

**WINNEBAGO COUNTY BOARD MEETING  
TUESDAY, NOVEMBER 21, 2017**

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: Konezke, Brunn, Eisen, Ramos, Powell, Roh, Smith, Scherck, Albrecht, Gabert, Binder, Thompson, Schorse, Wojciechowski, Gordon, Wingren, Lautenschlager, Norton, Warnke, Robl, Singstock, Brooks, Powers, Locke, Hegg, Finch, Youngquist, Farrey, Rasmussen, Keller, Egan, Ellis, Snider and Kriescher. Excused: Harpt and Long.

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

**PUBLIC HEARING**

The following persons spoke in opposition of Resolution No. 210-112017: "Authorizing Execution of Sunnyview Exposition Center Ground Lease with Life Promotions, Inc." and Resolution No. 211-112017: "Authorizing Execution of Sunnyview Exposition Center Rental Agreement Between Winnebago County and Life Promotions, Inc.":

- John Doemel, 455 Zarlign Avenue, Oshkosh, WI
- Ron Paulick, 808 W. 10<sup>th</sup> Avenue, Oshkosh, WI
- Brady Baldry, 5945 Springbrook Road, Omro, WI
- Jeff Wicinsky, Indian Shores Road, Winneconne, WI
- Jeff Lemiesz, 2230 Plymouth Street, Oshkosh, WI
- Wes Longlitz, 612 W. Kirkwood, Oshkosh, WI
- Terry Baldry, 2791 Village Lane, Winneconne, WI
- Dennis Payne, 145 N. Westhaven Drive, Oshkosh, WI

The following persons spoke in support of Resolution No. 210-112017: "Authorizing Execution of Sunnyview Exposition Center Ground Lease with Life Promotions, Inc." and Resolution No. 211-112017: "Authorizing Execution of Sunnyview Exposition Center Rental Agreement Between Winnebago County and Life Promotions, Inc.":

- Amy Albright, Oshkosh Convention and Visitors Bureau
- Marc Nysten, 1995 Walnut Street, Oshkosh, WI
- Jay Schumerth, 9 Strawberry Lane, Appleton, WI

The following person spoke in support of Resolution No. 217-112017: "Supporting Assembly Bill 409: Marijuana Possession Penalties":

- Mark Kelderman, Brownsville, WI

**COMMUNICATIONS AND PETITIONS**

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

- Resolutions from Other Counties:
  - Door County – Resolution No. 2017-68: In Opposition to the Proposed SB 395 and AB 499 Relating to the Regulation of Nonferrous Metallic Mining was referred to the Legislative Committee.
  - Outagamie County – Resolution No. 76—2017-18 regarding proposed legislation which ratifies and enters Wisconsin into the Enhanced Nurse Licensure Compact was referred to the Legislative Committee.
  - Outagamie County – Resolution No. 77—2017-18 regarding opposition to any mining project that doesn't have sufficient safeguards to mitigate potential negative impacts on natural resources, public health, cultural heritage and the economy of Wisconsin was referred to the Legislative Committee.
  - Portage County – Resolution No. 177-2016-2018: Re: Sense of the Board; Opposing the Passage of 2017 Senate Bill 54 and 2017 Assembly Bill 94 was referred to the Legislative Committee.
  - Trempealeau County – Resolution Number: 2017-10-08: Opposition to Section 7 of SB 387/AB479 was referred to the Legislative Committee.

## **REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS**

Supervisor Finch commented on his attendance to the Wisconsin Parks and Recreation Conference. He stated that it was the best one he has attended in his twenty-six years on the County Board. He stated that there are more and more counties and cities that are creating dog parks.

Motion by Supervisor Robl and seconded by Supervisor Konetzke to approve the proceedings from the October 17, 2017 county board meeting. CARRIED BY VOICE VOTE. A correction is needed on page 146 for Amending Ordinance No. 006 – it should be “R1A Residential District” not “R1 Residential District”.

### **COUNTY EXECUTIVE’S REPORT**

Executive Mark Harris spoke in support of the following resolutions:

- Resolution No. 220-112017: “Authorizing the hiring of Boldt Technical Services to perform the architectural engineering work related to the capital project to design the Winnebago County community based residential facility”.
- Resolution No. 210-112017: “Authorizing execution of Sunnyview Exposition Center ground lease with Life Promotions”.

