

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, APRIL 19, 2011**

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: Konetzke, Barker, Eisen, Miller, Roh, Smith, Hamblin, Albrecht, Gabert, Swanson, Thompson, Lennon, Reynolds, Hall, Wingren, Jacobson, Norton, Warnke, Robl, Singstock, Neubauer, Kline, Locke, Hegg, Sievert, Farrey, Diakoff, Brennand, Egan, Ellis, Rengstorf and Kriescher. Excused: Englebert, Ramos, Widener and Finch.

Motion by Supervisor Robl and seconded to adopt the corrected agenda with the change of order of the resolutions so that No. 226-42011 is acted on before No. 175-22011. CARRIED BY VOICE VOTE.

PUBLIC HEARING

Joe Yana, 5740 Main Street, Butte des Morts, Wisconsin, spoke in support of Resolution No. 215-42011, "Transfer \$15,000 from the 2011 Contingency Fund to the Contractual Services of the Sheriff's Department 2011 Budget for Start-up Costs Related to a Sobriety Program."

The following people spoke in support of Resolution No. 226-42011, "Appropriate \$3,187,000 Through Bonding to Purchase Vacant Land Adjacent to Wittman Regional Airport":

- Al Hartman, 3276 Old Orchard Lane, Oshkosh
- Meredith Jaeger, 5885 Lakewind Drive, Butte des Morts
- Norm Mueller, 437 Hazel Street, Oshkosh
- Bill Hare, 2408 Woodland Terrace, Neenah
- Melissa Kohn, 1820 East Murdock Avenue, Oshkosh
- Bob Hernke (representing Wisconsin Public Service), 6915 County Road M, Winneconne
- Elizabeth Hartman, 432 Hazel Street, Oshkosh
- Jim Macy, 6500 East Decorah Avenue, Oshkosh

Jay Schroeder, 1295 North Lake Street, Neenah, recommended that the Board hold off voting on the employee contract resolutions until the state's lawsuit over collective bargaining rights is settled.

Mary Scoon, staff representative of American Federation of State County Municipal Employees Union (AFSCME), spoke in support of Resolution No. 220-42011, "Authority to Execute 2010-2012 Labor Agreement with the Winnebago County Highway Department Employees' Union, Local 1903, AFSCME AFL-CIO" and No. 223-42011, "Authority to Extend Labor Agreement with the Winnebago County Department of Human Services Employees, Local 2228, AFSCME, AFL-CIO to December 31, 2012".

Larry Last, 3827 Red Oak Court, Oshkosh, expressed his concerns regarding Resolution No. 226-42011, "Appropriate \$3,187,000 Through Bonding to Purchase Vacant Land Adjacent to Wittman Regional Airport".

COMMUNICATIONS, PETITIONS, ETC.

Sue Ertmer, County Clerk, distributed a memo to the Supervisors listing the various resolutions that were received by other counties and the Winnebago County committee they were referred to. These resolutions are on file in the folder for this meeting.

Notice of Claim from Extreme Clean Auto Detailing, LLC, for cost to clean detailed cars on their lot that were hit by debris when the Highway Department did road work on Jackson Street in Oshkosh was referred to the Personnel & Finance Committee.

Notice of Claim from Abby Mosby for damage to the vehicle he was driving when it was hit by a county vehicle was referred to the Personnel & Finance Committee.

Notice of Claim from Mary Jo Grossman for damage to her vehicle caused by a Highway Department crew when they were doing repair work on Jackson Street in Oshkosh was referred to the Personnel & Finance Committee.

Notice of Claim from American Family Insurance for Linda L. Cotton for damage to the vehicle caused by a collision with a county vehicle was referred to the Personnel & Finance Committee.

Petition for Zoning Amendment from LuAnn Ruby; Town of Omro, for a zoning change for tax parcel nos. 016-0767-01, 016-0767, 016-0766 & 016-0751 from A-2 & R-1/B-2 to A-2 & R-1 for general agriculture and a single-family residence was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Jane K. Johnson, Town of Oshkosh, for a zoning change for tax parcel no. 018-0012 from M-1 to M-2 for construction of additional railroad spurs was referred to the Planning & Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Finch reported that the Parks & Recreation Committee held a meeting with county residents about creating a dog park on the north end of the county. They are looking at ways to finance this park without tax payers' money.

Supervisor Farrey reported on his attendance at the WCA's seminar on Act 10—Budget Repair Bill held in Stevens Point on March 28. Speakers discussed the Wisconsin employees' trust fund and the impact of the law on counties and municipalities.

Supervisor Barker reported on her attendance at the urban chicken seminar at the Expo Center. She stated that it was well attended and that there is a lot of interest in having chickens in urban areas.

Supervisor Kline reported that there will be a Legislative Committee meeting on Monday, April 25. The agenda will be mailed out tomorrow.

Supervisor Eisen reported on his attendance at the WinneFox sponsored seminar on successful fundraising for libraries held in Ripon, Wisconsin.

Supervisor Lennon reported that the Aviation Committee will be meeting on May 12 instead of May 5 because of a scheduling conflict with an out-of-town workshop for management.

