

**WINNEBAGO COUNTY BOARD MEETING  
TUESDAY, OCTOBER 21, 2008**

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: Koneczka, Griesbach, Eisen, Ramos, Roh, Koziczowski, Smith, Widener, Albrecht, Gabert, Riste, Thompson, Lennon, Hall, Wingren, Jacobson, Norton, Warnke, Robl, Wright, Schmuhl, Kline, Locke, Nelson, Finch, Sievert, Diakoff, Brennand, Egan, Rengstorf and Reinert. Excused: Hamblin, Ellis, Barker and Farrey. Absent: Gilchrist.

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

**PUBLIC HEARING**

No one addressed the Board.

**COMMUNICATIONS, PETITIONS, ETC.**

Notice of Claim received from Jennifer Kraemer regarding injuries to her horse caused by hardware used in the stalls in Barn D at the fairgrounds was referred to the Personnel & Finance Committee.

Notice of Claim received from Raymond Arellano regarding damages as a result of his incarceration at the Wisconsin Resource Center was referred to the Personnel & Finance Committee.

The following resolutions were received from various counties:

- Brown County – “Resolution Requesting the Legislature Increase the Fee for Wisconsin Street Trade Permits and Minors’ Work Permits” – referred to Legislative Committee
- Kewaunee County, No. 16-9-08 – “Supporting a Change in the Register of Deeds Recording Fee From a “Per Page” to a “Flat Fee” – referred to Legislative Committee
- Langlade County, No. 66-2008 – “Support of a Change in the Register of Deeds Recording Fees From a “Per Page” to a “Flat Fee” – referred to Legislative Committee
- Lincoln County, Resolution 2008-08-28 – “Resolution to the U.S. Congress on Legal and Illegal Drug Abuse” – referred to Legislative Committee
- Oconto County, Resolution #57-08 – Funding for Wireless Emergency 911 Surcharges – referred to Judiciary & Public Safety Committee
- Portage County – Resolution No. 61—2008-2010 – “Supporting Federal Legislation that will Establish a Lower National Speed Limit” – referred to Legislative Committee

Petition for zoning amendment from Town of Menasha, (applicant Dennis J. Jochman, Bechard Investments, Inc.) for zoning change for tax parcel no. 008-0249-01 from B-3 to B-5 for a hotel was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Stephen Sturtevant, Town of Clayton, for zoning change for tax parcel no. 006-0598-11 from R-1 to R-2 for an addition to an existing single family home was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Gene Young, Town of Winneconne, for zoning change for tax parcel no.030-0102-01(p) from A-2 to R-1 for a single-family residence was referred to the Planning & Zoning Committee.

**REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS**

Supervisor Kline reported that there would not be a Legislative Committee meeting in October. Their next meeting will be in November.

Supervisor Lennon thanked everyone for all the support she has received from the County Board and department heads during her recent battle with health issues and when her father passed away.

Supervisor Rengstorf reported that on October 7 four people graduated from Winnebago County's Drug Court. The graduation was attended by the Wisconsin Supreme Court and all the justices participated in the graduation. Supervisor Rengstorf was also happy to report none of the Drug Court's previous graduates have reoffended.

Supervisor Warnke reported on what a great experience it was to have the Wisconsin Supreme Court visit Winnebago County last week. He stated that all the justices were very nice and treated everyone very well.

Supervisor Widener passed along Judge Scott Woldt's request that the supervisors keep their desk drawers locked so that people coming into court can't get to the contents in the drawers. Unlocked desk drawers are a potential security risk for his courtroom.

Motion by Supervisor Warnke and seconded to approve the proceedings from the September 2 & 16, 2008 County Board meetings. CARRIED BY VOICE VOTE.

### COUNTY EXECUTIVE'S REPORT

Executive Harris explained that this year's budget was very difficult to compile and that they had to, "use every penny that we're allowed to use under the levy freeze." He stated that the budget does balance and that the county should be in good financial shape in 2009.

