

**ADJOURNED SESSION
COUNTY BOARD MEETING
TUESDAY, AUGUST 15, 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, Lennon, Farrell, Hall, Wingren, Jacobson, Norton, Warnke, Drexler, Schmuhl, Kline, Locke, Eisen, Schaidler, Finch, Farrey, Sievert, Arne, Diakoff, Brennand, Egan, Ellis, Rengstorf, and O'Brien. Excused: Lohry & Robl.

Motion by Supervisor Hotynski and seconded to approve the agenda with the change of order of resolutions so that No.76-82006 will be acted on prior to No. 62-82006 and No. 78-82006 will be acted on prior to No. 75-82006. CARRIED BY VOICE VOTE.

COMMUNICATIONS, PETITIONS, ETC.

A "Notice of Claim" received from Paul Landig for damage to his vehicle caused by wet paint on County Road D was referred to the Personnel & Finance Committee.

The following resolutions from other Wisconsin counties were shared with the Board:

- Chippewa County, Resolution No. 27-06, "Requesting Governor and State Legislators to Enact Legislation to Re-emphasize the Transportation User Fee Concept" - referred to the Legislative Committee
- Dunn County, Resolution No. 65-2006, "Requesting the Governor and State Legislators to Enact Legislation to Re-emphasize the Transportation User Fee Concept and Segregate Fuel Tax Revenues and Vehicle Registration Fees Specifically for the Transportation Fund" - referred to Legislative Committee
- Eau Claire County, File No. 06-07/041, "Directing the County Clerk to Place the Referendum Question Contained in this Resolution Requesting State Legislative Action on Health Care on the November Ballot" - referred to the Legislative Committee
- Ozaukee County, No. 06-25 (As Amended), "Resolution to Reduce UW-Extension Funding in Reaction to the Hiring of Kevin Barrett" - referred to Legislative Committee and UW Education, Extension and Agriculture Committee
- Wood County, No. 06-7-03, "To support changes to the Wisconsin's worker's compensation statute 102.42(2) to modify this statute to allow employees to select the primary physician for a work-related injury from a pool of physicians selected by the insurer or the self-insured employer" - referred to Legislative Committee and Personnel & Finance Committee

Petition for zoning amendment from Dave Bures, Town of Clayton, for a zoning change from A-2 to R-1 for tax parcel no. 006-0331-05 for single family residential was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Cleo McNamee & David E. McNamee for a zoning change from R-1 to R-2 for tax parcel no. 028-0956 for residential purposes was referred to the Planning & Zoning Committee

Petition for zoning amendment from Richard Roehl (Roehl Properties of Wisconsin), Town of Menasha, for a zoning change from A-2 to M-2 for tax parcel no. 008-0178-02 for a truck terminal was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Mark Ruedinger, Town of Nekimi for a zoning change from A-1 B-3 for tax parcel no. 012-0412(p) for farm tire service and repair was referred to the Planning & Zoning Committee.

Petition by zoning amendment from David Ruedinger, Town of Omro for a zoning change from A-2/R-1/B-2 to A-2 for tax parcel no. 016-0492 for single-family residence and farmland was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Glenn D. Scheff, Town of Wolf River for zoning change from A-2 for Lot 1 and R-1 Lot 2 of tax parcel nos. 032-0609-01 and 032-0609-05 for a new garage was referred to the Planning & Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Arne thanked those people who attended the Park View Health Center groundbreaking ceremony and reception. Supervisor Arne thanked Supervisor Widener for his years of service on the Park View Health Center Committee.

Supervisor Barker reported that the State Land and Water Conservation Board held their August meeting in Winnebago County. Tom Davies, Land & Water Conservation Department Director, and his staff arranged for tours of various conservation projects in Winnebago County. Supervisor Barker said the state board was very impressed with Winnebago County's environmental efforts and said they were some of the best in the State of Wisconsin.

Supervisor Barker also reported that the 2006 annual Winnebago County Fair was very successful.

Supervisor Barker announced that there will be a Legislative Committee meeting on Monday, August 28. If anyone has items for the agenda they should get them to her as soon as possible.

Supervisor Finch reported that the Scholarship Committee has been working on updating the scholarship application and letters. He also informed the Board that they have developed a mission statement that will be included on the application.

Motion by Supervisor Hotynski and seconded to approve the July 18, 2006 County Board Proceedings.
CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris reported that the growth in the property tax base in Winnebago County is 6.73%, which is very good news. However, the amount the county can increase the tax levy is only based on the new construction portion of the 6.73% and that information is not yet available. It's anticipated that the new construction percentage will be about 2.9%.

Executive Harris reported that Moody's Investor Service has confirmed the county's Aa2 bond rating, which has allowed the county to receive a very good interest rate on the bond issue (Resolution No. 76-82006) that the Board will be voting on tonight.

COUNTY EXECUTIVE'S APPOINTMENTS

Long Term Support Advisory Committee

Executive Harris asked for the Board's approval of his re-appointment of Supervisors Jim Koziczowski and Tom Widener to the Long Term Support Advisory Committee. These are three-year terms that will expire April 21, 2009. Motion by Supervisor Lauson and seconded to adopt. CARRIED BY VOICE VOTE.

Veterans Service Commission

Executive Harris asked for the Board's approval of his appointment of Supervisor Stan Kline to the Veterans Service Commission. This is a three-year term that will expire December 31, 2009. Motion by Supervisor Lauson and seconded to adopt. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht announced that Supervisors Robl and Lohry are excused from tonight's meeting. Supervisor Robl is excused because his wife is ill.

Chairman Albrecht reported that he has heard very good comments about this year's county fair. However, there were some complaints about the people working the rides and games.

Chairman Albrecht read letters from Sarah Dexter and Rachel Schultz thanking the Board and the Scholarship Committee for the \$1,000 scholarship they received from Winnebago County. Sarah and Rachel are two of the nine Winnebago County high school graduates that received \$1,000 scholarships from Winnebago County in 2006.