Motion by Supervisor Robl and seconded to approve the proceedings from the March 1 & March 15, 2011 Winnebago County Board meetings. Supervisor Roh asked that his "abstain" votes on Resolution Nos. 194-32011 & 201-32011 be corrected to "aye" votes. Vote on proceedings as corrected—CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris reported that unaudited 2010 figures show that the county's reserves have increased from \$11.4 Million to \$14.7 Million. This is very near the target of having one month of total county spending in reserve.

Executive Harris asked for the Board's support of Resolution No. 226-42011, "Appropriate \$3,187,000 Through Bonding to Purchase Vacant Land Adjacent to Wittman Regional Airport". Executive Harris explained that purchasing this property will give the county "leverage" in promoting Wittman Regional Airport. The purchase of this property will enhance the airport's other attributes—excellent infrastructure, EAA, and no commercial air traffic for manufacturers to compete with for scheduled take off and arrival times.

Executive Harris stated that unless the county has more available land at the airport, the county will not be able to attract aviation-related businesses to Wittman Regional Airport. The purchase of this land will give the county an opportunity to attract, "significant, new employment to the area in aviation-related industries."

Executive Harris asked for the Board's approval of the four resolutions on their agenda that pertain to employee contracts:

- No. 220-42011, Authority to Execute 2010-2012 Labor Agreement with the Winnebago County Highway Department Employees' Union, Local 1903, AFSCME, AFL-CIO
- No. 223-42011, Authority to Extend Labor Agreement with the Winnebago County Department of Human Services Employees, Local 2228, AFSCME, AFL-CIO to December 31, 2012
- No. 224-42011, Authority to Execute 2012 Labor Agreement with Winnebago County Courthouse Employees Association
- No. 225-42011, Authority to Execute 2010 Labor Agreement with the Public Safety Professional Dispatchers' Association

Executive Harris explained that the county has taken into account the state's budget plan that provides local governments with significant contributions from employees towards their state retirement plan when they negotiated these employee contracts. He also explained that the state's provision that employees pay 12 or 12.5 percent towards their health insurance premium has already been done in Winnebago County.

Executive Harris stated that all of these contracts include language that will require employee contributions towards their state retirement to start on the same date as if these contracts had not been passed. Passing these contracts tonight, does not "bypass" the provisions of the budget bill that will give the county those significant contributions from their employees.

Executive Harris stated that in addition, all of these employee contracts have a zero percent increase for 2012. Other changes and provisions in the contracts are beneficial to the county and the county's tax payers.

COUNTY BOARD CHAIRMAN'S APPOINTMENT

Supervisor District 23 – Harold Singstock

Chairman Albrecht asked for approval of his appointment of Harold Singstock to Supervisor District 23. Motion by Supervisor Finch and seconded to approve. CARRIED BY VOICE VOTE.

Chairman Albrecht administered the Oath of Office to Mr. Singstock. The Board recognized Mr. Singstock with a round of applause.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported that Supervisors Ramos, Widener and Englebert are excused from tonight's meeting.

PRESENTATION OF THE BRONZE STAR TO SUPERVISOR KENNETH NEUBAUER

Robert Stone, Winnebago County Veterans Services Office, recognized all the U.S. veterans who were in the audience. He called Supervisor Kenneth Neubauer to the front of the Board room and presented him with a Certificate of Recognition and an American flag from the Winnebago County Veterans Services Department.

Mr. Stone then explained that the bronze star medal is, "awarded to any person who while serving in the capacity in or with the Army of the United States of America after December 6, 1941, distinguishes himself or herself by heroic or meritorious achievement or service not involving participation in aerial flight in connection with military operations against armed enemy or while engaged in military operations involving conflict with an opposing armed force in which the United States of America is not a belligerent party. Awards may be made for acts of heroism performed under circumstances described above which are for lesser degrees than required for the award of the silver star."

Mr. Stone explained that Supervisor Neubauer's participated in World War II and was awarded the Combat Infantry Badge. This award made him eligible for the bronze star. Supervisor Neubauer is also a survivor of the Battle of the Bulge.

Mr. Stone then presented with honor the bronze star to Supervisor Neubauer. Supervisor Neubauer was recognized by a standing ovation and round of applause from the Board and all those in attendance.

Chairman Albrecht called for a brief recess at 7:15 p.m. The Board reconvened at 7:30 p.m.

MULTI-COUNTY 700 MHz DIGITAL TRUNKED RADIO PROJECT PRESENTATION – LEX RUTTER, GEOCOMM

Capt. Cheryl Eischen of the Winnebago County Sheriff's Office, introduced Lex Rutter of GeoComm. Captain Eischen explained that Mr. Rutter is the GeoComm consultant working with the Sheriff's Office on the multi-county 700 MHz trunked radio system.

Mr. Rutter explained that it's the Federal government's requirements to narrow band public safety radios that is bringing this issue "to the forefront." Mr. Rutter stated that as of January 1, 2013, no one may operate a wide band radio system. The county doesn't have to narrow band their system, but they can no longer use a wide band system. Mr. Rutter stated that Calumet, Outagamie and Winnebago Counties are opting to look at a new system instead of narrow banding their existing systems.

