ADJOURNED SESSION WINNEBAGO COUNTY BOARD MEETING TUESDAY, MARCH 20, 2007

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: Sevenich, Barker, Griesbach, Hotynski, Ramos, Maehl, Koziczkowski, Pollnow, Widener, Albrecht, Thompson, Lohry, Lennon, Farrell, Hall, Wingren, Jacobson, Norton, Drexler, Robl, Schmuhl, Kline, Locke, Eisen, Schaidler, Finch, Farrey, Sievert, Arne, Diakoff, Brennand, Egan, Ellis, Rengstorf and O'Brien. Excused: Warnke. Absent: Anderson.

Motion by Supervisor Robl and seconded to adopt tonight's amended agenda. CARRIED BY VOICE VOTE.

COMMUNICATIONS, PETITIONS, ETC.

Petition for zoning amendment from Gerald Mathusek, Town of Algoma, for zoning change for tax parcel nos. 002-0018, 002-0178 and 002-0180 from A-2/B-2 to R-2 with corrected wetland for single family, per plat was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Ken Balda, Town of Algoma, for zoning change for part of tax parcel no. 0020049 from R-1 with flood plain to R-1 without flood plain was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Joe Leroy, Town of Poygan, for zoning change for tax parcel no. 020 0031-04 from P-1 to B-3 for a marina was referred to the Planning & Zoning Committee.

Petition for zoning amendment from William R. Stiller, Town of Omro, for zoning change for tax parcel no. 0160454 from B-2 to A-2 for residence and agriculture was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Faye B. Lindemann, Town of Omro, for zoning change for tax parcel no. 016-0411-02 from A-2/B-2 to A-2 for agricultural uses was referred to the Planning & Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS & BOARDS

Supervisor Barker reported after several attempts to reschedule the Legislative Committee meeting, there will not be a meeting this month. Some issues that cannot wait will be brought forward through another committee. Any items that can wait will be addressed at the next meeting, which will be Monday, April 23.

Supervisor Griesbach reminded supervisors that tornado season is approaching. Testing of the sirens will begin this Saturday. Three new sirens will be installed in the western part of the county

Supervisor Egan reported on high points of his experience at the recent NACo Convention:

- Highways Main topic was gas tax. Because of alternative fuels, the gas tax is not supplying sufficient money. Talked about mileage tax and privatizing roads.
- Reducing regulations to counties.
- National government must work more closely with the counties.
- ❖ Energy is a hot topic nuclear, ethanol, wind and solar.
- Clean water act.
- County Board size.
- Grants still available for small airports.
- ❖ Public property The federal government has as much money as ever, but is using 75% towards maintenance, not buying more land.

Supervisor Egan thanked Chairman Albrecht and the Board for allowing him to go to the convention. Supervisor Egan reported the new Personnel Function Review Committee met last week. Catherine Neiswender is helping the committee. They plan to meet on a regular basis.

Motion by Supervisor Robl and seconded to approve the February 27, 2007 proceedings. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris said he will not make a separate report, but deferred to his later presentation of the 5-Year Capital Improvements Plan.

COUNTY EXECUTIVE'S APPOINTMENTS

Advocap Board of Directors Winnebago County Members

Executive Harris asked for the appointment of Supervisors Alfred Jacobson, Jef Hall and Donna Lohry to the Advocap Board of Directors. Ms. Lohry will complete the unexpired term of Forrest Weber. These are three (3) year terms, which will expire April 21, 2009. Motion by Supervisor Robl and seconded to adopt. CARRIED BY VOICE VOTE.

Affirmative Action Commission

Executive Harris asked for the appointment of Supervisor Nancy Barker, Linda Mingus and Joaquin Lira to the Affirmative Action Commission. These are three (3) year terms, which will expire April 21, 2009. Motion by Supervisor Robl and seconded to adopt. CARRIED BY VOICE VOTE.

