

**WINNEBAGO COUNTY BOARD MEETING  
TUESDAY, AUGUST 21, 2018**

Chairman Shiloh Ramos 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: 35 - Konetzke, Brunn, Borchart, Eisen, Ramos, Defferding, Lenz, Smith, Hogan, Spellman, Albrecht, Gabert, Binder, Wallin, Schorse, Gordon, Wingren, Lautenschlager, Norton, Warnke, Robl, Singstock, Buck, Powers, Locke, Wise, Finch, Youngquist, Farrey, Rasmussen, Keller, Egan, Ellis, Snider and Joas. Excused: 1 – Wojciechowski.

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 person spoke in opposition to Resolution No. 064-082018: "Authorize the Transfer of \$175,000 from the Winnebago County Undesignated General Fund Account to the Winnebago County Park Capital Outlay Account for the Purpose of Acquiring a 20-Acre Parcel Adjoining the East Boundary of the Sunnyview Exposition Center":

- Jeff Lemiesz – 2230 Plymouth Street, Oshkosh

**COMMUNICATIONS AND PETITIONS**

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

- Thank you note from Evan Kubiak for the County Board scholarship that he received.
- Resolutions from other counties:
  - Adams County – Resolution No. 31-2018: "Resolution in Support of Increased Public Defender Access and Pay" was referred to the Legislative Committee.
  - Barron County – Resolution No. 2018-23: "Resolution Supporting Dark Store Loophole Referendum" was referred to the Legislative Committee.
  - Barron County – Resolution No. 2018-24: "Resolution Urging the State of Wisconsin to Increase Compensation for Defense Counsel Assigned by The State Public Defender" was referred to the Legislative Committee.
  - Monroe County – Resolution No. 06-18-12: "Resolution Authorizing an Advisory Referendum for Dark Store Loopholes" was referred to the Legislative Committee.
  - Sawyer County – Resolution No. 2018-28: "Resolution Urging the State of Wisconsin to Increase Compensation for Defense Counsel Assigned by the State Public Defender" was referred to the Legislative Committee.
- Zoning Petition:
  - No. 001 – A zoning request from Randall B. Streblov, Town of Nekimi; for tax parcel nos. 012-0390(p) and 012-0391-23(p); to rezone from R8/A-2 Manufactured/Mobile Home Community District/General Agriculture District to A2 General Agriculture District to build a home was referred to the Planning and Zoning Committee.

**REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS**

Supervisor Eisen reported on his attendance at a Wisconsin Counties Association Judiciary and Public Safety Steering Committee meeting held on July 19, 2018 in Madison, Wisconsin. Of concern were seven WCA Conference Resolutions that were presented and passed. Mr. Eisen went in to detail regarding these resolutions. ~~He noted that both state senators and legislators and federal representatives were present at the meeting.~~

Supervisor Snider expressed his appreciation for action taken at the July county board meeting regarding the audit of Veterans Affairs. He reported on his attendance at the Butte des Morts Bi-Centennial celebration. The celebration was well received and thanks were extended to Executive Harris, Chairman Ramos, Representative Dave Murphy and Jennifer Garner, representative for Tammy Baldwin for their participation in the celebration.

Supervisor Egan reported that there will not be a Legislative meeting in August due to lack of agenda items. He expressed his thanks to everyone that attended the 2018 Winnebago County Fair and his appreciation to everyone that supports the fair.

Motion by Supervisor Konetzke and seconded by Supervisor Finch to approve the proceedings from the July 17, 2018 county board meeting. CARRIED BY VOICE VOTE.

## **COUNTY EXECUTIVE'S REPORT**

Executive Mark Harris spoke in favor of the Winnebago County Sheriff's Department purchasing seven squad cars. Mr. Harris explained that each year the Sheriff's Department budgets for seven new squad cars. This allows for a three year rotation schedule for the vehicles. He stated that Sheriff Matz would be giving a presentation at this meeting in regard to the purchase of these vehicles.

Executive Harris spoke on the purchase of land near the Sunnyview Exposition site. He stated that the timing is not ideal, but if the county wants to get this land, they need to act now. It would be beneficial to activities that are held at the Sunnyview site. He is in support of this purchase.

