

After much discussion, Supervisor Egan WITHDREW Resolution No. 236-72005. Supervisor Egan recommended that this issue come back before the Board at their September 6 Special Orders Session.

**RESOLUTION NO. 237-72005: Authorize Granting of Easement to Wisconsin Public Services (Courthouse Property)**

WHEREAS, Wisconsin Public Service Company desires to install an improved steel utility pole on the corner of Jackson and Church Streets in Oshkosh. In order to accomplish this, it would be necessary to set a pole with a larger foundation. Said pole would be set in the grass area between the sidewalk and the parking lot so as to not interfere with any of the parking spaces in the Courthouse Parking Lot; and

WHEREAS, your undersigned Committee has reviewed the electric company's request for such an easement and urges the County Board to grant such an easement to Wisconsin Public Services Company.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the granting of an easement by Winnebago County to Wisconsin Public Services Corporation for the installation of a power pole and overhead wires at the Winnebago County Courthouse site at 415 Jackson Street, City of Oshkosh, with the site of said easement being more particularly described as follows:.

Part of the Southeast ½ of Lot 1 and all of Lots 2,3, and 4, and the East fifty feet (50') of Lot 5 and the Northeast twenty-six feet (26') of the Southeast twenty-six and one-quarter feet (26.25') of Lot 11, and the Northeast twenty-six (26') of Lot 12, and all of Lots 13, 14, and 17, in Wrights Subdivision of Lot 2, Block 53, also Lots 1, 2, 3, 4, and 6, of the Replat of Jackson's Subdivision of Lot 3, Block 46, in the City of Oshkosh, Winnebago County.

The easement area described as the Easterly Six feet (6') of the Northerly Fifteen feet (15') of the above-described parcel.

Submitted by:  
FACILITIES AND PROPERTY MANAGEMENT COMMITTEE

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

**RESOLUTION NO. 238-72005: Create Position of Environmental Health Specialist in the Winnebago County Public Health Department**

WHEREAS, the Environmental Health Program in the Winnebago County Health Department has grown beyond the capacity of the one Sanitarian position in the Program; and

WHEREAS, there is currently a vacant 0.8 FTE Public Health Nurse position within the Department which will be eliminated upon the creation of the requested position; and

WHEREAS, creating a full-time Environmental Health Specialist position will better serve the needs of the community in the areas of public health inspections and the licensing of special events; and

WHEREAS, there is a labor cost savings utilizing a full-time Environmental Health Specialist position versus a 0.8 FTE Public Health Nurse.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that a full-time position of Environmental Health Specialist be, and hereby is created and a 0.8 FTE position of Public Health Nurse is eliminated within the Winnebago County Public Health Department; and

BE IT FURTHER RESOLVED, that funds to cover the cost of this new position be applied from the general wage fund within the Public Health Department and additional inspection and license fees.

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

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

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, August 16, 2005. CARRIED BY VOICE VOTE.

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

Susan T. Ertmer  
Winnebago County Clerk