### **COUNTY EXECUTIVE’S APPOINTMENTS**

#### **Menasha Library Board**

Executive Harris asked for the Board’s approval of his appointment of Cynthia Witt, 1582 Eugene Street, Menasha, to the Menasha Library Board. This is a three-year term which will expire on April 30, 2020.

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

### **COUNTY BOARD CHAIRMAN’S REPORT**

Chairman Albrecht reported that a corrected copy of Resolution No. 220-112017 was placed on the Supervisors’ desks.

### **ZONING REPORTS & ORDINANCES**

Report No. 001 – A report from the Planning and Zoning Committee regarding a requested zoning change from LBF Investments, LLC, Town of Omro; to change from R-1/A-2 Rural Residential/General Agriculture to A-2 General Agriculture for tax parcel no. 016-0687. Motion by Supervisor Egan and seconded by Supervisor Gabert to accept. CARRIED BY VOICE VOTE.

Amending Ordinance No. 11/01/17 – A requested zoning change from R-1/A-2 Rural Residential/General Agriculture to A-2 General Agriculture for tax parcel no. 016-0687. Motion by Supervisor Egan and seconded by Supervisor Gabert to adopt. CARRIED BY VOICE VOTE. (Effective Date: November 27, 2017)

Report No. 002 – A report from the Planning and Zoning Committee regarding a requested zoning change from AF Group, LLC, Town of Algoma; to change from R-1/A-2 Rural Residential/General Agriculture to R-2/R-1/A-2 Suburban Low Density Residential/Rural Residential/General Agriculture for tax parcel no. 002-0028-19(p). Motion by Supervisor Rasmussen and seconded by Supervisor Ellis to accept. CARRIED BY VOICE VOTE.

Amending Ordinance No. 11/02/17 – A requested zoning change from R-1/A-2 Rural Residential/General Agriculture to R-2/R-1/A-2 Suburban Low Density Residential/Rural Residential/General Agriculture for tax parcel no. 002-0028-19(p). Motion by Supervisor Rasmussen and seconded by Supervisor Ellis to adopt. CARRIED BY VOICE VOTE. (Effective Date: November 27, 2017)

Report No. 003 – A report from the Planning and Zoning Committee regarding a requested zoning change from Harrison Sturgis, Jr. Living Trust, Harrison Sturgis, Jr., Trustee and Lisa A. Sturgis, Trustee, Town of Neenah; to change from A-2 General Agriculture to R-2 Suburban Low Density Residential for tax parcel no. 010-0199(p). Motion by Supervisor Egan and seconded by Supervisor Gabert to accept. CARRIED BY VOICE VOTE.

Amending Ordinance No. 11/03/17 – A requested zoning change from A-2 General Agriculture to R-2 Suburban Low Density Residential for tax parcel no. 010-0199(p). Motion by Supervisor Egan and seconded by Supervisor Ellis to adopt. CARRIED BY VOICE VOTE. (Effective Date: November 27, 2017)

## RESOLUTIONS AND ORDINANCES

### **RESOLUTION NO. 209-112017: Disallow Claim of John A. Kurth**

WHEREAS, your Personnel and Finance Committee has had the claim of John A Kurth 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 John A Kurth, filed with the County Clerk on September 19, 2017, 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 by Supervisor Ellis to adopt. CARRIED BY VOICE VOTE. (NAYS - Farrey.)

### **RESOLUTION NO. 210-112017: Authorize Execution of Sunnyview Exposition Center Ground Lease with Life Promotions Inc.**

WHEREAS, it is acknowledged that for 19 years Winnebago County has experienced substantial benefits from the presence of the annual Lifest Christian Music Festival (Lifest) at the Sunnyview Exposition Center with the presence of an estimated 90,000 attendees and with an annual economic impact of \$5.3 million in tourism spending throughout Winnebago County; and

WHEREAS, with the steady growth that has been occurring with Lifest, and with the projected 6% annual increase in attendance that is expected for several years to come, by 2019 all available programming space will be used up at the Sunnyview Exposition Center leaving no other areas available for further camping and/or parking expansion; and

