

**ADJOURNED SESSION
COUNTY BOARD MEETING
TUESDAY, MAY 16, 2006**

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 Lennon.

The following Supervisors were present: Weber, Barker, Griesbach, Hotynski, Ramos, Maehl, Koziczowski, Pollnow, Widener, Lauson, Albrecht, Anderson, Thompson, Lohry, Lennon, Hall, Wingren, Jacobson, Norton, Warnke, Robl, Schmuhl, Spanbauer, Kline, Locke, Eisen, Schaidler, Finch, Farrey, Sievert, Arne, Diakoff, Brennand, Egan, Ellis, Rengstorf and O'Brien. Excused: Farrell

Motion by Supervisor Robl and seconded to approve the agenda so Resolution No. 34-52006 would be acted on before Resolution 23-52006. CARRIED BY VOICE VOTE.

COMMUNICATIONS, PETITIONS, ETC.

A "Notice of Claim" received from Attorney Beth Osowski for Barbara J. and Christian Schatz for damages resulting from an accident with a Winnebago County Highway Department vehicle was referred to the Personnel & Finance Committee.

A "Notice of Claim" received from Attorney Brian Beisenstein for C. Doe for damages resulting from alleged negligence of Winnebago County and the Winnebago County Sheriff's Department was referred to the Personnel & Finance Committee.

A "Notice of Claim" received from Attorney Brian Beisenstein for B. Doe for damages resulting from alleged negligence of Winnebago County and the Winnebago County Sheriff's Department was referred to the Personnel & Finance Committee.

A "Notice of Claim" received from John Koslowski for damage done to his vehicle by chunks of concrete left on the road by the Winnebago County Highway Department was referred to the Personnel & Finance Committee.

A "Notice of Claim" received from Bill Harron for damage done to his mailbox and post by a Winnebago County Sheriff's Deputy was referred to the Personnel & Finance Committee.

Petition for zoning amendment from the Town of Neenah for a zoning change from R-1 floodplain overlay to R-1 floodplain removed for tax parcel no. 010-04630801 for a single family residence was referred to the Planning & Zoning Committee.

Petition for zoning amendment from the Town of Clayton for a zoning change from Ag to B-3 Highway Business/B-3 for tax parcel nos. 0060335, 0060343 and 0060341 for commercial development use was referred to the Planning & Zoning Committee

Petition for zoning amendment from the Town of Oshkosh for a zoning change from R-1 to M-1 for part of tax parcel number 018-0064 for a detention pond was referred to the Planning & Zoning Committee.

Petition for zoning amendment from the Town of Nekimi for a zoning change from B-3 to P-1 for part of tax parcel no. 0120181 for a Military Veterans Museum.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Barker reported there will be a Legislative Committee meeting Monday, May 22, 9:00 a.m. at the Coughlin Center. The first order of business will be election of officers. Supervisor Barker asked everyone to come with dates for their regular committee meeting, so a date can be chosen for the monthly Legislative Committee meetings.

Supervisor Rengstorf said he had the privilege of being at Green Bay for the signing into law of the new Safe Streets Program. He said the judges hope to have that program in operation within the next month or so.

Motion by Supervisor Lauson and seconded to approve the April 18 & 25, 2006 County Board proceedings. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris said he had met with the Department Heads giving them initial targets for the first pass of the upcoming budget process. He told them to hold their increases to 1.75%.

Executive Harris announced that due to a clerical error, the appointment of Supervisor Norton to the Human Services Board did not make it on the agenda, but will be there for the June meeting.

COUNTY EXECUTIVE'S APPOINTMENTS

ADVOCAP Board of Directors

Executive Harris asked for the Board's approval of his re-appointment of Supervisors Koziczkowski, Widener and Norton and appointment of Supervisor Hall to the Advocap Board of Directors. The re-appointments are two year terms that will expire April 15, 2008. Supervisor Hall will fill the unexpired term of Phillips L. Scoville who is no longer on the Board. His term will expire April 17, 2007. Motion by Supervisor Lauson and seconded to adopt. CARRIED BY VOICE VOTE.

AFFIRMATIVE ACTION COMMISSION

Executive Harris asked for the Board's approval of his re-appointment of Supervisor Albrecht and appointment of Supervisor Lohry to the Affirmative Action Commission. Supervisor Albrecht's appointment is a three year term, which will expire April 21, 2009. Supervisor Lohry will fill the unexpired term of Michael Woods who has resigned. Her term will expire April 15, 2008. Motion by Supervisor Lauson and seconded to adopt. CARRIED BY VOICE VOTE.