Executive Harris then gave his State of the County address and presented the "Winnebago County Financial Review 2007 Audit and 2008 Projections" Report. Executive Harris' report included the following information:

- In 2006, the county saw a significant increase in its general fund reserves (undesignated fund), but since then the county has only been able to maintain that level. Since that time, the county has been able to reduce expenditures from general fund reserves, but not significantly.
- The county has three major sources of revenue—intergovernmental (money from the state and federal governments); Property Tax Levy; and Fees, Fines & Other. There has been a decrease in revenues generated in the Fees, Fines and Other category, but increases in the other two areas.
- Charts showing:
  - Gross Expenditures by Major Area: Human Services—41%; Administration, Board & Other—13%; Park View Health Center—12%; Sheriff—11%; Highway and County Road—9%; Governmental Fund Debt—6%; Facilities—3%; Airport—2%; Courts—2%; Parks—1%
  - Revenues by Major Area: Levy—38%; Human Services, Other—31%; Other Sources—12%; Highway & County Roads—8%; Park View Health Center—7%; Sheriff—2%; Airport—1%; Courts—1%
  - Expenditures by Major Category: Contract Services—28%; Wages—28%; Other Expenses—14%; Benefits—13%; Debt Service—8%; Insurance—4%; Repairs—2%; Utilities—2%; Capital Outlay—1%
  - Levy by Major Area: Human Services—27%; Sheriff—21%; Administration, Board & Other—14%; Governmental Fund Debt—14%; Park View Health Center—12%; Facilities—6%; Courts—2%; Parks—2%; Airport—1%; Highway and County Road—1%
  - Equalized Operating Tax Rate: - In 2008, this rate was \$4.30. It is anticipated that the operating rate will increase to \$4.37 in 2009, but this will be offset by a decrease of approximately \$.07 in the debt service amount.
  - Total County Employees by Major Area: Human Services—311; Park View Health Center—225; Sheriff—189; Administration & Other—116; Highway and County Road—80; Courts—44; Facilities—38; Parks—12; Airport—9;
  - General Obligation Debt Outstanding at End of Each Year: There was a significant increase in this debt in 2006 because of the Park View Health Center project, but since that time there has been a steady, significant reduction in this debt. This debt will continue to decrease in 2009.

Executive Harris then took questions from the Board.

### COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported that Supervisors Ellis, Barker, Farrey and Hamblin are excused from tonight's meeting.

Chairman Albrecht reminded the Board that the agendas for next week's budget sessions were placed on the supervisors' desk this evening. He also reminded the supervisors to bring their budget books to next week's budget session.

### NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH – TIM COOK, CLARITY CARE

Tim Cook, Executive Director of Clarity Care, stated that October is "National Disability Employment Awareness Month". He explained the importance of making individuals and businesses aware of this under-utilized segment of the population and their potential to be excellent employees.

Mr. Cook explained that the unemployment rate in Winnebago County is down--the number of unemployed people is down and the number of people available to fill available jobs has stayed constant. This shows that our workforce is not growing and will not keep pace with jobs that need to be filled.

Mr. Cook stated that for businesses to keep growing, they need to find a dependable, good source of employees. Out of the 32,000+ people with disabilities in Brown, Calumet, Outagamie and Winnebago Counties, only 11,000 are gainfully employed. National statistics show that 66% of people with disabilities want to be

employed. That means there are approximately 10,500 people with disabilities in this area that still want to be employed.

Mr. Cook encouraged area businesses who are looking for employees who are “innovative, reliable, creative team members” to use this valuable resource. He explained statistics show disabled employees have a lower turnover rate, and that they have average or above-average ratings in performance, attendance and safety. Mr. Cook further explained that because of their disabilities, they have had to learn to adapt and change because of many challenges in their environment—this helps to make them productive, innovative and creative employees.

Mr. Cook explained that people with disabilities bring diversity to the workforce, and it challenges and inspires employees and improves morale.

Mr. Cook stated that statistics show that most businesses will need to spend less than \$500 to make their work place handicapped accessible. There are also tax credits available to businesses that hire people with disabilities.