Mr. Rutter explained that they are designing a multi-county radio system that will handle all of the current radio users and will be able to handle future needs and requirements. He provided technical information on the 700 MHz trunk radio system and Federal regulations governing it to the Board. He then answered questions that have been raised in the other counties about this project.

Mr. Rutter stated that after January 1, 2013, wide band public safety radio systems will be shut down by the Federal Communications Commission (FCC), so it's necessary that Calumet, Outagamie and Winnebago Counties get a new system in place before that deadline.

Mr. Rutter explained that the county's current radio system places police and other emergency personnel in danger because it is not reliable. The new system will upgrade the actual radios from 1960's technology to current technology.

Mr. Rutter presented cost estimates for the project at \$8 to \$15 Million per county. The cost to FoxComm for centralized equipment is between \$4 to \$6 Million.

Mr. Rutter 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 Paul & Bernice Meyer, Town of Neenah, for a zoning change to R-1 for tax parcel no. 010-0518. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 04-01-11. A requested zoning change from R-2 (Single Family Subdivided) to R-1 (Single Family non-subdivided). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – May 4, 2011)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from property owner T & B Barr Real Estate Development, LLP; and applicant Steve Moorhead, Town of Nekimi, for a zoning change to M-2 for tax parcel no. 012-0280. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 04-02-11. A requested zoning change from R-1 (Single Family non-subdivided) to M-2 (Heavy Industrial District). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – May 4, 2011)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Kimberly Swanson, Town of Omro, for a zoning change to R-2 for tax parcel nos. 016-1072 & 016-1073. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 04-03-11. A requested zoning change from A-2 (General Farming) to R-2 (Single Family Subdivided). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – May 4, 2011)

RESOLUTIONS AND ORDINANCES

RESOLUTION NO. 226-42011: Appropriate \$3,187,000 through bonding to purchase vacant land Adjacent to Wittman Regional Airport

WHEREAS, Wittman Regional Airport lacks substantial portions of developable land within the airport boundary to market to aviation businesses interested in locating on the airport; and

WHEREAS, opportunities for economic development at Wittman Regional Airport may have been missed because of this deficiency in significant developable land in recent years; and

WHEREAS, approximately 115 acres of land, appraised at \$2.083 million, adjacent to the southeast side of the airport owned by members of the Brennand family, is currently being offered for sale; and

WHEREAS, the Glatz family, which owns approximately 78.88 acres, appraised at \$1.104 million, adjacent to the airport on the southeast side of the airport, has offered its land for sale to Winnebago County/Wittman Regional Airport; and

WHEREAS, the purchase of these two properties would provide opportunities to bring new aviation businesses to Winnebago County Wittman Regional Airport and further enhance economic development within Winnebago County; and

WHEREAS, Wittman Regional Airport has petitioned the Wisconsin Department of Transportation Bureau of Aeronautics for reimbursement through Federal Aviation Administration (FAA) Airport Improvement Program (AIP) and Wisconsin state funding up to 97.5% of the land acquisition costs; and

WHEREAS, Winnebago County has made offers to purchase the above properties to their respective owners at the appraised price of each property; and

WHEREAS, your undersigned committees recommend that purchase of said properties be approved, individually and severably, should the owners accept the offer of the County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates a sum not to exceed \$3,187,000 to a capital project fund for the purchase of the aforementioned two properties adjacent to Wittman Regional Airport.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for said land purchases be transferred from the General Fund of Winnebago County with the General Fund being reimbursed from a subsequent bond issue.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that purchase of said properties is approved, both individually and severably, contingent upon the Owners accepting Winnebago County's offer to purchase said properties at their appraised price.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the foregoing appropriation and bond issuance shall be contingent upon the acceptance of the County's offer by each property owner.

Submitted by:
AVIATION COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Lennon and seconded to adopt. At this point, the Board was informed this resolution would be referred back to the Aviation Committee after it was discussed. Supervisor Farrey asked that the amendment he was going to make to the resolution be sent to the Aviation Committee for their consideration and inclusion in the resolution when it comes back to the County Board. Supervisor Farrey's amendment is as follows:

Be it further resolved by the Winnebago County Board of Supervisors that bonding or purchasing of said properties is contingent upon approval of repayment of 90% of the purchase cost from the BOA/FAA Bureau of Aeronautics.

Following additional discussion, Supervisor Lennon formally referred this resolution back to the Aviation Committee.

Supervisor Finch was excused from the meeting at 8:30 p.m.

ORDINANCE NO. 175-22011: Adjust Land Fee Schedule [Chapter 21.05 (2) (a)] and Land Rental Rates [Chapter 21.05 (3)] at Wittman Airport.

WHEREAS, landing fees for commercial aircraft operations and land rental rates for private and commercial hangar construction, ramps, parking lots and agricultural purposes were previously adjusted in March 2001; and
 WHEREAS, Wittman Regional Airport is mandated by the state and federal government grant assurances to maintain fee and rental structures which will make the airport as self-sustaining as possible; and
 WHEREAS, landing fees and land rental rates have not kept up with inflation since the previous adjustment.
 NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it adjust the landing fee and land rental rates displayed.

