

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, JUNE 19, 2012**

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: Konezke, Barker, Englebert, Eisen, Ramos, Miller, Roh, Smith, Widener, Hamblin, Albrecht, Gabert, Tews, Thompson, Lennon, Reynolds, Hardy, Wingren, Lautenschlager, Norton, Warnke, Robl, Singstock, Neubauer, Kline, Locke, Hegg, Finch, Farrey, Rasmussen, Brennand, Egan, Ellis, Snider and Kriescher.

Excused: Sievert.

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

PUBLIC HEARING

The following people spoke in support of Ordinance No. 38-62012, "Create Section 9.36 of the General Code of Winnebago County: Regulation of Motor Vehicles on Icebound Inland Lakes":

- Jim Beson, 1823 Brighton Beach Road, Menasha
- Jack Couillard, 1777 Brighton Beach Road, Menasha
- Jerry Probst, 1870 White Swan Drive, Oshkosh
- Donna Schultz, 1813 Brighton Beach Road, Menasha
- Dick McKenny, 1831 Brighton Beach Road, Menasha
- Mary Couillard, 1777 Brighton Beach Road, Menasha

The following people spoke in opposition of Ordinance No. 38-62012, "Create Section 9.36 of the General Code of Winnebago County: Regulation of Motor Vehicles on Icebound Inland Lakes":

- Jim Drummond (no address stated)
- Russ Detlaff, 4716 Island View Drive, Oshkosh
- James Jansen, 955 Nicolet Avenue, Oshkosh
- Mike Thoma, 340 Stanley Court, Neenah
- Jim Merten, 1087 Cozy Lane, Oshkosh
- Andy Gratton, 2102 Doty Street, Oshkosh
- Joe Zolkoske, 815 Packer Avenue, Oshkosh

COMMUNICATIONS, PETITIONS, ETC.

Notice of Claim from Maxmuliano Garza for personal items lost while an inmate in the county jail was referred to the Personnel & Finance Committee.

Notice of Claim from Richard Messman, Sr. for damage to his vehicle caused by an accident with a Sheriff's deputy was referred to the Personnel & Finance Committee.

Notice of Claim from Tyler Tautges for damage to his car's windshield caused by stones falling off a county highway truck was referred to the Personnel & Finance Committee.

Petition for Zoning Amendment from William L. Garrow, Town of Winchester, for a zoning change for tax parcel no. 028-0431-04 from A-2/A-1 to I-1/M-1 for propane storage and storage buildings was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Kenneth Kraus, POA for Rose Kraus Trust, Town of Algoma, for a zoning change for tax parcel no. 002-0213(p) from A-2 to R-1 for a single family residence was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from John R. Davel, Town of Menasha, for a zoning change for tax parcel no. 008-0055-04(p) from B-2 to B-3 for a contractor office was referred to the Planning & Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Barker announced that David Galassie, a former Menasha resident, has written a book on the history of Menasha. He will be at the Menasha Public Library on Thursday, June 28 at 7:00 to speak about the book. Books will be available for sale. Part of the proceeds will go to the Menasha Historical Society.

Supervisor Barker reported that she attended the May 17 graduation of the Class of 2012 from UW-Fox Valley. Since the engineering program started at UW-Fox Valley, 57 students have gotten their degrees from UW-Platteville by attending classes at UW-Fox Valley. She had a copy of the graduation program if anyone wanted to look at it.

Supervisor Barker distributed copies of the 100 years of UW-Extension brochure to the Board.

Supervisor Ramos reported that typically the Board of Health meets on the first Friday of the month, but because the first Friday in July is part of the 4th of July holiday weekend, they have rescheduled their meeting to July 13.

Supervisor Brennand reported that changes to the county's Farmland Preservation Program have been submitted to Wisconsin's Agriculture Secretary Brancel's office for approval. Once it's been approved by Sec. Brancel, it will come to the County Board for their approval.