CHAIRMAN'S APPOINTMENTS

Supervisor District No. 22 - Connie Drexler

Chairman Albrecht asked for the Board's approval of his appointment of Connie Drexler, 1559 Georgia Street, Oshkosh, as County Board Supervisor for District No. 22. Motion by Supervisor Barker and seconded to approve. CARRIED BY VOICE VOTE.

Chairman Albrecht administered the Oath of Office to Connie Drexler.

UW Education, Extension and Agriculture Committee

Chairman Albrecht asked for the Board's approval of his appointment of Supervisor Tom Widener to the UW-Education, Extension and Agriculture Committee. Supervisor Widener will replace Barbara Spanbauer who has resigned from the County Board. Motion by Supervisor O'Brien and seconded to adopt. CARRIED BY VOICE VOTE.

Park View Health Center Committee

Chairman Albrecht asked for the appointment of Supervisor Drexler to the Park View Health Center Committee. Supervisor Drexler will replace Supervisor Widener who has stepped down from this committee. Motion by Supervisor O'Brien and seconded to adopt. CARRIED BY VOICE VOTE.

STATE OF THE COUNTY REPORT

Executive Mark Harris and Chuck Orenstein, Winnebago County Finance Director

Executive Harris presented the "Winnebago County Financial Review 2005 Audit and Projections" report to the Board. In his report, Executive Harris presented information on various aspects of the county's budget and financial situation. This information included:

- the amount of money in the Undesignated Fund Balance since 1995 and this fund as a percentage of the county's total expenditures during this same time period
- 2006 budget revenue percentages by major area and levy
- Comparison of revenue sources --fees, fines and other; intergovernmental; and tax levy--over an eleven year period. Also included is a breakdown of the percentage of expenditures that each of these revenue sources covered during this same time period.
- Spending growth totals and the percentage of change from the previous year--1995 to 2006
- 2006 budget gross expenditures by major areas in the county
- 2006 budget levy by major areas in the county
- 2006 budget expenditures by major budgetary categories
- Number of total employees by major areas/departments
- Equalized operating tax rate from 1995 to 2006

Executive Harris explained that a few of the county's departments have not been able to hit the budget targets that were set for them. He will be meeting with them and going over their budgets to see if any more cuts can be made. If reasonable cuts can not be made and the budget targets can't be met, then Executive Harris will come to the Board for additional sources of revenue--a 1/2% county sales tax.

Executive Harris then took questions and comments from the Board. A copy of Executive Harris's Power Point report is on file in the County Clerk's Office.

PUBLIC HEARING

Gordon Doule, 1225 Summit Avenue, Oshkosh, discussed the size of the county board and the importance of it's committee structure and their responsibilities.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Martenson & Eisele, Inc., and property owner Greg Jost, Town of Neenah, for zoning change to R-1/Remove Wetland Overlay for tax parcel no. 010-0179-12. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-01-06. A requested zoning change from A-2/R-2/Wetland Overlay to R-1/Remove Wetland Overlay. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 22, 2006)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners Lucille Christianson c/o Richard Christianson, Town of Clayton, for zoning change to A-2 for tax parcel nos. 006-0519, 006-0518 & 006-0525. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-02-06. A requested zoning change from A-1/R-1(Exclusive Ag/Single

family non-subdivided) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 22, 2006)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Roger Volden, Town of Winchester, for zoning change to R-1 for Lot 1 and A-2 for Lot 2 of tax parcel no. 028-0439-01. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-03-06. A requested zoning change from A-2 (General Farming) for Lot 1 and A-2/P-1 (Institutional & Recreational Park) for Lot 2 to R-1(Single Family non-subdivided) for Lot 1 and A-2 (General Farming) for Lot 2. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 22, 2006)

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Chad Jansma, Town of Winchester, for zoning change to A-2 for tax parcel no. 028-0747-04. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-04-06. A requested zoning change from R-1/A-2 (Single Family non-subdivided/General Farming) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 22, 2006)

REPORT NO. 005. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Keith Decker and property owner Double Decker Development LLC, Town of Oshkosh, for zoning change to M-1/B-3(HB) for tax parcel nos. 018-0339-01 & 018-0337-01. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-05-06. A requested zoning change from B-3(HB)/M-1 (General Business-Highway Business overlay/Light Industrial) to M-1/B-3(HB)(Light Industrial/General Business-Highway Business overlay). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 22, 2006)

REPORT NO. 006. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Troy Kettlewell, Town of Omro, for zoning change to A-2 for tax parcel no. 016-0491-01. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-06-06. A requested zoning change from R-1/A-2 (Single Family non-subdivided/General Farming) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 22, 2006)

REPORT NO. 007. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners Milton Pelky & Rick Gohlke, Town of Clayton, for zoning change to R-3/R-2 for tax parcel nos. 006-0502-05(p) & 006-0502-13. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-07-06. A requested zoning change from R-2/R-1(Single Family subdivided/Single family non-subdivided) to R-3/R-2 (Two Family Residential/Single Family subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. Supervisor Widener voted no. (Effective date: August 22, 2006)

REPORT NO. 008. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Judith Jones, Town of Algoma, for zoning change to R-1 for tax parcel no. 002-0028(p) Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-08-06. A requested zoning change from A-2 (General Farming) to R-1 (Single Family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 22, 2006)

AMENDATORY ORDINANCE 9. A requested zoning change from Town of Wolf River on behalf of Brian Kempf for tax parcel no. 032-0119-01-03 for zoning change to A-2/A-3. Motion by Supervisor O'Brien and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 22, 2006)

AMENDATORY ORDINANCE 10. A requested zoning change from Town of Utica on behalf of John Murray for tax parcel no. 024-0383 for zoning change for RRR. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 22, 2006)

AMENDATORY ORDINANCE 11. A requested zoning change from Town of Rushford on behalf of Hubert Hoefft-Flying Mane Riding Club for tax parcel no. 022-0533-01 for zoning change to A-3. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 22, 2006)

RESOLUTIONS & ORDINANCES

RESOLUTION NO. 76-82006:

RESOLUTION AWARDING THE SALE OF \$24,610,000 GENERAL OBLIGATION PROMISSORY NOTES; PROVIDING THE FORM OF THE NOTES; AND LEVYING A TAX IN CONNECTION THEREWITH

WHEREAS, on July 18, 2006, the County Board of Supervisors of Winnebago County, Wisconsin (the "County") adopted a resolution entitled: "Resolution Authorizing the Borrowing of Not to Exceed \$24,610,000; and Providing for the Issuance and Sale of General Obligation Promissory Notes Therefor" (the "Authorizing Resolution") authorizing the issuance and sale of general obligation promissory notes for public purposes, consisting of paying the cost of construction, improvement, maintenance and acquisition projects at various County buildings, sites, highways and bridges, and constructing and equipping new Park View Health Center facilities (the "Project");

WHEREAS, pursuant to the Authorizing Resolution, the County Board of Supervisors heretofore has directed its financial advisor, Robert W. Baird & Co. Incorporated, Milwaukee, Wisconsin ("Baird") to take the steps necessary to sell General Obligation Promissory Notes in the principal amount of \$24,610,000 (the "Notes") to pay costs of the Project;

WHEREAS, none of the proceeds of the Notes shall be used to fund the operating expenses of the general fund of the County or to fund the operating expenses of any special revenue fund of the County that is supported by property taxes;

WHEREAS, Baird, in consultation with the officials of the County, prepared an Official Notice of Sale a copy of which is attached hereto as Exhibit A, and incorporated herein by this reference setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale;

WHEREAS, the County Clerk (in consultation with Baird) caused the Official Notice of Sale to be distributed to potential bidders offering the Notes for public sale on August 15, 2006;

WHEREAS, the following bids were received:

<u>Rank</u>	<u>Bidder</u>	<u>True Interest Rate</u>
1.	LaSalle Financial Services Inc.	3.955093%
2.	Citigroup Global Markets Inc.	3.977099
3.	Piper Jaffray Inc.	3.986873
4.	J.P. Morgan Securities Inc.	3.990946
5.	Prager, Sealy & Co., LLC	4.010407
6.	Merrill Lynch & Co.	4.018727
7.	Vining-Sparks IBG, Limited Partnership	4.052454

WHEREAS, it has been determined that the bid (the "Bid") submitted by the financial institution listed first on the attached Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the County. Baird has recommended that the County accept the Bid. A copy of said Bid submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1. Authorization of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, the principal sum of TWENTY-FOUR MILLION SIX HUNDRED TEN THOUSAND DOLLARS (\$24,610,000).

Section 1A. Ratification of the Official Notice of Sale and Offering Materials. The County Board of Supervisors of the County hereby ratifies and approves the details of the Notes set forth in Exhibit A attached hereto as and for the details of the Notes. The Official Notice of Sale and other offering materials prepared and circulated by Baird are hereby ratified and approved in all respects. All actions taken by officers of the County and Baird in connection with the preparation and distribution of the Official Notice of Sale are hereby ratified and approved in all respects.

Section 1B. Award of the Notes. The Bid of the Purchaser offering to purchase the Notes for the sum set forth on the Bid, plus accrued interest to the date of delivery, is hereby accepted. The Notes bear interest at the rates set forth on the Bid.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes"; shall be dated September 5, 2006; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered 1 and upward; shall bear interest at the rates and shall mature on April 1 of each year, in the years and principal amounts as set forth on the schedule attached hereto as Exhibit D and incorporated herein by this reference (the "Schedule"). Interest is payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2007.

Section 3. Redemption Provisions. At the option of the County, the Notes maturing on April 1, 2014 and thereafter shall be subject to redemption prior to maturity on April 1, 2013 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2006 through 2015 for the payments due in the years 2007 through 2016 in the amounts set forth on the Schedule.

The direct annual irrepealable tax hereby levied shall be carried onto the tax roll and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected. So long as any part of the principal of or interest on the Notes remains unpaid, the tax hereinabove levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account created below.

Section 6. Segregated Debt Service Fund Account. There is hereby established in the County treasury a fund account separate and distinct from all other funds or accounts of the County designated "Debt Service Fund Account for \$24,610,000 Winnebago County General Obligation Promissory Notes, dated September 5, 2006", which fund account shall be used solely for the purpose of paying the principal of and interest on the Notes. There shall be deposited in said fund account all accrued interest paid on the Notes at the time the Notes are delivered to the Purchaser, any premium, all money raised by taxation pursuant to Section 5 hereof and all other sums as may be necessary to pay principal of and interest on the Notes as the same becomes due. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Notes and shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished, and shall at all times be invested in a manner that conforms with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any applicable income tax regulations (the "Regulations").

Section 7. Borrowed Money Fund; Reimbursement. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into an account separate and distinct from all other funds and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes.

The County declares its reasonable expectation to reimburse itself from the Note Proceeds for expenditures relating to the Project which it pays from other funds of the County prior to receipt of the Note Proceeds no more than 60 days prior to the date the Authorizing Resolution was adopted. The County may also reimburse itself for preliminary expenditures relating to the Project (such as architectural, engineering, surveying, soil testing, costs of issuance and similar costs but not including land acquisition, site preparation and similar costs incident to the commencement of construction) which are in an amount which is less than 20% of the issue price of the Notes. This declaration and the Resolution of which it is a part, shall be publicly available in the official books, records or proceedings of the County Board of Supervisors.

Section 8. Arbitrage Covenant. The County shall not take any action with respect to the Note Proceeds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of the delivery of and payment for the Notes (the "Closing"), would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

The Note Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Notes remain outstanding, moneys on deposit in any fund or account created or maintained in connection with the Notes, whether such moneys were derived from the Note Proceeds or from any other source, will not be used or invested in a manner which would cause the Notes to be "arbitrage bonds" within the meaning of the Code or Regulations. The County covenants that it will not invest in any obligation if such investment would violate the "prohibited payment" requirement of Section 148 of the Code.