<u>County Code</u>	<u>CATEGORY</u>	<u>CURRENT RATE</u>	<u>PROPOSED RATE</u>
21.05 (2) (a)	Landing Fee (Domestic)	\$1.00/1000 lbs GLW	\$1.10/1000 lbs GLW
21.05 (2) (a)	Landing Fee (International)	\$2.00/1000 lbs GLW	\$2.20/1000 lbs GLW
21.05 (3) (a)	Land for hangars, aprons taxiways tie down areas (<100,000 sf)	\$550.00 annual minimum or \$0.13/sf/yr	\$600 annual minimum or \$0.15/sf/yr
21.05 (3) (b)	Bare land for aeronautical purposes	\$550.00 annual minimum or \$0.13/sf/yr	\$600 annual minimum or \$0.15/sf/yr
21.05 (3) (c)	Bare land for non-aeronautical purposes	\$700 annual minimum or \$0.35/sf/yr	\$775 annual minimum or \$0.40/sf/yr
21.05 (3) (d)	Paved ramps or parking lots	\$700 annual minimum or \$0.20/sf/yr	\$775 annual minimum or \$0.23/sf/yr
21.05 (3) (e)	Land for unrestricted agricultural cultivation purposes	\$47.00/acre	\$52.00/acre
21.05 (3) (f)	Land for restricted agricultural cultivation purposes	\$36.00/acre	\$39.50/acre
21.05 (3) (g)	Land restricted to the cultivation of hay only	\$25.00/acre	27.50/acre

Submitted by:
 AVIATION COMMITTEE

Motion by Supervisor Lennon and seconded to adopt. Ayes: 28. Nays: 2 – Miller and Hall. Abstain: 1 – Roh. Excused: 5 - Englebert, Ramos, Widener, Locke and Finch. CARRIED.

ORDINANCE NO. 203-42011: Create Section 7.15 of the General Code of Winnebago County (Installation of Engine Brake Signs)

WHEREAS, the Winnebago County Highway Commissioner has suggested to the Winnebago County Highway Committee that Winnebago County adopt an ordinance establishing a policy for installation of "No Engine Braking Except in Emergency" signs on County Trunk Highways within Winnebago County; and
 WHEREAS, the Winnebago County Highway Committee has recommended the adoption of such an ordinance within Winnebago County.

NOW, THEREFORE, BE IT ORDAINED the County Board of Supervisors of the County of Winnebago as follows:

That Section 7.15 of the General Code of Winnebago County is hereby adopted as follows:

7.15 POLICY AS TO INSTALLATION OF ENGINE BRAKING SIGNS ON WINNEBAGO COUNTY TRUNK HIGHWAYS.

- (1) This Ordinance is adopted pursuant to that authority provided in Wisconsin Administrative Code Chapter TRANS 405.
- (2) Winnebago County shall only permit the installation of a sign providing for no engine braking on a county trunk highway if subsequent to the following criteria being satisfied:
 - (a) That a local unit of government may only request a “no engine braking” sign on a county trunk highway if that local unit of government has adopted a local noise ordinance pursuant to the noise parameters provided in Wisconsin Administrative Code Chapter TRANS 405.
 - (b) That the local unit of government must first submit a written request to the Winnebago County Highway Commissioner for a permit to install and maintain the signs. Such a request must contain the following information:
 - (1) Where the sign is proposed to be located (highway/location);
 - (2) The direction of traffic in which the sign shall face;
 - (3) The sign offset (distance from edge of right-of-way to travel lane);
 - (4) The type of post requested to be used;
 - (5) Written assurance from the local unit of government that the sign will be free-standing (not attached to other signs);
 - (6) A written copy of the local government noise ordinance.
- (3) Upon submission of such a request, the Winnebago County Highway Commissioner shall issue a permit for the installation of such a sign within thirty (30) days of submission of said application or shall issue a written denial of said application, stating the reasons for the denial of such a permit.
- (4) Upon issuance of a permit, the local unit of government shall be responsible for installing and maintaining the sign in conformance with the permit. The local unit of government may contract with the Winnebago County Highway Department for the construction, installation and maintenance of such a sign.
- (5) It shall be the responsibility of the local unit of government to enforce its own noise ordinances in relationship to the “no engine braking” sign.
- (6) A standard sign, reading “No Engine Braking Except in Emergency” may be permitted at or near the corporate limits of a local community. The preferred location for placement of such a sign must be in the proximity of any signage notifying drivers of reduced speed ahead, but shall not be within 200 feet of any existing highway signage.
- (7) An optional sign, stating, “No Engine Braking Except in Emergency Within City/Village/Town Limits” may be permitted by the Highway Commissioner to supplement other signs if there are perceived problems with enforcement of engine braking on roadways throughout a community. All sign language shall meet the requirements of the Wisconsin Department of Transportation.
- (8) All other engine braking signs previously installed on Winnebago County Trunk Highways shall be amended to conform to this ordinance no later than January 1, 2012 or shall be removed.
- (9) That this Ordinance shall take effect as of June 1, 2011.

Submitted by:
HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. CARRIED BY VOICE VOTE. (Supervisor Gabert voted “nay”.)