Supervisor Wingren reminded the Board that at 8:00 a.m. on the 4th of July, Sheriff Matz will be reading the Declaration of Independence on the front steps of the Winnebago County Courthouse. He encouraged all the Supervisors to attend.

Supervisor Kline reported that the Legislative Committee will be meeting on June 25 at 8:30 a.m.

Supervisor Lennon reported that the Aviation Committee will not be meeting on July 11. The date of their July meeting will be announced at a later date.

Supervisor Ellis reported on his attendance at a seminar at the Winnebago County Jail about recovering from disasters and the roles of local, state and federal government in that recovery. He stated the instructor was from the Portage, Wisconsin area and was involved in the recovery efforts at the Wisconsin Dells/Lake Delton area during the floods of 2008.

Supervisor Hegg reported that he was recently at the Atlanta and Detroit airports and he did not see 18' paved, asphalt roads at either of those airports.

Supervisor Eisen reported that he attended the Winnebago Drug Court graduation on June 15. He commended Judges Woldt and Key for their efforts and work with this program.

Supervisor Eisen reported on his attendance at the May 17 WCA Judiciary & Public Safety Steering Committee meeting, where a representative from the Wisconsin Department of Corrections introduced the state level Criminal Justice Coordinating Counsel, which works to reduce the number of incarcerations and to find alternatives to incarceration.

Motion by Supervisor Robl and seconded to approve the County Board Proceedings from May 1 and May 15, 2012 meetings. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris discussed the following resolutions:

- Resolution No. 36-62012, "Authority to Execute 2010-2015 Labor Agreement with the Winnebago County Deputies Association." Executive Harris explained that this is the one bargaining group that did not lose their collective bargaining rights—including mediation and arbitration—with the passage of Act 10. He explained various aspects of the contract and recommended that the Board approve this resolution.
- Resolution No. 39-62012, "Approve Consortium Agreements for Local Elected Officials of the Fox Valley Workforce Development Area." Executive Harris said that this resolution was previously approved by the Board, but since then Outagamie County has now left this group, so the State of Wisconsin has asked that new agreements be approved. Executive Harris asked for the Board's approval of this resolution.

Executive Harris reported that the Outagamie County Executive has indicated that Outagamie County is not interested in making any capital investments in the Tri-County Ice Arena and would like to sell their share to Winnebago County for \$1.00. Executive Harris explained that because Outagamie County is refusing to contribute to any capital improvements at the ice arena, Winnebago County has not been able to make any capital improvements as well. Executive Harris explained that he feels it is in the best interest of the ice arena and Winnebago County to accept Outagamie County's offer. This item will be coming before the Board in the near future.

Executive Harris then took questions from the Board

APPOINTMENTS BY THE COUNTY EXECUTIVE

Executive Harris asked for approval of the following appointments:

- Board of Adjustment – Tom Verstegen; James Forbes; Peter Fleischman, 1st Alternate; David Weiss, 2nd Alternate. Mr. Weiss replaces Carla Koller, whose term has expired. These are all three year terms that will expire on June 30, 2015. Motion by Supervisor Robl and seconded to approve. CARRIED BY VOICE VOTE.
- Winneconne Library Board – Supervisor Tom Snider. Mr. Snider will complete the three-year term of Harvey Rengstorf, who passed away. Mr. Snider's term will expire on June 30, 2014. Motion by Supervisor Farrey and seconded to approve. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported that Supervisor Sievert is excused from tonight's meeting.

Chairman Albrecht congratulated Morgan Hinkley, Park View Health Center Administrator, on Park View Health Center's designation as a 5-star facility. The Board congratulated Ms. Hinkley with a round of applause.