COMMISSION ON AGING

Executive Harris asked for the Board's approval of his re-appointment of Supervisor Griesbach, Esther Walling and Roger Jaeger to the Commission on Aging. These are three year terms, which will expire April 21, 2009. Motion by Supervisor Lauson and seconded to adopt. CARRIED BY VOICE VOTE.

BOARD OF HEALTH

Executive Harris asked for the Board's approval of his re-appointment of Supervisors Egan, Kozikowski, Arne and Sievert and appointment of Supervisor Ramos to the Board of Health. These are two year terms, which will expire April 15, 2008. Supervisor Ramos will replace Supervisor Barker whose term has expired. Motion by Supervisor Lauson and seconded to adopt. CARRIED BY VOICE VOTE.

EAST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION

Executive Harris asked for the Board's approval of his appointment of Supervisor Robl to the East Central Wisconsin Regional Planning Commission. Supervisor Robl replaces Phillips L. Scoville who is no longer on the Board. This is a two year term, which will expire April 15, 2008. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE.

EAST WISCONSIN COUNTIES RAILROAD CONSORTIUM

Executive Harris asked for the Board's approval of his appointment of Supervisors Kline and Weber to the East Wisconsin Counties Railroad Consortium. Supervisors Kline and Weber will replace Supervisor Robl and Herb Kramer. These are two year terms, which will expire April 15, 2008. Motion by Supervisor Lauson and seconded to adopt. CARRIED BY VOICE VOTE.

WINNEBAGO COUNTY HOUSING AUTHORITY

Executive Harris asked for the Board's approval of his re-appointment of Patty Maehl to the Winnebago County Housing Authority. This is a five year term, which will expire April 19, 2011. Motion by Supervisor Lauson and seconded to adopt. CARRIED BY VOICE VOTE.

INDUSTRIAL DEVELOPMENT BOARD

Executive Harris asked for the Board's approval of his re-appointment of Supervisors Lauson and Lennon

and appointment of Supervisor O'Brien to the Industrial Development Board. Supervisor O'Brien replaces Paul Sundquist, who is no longer on the Board. These are two year terms, which will expire April 15, 2008. Motion by Supervisor Lauson and seconded to adopt. CARRIED BY VOICE VOTE.

LOCAL EMERGENCY PLANNING COMMITTEE

Executive Harris asked for the Board's approval of his re-appointment of Peter Running and Scott Jones to the Local Emergency Planning Committee. These are three year terms, which will expire on April 21, 2009. Motion by Supervisor Lauson and seconded to adopt. CARRIED BY VOICE VOTE.

SOLID WASTE MANAGEMENT BOARD

Executive Harris asked for the Board's approval of his re-appointment of John Wilke and appointment of Paul Eisen to the Solid Waste Management Board. Supervisor Eisen replaces Herb Kramer, who did not seek re-election. These are three year terms, which will expire April 21, 2009. Motion by Supervisor Lauson and seconded to adopt. CARRIED BY VOICE VOTE.

TRI-COUNTY RECREATION ASSOCIATION BOARD OF DIRECTORS

Executive Harris asked for the Board's approval of his re-appointment of Supervisor Schaidler and appointment of Supervisor Locke. Supervisor Locke replaces Supervisor Finch. These are two year terms, which will expire April 15, 2008. Motion by Supervisor Lauson and seconded to adopt. CARRIED BY VOICE VOTE.

UW-FOX VALLEY BOARD OF TRUSTEES

Executive Harris asked for the Board's approval of his re-appointment of Supervisors Maehl and Barker and appointment of Supervisor Widener. Supervisor Widener replaces Steve Rankin as an alternate. These are two year terms, which will expire April 15, 2008. Motion by Supervisor Lauson and seconded to adopt. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported the County Board Tour was yesterday. It was very informative and went well. 29 people attended.

Chairman Albrecht informed the Board he will be making a presentation at the June 20 meeting. He will give options on what to do regarding County Board size, etc.

PUBLIC HEARING

The following people spoke against Resolution No. 29-52006: "Authorize Acceptance of a Grant of \$294,000 for the Purchase of 49 New Voting Machines for County and Municipal Use and Appropriate Funds to Capital Outlay Account in the County Clerk's 2006 Budget for that Purpose" – Tony Palmeri, 212 W. Parkway Avenue, Oshkosh; Ann Frisch, 3565 Bambi Lane, Town of Algoma and Ron Hardy, 437 N. Main Street, Oshkosh.