Winnebago County Housing Authority

Executive Harris asked for the re-appointment of Supervisor Michael Norton to the Winnebago County Housing Authority. This is a five (5) year term, which will expire April 17, 2012. Motion by Supervisor Hotynski and seconded to adopt. CARRIED BY VOICE VOTE.

CHAIRMAN'S REPORT

Chairman Albrecht reported Supervisor Warnke is doing well as he is recovering from a second knee replacement surgery and asked to be excused this evening.

Chairman Albrecht reported reading an article on Sheboygan County. They were looking at downsizing and announced that anyone wanting to attend the meeting should contact the County Clerk to get permission to speak. He noted the difference between that and Winnebago County allowing public input at each meeting.

COUNTY EXECUTIVE MARK HARRIS REVIEW OF 5-YEAR CAPITAL IMPROVEMENTS PROGRAM FOR 2007-2011

Executive Harris stated each supervisor should have received a copy of the Executive Capital Improvements Program 2007-2011. Executive Harris said that because this is not a perfect world, the items in the Capital Improvements Program change, by need. It is his best "guess or estimate" for the next 5 years.

Executive Harris said by approving the plan, the Board is not obligating itself to anything in the plan. It is only a broad guideline for the next 5 years.

Executive Harris stated the items in the Capital Improvements Program have been scheduled in an attempt to keep the debt service flat at \$1.17. Executive Harris pointed out several projects that had not been included in previous years:

- For 2007 Telephone system update \$575,000. The current telephone system will lose its technical support and needs updating.
- Highway Projects There are many resurfacing and road maintenance projects scheduled over the next 5 years. Executive Harris was convinced by the Highway Commissioner and committee that Winnebago County has not been keeping up with necessary repairs. Not repairing infrastructure when needed, will only defer costs, not eliminate them or could potentially cost more. The total costs for the 5 year Plan is over \$13 million.
- ❖ Airport There are \$3.6 million in airport improvements, but there are AIP funds available for those projects.
- ❖ Parks \$193,000 is for a noise barrier. A conditional use permit was obtained from the City of Oshkosh at the same time the racetrack was installed. There is a lot of noise for area residents and this will help alleviate that problem.

After discussion with supervisors, Executive Harris noted if items are added, changes will need to be made to the plan to keep the tax rate flat.

A copy of the Winnebago County Executive Capital Improvements Program can be viewed in the County Clerk's Office.

PUBLIC HEARING

No one addressed the Board.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Attorney Michael P. Herbrand and property owner Mary Jean Irvine, Town of Algoma, for zoning change to B-3(HB) for tax parcel nos. 002-0108(p) and 002-0116-01. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 03-01-07. A requested zoning change from A-2 (General Farming) to B-3(HB) (General Business-Highway Business overlay). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. Supervisor Schaidler abstained. (Effective date: March, 2007)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner John Duchatschek, Town of Nekimi, for zoning change to A-2 for tax parcel no. 012-0531 and 012-0533. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 03-02-07. A requested zoning change from A-1(Exclusive Ag) to A-2(General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: March, 2007)

AMENDATORY ORDINANCE 3. A requested zoning change from Town of Rushford on behalf of Donald Malson for zoning change from A-2 to A-3 for tax parcel nos. 022-0716-01 and 022-0708. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. Supervisor Egan abstained. (Effective date: March, 2007)

AMENDATORY ORDINANCE 4. A requested zoning change from Town of Wolf River on behalf of Carol Utecht for zoning change from A-1 to R-1 for tax parcel no. 032-0436. Motion by Supervisor O'Brien and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: March, 2007)

AMENDATORY ORDINANCE 5. A requested zoning change from Town of Wolf River on behalf of Dan Rieckmann for zoning change from R-1 to A-2 for tax parcel nos. 032-0026, 032-0026-02 and 032-0026-03. Motion by Supervisor O'Brien and seconded to adopt. CARRIED BY VOICE VOTE. (Effect date: March, 2007)

RESOLUTIONS & ORDINANCES

RESOLUTION NO. 171-32007: Authorize Execution of Airport Hangar Lease Between Wittman Regional Airport and Janie Gee Aviation, Incorporated