PRESENTATION OF 2012 WINNEBAGO COUNTY SCHOLARSHIPS

Chairman Albrecht and Supervisor Nancy Barker, Chairperson of the UW Education, Extension and Agriculture Committee, presented the 2012 Winnebago County Scholarships to the following high school seniors:

Michael Brunn, St. Mary's High School, Neenah; Danielle Calhoun, Lourdes High School, Oshkosh; Allison Eilers, St. Mary High School, Neenah; Anna Janda, Menasha High School; Elizabeth Knapinski, St. Mary's High School, Neenah; Natalie Lenz, Oshkosh North High School; Christina Schmitz, St. Mary's High School, Neenah; Katie Warczak, Oshkosh North High School.

The students were presented with a certificate and a book about the history of Winnebago County, entitled: In this Century. Each student announced where they will be going on to college and what they will be studying.

Chairman Albrecht announced that Ricky Bares, Omro High School, was not able to attend tonight's meeting, so his certificate and book will be mailed to him.

COUNTY HIGHWAY G BRIDGE REPLACEMENT PRESENTATION

Ernie Winters, Winnebago County Highway Commissioner, presented information on the County Highway G bridge replacement project. He explained that they will be replacing the existing bridge that goes over the Neenah Slough. The existing bridge has severely deteriorated and is in need of replacement.

Mr. Winters explained that the current bridge was built in 1943 and a lot of the timber components are from the original structure. He stated that when there is high water, it reaches the lower portions of the deck structure causing much of this deterioration. Other problems with the bridge include:

- Railings are not up to current safety standards
- West abutment is splitting and cracked and is beginning to separate
- Wood girder is split and breaking apart
- East abutment columns are severely deteriorated
- Other timber components are starting to fall apart

Mr. Winter explained that this project has been in the Five Year Capital Improvement Program for design in 2012 and construction in 2014, if approved.

Mr. Winter stated that the bridge's sufficiency rating is 35, which qualifies it for Federal funding. They applied for federal funding and received \$409,600 to apply towards construction costs. Mr. Winter stated that the anticipated total cost for the project will be approximately \$612,000.

The average daily traffic on CTH G is approximately 1,400 vehicles per day. The bridge will be closed during the project and a detour will be posted and maintained by the county. The project should take between four and six months to complete.

Mr. Winter stated that there will be a resolution coming before the Board in July asking for funds to complete this project. He 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 applicant Richard J. Carlson, Siltou, Seifert, Carlson, S.C.; and property owners, C & C Nelson Properties, LLC, Town of Nekimi, for a zoning change to M-1 for tax parcel no. 012-0086-02. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 06-01-12. A requested zoning change from A-2 (General Farming) to M-1 (Light Industrial & Office District). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – July 6, 2012)

RESOLUTIONS AND ORDINANCES

RESOLUTION NO. 30-52012: Commendation for Leo and Barb Galicia, Ken and Susan Haidlinger, Dave and Linda Rose, Chris and Mickie Coenen, and Tom and Mary Kay Lutzow

WHEREAS, Leo and Barb Galicia have served as foster parents to children in Winnebago County for the past 43 years, and during that time more than 100 children have been placed in their care; and

WHEREAS, Ken and Susan Haidlinger have served as foster parents to children in Winnebago County for the past 30 years, and during that time more than 20 children have been placed in their care, all with significant special medical needs; and

WHEREAS, Dave and Linda Rose have served as foster parents to children in Winnebago County for the past 29 years, and during that time more than 85 children have been placed in their care; and

WHEREAS, Chris and Mickie Coenen have served as foster parents to children in Winnebago County for the past 22 years, and during that time more than 200 children have been placed in their care; and

WHEREAS, Tom and Mary Kay Lutzow have served as foster parents to children in Winnebago County for the past 20 years, and during that time more than 50 children have been placed in their care; and

WHEREAS, over the years, these loving parents have opened their hearts and their homes to numerous children during very difficult times in the children's lives and provided them with structure, nurturing, and comfort; and

WHEREAS, it is appropriate for the Winnebago County Board of Supervisors to acknowledge the years of service provided by these foster parents.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that sincere appreciation and commendation be and is hereby extended to Leo and Barb Galicia, Ken and Susan Haidlinger, Dave and Linda Rose, Chris and Mickie Coenen, and Tom and Mary Kay Lutzow for the fine service they have rendered to Winnebago County.