The following people spoke in favor of Resolution No. 34-52006: "Support Filling of Judicial Court Commissioner's Position" – Judge Scott Woldt; Attorney Howard Healy, 231 E. Wisconsin Avenue, Neenah; Judge Bruce Schmidt; Judge Barb Key; Attorney John Bermingham, 201 Ceape Avenue and Family Court Commissioner, Joe Yana.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners William and Emma Hayes, Town of Neenah, for zoning change to R-2 for Lot 2 and B-3 for Lot 1 for tax parcel no. 010-0230. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 05-01-06. A requested zoning change from A-1 (Exclusive Ag) to R-2 (Single family subdivided) for Lot 2 and B-3 (General Business) for Lot 1. Motion by Supervisor Schaidler and

seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: May , 2006)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Davel Engineering-William Kottler and property owners Bruce Anunson/Richard & Mary Ann Lahna, Town of Menasha, for zoning change to R-5R-1 for tax parcel nos. 008-0194, 008-0201 & 008-0194-04. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 05-02-06. A requested zoning change from R-2/A-2 (Single Family subdivided/General Farming) to R-5/R-1 (Planned Residential District/Single Family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: May , 2006)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested text amendment to the following sections of the Winnebago County/Town County Zoning Ordinance: 7.02(3), Zoning Permit; 17.02(3)(a)(8)(c), site plans; 17.02(7)(d)(2)(b), General provisions conditional uses.....; 17.02(7)(b), Use Restrictions—Accessory Uses; 17.02(7)(b), Use Restrictions; 17.03(7), Public & Semi-Public District; 17.03(9)(b), Agricultural Conditional Uses; 17.10(3)(d)(4), Garage Lot shore yard setbacks; 17.18(3) M-2 Basic District Standards; 17.28(4)(c)(2)(b), Business signs street location; 17.11(3)(b), 17.12(3)(b), 17.13(3)(b), B-1/ B-2/B-3 Yards; 17.11(3)(c), 17.12(3)(c), 17.13(3)(c), B-1/B-2/B-3 Yards (unsewered); 17.11(3), 17.12(3), 17.13(b), B-1/B-2/B-3, Basic District Standards; 17.25(1)(f) Conditional Uses, 17.32(5)(d) Variances and Appeals, and 17.33(3)(d) Amendments; various sections of 17.31, STORMWATER & EROSION CONTROL; and 17.32(2) Board of Adjustment Membership. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 05-03-06. A requested text amendment to the Winnebago County Town/County Zoning Ordinance. The text amendments are as follows:

1. 17.02(3) Zoning Permit
Add (h) as follows:

- (h) A separate zoning permit application and fee shall be required for each principal structure. Accessory structures associated with the principal structure may be included on the same permit, or may be applied for separately.

Explanation: requires one permit application per lot/parcel.

2. 17.02(3)(a)(8)(c) site plans

Delete and recreate to read as follows:

- (c) Amended site plans which add a structure of any type will be accepted for review for six (6) months from date of original permit issuance at a reduced fee. After the six (6) month period, the full permit fee shall be required.

Explanation: Establishes language, which matches current fee structure regarding amended plans.

3. 17.02(7)(d)(2)(b) General provisions conditional uses add the following phrase after the underlined phrase:

“Except where allowed in the P-1 district, or otherwise listed as a principal use. “

Explanation: eliminates conflict between permitted uses and language, which would require a conditional use for the same use.

4. 17.02(7)(b) Use Restrictions – Accessory Uses

Change title to read “Accessory Uses & Structures.”

Explanation: clarifies contents of section

5. 17.02(7)(b) Use Restrictions Add (3) as follows:

ORIGINAL LANGUAGE

~~(3) Temporary structures such as screen houses, and vehicle/boat enclosures (consisting of a metal/wood/pvc or similar frame covered by a tarp, canvas or similar covering) shall be allowed without permit under the following circumstances:~~

- ~~(a) the structure is in place for no more than six (6) consecutive months out of any twelve (12) consecutive months.~~
- ~~(b) The entire structure (frame and covering) shall be totally removed at the end of the six month period.~~
- ~~(c) The structure is kept a minimum of 3' from a side lot line~~

P & Z AMENDED VERSION

(3) Temporary structures such as screen houses, and vehicle/boat enclosures (consisting of a metal/wood/pvc or similar frame covered by a tarp, canvas or similar covering) shall be allowed without permit under the following circumstances:

- (a) the structure is in place for no more than six (6) months out of any twelve (12) consecutive months.
- (b) The entire structure (frame and covering) shall be totally disassembled and removed at the end of the six month period.
- (c) The structure is kept a minimum of 3' from a side lot line.