WHEREAS, it has been determined that given the unexpected availability of property within the Sunnyview Exposition Center Grandstand Complex, it would be possible to free up the present concert area where the Lifest stage is annually erected by repositioning the stage location to a spot inside the Grandstand Complex. By moving the stage location Lifest would subsequently have a 7 acre area open for camping in the former concert area along with a 9 acre parcel situated to the north of the new stage location within the Grandstand Complex; and

WHEREAS, by forming strong partnerships with area organizations and businesses, Life Promotions Inc. wishes to invest \$750,000.00 into development of a (55' X 122') permanent state of the art exterior stage which it would own for a period of ten (10 years) during which time Life Promotions Inc. and the County would be subject to the terms of a Ground Lease Agreement in which the stage rental fees that are to be charged to outside promoters, would be evenly shared between the two parties; and

WHEREAS, in conjunction with the building of the permanent stage the Parks Department would proceed to expend approximately \$180,000 from its 2017 Operations Budget to make improvements around the structure including, among other things, construction of a multi-use 350' X 650' audience/performance area situated between the stage and the 4,800 seat grandstand facility; and

WHEREAS, improvements such as the permanent stage and the multi-use 350' X 650' audience/performance area would allow for varied programming within the Grandstand Complex where previously there had been only limited promotional opportunities due to site conditions. In this manner the improvements would benefit the citizens of Winnebago County by increasing the amount of potential tourism dollars spent within the area and help create opportunities for new recreational and entertainment activities; and

WHEREAS, there is already well established precedent for pursuing this type of agreement which is substantively based on the terms and conditions incorporated into lease agreements the County presently holds with the Oshkosh Youth Soccer Club, the Hilton Garden Inn, and several corporate entities who are the proprietors of various hangers at Wittman Field. Further, it is an accepted practice for parties who wish to contribute towards the enhancement of Parks property to not only support the funding and development thereof but to also do so with the understanding that such improvements are therewith released to the County for ownership in perpetuity at the end of their lease agreement; and

WHEREAS, your undersigned Committee believes that the citizens of Winnebago County would best be served by entering into a Ground Lease Agreement with Life Promotions Inc. thereby allowing the organization to proceed with the construction and ten (10) year ownership of a permanent stage within the Sunnyview Exposition Center Grandstand Complex and for the County to further enhance the marketability and revenue generating potential of the Grandstand Complex overall by development of a multi-use audience/performance area.

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 execute a Ground Lease Agreement whereby Life Promotions Inc. will be permitted to devote resources towards construction of a 55' x 122' concrete and steel stage at a predetermined location within the Grandstand Complex of the Sunnyview Exposition Center and to own said stage for a period of ten (10) consecutive years at the end of which time the structure will be turned over to the County free of title.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes that the Winnebago County Executive and Winnebago County Clerk be and they hereby are authorized to execute a Ground Lease Agreement between Winnebago County and Life Promotions, Inc. over a period of ten (10) consecutive years for good and valuable consideration of a lease payment of one dollar (\$1.00) per year for the duration of said lease.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of the Life Promotions Ground Lease Agreement is attached hereto and made a part of this Resolution by reference.

*Fiscal Note:* Given the provisions contained within the Ground Lease Agreement that reflect Life Promotion's ownership and subsequent care and maintenance of the stage facility, there is no direct fiscal impact brought on to the Parks Department as a result of having the stage present in the Grandstand Complex. However, information pertaining to impacts on Expo rental revenues are detailed in the fiscal notes provided at the bottom of the resolution amending the Sunnyview Exposition Center Fees Schedule.

Submitted by:  
PARKS AND RECREATION COMMITTEE

Motion by Supervisor Finch and seconded by Supervisor Konetzke to adopt.

Motion by Supervisor Warnke and seconded by Supervisor Ellis to postpone for six months. Vote on Postponement: AYES: 9 – Gabert, Binder, Thompson, Gordon, Warnke, Locke, Farrey, Ellis and Snider; NAYS: 25; ABSTAIN: 0; ABSENT: 2 – Harpt and Long. FAILED.

