

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, JANUARY 20, 2015**

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 Locke.

The following Supervisors were present: Konetzke, Barker, Harpt, Eisen, Kiel, Roh, Smith, Widener, Albrecht, Gabert, Schellenger, Thompson, Olson, Brewer, Hardy, Wingren, Lautenschlager, Norton, Warnke, Robl, Singstock, Neubauer, Turner, Locke, Hegg, Youngquist, Farrey, Rasmussen, Keller, Egan, Ellis and Snider. Excused: Ramos, Finch and Kriescher. (There is one vacancy on the Board.).

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

PUBLIC HEARING

No one addressed the Board.

COMMUNICATIONS AND PETITIONS

The following correspondence was presented to the Board by Sue Ertmer, County Clerk:

A Notice of Claim from Greg Anderson for damage to his vehicle caused by a county snow plow, was forwarded to the Personnel & Finance Committee.

A Notice of Claim from Kreilkamp Trucking, Inc. for damage done at the county landfill to the tarp and poles on one of their trucks was referred to the Personnel & Finance Committee.

Petition for Zoning Amendment from Robert Wolff, Town of Winneconne, for zoning change from R-1 to A-2 for tax parcel no. 030-0258-02 was referred to the Planning & Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Wingren reported that the January 26, 2015 Legislative Committee meeting has been cancelled because of a lack of agenda items. Their next meeting will be February 23, 2015.

Supervisor Eisen reported on the January 14, 2015 meeting of Brown, Outagamie and Winnebago Counties regarding their tri-county recycling program. Recyclables are currently being processed in Outagamie County. Supervisor Eisen reported that there is an approximate 8.7 year life expectancy left for the Outagamie County site. Supervisor Eisen shared other information from the meeting with the Board.

Supervisor Norton reported on the Parks & Recreation Committee's January 15 meeting. He discussed tree planting, the status of the UW-Extension storage building project and the January 17 Community Park/Sunnyview Expo Center user group meeting.

Supervisor Widener explained the packet of scholarship information that was placed on each Supervisor's desk. He asked that each Supervisor share the scholarship application and information with high school seniors in their districts. He explained that area high schools and libraries are being sent information on the county's scholarship program so that eligible high school seniors know about the scholarship and get an opportunity to apply for it.

Supervisor Widener discussed the WCA Health & Human Services Steering Committee meeting that he attended. He explained that state legislation is being introduced to change Wisconsin's laws so that 17 year old juveniles are removed from the adult court system and brought back into the juvenile court system. He explained Wisconsin is one of only nine states that try 17 year olds as adults. He also stated that some studies show the recidivism rate is much less when 17 year olds are tried through the juvenile system. Supervisor Widener shared other information from the meeting and then explained that a resolution will be coming to the Board in the near future asking for their support of this legislation.

Supervisor Smith explained to the Supervisors that proposed rules for electronic devices and the appropriate use of them during meetings has been placed on their desks. He asked that they look them over and prepare to discuss them at the February 10, 2015 meeting.

Motion by Supervisor Robl and seconded to approve the January 21, 2014 proceedings. CARRIED BY VOICE VOTE. (Sue Ertmer, County Clerk, reported that there was one correction on Page 88 of the proceedings. The vote for Resolution No. 104-122014 was corrected from "AYES: 33" to "AYES: 35".

COUNTY EXECUTIVE'S REPORT

Executive Harris told the Supervisors that the "Executive Capital Improvements Program, 2015-2019" report has been placed on their desks. He explained that the report contains recommended projects for this timeframe, but that no funding has been committed for any of the projects. He stated that it's just a "planning tool" and that each project listed still needs to be approved.

Executive Harris recommended the Board's approval of the following resolutions:

- Resolution No. 113-12015: Approve a Capital Project to Add Additional Parking at Park View Health Center at a Cost of \$209,000 and Fund the Project with Proceeds from a 2015 Bond Issue
- Resolution No. 114-12015: Authorize an Appropriation of \$204,000 to a Capital Project to Replace the 911 Telephone System and Fund This Project with a 2015 Bond Issue
- Resolution No. 115-12015: Transfer \$52,000 from the General Contingency Fund to a Project to Complete the Jail Joint Sealant Repair Project

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht asked that all the Supervisors fill out the electronic device survey that is on their desk and return it to the County Clerk.