Mr. Cook stated that it is a good business decision and great opportunity for everyone—the business and the employee--if they hire people with disabilities.

### **ERIC CARTY, REAL ESTATE SPECIALIST, WISCONSIN DEPARTMENT OF TRANSPORTATION BUREAU OF AERONAUTICS**

Peter Moll, Wittman Airport Manager, explained that Eric Carty is a real estate specialist with the Wisconsin Department of Transportation's Bureau of Aeronautics and that he is here to explain the DOT's reimbursement policies as they relate to property acquisitions around airports. Mr. Carty will also explain how these policies relate to Winnebago County's potential acquisition of the property at 4016 South Knapp Street Road.

Mr. Carty stated that he is also a representative for the Federal Aviation Administration and that one of the FAA's objectives is that property owners receive fair and adequate compensation for properties that airports acquire.

In regards to the property at 4016 South Knapp Street Road, Mr. Carty made the following points:

- One appraisal has already been done on this property.
- A second appraisal is in process.
- The county is eligible for reimbursement of the price of the property as determined by the first appraisal of the property. The county would be responsible for 2.5% of the cost of the acquisition.
- The county would also be eligible for reimbursement in the case of the second appraisal at the same rate of 2.5% cost of the acquisition.
- The landowner must receive the amount that is on the appraisal after that appraisal has been reviewed. Both the original appraisal and the review of the appraisal must be done by certified general appraisers.
  - This review must establish that the appraiser followed appropriate industry standards when they did the appraisal and that the calculations are correct.
- The first appraisal has not yet been reviewed.
- The second appraisal will be a separate appraisal—not a review of the first appraisal.
- If the second appraisal comes in lower than the first appraisal, Mr. Carty recommends that a third appraiser look at both appraisals and make a “reconciliation appraisal”. This means that the third appraiser would agree with either the first or second appraisal, or come up with an amount somewhere between the two appraisals or an amount greater than either of the two appraisals.

Mr. Carty summarized where the county is in the process as this time:

- ✓ The county has a resolution to purchase the property at 4016 South Knapp Street Road at a price that is based on the first appraisal.
- ✓ The first appraisal has not been reviewed yet.
- ✓ A second appraisal of the property is pending.
- ✓ The county must determine the fair market value of this property:
  - Take the lowest appraisal
  - Take the highest appraisal
  - Average the two appraisals
  - Have a state-qualified person review the two appraisals and make a determination of the property's fair market value

Mr. Carty recommended that the county have the state-qualified person review the appraisals and determine the fair market value of the property. He stated that it is important that the property owner not be, “short changed” in their compensation for the property. Mr. Carty strongly recommended that the county not accept the lowest appraisal because of the perception that the county would look like they are “appraisal shopping.” He also suggested that if the county is not satisfied with the second appraisal, that a third appraisal be done.

Mr. Carty then took questions from the Board.

## ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners Richard Kohl, Donovan True and Dirk Kagerbauer, Town of Black Wolf, for zoning change to R-1/R-3 for tax parcel nos. 004-0369-01, 004-0369-02, 004-0369-14, 004-0369-08 and 004-0369-11(p). Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 10-01-08. A requested zoning change from R-2/R-1 (Single Family subdivided/Single Family non-subdivided) to R-1/R-3 (Single Family non-subdivided/Two Family Residential). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: October 30, 2008)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Michael Krohn, Town of Nekimi, for zoning change to A-2 for tax parcel nos. 012-0631-01 and 012-0631-01-01. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 10-02-08. A requested zoning change from A-1 (Exclusive Agriculture) to A-2 (General Farming). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: October 30, 2008)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Robert Buser, Town of Winchester, for zoning change to R-1 for tax parcel no. 028-0449(p). Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 10-03-08. A requested zoning change from A-1 (Exclusive Agriculture) to R-1 (Single Family Non-subdivided). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: October 30, 2008)

AMENDATORY ORDINANCE 4. A requested zoning change from the Town of Black Wolf on behalf of Richard Kohl and Donovan True for zoning change from R-2 to R-1 for tax parcel no. 004-0369-14. Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: October 30, 2008)