Vote on Resolution: AYES: 24; NAYS: 8 – Eisen, Binder, Thompson, Warnke, Farrey, Egan, Ellis and Snider; ABSTAIN: 2 – Gabert and Gordon; ABSENT: 2 – Harpt and Long. CARRIED.

**RESOLUTION NO. 211-112017: Authorize Execution of Sunnyview Exposition Center Rental Agreement Between Winnebago County and Life Promotions. Inc.**

WHEREAS, Winnebago County recognizes that Life Promotions Inc wishes to rent the Sunnyview Exposition Center to hold its annual 4-day Christian Music Festival ("Lifest") for ten (10) consecutive years (2018-2027); and

WHEREAS, it is in the best interests of Winnebago County to permit the long-range scheduling of said event to allow the promoter to secure necessary agreements with subcontractors; and

WHEREAS, the long-range scheduling of events at the Sunnyview Exposition Center allows Winnebago County staff to efficiently program the Center so as to maximize its use and ensure the generation of revenue.

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 execute a rental agreement between Winnebago County and Life Promotions Inc for a period of 10 consecutive years (2018-2027) for the purpose of conducting its annual 4-day Christian Music Festival.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of the proposed Rental Agreement between Winnebago County and Life Promotions Inc is attached hereto and made a part of this Resolution herein by reference.

Submitted by:  
PARKS AND RECREATION COMMITTEE  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Finch and seconded by Supervisor Norton to adopt. Vote on Resolution: AYES: 27; NAYS: 6 – Eisen, Binder, Warnke, Farrey, Ellis and Snider; ABSTAIN: 1 – Gabert; ABSENT: 2 – Harpt and Long. CARRIED.

**ORDINANCE NO. 212-112017: Amend Section 19.24(7) of the General Code for Winnebago County to Incorporate the Updated Sunnyview Exposition Center Rental Fee Schedule**

WHEREAS, the Winnebago County Parks and Recreation Committee has reviewed and recommends approval of the following amendment to Section 19.24(7) of the General Code of Winnebago County containing the rental fee schedule established for the Sunnyview Exposition Center; and

WHEREAS, with the upcoming installation of a permanent stage and multi-use audience/performance area within the Grandstand Complex, it is necessary that Winnebago County amend that section of the Sunnyview Exposition Center Rental Fee Schedule related to the Grandstand Complex in order to reflect the increased entertainment value of the venue, given the aforementioned improvements; and

WHEREAS, fees for the improved areas shall be incorporated using a three-tiered approach to address use of the facility for large, medium, and small events; and

WHEREAS, in order to uphold certain provisions pursuant to the County - Life Promotions Inc. Ground Lease Agreement, it has been determined that over the period of the next ten (10) years, together Life Promotions, Inc. and the County shall negotiate permanent stage rental charges with interested promoters and that the two parties shall evenly divide between them all subsequent permanent stage related revenue(s).

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

That Section 19.24(7) of the General Code of Winnebago County shall be expanded to include the new rates for the Grandstand Complex and new stage for years 2018-2020, and the new rates shall read as follows: (see attached EXHIBIT "A," Sunnyview Exposition Center Rental Fees Schedule 2016 – 2017 – 2018 – 2019 – 2020).

BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that said amendment to the General Code of Winnebago County shall become effective on the date following the date of publication.

Submitted by:

PARKS AND RECREATION COMMITTEE

Motion by Supervisor Finch, seconded by Supervisor Konetzke, to approve.

Ayes: 31. Nays: 3 – Gabert, Egan and Ellis. Absent: 2 – Harpt and Long. CARRIED.

**RESOLUTION NO. 213-112017: Grant City of Oshkosh a Construction and Maintenance Easement for Bus Shelter-Courthouse Campus**

WHEREAS, the City of Oshkosh has had a bus stop on Algoma Boulevard adjacent to the Orin King Building and the Courthouse for many years; and

WHEREAS, the City of Oshkosh and Winnebago County have had numerous discussions regarding the construction of a bus shelter on the site of the present bus stop on Algoma Boulevard; and

WHEREAS, said bus shelter would be beneficial to numerous individuals utilizing public transportation for the purpose of visiting the Winnebago County Courthouse and Orin King Building; and