BE IT FURTHER RESOLVED that the Winnebago County Clerk send a copy of this Resolution to Leo and Barb Galicia, Ken and Susan Haidlinger, Dave and Linda Rose, Chris and Mickie Coenen, and Tom and Mary Kay Lutzow.

Submitted by:
HUMAN SERVICES BOARD

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

James Koziczowski, Chairman of the Human Services Board, explained that at the Human Services Board's last meeting, the people named in this resolution were recognized by that Board for their many years of dedication and service to foster children in Winnebago County. Mr. Koziczowski then introduced Renee Soroko who is the Supervisor of the Foster Care Program in the Winnebago County Human Services Department.

Ms. Soroko explained that each day approximately 100 children are placed in foster homes in Winnebago County. If there are not enough foster homes in Winnebago County, these children are placed further away from their families in private foster care agencies in other counties.

Ms. Soroko stated that Leo and Barb Galicia, Ken and Susan Haidlinger, Dave and Linda Rose, Chris and Mickie Coenen, and Tom and Mary Kay Lutzow were all invited to attend tonight's meeting, however, only Mickie Coenen was able to attend. Ms. Soroko then presented to Mrs. Coenen, representing all of those foster parents who have provided foster care for twenty years or more, a plaque acknowledging their years of service. The Board of Supervisors recognized Mrs. Coenen with a round of applause.

Chairman Albrecht then read the resolution so the public would know the names of the foster parents being recognized tonight.

RESOLUTION NO. 31-62012: Disallow Claim of DiRenzo & Bomier LLC on Behalf of Beverly Krause

WHEREAS, your Personnel and Finance Committee has had the claim of DiRenzo & Bomier on behalf of their client, Beverly Krause, 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 DiRenzo & Bomier LLC on behalf of their client, Beverly Krause, dated April 17, 2012, and served upon the Winnebago County Clerk on April 20, 2012, 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. 32-62012: Commendation for Lynne Daubert

WHEREAS, Lynne Daubert has been employed with Park View Health Center for the past thirty-six (36) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Lynne Daubert 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 is hereby extended to Lynne Daubert for the fine services she has rendered to Winnebago County.

BE IT FURTHER RESOLVED that the Winnebago County Clerk send a copy of this Resolution to Lynne Daubert.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 33-62012: Commendation for Paul D Berger

WHEREAS, Paul Berger has been employed with the Winnebago County Department of Facilities and Property Management for the past twenty-nine (29) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Paul Berger 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 is hereby extended to Paul Berger for the fine services he has rendered to Winnebago County.

BE IT FURTHER RESOLVED that the Winnebago County Clerk send a copy of this Resolution to Paul D Berger.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 34-62012: Commemorating the 100th Anniversary of Cooperative Extension, a Division of the University of Wisconsin—Extension

WHEREAS, on February 12, 1912, Ernest L Luther was appointed the State's first county extension agent in Oneida County; and

WHEREAS, 2012 marks the 100th anniversary of this unique educational partnership between Cooperative Extension and counties in the State of Wisconsin; and

WHEREAS, this partnership, as pioneered in Wisconsin, embodies the true meaning of the "Wisconsin Idea" that the resources and knowledge of the university shall be extended to the people of the State of Wisconsin, wherever they live and work; and

WHEREAS, the 100th anniversary of Mr. Luther's appointment commemorates the contributions of all Cooperative Extension educators to the growth and development of the entire state; and

WHEREAS, the purpose of Cooperative Extensions is to teach, learn, lead, and serve, connecting the people with the University of Wisconsin, and engaging with them in transforming lives and communities; and

WHEREAS, the vitality of today's Cooperative Extension programs can be credited to the men and women of vision who accepted the challenge in 1912 to create the Wisconsin county extension system.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby commends the UW-Extension, its division of Cooperative Extension, and its local county extension educators for their cooperation and support, which allow people of Winnebago County to apply the research and knowledge of the University of Wisconsin in their lives, homes, farms, schools and businesses.