AMENDATORY ORDINANCE 5. A requested zoning change from the Town of Winneconne on behalf of David Leichtnam for zoning change from A-2 to R-1/A-1 for tax parcel no. 030-1448. Motion by Supervisor Rengstorf and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: October 30, 2008)

## RESOLUTIONS AND ORDINANCES

### **RESOLUTION NO. 88-102008: Opposition to the Forest-Wide Travel Management Project Plan in the Chequamegon-Nicolet National Forest as Proposed by the United States Forest Service**

WHEREAS, the United States Forest Service has published a Forest-wide Travel Management Plan in the Chequamegon-Nicolet National Forest that proposes closure of 55% of the public roads within the Chequamegon-Nicolet National Forest; and

WHEREAS, the United States Forest Service fails to recognize the need to manage the National Forests as productive managed forests and continues to regulate National Forests as though they were National Parks, which is contrary to the congressional authority granted to the United States Forest Service for the purchase and management of the Chequamegon-Nicolet National Forest; and

WHEREAS, the United States Forest Service has not managed the National Forests consistent with the provisions of the Clark-McNary Act to furnish a continuous supply of timber for the use and necessities of citizens of the United States; and

WHEREAS, for the most part these lands were purchased from the counties where said lands are located under the pretext and commitment that these lands would be returned to a forested condition and that these lands would again provide a sound base for the local and regional economy and that local governments would play a major role in the management and operation of the Chequamegon-Nicolet National Forest; and

WHEREAS, the United States Forest Service has failed to consider the negative impact of reduced employment, and loss of local and state tax generation, that otherwise would be created by tourism opportunities that rely on motorized access to public lands within counties and communities where the Chequamegon-Nicolet National Forest is located in its recently published United States Forest Service's Travel Management Project Environmental Assessment; and

WHEREAS, lands within the National Forests should be accessible to the citizens of these United States of America and not just experienced from the edges of the forest boundaries along major highways; and

WHEREAS, the proposed closure of the roads in the Chequamegon-Nicolet National Forest eliminates a reasonable level of public access to recreational pursuits including but not limited to hunting, fishing, wood cutting, mushroom and berry picking, birding, wildlife viewing, ATV and snowmobile travel, and general access by the

young, elderly, physically and mentally impaired, or provide emergency and/or rescue services to visitors to the Chequamegon-Nicolet National Forest; and

WHEREAS, the lands within the Chequamegon-Nicolet National Forest boundaries are not large tracts of contiguous property such as within National Parks but include significant private property that relies upon travel upon these roads for a variety of purposes such as access to employment, their private lands, routes for emergency vehicles, and emergency evacuation routes in times of disaster; and

WHEREAS, the proposed closure of these roads within the Chequamegon-Nicolet National Forest will have a negative impact on sound forestry management and will limit the United States Forest Services' ability to combat fire, disease, pests, and invasive species.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby recognizes the tremendous importance of transportation networks within the Chequamegon-Nicolet National Forest and that the Chequamegon-Nicolet National Forest is an exceptional natural resource that has the capacity to provide recreational, social, and economic benefits on a sustainable basis provided that the lands within the Chequamegon-Nicolet National Forest remain accessible to the traveling public and local units of government.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the United States Forest Service's Travel Management Project Environmental Assessment has failed to properly address forest ecology, local historic uses, multiple use principals, and social and economic needs of the region.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the proposed closure of roads coupled with severe reductions in timber harvesting below sustainable levels within the Chequamegon-Nicolet National Forest constitutes continuing evidence that the United States Forest Service is unwilling or unable to properly manage the Chequamegon-Nicolet National Forest and that this Board of Supervisors demands that unless the United States Forest Service provides for a Travel Management Project Environmental Assessment that addresses all of the stated above, that all lands within the Chequamegon-Nicolet National Forest should revert back to the counties where said forest lands are located by virtue of a breach of promise by the Federal Government and their failure to comply with the Clark-McNary Act.