Chairman Albrecht explained that an advertisement asking for applicants to fill the vacancy in Supervisor District 10 has run twice. The deadline for submitting an application is Friday, January 23. One person has applied. He hopes to have an appointment for the vacancy at the February 10, 2015 meeting.

Chairman Albrecht stated that there is still time for Supervisors to sign up to go to the WCA's Legislative Exchange in Madison on February 3 & 4. If anyone is interested, they should fill out the necessary forms at tonight's meeting and give them to the County Clerk.

Chairman Albrecht announced that Supervisors Ramos, Finch and Kriescher are excused from tonight's meeting.

COUNTY BOARD CHAIRMAN'S APPOINTMENTS

Facilities & Property Management Committee

Chairman Albrecht asked for the Board's approval of his appointment of Supervisor Guy Hegg to the Facilities & Property Management Committee. Motion by Supervisor Konetzke and seconded to approve. CARRIED BY VOICE VOTE.

Highway Committee

Chairman Albrecht asked for the Board's approval of his appointment of Supervisor Kenn Olson to the Highway Committee. Motion by Supervisor Ellis and seconded to approve. CARRIED BY VOICE VOTE.

STATE HIGHWAY PERFORMANCE BASED MAINTENANCE

Ernest Winters, Winnebago County Highway Commissioner, presented a handout on the Wisconsin Department of Transportation's "Performance Based Maintenance" (PBM) and explained the program/process.

Mr. Winters explained that this is a new program that makes major changes to the way counties perform their state highway maintenance work. Mr. Winters explained that for over 80 years, county highway departments performed daily maintenance on state and federal highways on a "time and materials basis", which means however much time and materials it took to complete the project, that's what the state paid the county. He stated that this arrangement put the counties and private contractors, "at odds" over work projects.

Mr. Winters stated that the Wisconsin Transportation and Finance Policy Commission identified this area of the DOT's budgeting process as needing to be updated and changed. Those changes resulted in the performance based maintenance program. Mr. Winters stated that 2013-2015 Budget Bill created Sec. 84.07(2)(b) of the Wisconsin Statutes which states that the DOT may contract with counties for work to be done based on, "unit pricing and bidding and 'performance contracts'".

Mr. Winters' report contained additional PBM background, projects and funding information. Mr. Winters then took questions from the Board.

A copy of Mr. Winters' presentation is on file in the County Clerk's Office with the proceedings of this meeting.

ZONING REPORTS AND ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from property owners, James E. and Kimberly J. Egan; Town of Omro, for a zoning change to R-1 for tax parcel no. 016-0726-01(p). Motion by Supervisor Egan and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 01-01-15. A requested zoning change from A-2 to R-1. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: January 30, 2015)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from property owner, Marvin Kasuboski; Town of Omro, for a zoning change to R-1 for tax parcel no. 016-0476-01. Motion by Supervisor Egan and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 01-02-15. A requested zoning change from B-2 to R-1. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: January 30, 2015)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from property owners, Richard J. and Violet S. Kiesow; Town of Wolf River, for a zoning change to R-1 for tax parcel no. 032-0539-01-01(p). Motion by Supervisor Egan and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 01-03-15. A requested zoning change from A-2 to R-1. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: January 30, 2015)

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from property owner, Rogge Real Estate LLC; and agent, Jerry Wagner, MPB Buildings; Town of Algoma, for a zoning change to I-1 for tax parcel no. 002-0170-01. Motion by Supervisor Egan and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 01-04-15. A requested zoning change from B-3 to I-1. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: January 30, 2015)

REPORT NO. 005. A report from the Planning & Zoning Committee regarding a requested zoning change from property owners, Claude and Christine Foster, Town of Menasha, for a zoning change to R-2 for tax parcel no. 008-0166-01(p). Motion by Supervisor Egan and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 01-05-15. A requested zoning change from A-2 to R-2. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: January 30, 2015)