Submitted by:
UNIVERSITY OF WISCONSIN EDUCATION, EXTENSION, AND
AGRICULTURE COMMITTEE

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

RESOLUTION NO. 35-62012: Amend the Table of Organization for Park View Health Center

WHEREAS, the current Table of Organization for the Park View Health Center identifies four (4) full-time Unit Assistant positions and thirty-five (35) Staff Registered Nurse/Licensed Practical Nurse positions; and

WHEREAS, the Director of Nursing and the Administrator desire to eliminate one (1) full-time Unit Assistant position and one (1) .10 FTE Registered Nurse position, both of which are vacant at this time, and add one (1) full-time Unit Assistant/LPN position (pay-range 2A) to the Table of Organization for the Park View Health Center to increase operating efficiencies.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby amends the Table of Organization for Park View Health Center to eliminate one (1) full-time Unit Assistant position and one (1) .10 FTE Registered Nurse position, and add one (1) full-time Unit Assistant/LPN position (pay-range 2A) to the Table of Organization for the Park View Health Center. The position descriptions for these positions are attached hereto and are made a part of this resolution herein by reference.

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

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

RESOLUTION NO. 36-62012: Authority to Execute 2010-2015 Labor Agreement with the Winnebago County Deputies Association

BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and the Winnebago County Clerk to execute a six-year Agreement on behalf of Winnebago County and the Winnebago County Deputies Association, for the years 2010, 2011, 2012, 2013, 2014, and 2015, effective January 1, 2010, which Agreement will provide the following major changes from the previous Agreement:

1) WAGES

- 0% Across-the-board increase on 1/01/2010
- 0% Across-the-board increase on 1/01/2011
- 1.5% Across-the-board increase on 6/07/2012
- 1.0% Across-the-board increase on 9/27/2012
- 1.0% Across-the-board increase on 10/11/2012 and 1% employee contribution to the Wisconsin Retirement System (WRS)
- 1.0% Across-the-board increase on 1/03/2013
- 1.0% Across-the-board increase on 1/02/2014, and 1% additional employee contribution to Wisconsin Retirement System (WRS)
- 1.0% Across-the-board increase on 7/03/2014
- 1.0% Across-the-board increase on 1/01/2015, and 1% additional employee contribution to Wisconsin Retirement System (WRS)
- 1.5% Across-the-board increase on 7/02/2015

2) ARTICLE XIII: GROUP HEALTH INSURANCE

Effective for the October 1, 2012, premium, Winnebago County will contribute 85% of the monthly premium amount of Plan 2 in either the Network Health Plan or the UMR Health Insurance Plan toward each employee's monthly health insurance premium. If an employee and the employee's spouse complete an annual Health Risk Assessment on or before September 1 of each year, the County will contribute 90% of the monthly premium amount of Plan 2 in either the Network Health Plan or the UMR Health Plan toward each employee's monthly health insurance premium.

The employer reserves the right to change health insurance providers and/or move to an insurance pool. If a married couple are both employees of Winnebago County, they shall share one family plan.

3) ARTICLE XII: SICK LEAVE

SLIP (Sick Leave Incentive Program) ended on December 31, 2009.

In addition to the foregoing, the new Agreement provides for modifications to Management Rights, and allows an additional 8 hours of floating holiday time in 2012, and 4 hours in 2013.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 34. Nays: 1 - Hegg. Excused: 1 – Sievert.
CARRIED.