BE IT FURTHER RESOLVED that copies of this Resolution be presented to President George Bush, Secretary of the Interior, Secretary of the Department of Agriculture, Chief of the Forest Service, Joan Marburger, Project Coordinator, Chequamegon-Nicolet National Forest, all Wisconsin Federal Representatives, Governor James Doyle, area Wisconsin State Representatives and respectfully request that all counties that contain any lands designated as the Chequamegon-Nicolet National Forest concur and take similar action.

Submitted by:  
LEGISLATIVE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE. (Supervisor Widener voted nay.)

**ORDINANCE NO. 89-102008: Amend Section 19.24 (11)(D) of the General Code of Winnebago County to Reflect an Increase in the Daily Boat Trailer Parking Fee from \$4.00 to \$5.00 Per Day**

WHEREAS, there are a number of inflationary factors that are beginning to impact the Parks Department's Boat Landing Parking Permit Program funds; and,

WHEREAS, there has recently been a 50% reduction in the average size of the grant awards being distributed to municipalities by the state Waterways Commission for support of boat landing capital improvement projects; and,

WHEREAS, comparison of the fees being charged for daily access at other county and city landings in the northeast area of the state demonstrates the appropriateness of a \$1.00 increase in boat trailer parking fees.

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Supervisors of the County of Winnebago does ordain as follows:

That effective March 31, 2009, Section 19.24 (11) (D) of the General Code of Winnebago County be amended to reflect an increase of \$1.00 in the daily boat trailer parking fee and that Section 19.24 (11) (D) shall thereafter read as follows:

**19.24 FEES AND CHARGES.**

**(11)(D) BOAT TRAILER PARKING FEES.**

**(D) FEES.** The annual boat trailer parking permit shall be \$25.00 for residents and \$35.00 for non-residents. The annual boat trailer permit fee for senior citizens age 65 years or older shall be \$20.00 for residents. A multi-year boat trailer parking permit shall be \$65.00 for residents and \$90.00 for non-residents. The multi-year (3-year) boat trailer parking permit fee for senior citizens age 65 or older shall be \$50.00 for residents. For purposes of this ordinance, "resident" status shall be considered as either one of the following:

- (1) An individual currently residing in Winnebago County as is indicated by that person's driver's license;
- (2) An individual currently owning property within Winnebago County as indicated by a tax receipt for the prior year.

Along with the purchase of an initial boat trailer parking permit, individuals shall have the option of acquiring an additional permit for a second automobile, motor home or truck registered to the same individual which they intend to use to pull a boat trailer. The additional permit shall cost \$5.00. At any time following the initial transaction, a second permit or a replacement permit may be purchased at the Parks Department office for the same permit period at a cost of \$5.00 per permit. Proof of vehicle registration shall be provided for all transactions. Annual and multi-year stickers shall be prominently displayed and permanently affixed to the lower corner of the interior of the windshield on the driver's side of the automobile, motor home or truck utilized to pull the boat trailer. A daily boat trailer parking permit fee shall be **\$5.00**. The printed side of the daily permit shall be prominently displayed on the interior of the passenger side window of the automobile, motor home or truck pulling the boat trailer.

Submitted by:  
 PARKS & RECREATION COMMITTEE

Motion by Supervisor Finch and seconded to adopt. Motion by Supervisor Jacobson and seconded to amend the ordinance by changing "age 65 years or older" to "age 55 years or older" wherever it appears in this section of the ordinance. Ayes: 19. Nays: 11 – Konetzke, Eisen, Albrecht, Thompson, Hall, Norton, Warnke, Robl, Diakoff, Brennand and Reinert. Excused: 5 - Hamblin, Ellis, Riste, Barker and Farrey. Absent: 1 – Gilchrist. CARRIED.

Ordinance as amended: Ayes: 28. Nays: 2 – Thompson and Brennand. Excused: 5 - Hamblin, Ellis, Riste, Barker and Farrey. Absent: 1 – Gilchrist. CARRIED.