WHEREAS, pursuant to the proposed Easement Agreement, Winnebago County would construct a pad for the bus shelter at its expense, and the City of Oshkosh would install the bus shelter upon the pad at its expense; and

WHEREAS, funds are presently included within the Facilities and Property Management budget for the construction of said concrete pad; and

WHEREAS, your undersigned Committee believes that construction of said bus shelter would be in the public's best interests.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves granting an easement and entering into an agreement with the City of Oshkosh for the construction of a bus shelter adjacent to the Orin King Building located at 448 Algoma Boulevard in the City of Oshkosh.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the Easement Agreement between Winnebago County and the City of Oshkosh for the construction of a bus shelter, which is attached hereto and made a part of this Resolution by reference.

Submitted by:

FACILITIES AND PROPERTY MANAGEMENT COMMITTEE

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

**RESOLUTION NO. 214-112017: Authorize Electric Underground Easement Between Winnebago County and Wisconsin Public Service Corporation**

WHEREAS, the Wisconsin Public Service Corporation has requested that Winnebago County grant it an easement for the installation of underground installation operation maintenance repair replacement and extension of underground electrical wires on the Winnebago County Courthouse campus; and

WHEREAS, your undersigned Facilities and Property Management Committee believes that granting said easement is appropriate and necessary to provide electrical service to the Winnebago County Courthouse campus.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes execution of the Electric Underground Easement Agreement between Winnebago County and the Wisconsin Public Service Corporation on that property described within the Agreement for the purpose of providing

electrical service to the Winnebago County Courthouse campus. Said Agreement is attached hereto and made a part of this Resolution herein by reference.

Submitted by:  
FACILITIES AND PROPERTY MANAGEMENT COMMITTEE

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

**ORDINANCE NO. 215-112017: Amend Section 1.12(7)(a) of the General Code of Winnebago County**

WHEREAS, § 59.10(3)(f), Wis Stats, authorizes county boards of supervisors to establish a per diem for county board members to be next elected; and  
WHEREAS, nomination papers for the next County Board may be submitted to the Winnebago County Clerk beginning on December 1, 2017; and  
WHEREAS, any change to the compensation for the next County Board must be made prior to that date; and  
WHEREAS, the present per diem for Winnebago County Board Members is \$66 for a full day meeting and \$44 for a half day meeting; and  
WHEREAS, no increase in the per diem rate for County Board members has been made since November 2007; and  
WHEREAS, appropriations were included in the 2018 Winnebago County Board Budget for increasing the per diem for County Board members to \$75 for a full day meeting and \$50 for a half day meeting; and  
WHEREAS, your undersigned Supervisor believes that said increase is appropriate at the present time as there has been no increase in county board per diem rates since 2007.

NOW, THEREFORE, BE IT ORDAINED by the Winnebago County Board of Supervisors that Section 1.12(7)(a) of the General Code of Winnebago County be amended to read as follows:

**1.12 PER DIEM, MILEAGE EXPENSES REQUIREMENT: COUNTY BOARD OF SUPERVISORS. . .**

(7) Per diem and expenses shall be reimbursed while attending meetings for the Winnebago County Board of Supervisors as follows:

(a) Per Diem

½ day meeting (one or more meetings totaling 4 hours or less) .....	<del>\$ 44.00</del>	\$ 50.00
Full day meeting .....	<del>\$ 66.00</del>	\$ 75.00
Monthly County Board meeting .....	<del>\$ 66.00</del>	\$ 75.00
Maximum allowable per diem per day .....	<del>\$ 66.00</del>	\$ 75.00

BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that the amendment to said Ordinance shall take effect as of the election and swearing in of the next County Board, which shall take place on April 17, 2018.

Submitted by:  
HAROLD SINGSTOCK, District 23

Motion by Supervisor Singstock, seconded by Supervisor Norton to approve.

Ayes: 26. Nays: 7 – Ramos, Gabert, Thompson, Wojciechowski; Wingren, Rasmussen and Snider.  
Abstain: 1 – Schorse. Absent: 2 – Harpt and Long. CARRIED.