**RESOLUTION NO. 204-42011: Appropriate an additional \$100,000 to the County Road Maintenance
“Snow Removal” Expense Budget for 2011 to Cover a Projected
Additional Need Due to the Severity of the 2010/11 Winter Season**

WHEREAS, the winter of 2010/11 has been particularly severe requiring more snow removal and winter road maintenance than was anticipated when the budget was prepared; and

WHEREAS, at this early point in the year, it is not projected that there will be any excess funds in other accounts to cover the projected overage for 2011; and

WHEREAS, the Winnebago County Board has made it clear to departments that it desires projected overages to be brought to the Board’s attention before they occur; and

WHEREAS, it is projected at this time that the Highway Department will need an additional \$100,000 to cover fall and winter costs for 2011; and

WHEREAS, it is hoped that these additional funds will not be needed but the Highway Department desires to make sure there are sufficient funds budgeted before it is in danger of exceeding its budget.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$100,000 from the General Contingency fund to the Snow Removal account of the County Road Maintenance 2011 budget.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL & FINANCE COMMITTEE

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

**RESOLUTION NO. 205-42011: Appropriate \$70,000 to the Asphalt Replacement Capital Project Fund to
Resurface the Neenah Human Services Parking Lot**

WHEREAS, Winnebago County has a parking lot resurfacing program as part of the 5-year capital improvements program; and

WHEREAS, the five year plan is to replace deteriorating parking lots in a systematic way over an extended period to avoid having to do several in a single year; and

WHEREAS, the parking lots are reviewed annually to determine which ones have the greatest need for resurfacing; and

WHEREAS, a review of the parking lots indicates that the Neenah Human Services Building parking lot needs to be resurfaced during 2011.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$70,000 to a capital project to resurface the parking lot at the Neenah Human Services building.

BE IT FURTHER RESOLVED that funds to pay for said improvements be transferred from the General Fund of Winnebago County with the General Fund being reimbursed from a subsequent bond issue.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 206-42011: Commendation for Kathleen J. Auck

WHEREAS, Kathy Auck has been employed with the Winnebago County Information Systems Department, for the past twenty-five years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Kathy Auck has now retired from those duties, and it is appropriate for the Winnebago County Board of Supervisors to acknowledge her years of service.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that sincere appreciation and commendation be and it hereby is extended to Kathy Auck for the fine services she has rendered to Winnebago County.

BE IT FURTHER RESOLVED, that the County Clerk send a copy of this Resolution to Kathy Auck.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 207-42011: Commendation for Judy Wiczek

WHEREAS, Judy Wiczek has been employed with Park View Health Center, for the past thirty years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Judy Wiczek has now retired from those duties, and it is appropriate for the Winnebago County Board of Supervisors to acknowledge her years of service.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that sincere appreciation and commendation be and it hereby is extended to Judy Wiczek for the fine services she has rendered to Winnebago County.

BE IT FURTHER RESOLVED, that the County Clerk send a copy of this Resolution to Judy Wiczek.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 208-42011: Approve Intergovernmental Agreement granting designee status to the Town of Menasha to issue County Zoning Permits on behalf of Winnebago County

WHEREAS, the Town of Menasha and Winnebago County desire to enter into an Intergovernmental Agreement, attached hereto, that provides designee status to the Town of Menasha to issue County Zoning Permits in non-shoreland areas of said Town; and

WHEREAS, pursuant to S. 66.0301, Wis. Stats., Counties are authorized to grant designee status for this purpose; and

WHEREAS, the Town of Menasha has adequate administrative staffing and expertise to issue County Zoning permits on behalf of Winnebago County which will benefit local residents and County staff alike; and

WHEREAS, the County Zoning Office will be transitioning to a new zoning ordinance in 2012 and with limited staffing levels due to recent retirements in said office, the County finds it beneficial to provide designee status to the Town of Menasha on a temporary basis until such new zoning ordinance is in place; and

WHEREAS, pursuant to this agreement the County will retain all enforcement responsibilities relative to County zoning permits issued by the Town of Menasha; and

WHEREAS, pursuant to this agreement the County and Town will split equally all County Zoning permit fees for zoning permits issued by the Town during the period this agreement remains in effect; and

WHEREAS, at its February 11, 2011 meeting the Winnebago County Planning and Zoning Committee approved said agreement, and at its February 28, 2011 meeting the Town of Menasha Town Board also approved said agreement.

NOW, THEREFORE IT BE RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the attached Intergovernmental Agreement with the Town of Menasha which grants designee status to the Town to issue County Zoning permits in non-shoreland areas of the Town, pursuant to said agreement.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said Intergovernmental Agreement shall take effect on May 16, 2011 and shall expire as indicated in said agreement.

Submitted by:
PLANNING & ZONING COMMITTEE

Motion by Supervisor Brennand and seconded to adopt. Ayes: 28. Nays: 3 – Albrecht, Swanson and Warnke. Excused: 5 - Englebert, Ramos, Widener, Locke and Finch. CARRIED.