RESOLUTION NO. 37-62012: Authorize the Public Health Department to Accept a \$20,000 Wisconsin Department of Public Health Grant and Appropriate the Funds to Costs of Implementing a Formal Quality Improvement Plan

WHEREAS, the State of Wisconsin Department of Public Health is making grant funds of \$20,000 available to the Winnebago County Public Health Department; and

WHEREAS, the purpose of the funding is to allow the Department to implement a formal quality improvement plan and conduct a strategic planning process; and

WHEREAS, these activities will help prepare the health department for voluntary national accreditation; and

WHEREAS, the timing of this award is of special benefit because of the consolidation of the City of Oshkosh Health Department and City of Neenah Health Department with the Winnebago County Health Department; and

WHEREAS, the Winnebago County Health Department will need to incur costs for contractual services of \$10,000 and incur additional labor costs of \$10,000 to carry out this process; and

WHEREAS, no County funding is needed to complete the project.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Health Department to accept a \$20,000 State of Wisconsin Department of Public Health grant and appropriates the funds as follows: Contractual services: \$10,000; and Labor: \$10,000, to carry out this project.

Submitted by:
BOARD OF HEALTH
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Ramos and seconded to adopt. Ayes: 34. Nays: 0. Excused: 2 – Sievert and Finch.
CARRIED BY VOICE VOTE.

ORDINANCE NO. 38-62012: Create Section 9.36 of the General Code of Winnebago County: Regulation of Motor Vehicles on Icebound Inland Lakes

WHEREAS, as a consequence of complaints and concerns raised by citizens of Winnebago County residing near Lake Winnebago, it has become apparent to your undersigned Committee that there is a need to create an ordinance to control speed and noise on Lake Winnebago during the winter months in relationship to the use of snowmobiles and other motor vehicles; and

WHEREAS, the proposed Ordinance entitled “9.36 Regulation of Motor Vehicles on Icebound Inland Lakes” would provide authority to the Winnebago County Sheriff to issue citations to individuals operating motor vehicles on Lake Winnebago in an unsafe manner or in such a way that results in a nuisance to those citizens residing near Lake Winnebago.

NOW, THEREFORE, BE IT ORDAINED by the Winnebago County Board of Supervisors that it hereby creates Section 9.36 of the General Code of Winnebago County to read as follows.

9.36 REGULATION OF MOTOR VEHICLES ON ICEBOUND INLAND LAKES.

(1) Authority: This Ordinance is created pursuant to § 30.81(2), Wis Stats.

(2) Jurisdiction: This Ordinance shall be applicable to any icebound inland waters over which Winnebago County has jurisdiction, except to the extent that icebound inland lakes are regulated by valid local ordinances enacted pursuant to §§ 30.81(1) and (1m), Wis Stats.

(3) Exemption: This Ordinance shall not apply to motor vehicles competing in a race or derby sanctioned by a township or municipality, provided that at least 7 days prior written notice of the race or derby has been provided to the Winnebago County Sheriff’s Office.

(4) Definitions:

(a) Law Enforcement Officer: A law enforcement officer shall be defined as specified in § 165.85(2)(c), Wis Stats, and shall include a Conservation Warden.

(b) Motor Vehicle: A motor vehicle shall be defined as a vehicle, including a combination of two or more vehicles or an articulated vehicle, that is self propelled, except a vehicle operating exclusively on a rail. The term “motor vehicle” shall include, without limitation, a commercial motor vehicle including but not limited to snowmobiles, motorcycles, all-terrain vehicles, and utility-terrain vehicles.

(5) Operating Motor Vehicles on the Frozen Surfaces of Inland Lakes:

(a) No person may operate a motor vehicle at a speed exceeding 10 miles per hour within 100 feet of another person who is not in or operating a motor vehicle on the frozen surface of an inland lake in Winnebago County.

(b) No person may operate a motor vehicle at a speed exceeding 10 miles per hour within 100 feet of a fishing shanty on the frozen surface of an inland lake in Winnebago County.