**RESOLUTION NO. 90-102008: Authorize the Emergency Management Department to Accept Grant Funds of \$11,935 and Increase the "Maintenance Supplies" Account For Sandbags That Were Needed For The Summer 2008 Flood.**

WHEREAS, the Emergency Management Department had to purchase sandbags to assist residents as a result of the 2008 flood; and  
 WHEREAS, there are insufficient funds available in the Emergency Management Department's budget as a result of this unexpected event; and  
 WHEREAS, as a result, the Emergency Management Department will exceed its 2008 budget in the "Other Operating Expense" category by years end; and  
 WHEREAS, Federal Emergency Management Assistance grant funds are available to cover the projected overage; and  
 WHEREAS, it would be prudent for the department to accept these grant funds to cover the projected overage.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Emergency Management Department to accept a Federal Emergency Management Assistance Grant of \$11,935 and authorizes appropriation of said grant funds to the "Other Maintenance Supplies" Account of the Emergency Management's 2008 budget to cover the projected overage.

Submitted by:  
 EMERGENCY MANAGEMENT COMMITTEE  
 PERSONNEL & FINANCE COMMITTEE

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

**RESOLUTION NO. 91-102008: Transfer \$20,000 from General Fund Undesignated Fund Balance to the Other Contractual Services Account of the Sheriff Department's 2008 Budget for the Purpose of Having an "Adjacent Counties Jail Study" Conducted**

WHEREAS, Winnebago County along with nearby counties are projecting a shortage of lock down space in a relatively short period of time; and

WHEREAS, it would be prudent to do a study with neighboring counties to see if there are opportunities to share costs in some format; and

WHEREAS, the Winnebago, Outagamie and Calumet County Boards authorized their executives to appoint an ad hoc committee to study the feasibility of a joint jail facility; and

WHEREAS, the ad hoc committee has recommended hiring a consultant to complete a study and make recommendations; and

WHEREAS, the ad hoc committee has suggested the funding for the study be shared by all three counties using a cost formula based on population.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$20,000 from the General Fund Undesignated Fund balance to the "Other Contractual Services" Account of the Sheriff Department's 2008 budget to conduct the adjacent counties jail study.

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

WITHDRAWN by Supervisor Rengstorf.

**ORDINANCE NO. 92-102008: Amend Section 19.24(2)(a) of the General Code of Winnebago County to Reflect an Increase of \$10.00 in Each Category of the Community Park Shelter Rental Fees and to Eliminate Past Practice of Exempting Tournament & Festival Sponsors from Payment of Said Fees**

WHEREAS, for six years there has been no increase in the Community Park Shelter Rental Fees while at the same time the cost of maintaining the shelters and the services related to the program have continued to rise; and

WHEREAS, a comparison of the fees applied to similar facilities and services located at other municipalities demonstrates the appropriateness of instituting a \$10.00 increase in each fee category; and

WHEREAS, there is a growing need for the County to compensate for increasing maintenance costs and to avoid the loss of revenue tied to the shelter fee exemption given non-profit organizations that use the shelters in support of tournament and/or festival activities; and

WHEREAS, along with these fee changes it is desirable to create another shelter rental category making it possible for small groups to reserve any one of three Community Park 16' X 20' open air shelters.

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Supervisors of the County of Winnebago does ordain as follows:

That effective January 1, 2009, Section 19.24 (2) (a) of the General Code of Winnebago County be amended to reflect an increase of \$10.00 for each of the fees included in the Community Park Shelter Rental Fee Schedule and that Section 19.24 (2)(a) shall subsequently read as follows:

**19.25 FEES AND CHARGES.**

**(2)(a) COMMUNITY PARK SHELTER RENTAL FEE SCHEDULE**

Shelters	Group Size	Weekday Charge	Weekend Charge
#1 & #2	Up to 150	\$40.00	\$50.00
	151 – 300	\$70.00	\$70.00
	301 – 1000	\$130.00	\$130.00
	Over 1000	Negotiated (minimum \$210)	Negotiated (minimum \$210)
#3 & #4	Up to 50	\$30.00	\$35.00
	*Groups greater than 50 persons will pay at the same rates as Community Park Shelters #1 & #2.		
Open Air Shelters	Max of 50	\$10.00	\$10.00

BE IT FURTHER RESOLVED that the practice of exempting non-profit organizations from payment of shelter rental fees while they are engaged in tournament or festival activities in the Community Park, shall henceforth be discontinued.