Temporary structures on active farms utilized for agricultural purposes such as animal confinement or crop protection (including the use of a tarp to cover hay bales) are exempt from this section

Explanation: establishes ordinance language, which formalizes existing policy addressing these types of temporary structures.

6. 17.03(7) Public & Semi-Public District

Add (a) as follows:

(a) Fences

- (1) Security fences are permitted on the property lines, but shall not exceed ten (10 feet in height and shall be of an open type similar to woven wire or chain link fencing.
- (2) Where the property abuts residentially zoned property, a solid wood fence, or slats within the woven wire may be required and administratively approved in the side or rear yard at a maximum height of 10'. Administrative review and approval may address such things as visual impact on adjacent properties, security needs, additional screening requirements, type of fence construction, etc.

Explanation: establishes standards identical to business fence standards.

7. THIS ITEM DELETED BY P & Z COMMITTEE

~~17.03(9)(b) Agricultural Conditional Uses~~

~~Add (9) as follows:~~

- ~~(9) mini-warehouses with no outdoor storage on parcels at least five (5) acres in size. Setbacks to be established at time of approval.~~

~~Explanation: allows for additional use of Agricultural property with appropriate controls as determined by Town or County.~~

- 8. 17.10(3)(d)(4) Garage Lot shore yard setbacks:

Change 50 Ft. to read 75 ft.

Explanation: corrects setback to currently required setback

- 9. 17.18(3) M-2 Basic District Standards

Add (b) as follows, and renumber the existing (b) to read (c)

(b) Accessory Building

(1) Height—Maximum—None

Explanation: clarifies that in the M-2 District no height limitation is needed. Without clarification, height would be limited to 18 feet.

- 10.17.28(4)(c)(2)(b) Business signs

Amend to clarify street location as follows:

(b) Located within 100 feet of the centerline of the intersection of two streets that are located on the same side of the street as the property where a permit has been requested(underlined language added)

Explanation: clarifies that an intersecting street on the opposite side of the street does not count for determining the sign clearance requirement.

- 11. 17.11(3)(b), 17.12(3)(b), 17.13 (3)(b) B-1/B-2/B-3 Yards

Delete the word sewerer.

Explanation: deletes unnecessary language. Sewered and unsewered standards are now identical.

- 12. 17.11(3)(c), 17.12(3)(c), 17.13 (3)(c) B-1/B-2/B-3 Yards (unsewered)

Delete section in its entirety.

Explanation: deletes unnecessary language. Sewered and unsewered standards are now identical.

- 13. 17.11(3), 17.12(3), 17.13(b) B-1/B-2/B-3 Basic District Standards

Add (c) as follows:

(c) Accessory building requirements: see section 17.02(7)(c)

Explanation: denotes that standards exist and clarifies location of standards. Wording in this fashion avoids inclusion of lengthy paragraph in more than one location.

- 14. 17.25(1)(f) Conditional Uses, 17.32(5)(d) Variances and Appeals, and 17.33(3)(d) Amendments: delete and

recreate to read as follows:

“Fee receipt from the County Planning & Zoning Office in the amount designated by the Winnebago County Board of Supervisors on the most recent fee schedule.”

Explanation: correctly identifies where fee is found, avoids need to change language in ordinance section, and ordinance does not appear to be out of step with a Board authorized fee change.

15. Section 17.31 STORMWATER & EROSION CONTROL

A. S. 05 ENFORCEMENT

(7) delete the words “after 10 days of” in line 2 and insert the word “after”

Explanation: Ten day waiting period is not needed in all cases.

B. S. 07 DEFINITIONS

(17), line 3: add the words “throughout the construction site” after the word “established.”

Explanation: clarifies where vegetative cover is required.

Definitions continued

(34): add “Program for Predicting Polluting Particle Passage through Pits, Puddles & Ponds” after “P8”

Explanation: clarifies name of program.

(): Add definition of Road as follows: “Road means a public or private right-of-way of a street, road, highway, land, access easement, etc., which provides access to more than one parcel or principal structure.”

Explanation: clarifies what is covered by the ordinance.

(): Add definition of Right-of-way as follows: “Right-of-way means the area of a road within which the ditch, shoulder, and paved area are located. The right-of-way distance may be as defined or dedicated on a plat, certified survey map, or other recorded instrument.”

Explanation: clarifies ordinance meaning.

(): Add definition of Road Construction as follows: “Road construction includes all construction-type activities occurring within the road right-of-way, including without limitation such things as shouldering, ditching, etc..”