**RESOLUTION NO. 216-112017: Support Preservation of Tax Deduction for State and Local Taxes on Federal Income Tax Returns**

WHEREAS, the Federal deduction for State and local taxes has been a fixture in the Federal Tax Code for more than 100 years; and  
WHEREAS, that deduction guards against double taxation of households and protects the fiscal integrity of State and local governments; and  
WHEREAS, any changes to this deduction would undermine the fundamental principles of our federalism and create a slippery slope that would subject said deduction, if limited in any way, to continued erosion whenever the Federal Government needs more money, at the expense of 44 million middle class households and homeowners who now claim this deduction; and  
WHEREAS, the elimination of the State and local income tax deduction is one of the largest sources of revenue in the “Big Six” tax plan, estimated at \$1.3 trillion dollars taken from 44 million households; and  
WHEREAS, any compromise of this deduction is sure to cause millions of tax payers to pay higher taxes and potentially undermine State and local governments.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby indicates its opposition to any limitation or removal of the State and local tax deduction from the Internal Revenue Code.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of this Resolution shall be transmitted by the Winnebago County Clerk to all Wisconsin members of the United States House of Representatives and to the Offices of Senator Tammy Baldwin and Senator Ron Johnson.

Submitted by:  
LEGISLATIVE COMMITTEE

Motion by Supervisor Egan and seconded by Supervisor Ellis to adopt.

Motion by Supervisor Roh and seconded by Supervisor Finch to postpone indefinitely. Vote on Postponement: AYES: 21; NAYS: 13 – Binder, Thompson, Wojciechowski, Wingren, Lautenschlager, Norton, Warnke, Powers, Farrey, Keller, Egan, Ellis and Snider; ABSTAIN: 0; ABSENT: 2 – Harpt and Long. CARRIED TO POSTPONE.

**RESOLUTION NO. 217-112017: Support Assembly Bill 409: Marijuana Possession Penalties**

WHEREAS, current law prohibits a person from possessing or attempting to possess marijuana. A person who is convicted of violating the prohibition may be fined not more than \$1,000 or imprisoned for not more than six months, or both, for a first conviction, and is guilty of a Class 1 felony for a second or subsequent conviction; and

WHEREAS, Assembly Bill 409 reduces the forfeiture to \$100 for possessing or attempting to possess not more than 10 grams of marijuana and eliminates the increase in penalty if second or subsequent violations involve not more than 10 grams of marijuana; and

WHEREAS, the undersigned Legislative Committee recommends the passage of Assembly Bill 409.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby supports Assembly Bill 409 reducing the forfeiture to \$100 for possessing or attempting to possess not more than 10 grams of marijuana and eliminating the increase in penalty if second or subsequent violations involve not more than 10 grams of marijuana.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to forward a copy of this Resolution to the Wisconsin Counties Association, the Office of Governor Scott Walker, and all state senators and assembly members representing Winnebago County constituents.

Submitted by:  
LEGISLATIVE COMMITTEE

Motion by Supervisor Egan and seconded by Supervisor Finch to adopt. Vote on Resolution: AYES: 21; NAYS: 10 – Brunn, Scherck, Gabert, Schorse, Wingren, Robl, Finch, Youngquist, Rasmussen and Kriescher; ABSTAIN: 3 – Ramos, Roh and Hegg; ABSENT: 2 – Harpt and Long. FAILED (3/4 vote required)

**RESOLUTION NO. 218-112017: Oppose Senate Bill 54: Probation Revocation**

WHEREAS, Senate Bill 54 has been introduced to amend the State Statutes to require the Department of Corrections (DOC) to recommend revoking a person's extended supervision, parole, or probation if the person is charged with a crime while on extended supervision, parole, or probation. This legislation, as drafted, could result in predictable unjust outcomes causing increased incarceration at an increased cost to the State and counties. The DOC estimates this legislation could result in an increase of 5,570 revocation cases each year; and

WHEREAS, more individuals would be occupying county jails without reimbursement from the DOC; and

WHEREAS, essentially this Bill is an unfunded mandate to Wisconsin county jails; and

WHEREAS, it is estimated that this Bill could result in increased operations costs (excluding possible construction costs) to the DOC of \$51.9 million during the first year of enactment and permanent increased operations costs of approximately \$149.3 million after the population is annualized during the second year of enactment.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby opposes Senate Bill 54.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to forward a copy of this Resolution to the Wisconsin Counties Association, the Office of Governor Scott Walker, and all state senators and assembly members representing Winnebago County constituents.