REPORT NO. 006. A report from the Planning & Zoning Committee regarding a requested Comprehensive Land Use Plan Amendment from property owners, Claude and Christine Foster; Town of Menasha, for amendment to Low Density Residential for tax parcel no. 008-0166-01(p). Motion by Supervisor Egan and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 01-06-15. A requested Comprehensive Land Use Plan Amendment from Industrial to Low Density Residential. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: January 30, 2015)

RESOLUTIONS AND ORDINANCES

RESOLUTION NO. 109-12015: Commendation for Melody Piper

WHEREAS, Melody Piper has been employed with Winnebago County in the U.W. Extension Office for the past thirty-four (34) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Melody Piper 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 Melody Piper 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 Melody Piper.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 110-12015: Commendation for Deborah Walters

WHEREAS, Deborah Walters has been employed with the Winnebago County Department of Human Services for the past twenty-six (26) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Deborah Walters 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 Deborah Walters 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 Deborah Walters.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 111-12015: Commendation for Mary Jo Turner

WHEREAS, Mary Jo Turner has been employed with the Winnebago County Public Health Department for the past thirty-two (32) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Mary Jo Turner 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 Mary Jo Turner 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 Mary Jo Turner.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 112-12015: Disallow Claim of Teresa Miller

WHEREAS, your Personnel and Finance Committee has had the claim of Teresa Miller 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 Teresa Miller, filed with the County Clerk on November 18, 2014, 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 Rasmussen and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 113-12015: Approve a Capital Project to Add Additional Parking at Park View Health Center at a Cost of \$209,000 and Fund the Project With Proceeds From a 2015 Bond Issue

WHEREAS, during the design and planning for the new nursing home, parking was estimated based on staffing and visitors; and

WHEREAS, the need for parking has surpassed those estimates; and

WHEREAS, the problem is even worse when there are shift changes; and

WHEREAS, staff and visitors are often parking in areas that are not designated for parking; and

WHEREAS, volunteer and visitor traffic has increased with the completion of the new building; and

WHEREAS, a project to add additional parking would increase the number of spaces by thirty (30) and would cost approximately \$209,000; and

WHEREAS, this project, which was included in the 5-year capital improvements program, was scheduled for 2015.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$209,000 to a capital project to add additional parking at Park View Health Center.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the funds from the Winnebago County General Fund Undesignated Fund Balance with the Fund being reimbursed from a subsequent bond issue.

Submitted by:
PARK VIEW HEALTH CENTER COMMITTEE
FACILITIES AND PROPERTY MANAGEMENT COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Ellis and seconded to adopt. Motion by Supervisor Hegg and seconded to amend the resolution by appropriating the funds from undesignated fund balance of Park View Health Center. Ayes: 24. Nays: 8 – Smith, Gabert, Wingren, Lautenschlager, Warnke, Locke, Egan and Ellis. Excused: 3 - Ramos, Finch and Kriescher. CARRIED. (There is one vacancy on the Board.)

Vote on Resolution as amended: Ayes: 29. Nays: 3 – Harpt, Warnke and Ellis. Excused: 3 - Ramos, Finch and Kriescher. CARRIED. (There is one vacancy on the Board.)

RESOLUTION NO. 114-12015: Authorize an Appropriation of \$204,000 to a Capital Project to Replace the 911 Telephone System and Fund this Project with a 2015 Bond Issue

WHEREAS, 911 emergency dispatch services are among the most vital services that counties provide; and
WHEREAS, Winnebago County dispatchers operate our Public Safety Answering Point 24 hours per day, 365 days per year; and

WHEREAS, Winnebago County dispatchers average over 43,000 calls per year serving 36 agencies comprised of law, fire, ambulance, and first responders; and

WHEREAS, Winnebago County's current 911 telephone system is entering its 7th year of a 5-7 year expected life-cycle; and

WHEREAS, the recommended replacement system is over \$90,000 less than the cost of the 2007 system for the initial cost plus first year of maintenance; and

WHEREAS, replacing the current system has been accounted for in the last two Capital Improvement Program books in anticipation of keeping Winnebago County's system reliable and current.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$204,000 to a capital project to replace the 911 telephone system.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for the project will be advanced from the Winnebago County General Fund Undesignated Fund Balance, with said balance to be reimbursed from a subsequent 2015 bond issue.