Explanation: clarifies the activities included.

C. S 10 (2) Erosion & Other Pollutant Requirements

Add (g) as follows:

(g) Erosion control practices shall remain in place until final site stabilization has occurred, the administering authority has approved the stabilization and authorized the removal of the erosion control practices.

Explanation: clarifies that erosion control measures need to remain in place on site until the project

is completed per permit requirements.

D. S 11 (5)(d) General Permits for Municipal Maintenance Projects

Add the words "current edition of" prior to the word Wisconsin

Explanation: specifies what criteria are to be used in the design.

E. S 11(3)(a) & S 15 (3)(a): change "30 business days" to read "30 days"

Explanation: provides a more realistic time for permit review.

F. S 14 (2)(d): delete the word "setback" prior to the word requirements.

Explanation: corrects incorrect wording.

G. S 16(1)(d) Stormwater Management Plan

Add 3. as follows and include at the end of "4.", and renumber remaining subsections accordingly:

"3. the location of the outlet or discharge as well as the waterbody that is recipient of the discharge." Add at end of 4. as well.

Explanation: clarifies a requirement, which needs to be provided.

16. 17.32 (2) Board of Adjustment Membership

Delete and recreate as follows:

(2) MEMBERSHIP. The membership of the Board of Adjustment shall consist of the following:

- (a) The Board of Adjustment shall consist of five (5) citizen members and two (2) alternate members. All members of the Board of Adjustment must be from the unincorporated areas of Winnebago County. No two members of the Board of Adjustment may be from the same township.
 - (1) All members shall have a term of three (3) years except initially the term of one regular citizen member shall commence with the date of appointment and confirmation by the County Board and end the third Tuesday in April, 1981; the term of two regular citizen members shall commence with appointment and confirmation by the County Board and end the third Tuesday in April, 1982; and the term of two regular citizen members shall commence with appointment and confirmation by the County Board and end the third Tuesday in April, 1983.
 - (2) The terms of the alternate members shall be for staggered three (3) year terms commencing upon confirmation by the County Board. The term of the first alternate shall end the third Tuesday in April in 2003 and thereafter, shall be for three (3) years expiring June 30 of the respective year. The term of the second alternate shall be for a term expiring June 30, 2007 and thereafter, shall be for three (3) years expiring June 30 of the respective year.
- (b) Annually, one of the alternate members shall be designated the first alternate and the other as the second alternate.
- (c) All members of the Board of Adjustment shall be appointed by the County Executive subject to confirmation by the County Board. The Board shall function as the Board of Adjustment with

such duties as are outlined in Wisconsin Statutes, Section 59.99.

- (d) Vacancies shall be filled for the unexpired term in the same manner as appointments for a full term.

Explanation: changes section to conform to recent statutory change requiring two alternate members rather than one.

Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: May , 2006)

AMENDATORY ORDINANCE 4. A requested zoning change from the Town of Rushford for adoption of the revised and recodified Zoning Ordinance for the Town of Rushford. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: May , 2006)

AMENDATORY ORDINANCE 5. A requested zoning change from Town of Black Wolf on behalf of Barbara Dougherty for zoning change to R-2 for tax parcel nos. 004-0205-01, 004-0205-02 and 004-0205-03. Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: May , 2006)

RESOLUTIONS & ORDINANCES

RESOLUTION NO. 34-52006: Support Filling of Judicial Court Commissioner's Position

WHEREAS, the Court Commissioner position currently held by Karen Seifert was created in 2000 by the action of the Winnebago County Board of Supervisors; and

WHEREAS, that position was created to mitigate court calendar pressure created by increased caseloads in the courts; and

WHEREAS, statistical studies performed by the State of Wisconsin indicate that Winnebago County has had the need for more than 6 circuit courts for quite some time; and

WHEREAS, the creation of the court commissioner position was intended to satisfy that need and to address a backlog of cases on the calendars of the existing court commissioners; and

WHEREAS, the need for the court commissioner position has not diminished since 2000; and

WHEREAS, with the election of Karen Seifert to the position of Circuit Court Judge, Branch 4, Winnebago County Circuit Court, said position will become vacant as of August 1, 2006; and

WHEREAS, the Winnebago County Executive has indicated to the Judiciary and Public Safety Committee that he does not intend, at the present time, to recruit applicants for said position. Moreover, the County Executive has indicated to the Judiciary and Public Safety Committee that, dependant on the County's budgetary situation, said position may not be filled and may possibly be removed from the 2007 Winnebago County Budget; and

WHEREAS, your undersigned Committee believes that there is a present need to recruit applicants for said position and to fill said position immediately upon its vacancy on August 1, 2006.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby urges the Winnebago County Executive to actively recruit applicants for the position of judicial court commissioner with Winnebago County, which shall become vacant as of August 1, 2006.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it urges the Winnebago County Executive to fill said position of judicial court commissioner on August 1, 2006 and to include said position in the 2007 Winnebago County Budget.