RESOLUTION NO. 209-42011: Transfer \$38,812 to Travel and Legal Services Accounts of Corporation Counsel's 2010 Budget to Cover Expense Overages in 2010

WHEREAS, the Corporation Counsels office had budget overruns in the travel and other operating expense categories for the year 2010; and

WHEREAS, part of the overage is for lodging due to a conference that was attended that required two night of overnight lodging related to a two day seminar on Juvenile law; and

WHEREAS, the balance is in the legal services account which incurred unanticipated costs related to two special cases that needed outside counsel; and

WHEREAS, there were not sufficient funds in other accounts within the departments 2010 budget to cover the overages.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates funds to the following accounts to cover the 2010 overages:

To:	Travel lodging \$ 382 Legal services <u>38,430</u> Total "To" \$38,812	From:	Labor \$10,000 Contingency fund 25,891 General fund balance <u>2,921</u> Total "From" \$38,812
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Submitted by:
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 210-42011: Veteran Benefits Funding

WHEREAS, Winnebago County veterans receive the majority of their state veteran benefits through the Wisconsin Department of Veteran Affairs (WDVA); and

WHEREAS, the Veterans Trust Fund (VTF) is WDVA's primary means of financing the multitude of benefits provided to the veterans of Polk County; and

WHEREAS, the VTF, started in 1947 with proceeds from a statewide liquor tax, and later funded by periodic infusions of general purpose revenue and proceeds from WDVA loan programs, has steadily decreased in size due to declining interest rates and investment earnings, along with increased demand for programs/services; and

WHEREAS, the cost to provide and administer benefits provided through the VTF is almost entirely funded by proceeds from WDVA loan programs, resulting in a situation whereby the veterans of our state are essentially funding their own benefits and services; and

WHEREAS, the VTF is forecasted to be into a negative cash flow and completely insolvent as early as late FY-2012/early FY-2013; and

WHEREAS, this will result in cessation of vital and in many cases mandated services to our veterans during an unprecedented time of financial need, to include Aid to Needy Veterans Grants, Veteran Retraining Grants, Military Funeral Honors Program, County Veteran Service Officer Grant Program, Personal Loan Program, Federal Claims Assistance, VetEd Reimbursement Grants, Aid to Indigent Veterans, Disabled American Veterans Transportation Grant, County Transportation Grant, Veterans Assistance Program, Outreach Programs, State Veteran Cemeteries, and Veteran's Museums; and

WHEREAS, it is only right that our veterans should continue to have the services they have earned and the support they need, particularly in this time of war and economic crisis, to enable them to contribute to Winnebago County's economy as productive, independent citizens.

NOW, THEREFORE, BE IT RESOLVED, that Winnebago County Board of Supervisors fully supports any and all efforts to provide additional state funding to forestall any VTF insolvency within the next biennium, including, but not limited to, the exploration of permanent state funding for WDVA and the veteran programs and benefits that WDVA oversees.

BE IT FURTHER RESOLVED, that Winnebago County Board of Supervisors directs the county clerk to forward a copy of this resolution to the Office of the Governor Scott Walker, respective State of Wisconsin legislative representatives of Winnebago County, the Wisconsin Counties Association and the Wisconsin Department of Veteran Affairs.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

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

RESOLUTION NO. 211-42011: Disallow Claim of Lakeshore Mart LLC

WHEREAS, your Personnel and Finance Committee has had the claim of Lakeshore Mart LLC 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 Lakeshore Mart LLC dated February 16, 2011, 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. (This Resolution was subsequently withdrawn because it had been settled by the county's insurance company.)

RESOLUTION NO. 212-42011: Disallow Claim of Michael Drexler

WHEREAS, your Personnel and Finance Committee has had the claim of Michael Drexler 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 Michael Drexler dated February 9, 2011, 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. (Supervisor Brennand abstained.)

RESOLUTION NO. 213-42011: Disallow Claim of Douglas Eake

WHEREAS, your Personnel and Finance Committee has had the claim of Douglas Eake 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 Douglas Eake dated February 4, 2011, 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. 214-42011: Disallow Claim of Scott & Lynn Wheaton

WHEREAS, your Personnel and Finance Committee has had the claim of Scott and Lynn Wheaton 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 Scott and Lynn Wheaton dated March 13, 2011, 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. 215-42011: Transfer \$15,000 from the 2011 Contingency Fund to the Contractual Services of the Sheriff's Department 2011 Budget for Start-up Costs Related to a Sobriety Program

WHEREAS, the Winnebago County Sheriff's Department has evaluated a sobriety program performed by other law enforcement agencies; and

WHEREAS, this evaluation indicated that costs of detention can be reduced by entering people into a sobriety program; and

WHEREAS, the program would be carried out by a contract agency, thus no Sheriff Department staff would be assigned other than for program administrative roles; and

WHEREAS, statistics show that this program has been successful in other jurisdictions; and

WHEREAS, it has been determined that the breakeven point for this program occurs when 82 participants are enrolled at which time fees charged to participate in the program exceed the program costs; and

WHEREAS, the incentive for people to participate in the program is that it is an alternative to incarceration.
 NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$15,000 from the contingency fund to the Sheriffs Department Contract Services account for the start-up of a sobriety program.