The County Clerk, or other officer of the County charged with responsibility for issuing the Notes, shall

provide an appropriate certificate of the County, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the County regarding the amount and use of the Note Proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

Section 9. Additional Tax Covenants; Two Year Expenditure Exemption from Rebate. The County hereby further covenants and agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Notes) to assure that the Notes are obligations described in Section 103(a) of the Code, the interest on which is excludable from gross income for federal income tax purposes, throughout their term. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes, shall provide an appropriate certificate of the County as of the Closing, for inclusion in the transcript of proceedings, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Further, it is the intent of the County to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Notes will continue to be obligations described in Section 103(a) of the Code, the interest on which is excludable from gross income for federal income tax purposes throughout their term.

The County covenants that it is a governmental unit with general taxing powers and that the Notes are not "private activity bonds" as defined in Section 141 of the Code.

In accordance with Section 148(f)(4)(C) of the Code, the County covenants that at least 75% of the available construction proceeds of the Notes shall be used for construction expenditures with respect to property owned by the County as provided in Section 148(f)(4)(C)(iv) of the Code. If at least 10% of the available construction proceeds of the Notes (including investment earnings thereon) are expended for the governmental purposes of the issue within six months of the Closing; at least 45% are expended for such purposes within one year; at least 75% are expended for such purposes within eighteen months; and 100% are expended for such purposes within two years, the Notes will qualify for the two year expenditure exception from the rebate requirements of the Code. If for any reason the County did not qualify for the two year expenditure exemption from the rebate requirements of the Code, the County covenants that it would take all necessary steps to comply with such requirements.

Section 10. Execution of the Notes. The Notes shall be issued in typewritten or printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by its fiscal agent, if any, sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the delivery of the Notes, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute and deliver all documents as may be necessary and convenient to effectuate the Closing.

Section 11. Payment of the Notes. The principal of and interest on the Notes shall be paid in lawful money of the United States of America by the County Clerk or County Treasurer.

Section 11A. Persons Treated as Owners; Transfer of Notes. The County shall keep books for the registration and for the transfer of the Notes. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the County Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the County Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Clerk shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes. Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the corresponding record date.

Section 12. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 13. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the holders of the Notes, to enter into a written undertaking (the "Undertaking") required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the holders of the Notes or by the Purchaser on behalf of such holders (provided that the rights of the holders and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 14. Bond Insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as any municipal bond insurer which makes a commitment accepted by the County to insure the Notes may reasonably request and which are acceptable to the Chairperson and County Clerk, including provisions regarding restrictions on investment of Note Proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, appropriate reference to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 15. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Brad Viegut, Robert W. Baird & Co., presented the results of the competitive bids to the Board, with the winning bidder being LaSalle Financial Services Inc. at an interest rate of 3.955093%.

Motion by Supervisor Kline and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 - Lohry & Robl.
CARRIED.

At approximately 7:25 p.m., Chairman Albrecht called for a brief recess.
The Board reconvened at 7:40 p.m.

RESOLUTION NO. 62-82006: Authorize the Jurisdictional Transfer of that Segment of CTH A from Castle Oak Street to South Park Avenue to the City of Neenah

WHEREAS, the City of Neenah has planned a reconstruction project for that segment of CTH A, which begins at Castle Oak Street and continues southward to South Park Avenue; and

WHEREAS, the City of Neenah project will commence in the spring of 2007; and

WHEREAS, this segment of CTH A is currently under the jurisdiction of Winnebago County; and

WHEREAS, the Winnebago County Highway Commission supports the City of Neenah project and has approved the jurisdictional transfer of the above stated segment of CTH A to the city.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the jurisdictional transfer to the City of Neenah of that segment of CTH A right-of-way "commencing at the intersection of Castle Oak Street and proceeding southward to the intersection of South Park Avenue a distance of approximately 1300 feet".

Submitted by:
HIGHWAY COMMITTEE

Motion by Supervisor Egan and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 - Lohry & Robl.
CARRIED.

RESOLUTION NO. 63-82006: Authorize the Jurisdictional Transfer of That Segment of CTH JJ from Tullar Road to the Intersection of CTH CB

WHEREAS, the City of Neenah has requested that jurisdiction of the segment of CTH JJ from Tullar Road to CTH CB (a distance of approximately 2800' feet) be transferred to the City; and

WHEREAS, this segment of CTH JJ is currently under the jurisdiction of Winnebago County; and

WHEREAS, the Winnebago County Highway Commission supports the request from the City of Neenah to transfer this segment of roadway to the City; and

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the jurisdictional transfer to the City of Neenah of that segment of CTH JJ from Tullar Road in the City of Neenah (approximately 2800' feet) to the intersection of CTH CB.

Submitted by:
HIGHWAY COMMITTEE

Motion by Supervisor Egan and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 - Lohry & Robl.
CARRIED.

RESOLUTION NO. 64-82006: Authorize County Bridge Aid Funds for the 2006 Phase of Design Work for the Town of Black Wolf Bridges Located on Koelpin Road and County Line Road in the Town of Black Wolf

WHEREAS, the Winnebago County Highway Committee and the Winnebago County Board of Supervisors supports the reconstruction of the bridges on Koelpin Road and County Line Road in the Town of Black Wolf; and

WHEREAS, the design phase of this project needs to commence in 2006 to ensure and secure funding needed for replacement of the structures in the year 2008; and

WHEREAS, the bridge projects will be funded by 80% Federal and State bridge replacement funds and 20% local funding of which the Town of Black Wolf and Winnebago County will each provide 10% of the total cost for design and replacement of the structures; and

WHEREAS, the Town of Black Wolf has requested County Bridge Aid funding from Winnebago County per Wisconsin Statute 81.38; and

WHEREAS, the total estimated cost for design services in 2006 to Winnebago County is \$15,000; and

WHEREAS, the 2006 budgeted amount of \$34,000 of County Bridge Aid Funds has already been expended for other Bridge Aid projects; and

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 of Winnebago County for Winnebago County's portion of the design costs associated with the design of the Koelpin Road and County Line Road bridges in the Town of Black Wolf for the purpose of paying said costs.

BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors that funds to pay for said project are hereby appropriated from the Contingency Fund.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Egan and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 - Lohry & Robl.
CARRIED.

RESOLUTION NO. 65-82006: Approve Ground Lessor Estoppel and Agreement Between Winnebago County and Beechwood Plaza Hotel of Oshkosh, LLC

WHEREAS, Beechwood Plaza Hotel of Oshkosh, LLC is an existing tenant at Wittman Regional Airport and presently owns and operates the Hilton Garden Inn located upon said property; and

WHEREAS, Beechwood Plaza Hotel of Oshkosh, LLC desires to obtain refinancing for its hotel property from Bear Stearns Commercial Mortgage, Inc.; and

WHEREAS, Bear Stearns Commercial Mortgage, Inc. desires that the County enter into a Ground Lessor Estoppel and Agreement with Beechwood in order to protect its rights in relationship to said refinancing; and

WHEREAS, the Corporation Counsel for Winnebago County and the Airport Manager have negotiated said Agreement with Bear Stearns; and

WHEREAS, the Aviation Committee has approved the execution of said Agreement; and

WHEREAS, such an Agreement is necessary to protect Bear Stearns Interest in said hotel should Beechwood default upon its loan.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the execution by the Winnebago County Clerk and the Winnebago County Executive of the Ground Lessor Estoppel and Agreement between Winnebago County and Beechwood Plaza Hotel of Oshkosh, LLC, a copy of which is herewith attached as a part of this Resolution by reference.

Submitted by:
AVIATION COMMITTEE

Motion by Supervisor Lennon and seconded to adopt. Ayes: 35. Nays: 0. Abstain: 1 - Widener. Excused: 2 - Lohry & Robl. CARRIED.

RESOLUTION NO. 66-82006: Create Section 24.14 of the Rules of the Winnebago County Board of Supervisors (Temporary Committee on Size of County Board)

WHEREAS, recent amendments to Chapter 59, Wisconsin Statutes, allow for a reduction in the size of county boards throughout the State of Wisconsin either by action of the County Board or by citizen referendum; and

WHEREAS, your undersigned Supervisor believes that it would be in the best interests of the citizens of Winnebago County that a temporary committee be formed to investigate the various options relative to the size of the County Board and to furnish a report with regard to said options to the Winnebago County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby creates Section 24.14 of the Rules of the Board of the Winnebago County Board of Supervisors which shall read as follows:

Section 24.14 Temporary Committee on County Board Size. This Committee shall be composed of eight (8) members. Membership shall include the County Board Chairman and four (4) other members of the County Board. The three (3) remaining Committee members shall be citizens of Winnebago County and shall not be members of the Winnebago County Board of Supervisors.

The Committee shall review various options relating to the size of the Winnebago County Board of Supervisors and shall prepare and submit a written report to the full Winnebago County Board of Supervisors in relationship to such various options and any consequences in relationship to the adoption of said options.

The term of this Committee shall expire on March 31, 2007 absent further action extending the term of its existence by the full Winnebago County Board of Supervisors.

Submitted by:
DAVID ALBRECHT, DIST. #11
WINNEBAGO COUNTY SUPERVISOR

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 33. Nays: 3 - Hall, Wingren and Norton. Excused: 2 - Lohry & Robl. CARRIED.

RESOLUTION NO. 66A-82006: Approve Nominations to Temporary Committee on County Board Size

BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the following nominations to the Temporary Committee on County Board size:

County Board Supervisor Nominees:

David Albrecht
Nancy Barker
Bernard Egan

Patrick O'Brien
Thomas Widener
Citizen Nominees:

Joe Noll, Neenah-Menasha League of Women Voters, 2867 Oakridge Road, Neenah, WI 54956
Kathleen Propp, Oshkosh League of Women Voters, 1936 Hazel Street, Oshkosh, WI 54901

Submitted by:
DAVID ALBRECHT, DIST. #11
COUNTY BOARD SUPERVISOR

Motion by Supervisor Albrecht and seconded to adopt.

Motion by Supervisor Hall and seconded to amend the resolution by deleting one of the League of Women Voters nominees. John Bodnar, Winnebago County Corporation Counsel, stated that Supervisor Hall's motion was out of order. Motion by Supervisor Hall and seconded to sever the question (vote on each appointment separately). Vote on motion to sever - Ayes: 5 - Maehl, Pollnow, Farrell, Hall and Norton. Nays: 31. Excused: 2 - Lohry and Robl. LOST.

Motion by Supervisor Albrecht and seconded to amend the resolution by adding Larry Spanbauer, 842 Eckardt Court, Oshkosh, as the third citizen nominee. CARRIED BY VOICE VOTE.

Motion by Supervisor Weber and seconded to amend the resolution by adding to Line 27 that the citizen members will be paid per diem and mileage. CARRIED BY VOICE VOTE.

Vote on resolution as amended - Ayes: 31. Nays: 4 - Ramos, Farrell, Hall and Jacobson. Abstain: 1 - Wingren. Excused: 2 - Lohry & Robl. CARRIED.

RESOLUTION NO. 67-82006: Appropriate the Sum Of \$175,000 to the Winnebago County Parks Boom Bay Boat Landing Ramp Extension and Shorewall Repair Project

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

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

WHEREAS, it has been revealed that a problem exists at the County's Boom Bay Boat Landing whereby persons in the process of launching their boats have backed their trailers off the end of the cement ramps that extend 20 – 30 feet out into the water; and

WHEREAS, in order to correct the ramp problem at the Boom Bay Boat Landing it is recommended that the County implement a project aimed at extending the ramp surface an additional 15' further into the lake as well as repairing sections of the shorewall that surround the boat ramp facility; and

WHEREAS, matching grant funds have already been applied for through the Wisconsin Department of Natural Resources that would assist in correcting the structural problems at the Boom Bay Boat Landing; and

WHEREAS, your Parks and Recreation Committee has determined that in order to address the aforementioned facility issues it will cost \$175,000.00 to complete the project; and

WHEREAS, a grant has been applied for to pay the costs of ½ of the project or \$87,500, with the remaining \$87,500 coming from the boat launch fee program fund balance.