Submitted by:

JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. John Bodnar, Corporation Counsel told the Board during the lengthy discussion that ensued, that this resolution was advisory in nature only. Mr. Bodnar stated that although the money is in the budget for 2006, it is up to the County Executive to determine when and/or if to fill the position. He also stated this resolution is not determining if the position will be in the 2007 budget. This will be determined during budget time.

Supervisor Farrey asked Executive Harris to tell the Board how he feels regarding this matter. Executive Harris indicated that although he thought the position was important, he felt it should not be filled at this time. Executive Harris feels this position should not be advertised at this time since it will not be vacant until August. He

would like to wait a while until they get further into the budget process to determine if the Board is willing to fund the position for 2007. Vote on resolution - Ayes: 30. Nays: 6 – Ramos, Albrecht, Wingren, Kline, Locke and Brennand. Abstain: 1 – Lennon. Excused: 1 – Farrell. CARRIED.

RESOLUTION NO. 23-52006: Application for Aids from Wisconsin Department of Natural Resources to Assist in Dredging and Shorewall Replacement Projects at the 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 a balance in excess of \$140,000 available in its Boat Trailer Parking Permit Program intended to function as the funding source in meeting the County's obligation for providing the estimated \$60,000 in matching funds for these projects.

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 & RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Supervisor Lauson noted two corrections in the resolution. Line 22 – "\$140,000" should be changed to "\$205,000" and line 24 – "\$60,000" should be changed to "\$52,000". Vote on resolution after corrections: Ayes: 35. Nays: 2 – Griesbach and Thompson. Excused: 1 – Farrell. CARRIED.

RESOLUTION NO. 24-52006: Request Authority to Apply for Funds for Development of a Fishing Deck Along the WIOUWASH Trail

WHEREAS, Winnebago County is interested in developing a fishing deck that would be beneficial to persons interested in gaining better access to a prominent fishing spot located on the WIOUWASH Trail adjacent to Oshkosh's Riverside Cemetery; and

WHEREAS, the development of the 14' X 18' fishing deck at the aforementioned site will be of great assistance in helping novice and beginning fishermen negotiate challenges presented by the 35+° rock slope surrounding the fishing spot; and

WHEREAS, as an added benefit the deck will enhance opportunities for mobility impaired individuals who visit the site; and

WHEREAS, between 50% to 100% of the total \$21,750.00 cost of the project may become available through grant opportunities presented by the Department of Natural Resources; and

WHEREAS, in order to implement 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, for any financial aid that may be available for development of shoreline fishing opportunities.

Submitted by:
PARKS AND RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Ayes: 34. Nays: 3 – Griesbach, Pollnow and Rengstorf. Excused: 1 – Farrell. CARRIED.

RESOLUTION NO. 25-52006: Commendation for Carl H. Eilertson

WHEREAS, Carl Eilertson has been employed with the Winnebago County Highway Department, for the past twenty-eight years, and during that time has been a most conscientious and devoted County employee; and WHEREAS, Carl Eilertson 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 Carl Eilertson 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 Carl Eilertson.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 26-52006: Establish Salaries for Constitutional Offices of Winnebago County

BE IT RESOLVED, by the Winnebago County Board of Supervisors that the annual salary rates for the following constitutional offices of Winnebago County for the term commencing after January 1, 2007 shall be as follows:

Office	Annual Salary 2007	Annual Salary 2008	Annual Salary 2009	Annual Salary 2010
Sheriff	\$ 75,967	\$ 78,626	\$ 81,378	\$ 84,226
Clerk of Courts	\$ 56,890	\$ 58,597	\$ 60,355	\$ 62,166
Coroner	\$ 53,913	\$ 55,530	\$ 57,196	\$ 58,912
County Clerk	\$ 53,913	\$ 55,530		
Register of Deeds	\$ 53,913	\$ 55,530		
Treasurer	\$ 53,913	\$ 55,530		

BE IT FURTHER RESOLVED, that the above positions be provided with County insurance benefits at the same level as is provided to the County's appointed department heads.