WHEREAS, Janie Gee Aviation, Incorporated wishes to renew its lease for Hangar Building L 809-C at Wittman Regional Airport; and

WHEREAS, Janie Gee Aviation, Incorporated and Wittman Regional Airport have reached a tentative agreement whereby Janie Gee Aviation would rent said hangar, commencing February 1, 2007 at a rental cost of \$300.00 per month for the first year of said lease; \$309.00 per month for the second year of said lease; and \$318.00 for the third year of said lease; and

WHEREAS, the Aviation Committee has approved said lease agreement and recommends it's approval by the Winnebago County Board of Superviors.

NOW, THERÉFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the execution of a lease between Janie Gee Aviation, Incorporated and Winnebago County (Wittman Regional Airport) for Building L 809-C, commencing February 1, 2007, upon those terms stated above. (The proposed lease is incorporated by reference as a part of this resolution. A copy of the proposed lease may be obtained upon request to the Director of Wittman Regional Airport.)

Submitted by: AVIATION COMMITTEE

Motion by Supervisor Lennon and seconded to adopt. Ayes: 33. Nays: 2 – Hotynski and Lohry. Excused: 1 - Warnke. Absent: 1 – Anderson. CARRIED.

RESOLUTION NO. 172-32007: Authorize Transfer of Funds of \$16,896 Between Accounts of Coroner's 2006 Budget to Cover Overages and Transfer \$900 from the Contingency Fund to Cover the Balance of the Overage for 2006.

WHEREAS, it is very difficult to predict the number of autopsies that will be incurred at the time that the budget is prepared; and

WHEREAS, the number of autopsies can vary significantly from year to year; and

WHEREAS, an increase in the number of autopsies performed will result in higher costs but will also result in additional revenue; and

WHEREAS, the Coroner's vehicle had several expensive repairs during 2006 that could not be anticipated at budget time.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of funds between accounts of the Coroners 2006 budget per the attached schedule to cover expense overages with additional revenues and a residual transfer from the contingency fund of \$900 to cover the net shortfall for the year.

Submitted by: JUDICIARY & PUBLIC SAFETY COMMITTEE PERSONNEL & FINANCE COMMITTEE Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 33. Nays: 2 – Norton and Brennand. Excused: 1 – Warnke. Absent: 1 – Anderson. CARRIED.

RESOLUTION NO. 173-32007: Designate the Week of April 2 Through April 6, 2007 as "Work Zone Safety Awareness Week" in Winnebago County

WHEREAS, in 1999, the Federal Highway Administration (FHWA) partnered with the American Association of State Highway Officials (AASHTO) to create the National Work Zone Safety Awareness Week campaign, held annually in April prior to the construction season in much of the nation; and

WHEREAS, in a typical year, over one thousand people are killed in work zones nationwide, either as drivers, passengers, or pedestrians; and

WHEREAS, in the past few years Wisconsin work zones have averaged approximately 1,200 accidents annually with an average of 15 fatalities per year; and

WHEREAS, through their enforcement activities and other participation, the Winnebago County Sheriff's Department, Wisconsin State Patrol and Winnebago County Highway Department worked to make "Work Zone Safety Awareness Week" a success; and

WHEREAS, The County Sheriff's Department is committed once again in 2007 to conduct enforcement activities and work jointly with the Highway Department to make "Work Zone Safety Awareness Week" a success; and

WHEREAS, the Winnebago County Highway Commission supports the effort to make the public aware of work zone safety at all times; and

WHEREAS, the Federal Highway Administration has designated April 2nd, 2007 though April 6th, 2007 as National Work Zone Safety Awareness Week.

NOW, THEREFORE BE IT RESOLVED, by the Winnebago County Board of Supervisors that the week of April 2, 2007 through April 6, 2007 be designated "Work Zone Safety Awareness Week" in Winnebago County.