WHEREAS, the grant-funded portion will be funded with advances from the general fund with said fund being reimbursed when the grant funds are received.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Boat Landing and Shorewall Restoration project and appropriates \$175,000.00 to the project to be funded \$87,500 from the Boat Launch Fee Program Fund Balance and the remaining \$87,500 to be advanced from the general fund to be reimbursed from grant funds as they are received.

Submitted by:
PARKS & RECREATION COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Ayes: 35. Nays: 0. Excused: 2 - Lohry & Robl. Absent: 1 - Lennon. CARRIED.

RESOLUTION NO. 68-82006: Transfer \$6,400 from the Salary Contingency Fund to the Wage and Benefit Accounts of the County Executive Departments 2006 Budget

WHEREAS, there was a vacation payout in 2006 for unused 2005 vacation of the Administrative Assistant position in the County Executive's Department; and

WHEREAS, there were several adjustments to the Wage and Benefit Accounts to the Department's budget during budget preparation and they were inadvertently not fully restored when the budget was amended; and

WHEREAS, as a result of the two above items, there will not be sufficient funds in the Department's budget to fund both positions full-time for the entire year 2006.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$6,400 from the Salary Contingency Fund of Winnebago County's General Fund to the County Executives Wage and Benefit Accounts of the 2006 budget.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 35. Nays: 0. Excused: 2 - Lohry & Robl. Absent: 1 - Lennon. CARRIED.

RESOLUTION NO. 69-82006: Transfer \$9,000 from the Salary Contingency Fund to the Wage & Benefit Accounts of the General Services Department to Cover an Expected Shortfall in Labor Costs for 2006

WHEREAS, there were vacation and sick leave payouts for an employee in the General Services Department who was eliminated as part of the 2006 budget; and

WHEREAS, there was also unemployment compensation benefits incurred for the first 6 months of 2006 beyond what was anticipated; and

WHEREAS, as a result of these factors, there are insufficient funds available in the accounts within the General Services Department to continue to staff the department through the end of 2006.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$9,000 from the Salary Contingency Fund of the General Fund of Winnebago County to the Wage and Benefit Accounts of the General Services Department to allow it to remain staffed through the end of 2006.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 34. Nays: 1 - Rengstorf. Excused: 2 - Lohry & Robl. Absent: 1 - Lennon. CARRIED.

RESOLUTION NO. 70-82006: Amend County Investment Policy

WHEREAS, Winnebago County adopted an amended investment policy on July 17, 2001; and

WHEREAS, investments in institutions with a large presence in Wisconsin tend to be very safe; and

WHEREAS, the current investment policy only allows time deposits in financial institutions up to one year in duration; and

WHEREAS, time deposits tend to yield anywhere from .2 to .5% higher rates than treasuries and agencies; and

WHEREAS, when the Finance Director has exercised due diligence in reviewing the credit worthiness of institutions with large presence's in Wisconsin, it would be prudent to allow for time deposits in such institutions for periods not to exceed two years.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby amends the investment policy as is attached, so as to allow investment of funds in time deposits in any qualified financial institution for a period not to exceed two years.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 35. Nays: 0. Excused: 2 - Lohry & Robl. Absent: 1 - Lennon. CARRIED.

RESOLUTION NO. 71-82006: Release of an Existing Community Park Sewer Easement to be Performed in Conjunction with the Granting of the Parkview Heights Subdivision Storm Sewer Easement to the City of Oshkosh

WHEREAS, in preparation for development of the Parkview Heights Subdivision on property abutting the west side of the Community Park, the City of Oshkosh is requesting the County's consideration in granting an approximate 1,990+ linear foot storm sewer easement to address storm water run-off requirements attached to the subdivision site; and,

WHEREAS, the aforementioned 38" X 24" storm sewer pipe will originate near the north end of Community Park Lake #3 and will follow the contour of an existing ditch line to the pipe terminus on the east side of the Community Park roadway; and

WHEREAS, the City of Oshkosh has indicated that the city will retain all responsibility for the aforementioned storm sewer line and has subsequently asked for Winnebago County to consider granting an easement that will include the right to enter upon park property for purposes of constructing, replacing, maintaining, and repairing the structure; and

WHEREAS, both the City of Oshkosh and Winnebago County understand and agree that in relation to the granting of the Parkview Heights Subdivision storm sewer easement, it would be appropriate to release and terminate a previous easement recorded by the Winnebago County Registry on September 14, 1998 at 10:14:44 as document number 1025805; and

WHEREAS, your undersigned Committee believes that it would be in the best interest of Winnebago County to execute the aforementioned transactions with the City of Oshkosh for the reasons heretofore mentioned.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes the County Executive and the County Clerk to release and terminate the easement recorded by the Winnebago County Registry as document number 1025805; and,

BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors that the County Executive and the County Clerk shall be authorized to grant unto the City of Oshkosh an easement that will enable the municipality to construct, replace, maintain and repair the aforementioned Community Park storm water sewer herein described:

A part of E 1/2 of the NW 1/4 of Section 36, T19N, R16E, 15th Ward, City of Oshkosh, Winnebago County, Wisconsin described as follows:

Commencing at the NW corner of said Section 36; thence N. 89°44'43" E., 1,328.72 feet along the north line of said Section 36 to the NW corner of the NE 1/4 of the NW 1/4 of said Section 36; thence S. 00°17'06" W., 1,307.48 feet along the west line of the NE 1/4 of the NW 1/4 of said Section 36 to the true point of beginning; thence N. 89°44'43" E., 50.00 feet; thence S. 00°17'06" W., 720.25 feet; thence S. 77°00'00" E., 515.38 feet; thence N. 82°00'00" E., 139.37 feet; thence S. 08°00'00" E. 50.00 feet, thence S. 82°00'00" W., 148.63 feet; thence N. 77°00'00" W., 564.652 feet to the west line of the E 1/2 of the NW 1/4 of said Section 36; thence N. 00°17'06" E., 759.75 feet along the west line of the E 1/2 of the NW 1/4 of said Section 36 to the true point of beginning.