## **COUNTY EXECUTIVE'S APPOINTMENTS**

### **AGING AND DISABILITY RESOURCE CENTER COMMITTEE**

Executive Harris asked for the Board's approval of his appointment of Rob Paterson to the Aging and Disability Resource Center Committee. Mr. Paterson replaces Mike Norton whose term has expired. This is a three-year term which will expire August 31, 2021.

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

## **COUNTY BOARD CHAIRMAN'S REPORT**

Chairman Ramos commended Supervisor Snider for his participation with the Butte des Morts Bi-Centennial celebration.

Chairman Ramos recognized Supervisor Egan for his participation with the Winnebago County Fair.

Chairman Ramos discussed his understanding of the rule regarding "Call to Question" and the rules of decorum regarding social behavior.

Chairman Ramos extended birthday wishes to Supervisor Robl for his 91<sup>st</sup> birthday.

## **INTERPRETATION OF RULE 7.7 OF THE RULES OF THE WINNEBAGO COUNTY BOARD OF SUPERVISORS**

Mary Anne Mueller, Corporation Counsel, presented her interpretation of Rule 7.7. This rule states: "resolutions being presented for the purpose of expressing support or opposition regarding any pending or proposed State or Federal legislation, shall require a three-quarters vote of those members present for passage." The terms that are in question are pending or proposed. Ms. Mueller stated that the law in Wisconsin is clear regarding this. Bills that don't reach the Governor's desk are dead and you can determine the status of a bill by looking at the history of that bill. If a bill were to be resurrected, it would have to be brought forward in a new session.

Ms. Mueller made reference to Rule 3.8 where rules can be amended. At the Board's Organizational Meeting, rules can be amended by a majority of those present. The rules can be amended during the Board's two-year term, but only by a two-thirds vote of those present at the meeting.

Ms. Mueller then took questions from the board.

## **2019 PURCHASE OF SIX SQUAD CARS**

Sheriff John Matz explained the procedure that his department uses for the purchase of squad cars. Squad cars are replaced every three years on a rotation basis by purchasing seven vehicles each year. For 2019, they will only be replacing six vehicles, because one has already been replaced because of an accident.

Sheriff Matz explained that because the cost for a new squad will increase by \$8,000 after September 21, 2018, he is recommending that the county place their 2019 order for six squad cars now even though they are being budgeted for in 2019.

Sheriff Matz then took questions from the board.

## **ZONING REPORTS & ORDINANCES**

No zoning reports for August.

## **RESOLUTIONS & ORDINANCES**

### **RESOLUTION NO. 061-082018: Commendation for Linda Kriz**

WHEREAS, Linda Kriz has been employed with the Winnebago County District Attorney's Office for the past forty-three (43) years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Linda Kriz 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 Linda Kriz 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 Linda Kriz.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 062-082018: Approve Values on In-Rem (Tax Deed) Property**

WHEREAS Section 3.03(1)(a), of the General Code of Winnebago County requires that all tax deeded lands have their appraised value determined by the Personnel and Finance Committee and approved by the County Board of Supervisors; and

WHEREAS, the parcel numbers, descriptions and the suggested appraised value of said tax deeded properties are as follows:

*TOWN OF OMRO Parcel No. 016-0317 Vacant Lot on Leonard Point Rd, Oshkosh Suggested Appraised Value \$22,000.00	TOWN OF OMRO Parcel No. 016-1122 Vacant Lot on Ormand Beach Ct, Oshkosh Suggested Appraised Value \$15,000.00
*TOWN OF OMRO Parcel No. 016-0331 Vacant Lot on Leonard Point Rd, Oshkosh Suggested Appraised Value \$49,000.00	TOWN OF OMRO Parcel No. 016-1129 Vacant Lot on Lakeland Dr, Oshkosh Suggested Appraised Value \$15,000.00
TOWN OF OMRO Parcel No. 016-1121 Vacant Lot on Ormand Beach Ct, Oshkosh Suggested Appraised Value \$15,000.00	*TOWN OF OMRO Parcel No. 016-1133 Vacant Lot on Lakeland Dr, Oshkosh Suggested Appraised Value \$2,500.00