Submitted by: HIGHWAY COMMITTEE

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

RESOLUTION NO. 174-32007: Authorize the Highway Department to Accept an Additional \$56,300 of Transportation Aids and Appropriate Them to the Rat River Bridge Capital Project Fund.

WHEREAS, the Winnebago County Board of Supervisors previously passed a resolution authorizing the reconstruction of the Rat River Bridge on CTH M in the Town of Winchester; and

WHEREAS, there were additional costs associated with the project due to modifications to the structure at the time of construction; and

WHEREAS, the additional estimated expenses of \$56,300 related to the project will be covered by additional transportation funds; and

WHEREAS, the project is being funded 80% Federal/State and 20% Winnebago County and there are sufficient funds available to fund Winnebago County's portion of the costs.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the acceptance of \$56,300 of additional transportation aids and appropriates the funds to the Rat River Bridge Capital Project Fund in order to pay for additional costs related to the project.

Submitted by: HIGHWAY COMMITTEE PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 175-32007: Create a Position of Traffic Operations Supervisor on the Highway Department's Table of Organization

WHEREAS, the Table of Organization for the Highway Department currently has six (6) Foreman positions in the Road Maintenance Section; and

WHEREAS, the incumbent of one of these Foreman positions has recently retired; and

WHEREAS, the Highway Department Administration has requested that the Foreman position be reclassified to Traffic Operations Supervisor; and

WHEREAS, the needs of the Road Maintenance Section of the Highway Department are better served with the reclassified position.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that a Traffic Operations Supervisor position be added to and a Foreman position be deleted from the Table of Organization for the Highway Department; and

BE IT FURTHER RESOLVED, that funds to cover the cost of these amendments to the Table of Organization for the Highway Department be applied from within the labor budget of the Department.

Submitted by, PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 27. Nays: 8 – Ramos, Thompson, Hall, Wingren, Jacobson, Farrey, Arne and Ellis. Excused: 1 – Warnke. Absent: 1 – Anderson. CARRIED.

RESOLUTION NO. 176-32007: Create a Position of Expo Operations Supervisor on the Park's Department Table of Organization

WHEREAS, the Table of Organization for the Park's Department currently has a Foreman position in the Expo Section; and

WHEREAS, the incumbent of the Foreman position has recently retired; and

WHEREAS, the Park's Department Administration has requested that the Foreman position be reclassified to Expo Operations Supervisor; and

WHEREAS, the needs of the Expo Section of the Park's Department are better served with the reclassified position.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that an Expo Operations Supervisor position be added to and a Foreman position be deleted from the Table of Organization for the Park's Department; and

BE IT FURTHER RESOLVED, that funds to cover the cost of these amendments to the Table of Organization for the Parks Department be applied from within the labor budget of the Department.

Submitted by, PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 28. Nays: 7 – Thompson, Lohry, Jacobson, Farrey, Arne, Egan and Ellis. Excused: 1 – Warnke. Absent: 1 – Anderson. CARRIED.

RESOLUTION NO. 177-32007: Accept \$5,000 Grant from Community Foundation and Apply to Donated Goods and Services Account in the Park View Health Center 2007 Budget to Purchase Goods and Services to Help Meet Resident Needs.

WHEREAS, the Community Foundation of the Fox Valley has pledged \$5,000 per year for a five year period to Park View Health Center; and

WHEREAS, this is the first year of a five year pledge; and

WHEREAS, the funds are to be used to purchase goods and services to help meet resident needs such as clothing, shoes, hair care and subscriptions; and

WHEREAS, it would be prudent and in the best interest of the residents of Park View Health Center to accept this grant.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes Park View Health Center to accept a \$5,000 grant from the Community Foundation and does hereby appropriate the funds to the "donated goods and services" account of the Park View Health Centers 2007 budget for the purpose of purchasing goods and services that will help meet resident needs.

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

Motion by Supervisor Arne and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Warnke. Absent: 1 – Anderson. CARRIED.

RESOLUTION NO. 178-32007: Appropriate \$575,000 to the Capital Project Fund to Upgrade the County Telephone System.