Submitted by:
PARKS & RECREATION COMMITTEE

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

RESOLUTION NO. 72-82006: Granting of Asylum Point Park Storm Water Sewer Easement to City of Oshkosh

WHEREAS, the Asylum Point Park property located on Sherman Road contains an 806 foot by 30 foot tract

of land through which a 24 inch storm sewer pipe was constructed 40+ years ago by the Winnebago State Hospital; and

WHEREAS, the aforementioned storm sewer pipe facilitates a portion of the drainage needs for both the Winnebago State Hospital as well as the Park View Health Center; and

WHEREAS, both the 806 foot by 30 foot tract and the storm sewer line within were conveyed to Winnebago County as part of a 54 acre land transfer that occurred in 1969 between Winnebago County and the Winnebago State Hospital; and

WHEREAS, the storm sewer is currently in a state of disrepair and in need of replacement; and

WHEREAS, the City of Oshkosh has recently indicated that the city is responsible for upkeep of the aforementioned storm sewer line and has subsequently asked for Winnebago County to consider granting an easement that will include the right to enter upon said land for purposes of replacing, maintaining, and repairing the structure; and

WHEREAS, your undersigned Committee believes that it would be in the best interest of Winnebago County to execute an easement with the City of Oshkosh for the reasons heretofore mentioned.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes the County Executive and the County Clerk to give and grant unto the City of Oshkosh an easement that will enable the municipality to replace, maintain and repair the Asylum Point Park storm water line herein described:

A parcel of land being part of Government Lot 3 of Section 6, Township 18 North, Range 17 East, Town of Oshkosh, Winnebago County, State of Wisconsin and being described as follows:

Commencing at the northeast corner of said Section 6, T18N, R17E.; thence S 89°25'04"E., 114.07 feet to the true point of beginning; thence S.00°40'42"E., 99.99 feet; thence S.18°08'14"E., 705.74 feet; thence N.80°39'36"E., 30.36 feet; thence N.18°08'14"W., 805.77 feet to the true point of beginning.

Submitted by,
PARKS AND RECREATION COMMITTEE

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

ORDINANCE NO. 73-82006: Amend Section 19.10, General Code of Winnebago County: Authorize Advertising, Vending and Peddling at Parks Facilities by Approved Parties under Contractual Agreement with the County

WHEREAS, the Parks Department is seeking to enter into contractual agreements with various parties for the granting of licensing rights that will allow such parties to advertise, vend and peddle on predetermined Parks properties and in ways specifically detailed within the contractual agreement; and

WHEREAS, the outcome of these contractual agreements is intended in part to provide a new convenience service to users of the various Parks properties; and

WHEREAS, this program will also provide a new revenue source for the County while requiring only minimal amounts in operational and administrative expenditures; and

WHEREAS, your undersigned Committee recommends that the County proceed to modify County Ordinance 19.10 to allow advertising, vending and peddling at Parks facilities by approved parties under contractual agreement with the County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that modifications shall be incorporated into County Ordinance 19.10 that shall allow advertising, vending and peddling at Parks facilities by parties under contractual agreement with the County.

NOW, THEREFORE, THE WINNEBAGO COUNTY BOARD OF SUPERVISORS does ordain as follows:

That Section 19.10 of the General Code of Winnebago County be modified to read as follows:

19.10 GROUP/INDIVIDUAL ACTIVITY. (1) Whenever any individual, group, association or organization desires to use a Parks Department facility for a particular purpose such as picnics, parties, theatrical or entertainment performances, a representative of the group, individual, association or organization shall first receive permission from the Parks Director,

or his/her designee, for a use permit.

(2) The Parks Director, or his/her designee, may grant the permit if it appears that the individual, group, association, or organization will not interfere with the general use of the park by individual members of the public and if the individual, group, association or organization meets all other conditions contained in the application. The application may contain a requirement for an indemnity bond to protect the County from any liability of any kind or character and to protect County property from damage and shall contain such a provision if the swimming lake is to be utilized by the group.

(3) If the individual, group, association or organization is non-profit, the prohibition against vending and peddling, as provided in Sec. 19.14 of this chapter, may be waived by the Parks Director or his/her designee. Such waiver may include permission to sell beer provided such non-profit group, individual, association or organization first obtains whatever licenses, if any, are required by the municipality in which the Parks Department facility is located. Permission for vending or peddling shall be limited to vending or peddling within the event or activity being conducted by the non-profit group, association or organization.

(4) Notwithstanding the previous provisions of this Ordinance, Parties that have entered into a licensing agreement with the County shall be granted the right to conduct the specified advertising, vending and peddling activities as are promulgated within the licensing agreement.

(5) The Parks Department requires those groups, or individuals using public shelters to notify the Parks Office when making a reservation, or a minimum of one (1) week in advance of their scheduled event, for permission if the group is planning entertainment utilizing any amplification systems. When this information is received, the Park Use Permit will be amended to validate this activity. Groups or individuals not having validated permission to use amplification systems will be denied use of the facilities. (a) "Sound amplification systems" in this section shall not be construed to include standard automobile radios or stereos when installed and heard only by occupants of such vehicles in which it is installed.