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

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

RESOLUTION NO. 216-42011: Transfer \$25,275 to Various Expense Categories in Coroner's 2010 Budget to Cover Overruns during 2010

WHEREAS, the Coroner department experienced budget overages in Labor, Travel and Other Operating Expenses during 2010; and

WHEREAS, the overages are partly the result of more activity during 2010 and more cases that required medical tests and pathology services; and

WHEREAS, the Department had excess revenue of \$20,681 as the result of the higher amount of activity during 2010; and

WHEREAS, the excess revenue is not quite sufficient to cover the overages in expense accounts; and
 WHEREAS, the department is now requesting the following transfers:

To:		From:	
	Labor		Excess revenue
	Travel (mileage)		Contingency fund
	Medical, dental and pathology services		Total "From"
	Total "To"		
	\$ 643		\$20,681
	3,422		<u>4,594</u>
	<u>21,210</u>		\$25,275
	\$25,275		

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates.

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

Submitted by:
 PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 217-42011: Apply \$3,826 of Excess Revenue in General Services to cover an Overage in Fringe Benefit Expense

WHEREAS, the General Services Department experienced an overage in fringe benefit costs in 2010 due to a change in health insurance coverage for an employee in the General Services Department; and

WHEREAS, the Department had revenue in excess of budget of \$4,686 which can be applied to cover the overage; and

WHEREAS, because of the revenue excess, the General Services Department will still end up with a net surplus for the year 2010.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$3,826 of the excess revenues to cover the overage in the fringe benefit accounts for 2010.

Submitted by:
 PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 218-42011: Authorize the Emergency Management Department to Accept a Pass Through Grant of \$22,617 from the State of Wisconsin and Transfer the Funds to the UWO Police Department to Replace Portable and Mobile Radios

WHEREAS, the Emergency Management Department has been awarded a pass through grant of \$22,617 for the purchase of public safety radio equipment; and

WHEREAS, the UW Oshkosh Police Department has 10 portable and three mobile radios that are in need of replacement; and

WHEREAS, the grant agency has accepted this proposed use of the funds.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Emergency Management Department to accept a grant of \$22,617 from the State of Wisconsin and authorizes the department to reimburse the UWO Police Department upon their purchase of this equipment.

Submitted by:
EMERGENCY MANAGEMENT COMMITTEE
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 219-42011: Appropriate \$47,965 of Excess Revenues Received in the Self Funded Dental Insurance Fund to the Claims and Administrative Expense Accounts Which Exceeded Budget in 2010

WHEREAS, the Self Funded Dental Insurance fund had claims expense and other costs that exceeded budget during 2010; and

WHEREAS, the fund also had revenues that exceeded budget during 2010 that are sufficient to cover the overage in claims and costs; and

WHEREAS, it is difficult to project claims expense each year because they are so dependent on the level of plan usage and can fluctuate greatly from year to year.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$47,965 of excess revenues to cover overages in claims expense and plan administration fees during 2010.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 220-4201: Authority to Execute 2010-2012 Labor Agreement with the Winnebago County Highway Department Employees' Union, Local 1903, AFSCME, AFL-CIO

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the County Executive and the County Clerk be, and they hereby are, authorized to execute a three-year Agreement on behalf of Winnebago County and the Winnebago County Highway Department Employees' Union, Local 1903, AFSCME, AFL-CIO, for the years 2010, 2011 and 2012, effective January 1, 2010, which Agreement will provide the following major changes from the previous Agreement:

- 1) WAGES
0.0% across-the-board (atb) increase effective January 1, 2010
1.5% atb increase effective January 1, 2011
0.0% atb increase effective January 1, 2012

In addition to the foregoing, the new agreement provides for modifications as outlined in the attached document.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Motion by Supervisor Hegg and seconded by Supervisor Gabert to amend Line 13 by adding, "not to supersede Act 10 of the Wisconsin state statutes" after "effective January 1, 2010". After discussion, John Bodnar, Corporation Counsel, explained that Supervisor Hegg's amendment can't be made because this is a negotiated contract. The Board can either vote for or against the resolution, but they can't

amend the contract that is tied to the resolution. After Mr. Bodnar's explanation, Supervisor Gabert withdrew her second to Supervisor Hegg's amendment.

Vote on resolution as presented - Ayes: 29. Nays: 2 – Konetzke and Hegg. Excused: 5 - Englebert, Ramos, Widener, Locke and Finch. CARRIED.

RESOLUTION NO. 221-42011: Adopt 2011 Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING REPRESENTED EMPLOYEES

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING REPRESENTED EMPLOYEES be revised for the year 2011.

BE IT FURTHER RESOLVED, that the necessary funds to cover the costs resulting from the adoption of the 2011 Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING REPRESENTED EMPLOYEES will be made available from funds budgeted for this purpose.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

WITHDRAWN by Supervisor Kline.

RESOLUTION NO. 222-42011: Adopt 2011 Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING NON-REPRESENTED EMPLOYEES

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING NON-REPRESENTED EMPLOYEES be revised for the year 2011.