(c) The operator of a motor vehicle shall yield the right of way to another person who is not in or operating another motor vehicle, and who is within 100 feet of the operator’s motor vehicle on the frozen surface of an inland lake in Winnebago County.

(d) No person shall operate a motor vehicle on the frozen surface of an inland lake at a rate of speed that is unreasonable or improper under the circumstances, or is in excess of 25 miles per hour while traveling within 1,000 feet from the shoreline on the frozen surface of an inland lake in Winnebago County.

(e) No person may operate a motor vehicle on the frozen surface of an inland lake unless it is equipped with a muffler in good working order. Exhaust and overall engine noise levels while in stationary operation shall not exceed 90 decibels as measured in accordance with the procedures established for the measurement of exhaust sound levels in the January 2004 Society of Automotive Engineers Standard J2567.

(6) Operation of a Motor Vehicle on the Frozen Surface of an Inland Lake During Hours of Darkness: Any person operating a motor vehicle on an icebound inland lake during hours of darkness is required to light all headlamps, tail lamps, and clearance lamps with which the vehicle is required to be equipped.

(7) Penalty: Any person who violates any provision of this Section of the Code shall be subject to a forfeiture of \$40.00 plus any statutory surcharges imposed by the State Legislature.

(8) Effective Date: This Ordinance shall be in full force and effect as of September 1, 2012.

Submitted by:
JUDICIARY AND PUBLIC SAFETY COMMITTEE

Motion by Supervisor Wingren and seconded to adopt. Motion by Supervisor Farrey and seconded to refer back to committee. After further discussion, Supervisor Farrey withdrew his motion to refer.

Motion by Supervisor Eisen and seconded to amend Line 57 by changing "1,000 feet" to "500 feet"; and amend Line 61 by changing "90 decibels" to "96 decibels". Ayes: 8 – Eisen, Roh, Albrecht, Norton, Kline, Locke, Hegg and Kriescher. Nays: 26. Excused: 2 – Sievert and Finch. LOST.

Motion by Supervisor Ramos and seconded to refer back to committee. Ayes: 24. Nays: 10 – Konetzke, Roh, Smith, Widener, Wingren, Neubauer, Kline, Hegg, Ellis and Kriescher. Excused: 2 – Sievert and Finch. CARRIED.

RESOLUTION NO. 39-62012: Approve Consortium Agreements for Local Elected Officials of the Fox Valley Workforce Development Area

WHEREAS, on December 20, 2011, the Winnebago County Board of Supervisors approved a Resolution whereby Winnebago County would enter into an Intergovernmental Cooperation Agreements with Calumet, Fond du Lac, Green Lake, Outagamie, Waupaca, and Waushara Counties to organize a Workforce Development Area and to implement the Workforce Investment Act of 1998; and

WHEREAS, for reference purposes, a copy of Resolution 318-122011 is attached herewith; and

WHEREAS, since that Resolution was approved, and prior to the execution of said Agreements, Outagamie County declined to execute said Agreement with the above-referenced counties and decided to enter into an Agreement with another consortium of counties; and

WHEREAS, at the request of the Winnebago County Executive, your undersigned supervisor brings this Resolution to the Winnebago County Board of Supervisors for its approval of essentially the same Agreements that were approved by the Board on December 20, 2011, minus the consent of Outagamie County to said Agreements; and

WHEREAS, a copy of said Agreements are also attached herewith.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the attached Consortium Agreements by and between Winnebago County and Calumet, Fond du Lac, Green Lake, Waupaca, and Waushara Counties to organize a Workforce Development Area and implement the Workforce Investment Act of 1998.

Submitted by:
STAN KLINE, DISTRICT 25

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

Motion by Supervisor Robl and seconded to adjourn until Tuesday, July 17, 2012. CARRIED BY VOICE VOTE. The meeting was adjourned at 8:33 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 June 19, 2012.

Susan T. Ertmer
Winnebago County Clerk