Submitted by:
INFORMATION SYSTEMS COMMITTEE
JUDICIARY AND PUBLIC SAFETY COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Smith and seconded to approve. Ayes: 32. Nays: 0. Excused: 3 - Ramos, Finch and Kriescher. CARRIED. (There is one vacancy on the Board.).

RESOLUTION NO. 115-12015: Transfer \$52,000 from the General Contingency Fund to a Project to Complete the Jail Joint Sealant Repair Project

WHEREAS, in 2014 the Winnebago County Board approved a project to repair joint seals in the Jail building at a cost of \$198,000; and

WHEREAS, the project was necessary because the building was 10 years old and the precast façade slabs had dried and shrunk increasing the gap between slabs; and

WHEREAS, these repairs need to be done to prevent moisture from entering the gaps and eventually causing leakage into the building; and

WHEREAS, the project was bid out, and the lowest bid came in \$52,000 over the budgeted amount; and

WHEREAS, it is now necessary to obtain authorization to spend additional funds to complete the project.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes a transfer of \$52,000 from the General Contingency Fund to the project to repair the joint seals in the County Jail.

Submitted by:
FACILITIES AND PROPERTY MANAGEMENT COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Roh and seconded to approve. Ayes: 32. Nays: 0. Excused: 3 - Ramos, Finch and Kriescher. CARRIED. (There is one vacancy on the Board.).

RESOLUTION NO. 116-12015: Authorize Contract Between Winnebago County and Safety National Insurance Company (Excess Workers' Compensation Program Insurance)

WHEREAS, Winnebago County has maintained an Excess Insurance Policy regarding its Workers' Compensation Program to protect the County from any unexpected large financial losses due to Workers' Compensation; and

WHEREAS, Winnebago County, as a practice, has been entering into a contract with a carrier on a year-to-year basis; and

WHEREAS, presently Winnebago County has the opportunity to lock in rates for a two-year period with its current carrier, Safety National Insurance Company; and

WHEREAS, Winnebago County has obtained quotes from several other insurance companies who provide this line of insurance, and the quote from Safety National Insurance for a two-year period was lower than the other companies who provided quotes.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and the Winnebago County Clerk to enter into a two-year contract with Safety National Insurance Company for excess workers' compensation coverage at a rate of \$157,500 for a two-year period.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Rasmussen and seconded to approve. Ayes: 32. Nays: 0. Excused: 3 - Ramos, Finch and Kriescher. CARRIED. (There is one vacancy on the Board.)

RESOLUTION NO. 117-12015: Reauthorization of the Winnebago County Self-Funded Workers' Compensation Insurance Program

WHEREAS, Winnebago County is a qualified political subdivision of the State of Wisconsin; and

WHEREAS, the Wisconsin Workers' Compensation Act ("Act") provides that an employer covered by the Act either insure its liability with a workers' compensation insurance carrier authorized to do business in Wisconsin, or be exempted (self-insured) from insuring liabilities with a carrier and, thereby, assume the responsibility for its own workers' compensation risk and payment; and

WHEREAS, the State of Wisconsin and its political subdivisions may self-insure workers' compensation without a special order from the Department of Workforce Development ("Department") if they agree to report faithfully all compensable injuries and agree to comply with the Act and rules of the Department; and

WHEREAS, at its January 8, 2015, meeting, your undersigned Committee approved the continuation of the self-insured Workers' Compensation Program for Winnebago County in compliance with DWD 80.60(3), Wisconsin Administrative Code.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes as follows:

- 1) That the self-insured Workers' Compensation Program that is currently in effect for Winnebago County be continued; and
- 2) That the Winnebago County Clerk forward a certified copy of this Resolution to the Workers' Compensation Division of the Wisconsin Department of Workforce Development.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Rasmussen and seconded to approve. Ayes: 32. Nays: 0. Excused: 3 - Ramos, Finch and Kriescher. CARRIED. (There is one vacancy on the Board.)

Motion by Supervisor Robl and seconded to adjourn until the February 10, 2015 meeting. The meeting was adjourned at 6:55 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 January 20, 2015.

Susan T. Ertmer
Winnebago County Clerk