Submitted by:  
PARKS & RECREATION COMMITTEE

Motion by Supervisor Finch and seconded to adopt. Ayes: 25. Nays: 5 – Gabert, Thompson, Hall, Egan and Reinert. Excused: 5 - Hamblin, Ellis, Riste, Barker and Farrey. Absent: 1 – Gilchrist. CARRIED.

**RESOLUTION NO. 93-102008: Authorize Execution of Ground Lease Between Winnebago County and Basler Turbo Conversions, LLC, d/b/a as Basler Flight Services, Inc.**

WHEREAS, Winnebago County and Basler Turbo Conversions, LLC have tentatively agreed upon a lease for an area presently occupied by that same corporation which includes Hangar #12, Hangar #13, Office Area #14; 142,450 square feet of property which includes a ramp and auto parking; and 75,700 square feet of undeveloped land at Wittman Regional Airport for an annual total rent of \$66,478.20 for the first year of said lease; and

WHEREAS, said lease shall run through September 30, 2018; and

WHEREAS, the rental rates for such property shall be adjusted annually on October 1 of each successive year by at least 3%; and

WHEREAS, the Aviation Committee has approved and recommends execution of said lease agreement.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the execution of a lease agreement between Wittman Regional Airport (Winnebago County) and Basler Turbo Conversions, LLC as said lease is described above. Said lease is incorporated by reference as a part of this resolution. (A copy of said lease agreement may be obtained upon request to the Airport Director).

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and Winnebago County Clerk to execute the above-described lease agreement .

Submitted by:  
AVIATION COMMITTEE

Motion by Supervisor Lennon and seconded to adopt. Ayes: 30. Nays: 0. Excused: 5 - Hamblin, Ellis, Riste, Barker and Farrey. Absent: 1 – Gilchrist. CARRIED.

**ORDINANCE NO. 94-102008: Amend Chapter 5 of the General Code of Winnebago County**

WHEREAS, the Judiciary and Public Safety Committee of the Winnebago County Board of Supervisors has amended specific modifications to Chapter 5 of the General Code of Winnebago County dealing with, "law enforcement and courts".

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

That the following portions of Chapter 5 of the General Code of Winnebago County be amended as follows:

**Section 5.01 HUBER LAW PRISONERS ...**

(2) **PER CAPITA DAILY COSTS.** (a) the per capita daily charge for maintenance and cost of the prisoner's board in the County Jail is hereby established as \$22.00 per day for all Huber Law prisoners. Each prisoner shall be charged for all meals served for each day incarcerated, regardless of the prisoner actually consuming each meal. The per day charge for all Huber Law prisoners shall be amended to the following amounts on the following dates:

January 1, 2009.....	\$ 22.50
July 1, 2009 .....	\$ 23.00
January 1, 2010.....	\$ 23.50
July 1, 2010.....	\$ 24.00

(5) **DAY REPORTING FEE.** All Huber Law Prisoners who are assigned to the Winnebago County Sheriff's Day Reporting Program shall be charged a fee established at a rate equal to the Huber Fee per day. No fees for meals shall be charged to Day Reporting prisoners.

- (a) Inmates placed in the electronic monitoring program pursuant to Section 302.425, Wisconsin Statutes shall pay a fee established at a rate equal to the Huber Fee per day and an additional one-time set up fee of \$45.00.
- (b) The Sheriff may require prepayment of expenses set forth herein as a requirement for participation in said program.