Submitted by:  
LEGISLATIVE COMMITTEE

Motion by Supervisor Egan and seconded by Supervisor Ellis to adopt. Vote on Resolution: AYES: 26; NAYS: 5 – Konezke, Brunn, Smith, Gabert and Rasmussen; ABSTAIN: 3 – Ramos, Roh and Hegg; ABSENT: 2 - Harpt and Long. FAILED. (3/4 vote required)

**RESOLUTION NO. 219-112017: Oppose Sections 52 and 53 of Assembly Bill 456 and Senate Bill 374 Relating to Vehicle Registration Fees**

WHEREAS, current State law allows local governments, including counties, to enact ordinances imposing an annual municipal or county registration fee on all motor vehicles; and

WHEREAS, although State law has allowed local registration fees since 1967, few local governments have imposed local registration fees until relatively recently when more local governments adopted vehicle registration fees to offset shrinking state and federal transportation dollars and to repair deteriorating roads; and

WHEREAS, the fees that are collected are required to be used for transportation-related purposes only; and

WHEREAS, Sections 52 and 53 of Assembly Bill 456 and Senate Bill 374 provide that a county or municipal registration fee may be continued or imposed only if approved by a majority of electors voting in a referendum at a regularly scheduled election; and

WHEREAS, the registration fee may only continue if such a referendum is approved by a majority of the electorate; and

WHEREAS, this is another attempt to eliminate or reduce local control of government.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby strongly opposes Sections 52 and 53 of Assembly Bill 456 and Senate Bill 374 and recommends that Sections 52 and 53 be removed from Assembly Bill 456 and Senate Bill 374 prior to consideration by the Wisconsin State Legislature.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to forward a copy of this Resolution to the Wisconsin Counties Association, the Office of Governor Scott Walker, and all state senators and assembly members representing Winnebago County constituents.

Submitted by:  
LEGISLATIVE COMMITTEE

Motion by Supervisor Egan and seconded by Supervisor Ellis to adopt. Vote on Resolution: AYES: 29; NAYS: 1 – Farrey; ABSTAIN: 4 – Konezke, Brunn, Ramos and Hegg; ABSENT: 2 – Harpt and Long. CARRIED.

**RESOLUTION NO. 220-112017: Authorize the Hiring of Boldt Technical Services to Perform the Architectural Engineering Work Related to the Capital Project to Design the Winnebago County Community Based Residential Facility**

WHEREAS, the current facilities for the County's Community Based Residential Facility are owned by the City of Oshkosh Housing Authority and have reached the end of their useful life and are in need of a significant amount of capital improvements to remain in use, and

WHEREAS, the County Board has previously approved the Capital Project and funding to hire an architect to accomplish the detailed design, and

WHEREAS, several architectural firms have submitted proposals through the Request for Proposal process, and

WHEREAS, it is the recommendation of the Facilities and Property Management Committees and County Executive Mark Harris that Boldt Technical Services be hired to perform the architectural engineering work on the new Community Based Residential Facility, and

WHEREAS, Boldt Technical Services shall be paid a fee not to exceed \$129,600.00, and

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the hiring of ~~Martin Riley Architects-Engineers~~ **Boldt Technical Services** to be funded from the previously approved funding for the design of the Capital project

Submitted by:  
FACILITIES AND PROPERTY MANAGEMENT COMMITTEE

Motion by Supervisor Roh and seconded to adopt. Vote on Resolution: AYES: 28; NAYS: 6 – Konezke, Eisen, Gabert, Thompson, Hegg and Farrey; ABSTAIN: 0; ABSENT: 2 – Harpt and Long. CARRIED.



Motion by Supervisor Robl and seconded by Supervisor Konezke to adjourn until the December 19, 2017 board meeting at 6:00 p.m. The meeting was adjourned at 8:05 p.m.

Submitted by:  
Julie A. Barthels  
Winnebago County Deputy Clerk

State of Wisconsin)  
County of Winnebago) ss

I, Julie A. Barthels, 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 November 21, 2017.

Julie A. Barthels  
Winnebago County Deputy Clerk