\*Should be sold together; and

WHEREAS, the appraised value of said property as provided by the Winnebago County Treasurer has been approved by the undersigned Committee as is required by Section 3.03(1)(a) of the General Code of Winnebago County and is herewith submitted to the Winnebago County Board of Supervisors for approval.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the appraised values of the parcels of property listed above, which were acquired by the Winnebago County Treasurer for tax delinquency pursuant to an In Rem judgment.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 063-082018: Approve Transfer of Property to City of Neenah**

WHEREAS, the property taxes for property in the City of Neenah located at 1231 South Commercial Street have been delinquent for the years 2008 to 2017; and

WHEREAS, Winnebago County had not perfected title to this property, that had housed a dry cleaning business for a number of years, due to an extensive history with the Department of Natural Resources dating back to 1999; and

WHEREAS, pursuant to §75.17, Wis Stats, Winnebago County received a request from the City of Neenah to proceed with tax foreclosure on the property; and

WHEREAS, pursuant to §75.17, Wis Stats, Winnebago County may either retain ownership to the property or, if the County does not wish to retain ownership, transfer ownership to the City of Neenah for no consideration.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Treasurer to proceed with transferring ownership of the property described as 1231 South Commercial Street, Neenah, WI 54956, to the City of Neenah for no consideration.

Submitted by:

**PERSONNEL AND FINANCE COMMITTEE**

Motion by Supervisor Rasmussen and seconded by Supervisor Hogan to adopt.

Vote on Resolution: AYES: 33; NAYES: 2 – Eisen and Defferding; ABSTAIN: 0; ABSENT: 1 – Wojciechowski. CARRIED.

**RESOLUTION NO. 064-082018: Authorize the Transfer of \$175,000 from the Winnebago County Undesignated General Fund Account to the Winnebago County Park Capital Outlay Account for the Purpose of Acquiring a 20-Acre Parcel Adjoining the East Boundary of the Sunnyview Exposition Center**

WHEREAS over the past two decades Winnebago County has experienced major growth in the number and variety of program events taking place at the Sunnyview Exposition Center; and

WHEREAS, the number of people attending these events has risen to such an extent that the amount of space needed to support the added programming and parking needs has begun to exceed available land at the Sunnyview Exposition Center; and

WHEREAS, trends for horse shows in the upper mid-west have shown that the promoters running these types of programs have been consolidating their events by choosing to band together and conduct larger shows at fewer locations; and

WHEREAS, because of its popularity, the Sunnyview Exposition Center has been benefiting from the aforementioned consolidation both in terms of added revenue and having a very stable base of clientele booking the facility year-after-year; and

WHEREAS, in order to prevent possible conflicts as horse shows continue to grow, and as large programs begin using the new Stadium venue as well as the Exposition Building, it is necessary that additional land near the Sunnyview Exposition Center be acquired as a means of accommodating these increasing demands; and

WHEREAS, as with other types of entertainment venues similar to the Sunnyview Exposition Center where programming characteristics include events that may be loud and involve an influx of traffic and people into the area, it is advisable that, whenever possible, managers of such properties consider acquisition of surrounding land(s) in order to create buffers between their venue and nearby residences to provide distance between neighbors and increase safety; and

WHEREAS, given the real estate listing of a 20-acre parcel, available for the first time in over fifty years, adjoining the east side of the Sunnyview Exposition Center, it is appropriate that Winnebago County proceed to purchase the aforementioned parcel; and

WHEREAS, this 20-acre parcel, with approximately 14 acres of relatively flat open field space, would provide an excellent means for relieving the looming parking and camping space shortage and allow for the establishment of a safety and noise buffer between the Expo Center and adjacent private properties.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$175,000 from the Winnebago County Undesignated General Fund Account to the Winnebago County Park Capital Outlay Account for the purpose of acquiring a 20-Acre Parcel adjoining the east boundary of the Sunnyview Exposition Center, identified as Parcel Number 018-0278.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that in accordance with the terms entered in the Netzer family counter offer dated May 30, 2018, the county shall maintain the approximate 6-acre area immediately surrounding a pond in the north west corner of Parcel Number 018-0278 in a natural conservancy style state with limited development, with the area to be used for recreational enjoyment and conservation education purposes, and with a plaque and/or memorial bench dedicated to Donald Netzer to be placed in an appropriate location near the site.