BE IT FURTHER RESOLVED, that funds to cover the cost of this action be included as part of the budgets for the respective years.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Motion by Supervisor Farrey and seconded to change the "per cent increase over previous year to 2.1% for each year and to adjust the salaries accordingly". Ayes: 9 – Weber, Ramos, Anderson, Lennon, Wingren, Jacobson, Norton, Robl and Farrey. Nays: 28. Excused: 1 – Farrell. LOST. Vote on original resolution – Ayes: 28. Nays: 9 – Weber, Ramos, Thompson, Wingren, Jacobson, Norton, Warnke, Robl and Farrey. Excused: 1 – Farrell. CARRIED.

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

RESOLUTION NO. 27-52006: Authorize the Human Services Department to Accept a \$5,000 Child Welfare Grant for a Law Education Program and Appropriate the Funds to the Professional Services Account of the Human Services Department.

WHEREAS, a Child Welfare Grant from the Oshkosh Community Foundation is being made available to the Human Services Department for the purpose of setting up a Law Education Program; and

WHEREAS, this program is a diversionary alternative for juveniles who have been referred to the Winnebago County Juvenile Intake office; and

WHEREAS, the program is formulated to more effectively address a juvenile's criminal behavior and to reduce the recidivism rate; and

WHEREAS, other organizations have found that Law Education programs empower youth by providing them with practical information about laws and the legal system; and

WHEREAS, your Human Services Department feels that this would be a beneficial program in Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Human Services Department to accept a \$5,000 grant and appropriates the funds to the Professional Services account within the Department of Human Services for the purposes of carrying out the objectives of the grant program.

Submitted by:
HUMAN SERVICES BOARD
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Koziczkowski and seconded to adopt. Supervisor Koziczkowski asked Fred Umland, Juvenile Intake, to give a brief overview of this program. Vote on resolution - Ayes: 36. Nays: 1 – Pollnow. Excused: 1 – Farrell. CARRIED.

RESOLUTION NO. 28-52006: Accept \$100,000 Long-term Care Planning Grant and Apply to the Professional Services Account of the Department of Human Services.

WHEREAS, a \$100,000 long-term care planning grant is available to the Northeast Wisconsin – long-term Care Consortium; and

WHEREAS, multiple counties and agencies have been invited to join into this consortium; and

WHEREAS, Winnebago County would act as the fiscal agent and would receive and manage the grant funds; and

WHEREAS, the purpose of the consortium would be to develop a regional long-term care managed care delivery system that can be implemented within the Governor's five-year timeline; and

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Human Services Department to accept the \$100,000 grant and hereby appropriates the funds to the Professional Services account within the Human Services Department for the purpose of carrying out the objectives of the grant.

Submitted by:
HUMAN SERVICES BOARD
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Koziczkowski and seconded to adopt. Ayes: 36. Nays: 1 – Pollnow. Excused: 1 – Farrell. CARRIED.

RESOLUTION NO. 29-52006: Authorize Acceptance of a Grant of \$294,000 for the Purchase of 49 New Voting Machines for County and Municipal Use and Appropriate Funds to Capital Outlay Account in the County Clerk's 2006 Budget for that Purpose.

WHEREAS, The Federal Help America Vote Act has mandated that governments purchase new electronic voting machines; and

WHEREAS, the State has made available funds to local governments to purchase such new voting machines; and

WHEREAS, the new machines will be compatible with other hardware and software the County already has for counting and tallying vote totals; and

WHEREAS, the grant funds will pay all costs of acquiring the machines.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the County Clerk to accept the State grant funds of \$294,000, and to appropriate them to the capital outlay

account of the County Clerks office for the purpose of purchasing said voting machines and applicable software.

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

Motion by Supervisor Rengstorf and seconded to adopt. Motion by Supervisor Thompson and seconded to refer back to committee for further discussion. After lengthy debate, the vote was taken on the amendment. Ayes: 17 – Weber, Barker, Ramos, Pollnow, Anderson, Thompson, Lohry, Hall, Wingren, Norton, Warnke, Robl, Schmuhl, Kline, Locke, Eisen and Schaidler. Nays: 19. Excused: 2 – Farrell and Lennon. LOST. Vote on resolution as presented – Ayes: 24. Nays: 12 – Pollnow, Anderson, Thompson, Lohry, Hall, Wingren, Norton, Warnke, Robl, Kline, Eisen and Schaidler. Excused: 2 – Farrell and Lennon. LOST. 2/3 of membership was required.