BE IT FURTHER RESOLVED, that the necessary funds to cover the costs resulting from the adoption of the 2011 Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING NON-REPRESENTED EMPLOYEES will be made available from funds budgeted for this purpose.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

WITHDRAWN by Supervisor Kline.

RESOLUTION NO. 223-42011: Authority to Extend Labor Agreement with THE WINNEBAGO COUNTY DEPARTMENT OF HUMAN SERVICES EMPLOYEES, Local 2228, AFSCME, AFL-CIO to December 31, 2012

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the County Executive and the County Clerk be, and they hereby are, authorized to execute a one-year Agreement on behalf of Winnebago County and the Winnebago County Department of Human Services Employees, Local 2228, AFSCME, AFL-CIO; for the year 2012, effective January 1, 2012, which Agreement will provide the following major changes from the previous Agreement:

- 1) WAGES
Effective January 1, 2012, a 0% across-the-board increase.
- 2) ARTICLE 19 – INSURANCE
Effective for the January 1, 2012 remove Health Insurance Opt-Out Program.
- 3) ARTICLE 30 – RETIREMENT
Effective January 1, 2012, employees shall contribute to the Wisconsin Retirement System an amount equal to one-half of all actuarially-required contributions, as approved by the Employee Trust Fund (ETF).

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 27. Nays: 4 – Konetzke, Hegg, Farrey and Rengstorf. Excused: 5 - Englebert, Ramos, Widener, Locke and Finch. CARRIED.

RESOLUTION NO. 224-42011: Authority to Execute 2012 Labor Agreement with Winnebago County Courthouse Employees' Association

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the County Executive and the County Clerk be, and they hereby are, authorized to execute a one-year Agreement on behalf of Winnebago County and the

Winnebago County Courthouse Employees' Association, for the year 2012, effective January 1, 2012, which Agreement will provide the following major changes from the previous Agreement:

- 1) WAGES
Effective January 1, 2012, a 0% across-the-board increase
- 4) RETIREMENT
Effective January 1, 2012, employees shall contribute to the Wisconsin Retirement System an amount equal to one-half of all actuarially-required contributions, as approved by the Employee Trust Fund (ETF).

In addition to the foregoing, the new agreement provides for modifications to Sick Leave, Hours of Work at Landfill for Scale Operators and Grievance Procedure for employees at Sheriff's Office.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 26. Nays: 5 – Konezke, Hamblin, Hegg, Farrey and Rengstorf. Excused: 5 - Englebert, Ramos, Widener, Locke and Finch. CARRIED.

RESOLUTION NO. 225-42011: Authority to Execute 2010 Labor Agreement with the Public Safety Professional Dispatchers' Association

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the County Executive and the County Clerk be, and they hereby are, authorized to execute a one-year Agreement on behalf of Winnebago County and the Public Safety Professional Dispatchers' Association, for the years 2010, effective January 1, 2010, which Agreement will provide the following major changes from the previous Agreement:

- 1) WAGES
0% across-the-board (atb) increase effective January 1, 2010
- 2) SICK LEAVE CONTROL INCENTIVE PROGRAM

The Sick Leave Incentive Program ends on Dec. 31, 2009 for all bargaining unit employees.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 29. Nays: 1 – Konezke. Excused: 5 - Englebert, Ramos, Widener, Locke and Finch. CARRIED.

Supervisor Kline thanked Karon Kraft, Human Resources Director, for her work in getting these employee contracts settled.

RESOLUTION NO. 227-42011: Amend the Table of Organization for Winnebago County Airport

WHEREAS, the current Table of Organization for the Winnebago County Airport identifies one (1) part-time Custodian I position [10 hours per week] and one (1) part-time Custodian/Groundskeeper position [20 hours per week];

WHEREAS, the Director desires to eliminate one (1) part-time Custodian I position (10 hours per week), and add to one (1) part-time Custodian/Groundskeeper position (20 hours per week) to become one (1) full-time Custodian/Groundskeeper position (40 hours per week) to increase the operational efficiency of the Department and better meet the needs of the Airport; and

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Table of Organization for the Winnebago County Airport is amended to eliminate one (1) part-time Custodian I position and upgrade one (1) part-time Custodian/Groundskeeper position to become one (1) full-time Custodian/Groundskeeper position. The position descriptions for both positions are attached hereto and are made a part of this resolution by reference.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Supervisor Kline corrected the Resolution by deleting the words "eighty percent time" on Lines 14 and 21.

Vote on resolution as corrected – Ayes: 17 – Konezke, Barker, Eisen, Smith, Hamblin, Albrecht, Gabert, Thompson, Warnke, Robl, Singstock, Neubauer, Kline, Sievert, Diakoff, Brennand and Egan. Nays: 13 – Miller, Roh, Swanson, Reynolds, Hall, Wingren, Jacobson, Norton, Hegg, Farrey, Ellis, Rengstorf and Kriescher. Absent: 1 - Lennon. Excused: 5 - Englebert, Ramos, Widener, Locke and Finch. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until Tuesday, May 17, 2011. CARRIED BY VOICE VOTE.

The meeting was adjourned at 10:25 p.m.

Submitted by:
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 April 19, 2011.

Susan T. Ertmer
Winnebago County Clerk