**Section 5.07 JAIL INMATE FEE...**

(5) **DAILY JAIL FEE.** (a) For expenses incurred by the County in relation to the crime for which a person was sentenced to a county jail, or for which the person was placed on probation and confined in jail, the County Board hereby sets a daily per person jail rate of \$47.00 per person for the first day and \$22.00 per day per person for each subsequent day. The rate of the daily jail fee shall be amended to the following amounts on the following dates:



January 1, 2009 .....	\$47.50 1 <sup>st</sup> day, \$22.50 each day after
July 1, 2009 .....	\$48.00 1 <sup>st</sup> day, \$23.00 each day after
January 1, 2010.....	\$48.50 1 <sup>st</sup> day, \$23.50 each day after
July 1, 2010.....	\$49.00 1 <sup>st</sup> day, \$24.00 each day after

That Section 5.07(5)(b) and (c) and Section 5.07(6) be rescinded.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that said amendments shall be effective as of January 1, 2009.

Submitted by:  
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 29. Nays: 1 – Nelson. Excused: 5 - Hamblin, Ellis, Riste, Barker and Farrey. Absent: 1 – Gilchrist. CARRIED.

**ORDINANCE NO. 95-102008: Amend Sections 7.01 and 9.28 of the General Code of Winnebago County**

WHEREAS, the Judiciary and Public Safety Committee of the Winnebago County Board of Supervisors has amended specific modifications to Chapter 7 and Chapter 9 of the General Code of Winnebago County dealing with parking violations; and

WHEREAS, there have been no increases in parking fines since May 1, 2000.

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

That the following portion of Chapter 7 of the General Code of Winnebago County be amended as follows:

**7.01 COURTHOUSE PARKING LOT REGULATIONS.....**  
**(9) PROCEDURES FOR DISPOSITION OF PARKING VIOLATIONS.**

(a) Stipulations (1) Courthouse Parking Violations. All violations except as to handicapped parking. A person to whom a citation has been issued for violation of any of the day of the violation, appear at the Winnebago County Sheriff's Department in answer to the said violation as set forth in the citation and may sign a Stipulation and pay a forfeiture of \$20.00.

The amount of the forfeiture shall increase to \$50.00 if not paid within 48 hours after 6:00 P.M. of the day of the violation.

If the forfeiture is not paid within five (5) days after 6:00 P.M. of the day of the violation, the amount of the forfeiture shall be \$75.00.

The failure of such person to make the aforementioned payment shall render such person subject to penalties hereinafter provided.

Each time a designated violation is noted by issuance of a citation, even though each violation shall be consecutive, shall constitute a separate violation.

(2) Handicapped Parking Violations. A person to whom a citation has been issued for violation of Section 7.01(1)(g) of the Code may within 48 hours after six o'clock P.M. of the day of the violation, appear at the Winnebago County Sheriff's Department in answer to the said violation as set forth in the citation and may sign a Stipulation and pay a forfeiture of \$50.00.

The amount of the forfeiture shall increase to \$75.00 if not paid within five (5) days after 6:00 P.M. of the day of the violation.

Thereafter and prior to commencement of court proceedings pertaining to said violation, the amount of the forfeiture shall be \$100.00.

The failure of such person to make the aforementioned payment shall render such person subject to penalties hereinafter provided.

Each time a designated violation is noted by issuance of a citation, even though each violation shall be consecutive, shall constitute a separate violation.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that Section 9.28 of the General Code of Winnebago County be amended as follows:

**9.28 RESTRICTIONS ON STOPPING AND PARKING OF VEHICLES ...**

(4) **PENALTIES.** Any person who violates any provision of this section of the Code shall be subject to the imposition of those penalties as follows:

\$20.00 per violation if paid within five (5) business days of the issuance of the violation; \$50.00 per violation if paid within 6 through 15 business days of the date of the violation; and \$75.00 per violation if the violation is paid 16 days or after the date of the violation.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that said amendments shall be effective as of December 1, 2008.

Submitted by:  
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 29. Nays: 1 – Nelson. Excused: 5 - Hamblin, Ellis, Riste, Barker and Farrey. Absent: 1 – Gilchrist. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Monday, October 27, 2008. CARRIED BY VOICE VOTE.

The meeting was adjourned at 8:05 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 October 21, 2008.

Susan T. Ertmer  
Winnebago County Clerk