RESOLUTION NO. 30-52006: Transfer \$55,000 From Building Maintenance Account of UW Fox Valley Budget to Capital Outlay Account of UW Fox Valley Budget for Replacement of Air Handling Equipment

WHEREAS, UW Fox Valley had planned to replace air handling equipment at its campus; and
WHEREAS, the expenditure will require that it be capitalized and depreciated to comply with accounting rules; and
WHEREAS, the expense was budgeted as an other operating expense under repairs and maintenance by mistake; and
WHEREAS, County Board rules require that transfers of expenses between “categories” be approved by the County Board if they exceed \$3,000.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$55,000 from the Building Repairs account to the Capital Outlay account of the UW Fox Valley 2006 budget.

Submitted by:
UW FOX VALLEY BOARD OF TRUSTEES
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Maehl and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 – Farrell and Lennon. CARRIED.

RESOLUTION NO. 31-52006: Transfer \$21,310 from the General Contingency Fund to the Taxes and Assessment Account of the General Fund to Cover City of Oshkosh Special Assessment to Resurface Part of Algoma Blvd. Bordering County Properties.

WHEREAS, the City of Oshkosh plans to resurface parts of Algoma Boulevard that run along the Courthouse, Orrin King Building, Veterans Office Building and Dawes Street Parking Lot; and
WHEREAS, the Taxes and Assessment account within the General Fund does not have sufficient funds to cover the entire cost; and
WHEREAS, this project and its cost were not known at the time the 2006 County budget was prepared.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$21,310 from the General Contingency fund to the Taxes and Assessments account of the General Fund to cover the balance of the road-resurfacing project.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 33. Nays: 3 – Finch, Farrey and Rengstorf. Excused: 2 – Farrell and Lennon. CARRIED.

RESOLUTION NO. 32-52006: Accept Two-Year Bid of Castle-Pierce Printing Company for Printing of Official Winnebago County Directory

BE IT RESOLVED by the Winnebago County Board of Supervisors that the following bid be accepted and contract executed:

Castle-Pierce Printing Company, 2247 Ryf Road, P.O. Box 2247, Oshkosh, Wisconsin, to print the Official Winnebago County Directory for the years 2006-2007 and 2007-2008 at the following costs:

2006-2007 Directory – 1,800 copies - \$3,210.00

2007-2008 Directory – 1,800 copies - \$3,210.00

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

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 35. Nays: 1 – Anderson. Excused: 2 – Farrell and Lennon. CARRIED.

RESOLUTION NO. 33-52006: Approve Industrial Development Board Loan – City of Omro (Zimmer Electric)

WHEREAS, on May 5, 2006, the City of Omro, through its Common Council, approved a resolution authorizing the City to petition the Winnebago County Industrial Development Board for a loan of \$128,000 for the purpose of allowing a business expansion by Zimmer Electric in the Omro Industrial Park; and

WHEREAS, Winnebago County, and its Industrial Development Board, are empowered to make such loans pursuant to the authority vested by Section 59.57(2)(f), Wisconsin Statutes; and

WHEREAS, the Winnebago County Solid Waste Management Board has made funds available to the Winnebago County Industrial Development Board for the purpose of making such loans; and

WHEREAS, the City of Omro projects that assisting said project will generate new jobs and create additional new tax base within that community and within Winnebago County; and

WHEREAS, the Industrial Development Board has approved said loan request and is requesting that the County Board of Supervisors of the County of Winnebago approve the project for funding at this time; and

WHEREAS, the Winnebago County Solid Waste Management Board has also approved said loan.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the aforementioned Winnebago County Industrial Development project is hereby approved.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds in the amount of \$128,000 shall be made available to the City of Omro from the Winnebago County Solid Waste Management Board fund through the Winnebago County Industrial Development Board with such loan agreement to be for a period of five (5) years at an interest rate equal to the rate of return on Winnebago County's pool investment fund plus .25% on the date that the loan is made. Said interest rate shall be adjusted as of January 1 of each year to the average rate of return on Winnebago County's pool investment fund for the previous year plus .25%. Interest shall be due on the 31st day of December of every year on said loan and the principal of said loan plus any remaining interest shall be due to the Winnebago County Industrial Development Board on the 5th year anniversary date of said loan.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Industrial Development Board and any necessary County officers are authorized to execute an agreement between the Winnebago County Industrial Development Board and the City of Omro for the project and for said loan.

Submitted by:
INDUSTRIAL DEVELOPMENT BOARD
SOLID WASTE MANAGEMENT BOARD

Motion by Supervisor Lauson and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 – Farrell and Lennon. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, June 20, 2006. CARRIED BY VOICE VOTE.

The meeting was adjourned at 9:25 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 May 16, 2006.

Patricia Rabe, Deputy
Winnebago County Clerk