WHEREAS, the current County phone system consists of four major switches with additional remote switches connecting outlying offices, plus voice mail; and

WHEREAS, three of the four main switches are considered critical, requiring support 24x7 due to the nature of the business they service; and

WHEREAS, some of this hardware is twenty plus years old with software support being discontinued 12/15/2008; and

WHEREAS, two components will be directly related to other projects - the new Park View Health Center building and eliminating the integration of the 911 functions from the administrative phone switch at the Sheriff's Office, plus voice mail will be upgraded; and

WHEREAS, it would be prudent to upgrade the system at the current time.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$575,000 to the Telephone System Upgrade capital project fund for the purpose of upgrading the current system.

BE IT FURTHER RESOLVED that funds to pay for said project be transferred from the General Fund of Winnebago County to the Telephone System Upgrade Capital Project fund with the General Fund being reimbursed from a subsequent bond issue.

Submitted by: INFORMATION SYSTEMS COMMITTEE PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Brennand and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Warnke. Absent: 1 – Anderson. CARRIED.

RESOLUTION NO. 179-32007:

Authorize the Transfer of \$7,000 Between Accounts Within the Human Services 2006 Budget to Cover Overages in the Auto Allowance Accounts During 2006.

WHEREAS, the Internal Revenue Service increased the mileage reimbursement rate for 2006 as a result of increasing fuel and car operational costs; and

WHEREAS, this increase was not known when the 2006 budget was prepared; and

WHEREAS, there are sufficient funds in other accounts within the Human Services Departments 2006 budget to cover the overages in "auto allowance" as outlined on the attached budget transfer form.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of funds from accounts listed on the attached budget transfer form to the "auto allowance" accounts to cover the budget overage for 2006 within the Human Services Department budget related to Automobile Allowances.

Submitted by: HUMAN SERVICES BOARD PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Koziczkowski and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Warnke. Absent: 1 – Anderson. CARRIED.

RESOLUTION NO. 180-32007: Request Authority to Apply For Funds For Maintenance Of County-Owned Snowmobile Trails

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the County Executive and the County Clerk are hereby authorized to make application on behalf of Winnebago County with the

Department of Natural Resources, pursuant to Sec. 23.09(26), Wisconsin Statutes, for any financial aid that may be available for public snowmobile trail use and maintenance in Winnebago County.

> Submitted by, PARKS AND RECREATION COMMITTEE

Motion by Supervisor Hotynski and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 - Warnke. Absent: 1 - Anderson, CARRIED.

RESOLUTION NO. 181-32007: Authorize Acceptance of Joint DATCP/DNR Soil and Water

Resource Management and Nonpoint Source Pollution Abatement Grant in

2008

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

WHEREAS, your Land & Water Conservation Department has submitted a joint grant application to DATCP and DNR, in the amount of \$544,614 for staff support and cost sharing of pollution abatement projects to be installed in 2008.

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

BE IT FURTHER RESOLVED that the approved grant be allocated, on the basis of the aforementioned application, to the Winnebago County Land & Water Conservation Department 2008 budget revenue accounts 4208-100-082 and 4208-100-083, with applicable dollar amounts to be reflected in the appropriate expenditure accounts in 100-082 and 100-083.

> Submitted by: LAND CONSERVATION COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Warnke. Absent: 1 - Anderson. CARRIED.

RESOLUTION NO. 182-32007: Commendation for Gary Neumeyer

WHEREAS, Gary Neumeyer has been employed with the Sheriff's Department of Winnebago County, for the past thirty-two years, and during that time has been a most conscientious and devoted County employee; and WHEREAS, Gary Neumeyer 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 Gary Neumeyer 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 Gary Neumeyer.

Submitted by, PERSONNEL AND FINANCE COMMITTEE

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

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, April 17, 2007. CARRIED BY VOICE VOTE.

The meeting was adjourned at approximately 7:10 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 March 20, 2007.

Patricia Rabe, Deputy Winnebago County Clerk