Submitted by:
PARKS & RECREATION COMMITTEE

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

RESOLUTION NO. 74-82006: Create Section 24.9(1)(c) of the Rules of the Winnebago County Board of Supervisors (Authorize Acceptance and Appropriation of Funds for Park View Health Center Building Project from Oshkosh Area Community Foundation)

WHEREAS, at the June, 2006 Winnebago County Board of Supervisors' meeting, the Winnebago County Board of Supervisors authorized the creation of a pass-through fund with the Oshkosh Area Community Foundation whereby donors could donate to said fund for the purpose of funding additions and enhancements related to the construction of the new Park View Health Center Facility; and

WHEREAS, it would cumbersome to require that the full County Board approve the acceptance and appropriation of donations to Winnebago County from the Oshkosh Area Community Foundation Pass-Through Fund; and

WHEREAS, it is in the best financial interest of the County to accept gifts from the Oshkosh Area Community Foundation Pass-Through Fund for Park View Health Center as soon as possible; and

WHEREAS, Section 65.90(5), Wisconsin Statutes allows the Personnel and Finance Committee to appropriate money from the County's General Contingency Fund provided that such appropriations do not exceed 10% of the funds originally appropriated for such activity by the Winnebago County Board of Supervisors during any budgetary year; and

WHEREAS, the present rules of the Winnebago County Board of Supervisors limit the amount the Winnebago County Personnel and Finance Committee can appropriate outside of the budgeting process pursuant to said statute to the sum of \$3,000 in relationship to any single appropriation; and

WHEREAS, the Park View Health Center Committee and the Personnel and Finance Committee of the Winnebago County Board of Supervisors believe that it is in the best interest of Winnebago County to amend the rules of the Winnebago County Board of Supervisors in relationship to acceptance of gifts from the Oshkosh Area Community Foundation's Park View Health Center Pass-Through Fund for this specific project.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby creates Section 24.9(1)(5)(c) of the General Rules of the Winnebago County Board of Supervisors to read as follows:

24.9 PERSONNEL & FINANCE COMMITTEE. ... The duties and responsibilities of the Committee shall be:

(5) Authorize Budgetary Alterations as permitted in Section 65.90(5), Wisconsin Statutes in either of the following situations:

(a) A transfer of funds between budgeted items of an individual county department if such budgeted items have been separately appropriated, and

(b) Supplementation of appropriation for a particular office or department by transfer from the Contingency Fund. The limitation on the dollar said amount set aside in the budgetary alteration shall be in the amount set aside in the Contingency Fund or the sum of \$3,000 whichever is the lesser sum, and

(c) Notwithstanding subsection (b), above, to accept gifts from the Oshkosh Area Community Foundation's Park View Health Center Pass-Through Fund into the Contingency Fund and to appropriate monies received from said gifts to the new Park View Health Center construction project for additions, enhancements, landscaping or furnishings in relationship to said project, provided that the total amount of said appropriation does not exceed 10% of the total amount of funds budgeted for said project for that budgetary year.

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

Motion by Supervisor Arne and seconded to adopt. Ayes: 35. Nays: 0. Excused: 2 - Lohry & Robl.
Absent: 1 - Lennon. CARRIED.

RESOLUTION NO. 77-82006: Disallow Claim of John and Jane Jungwirth

WHEREAS, your Personnel and Finance Committee has had the claim of John and Jane Jungwirth 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 John and Jane Jungwirth dated July 5, 2006, 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. 78-82006: Authorize Execution of Contract with U.S. Cellular for Mobile Phone Plan

WHEREAS, a number of County employees and County elected officials carry cellular phones in order to enable them to perform their jobs effectively; and

WHEREAS, Winnebago County contracts for such cellular phones through one company over a period of time; and

WHEREAS, in response to a recent proposal, U.S. Cellular has offered Winnebago County a Cellular Phone Service Contract over a period of two (2) years at a price of \$4.75 per phone for monthly access at a rate of \$.09 per minute with free nation-wide long distance within a Home Rate Area which includes the State of Wisconsin except for St. Croix County. A Nation-wide Roaming Rate of \$.75 per minute also applies to the contract; and

WHEREAS, the Director of Information Systems as well as the Information Systems Committee and the Personnel and Finance Committee believe that said contract is appropriate and serves the best interest of Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Clerk and the Winnebago County Executive to enter into a two (2) year contract with U.S. Cellular for cellular phone service for officials and employees of Winnebago County pursuant to terms as

stated above. (A copy of said proposed agreement may be obtained upon request from the Director of Information Systems.)

Submitted by:
INFORMATION SYSTEMS COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Brennand and seconded to adopt. Ayes: 35. Nays: 0. Excused: 2 - Lohry & Robl. Absent: 1 - Lennon. CARRIED.

RESOLUTION NO. 75-82006: Amendments to the University of Wisconsin Extension Table of Organization

WHEREAS, there are currently a three (3) full-time Extension Secretary positions and a part-time 4-H and Satellite Program Assistant position on the Table of Organization for the University of Wisconsin Extension; and

WHEREAS, the Program needs of the Department would be accomplished in a more efficient manner by reducing one (1) Extension Secretary position to part-time status and increasing the 4-H and Satellite Program Assistant position to full-time status; and

WHEREAS, these amendments to the Department's Table of Organization do not increase the Regular Pay and Fringe Benefit budgets of the Department

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that one (1) Extension Secretary position be reduced to part-time status and the 4-H and Satellite Program Assistant be increased to full-time status on the Department's Table of Organization; and

BE IT FURTHER RESOLVED, that these amendments do not increase the Regular Pay and Fringe Benefit budgets of the Department.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Maehl and seconded to adopt. Supervisor Eisen stated that he will abstain from voting on this resolution. Chairman Albrecht called for a vote on the resolution. Additional discussion from the Board was allowed by Chairman Albrecht, he then cancelled his earlier call for the vote on the resolution.

Motion by Supervisor Rengstorf and seconded to refer back to committee.

Motion to refer - Ayes: 19. Nays: 15 - Barker, Hotynski, Ramos, Maehl, Koziczowski, Widener, Lauson, Thompson, Wingren, Norton, Schmuhl, Kline, Locke, Diakoff and Brennand. Excused: 2 - Lohry & Robl. Absent: 1 - Lennon. CARRIED.

Motion by Supervisor Hotynski and seconded to adjourn until 6:00 p.m. on Tuesday, September 5, 2006. CARRIED BY VOICE VOTE.

The meeting was adjourned at 9:10 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 August 15, 2006.

Susan T. Ertmer
Winnebago County Clerk