Submitted by:

**PARKS & RECREATION COMMITTEE**

**PERSONNEL & FINANCE COMMITTEE**

Motion by Supervisor Finch and seconded by Supervisor Powers. Vote on Resolution – AYES: 29; NAYES: 5 – Eisen, Defferding, Albrecht, Warnke and Locke; ABSTAIN: 1 – Hogan; ABSENT: 1 – Wojciechowski. CARRIED.

**RESOLUTION NO. 065-082018: Authorize Two (2)-Year Agreement Between Winnebago County and the State of Wisconsin Department of Health Services to Provide Competency Restoration Services to Adult Defendants While Inmates in the Winnebago County Jail**

WHEREAS, §971.14(5)(a)1., Wis Stats, provides that a Court shall commit a criminal Defendant that it finds not competent to proceed but likely to become competent if provided with appropriate treatment to the custody of the Department Of Health Services for treatment for a period of time; and

WHEREAS, §971.14(5)(a)1. Wis Stats, also provides that the Department of Health Services shall determine whether the Defendant will receive treatment in an appropriate institution designated by the Department; and

WHEREAS, the Department of Health Services has determined that treatment of certain individuals may be appropriate in a county's jail setting; and

WHEREAS, your undersigned Committee supports treatment of designated inmates in the custody of the Winnebago County Jail who have been determined by the court to be not competent to proceed at trial, but likely to become competent if treatment is provided; and

WHEREAS, according to the terms of the proposed Agreement, attached hereto and made a part of this Resolution herein by reference, Winnebago County would provide, at its own expense, the care and treatment it would otherwise provide to any inmate in the jail, and the Department of Health Services would reimburse Winnebago County for professional mental health services to inmates in furtherance of the inmate's court-ordered treatment to competency; and

WHEREAS, according to the terms of the proposed Agreement, Winnebago County would agree to provide access in the Jail to the designated jail inmates for health services staff for the purpose of providing treatment.

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 Voluntary Agreement between the State of Wisconsin Department of Health Services and Winnebago County for the purpose of providing competency restoration to appropriate inmates in the Winnebago County Jail.

Submitted by:  
JUDICIARY AND PUBLIC SAFETY COMMITTEE

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

**RESOLUTION NO. 066-082018: Authorize Payment of Excess Committee Days (April 1, 2017, through March 31, 2018)**

WHEREAS, § 59.13(2)(b), Wis. Stats., allows that in counties with a population of 25,000 persons or more, the Board of Supervisors may, by a two-thirds vote of the members present, increase the number of days for compensation and mileage that may be paid in any year and fix the compensation for each additional day or portion thereof; and

WHEREAS, your undersigned Committee recommends that a per diem payment be made for those committee members who have committee days in excess of 30 days for the period between April 1, 2017, and March 31, 2018.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves a per diem compensation of for persons serving on committees for more than 30 days as is shown in the attached report, which is hereby made a part of this Resolution, for the period of April 1, 2017, and March 31, 2018.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Rasmussen and seconded by Supervisor Snider to adopt. Supervisor Rasmussen amended the resolution on the floor stating the Personnel and Finance Committee's vote on this resolution should have been 3 – 2, not 5 – 0. Vote on Resolution as corrected – AYES: 26; NAYES: 7 – Konetzke, Defferding, Gabert, Wingren, Powers, Youngquist and Rasmussen; ABSTAIN: 2 – Lenz and Wallin; ABSENT: 1 – Wojciechowski. CARRIED.

**RESOLUTION NO. 067-082018: Amend Rule 7.7 of the Rules of the Winnebago County Board of Supervisors**

WHEREAS, Rule 7.7 of the Rules of the Winnebago County Board of Supervisors states, "Any resolution that is presented for the purpose of expressing support or opposition regarding any pending or proposed State or Federal legislation shall require a three-quarters vote of those member present for passage"; and

WHEREAS, your undersigned Committee is of the opinion that Rule 7.7 should be amended to read as follows: "Any resolution that is presented for the purpose of expressing support, ~~or opposition regarding any pending or proposed~~ ~~opposition, or initiation of any State or Federal legislation shall require a three-quarters~~ ~~fourths~~ vote of those members present for passage."

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby amends Rule 7.7 of the Rules of the Winnebago County Board of Supervisors to read as outlined above.

BE IT FURTHER RESOLVED that this amendment to Rule 7.7 of the Rules of the Winnebago County Board of Supervisors shall become effective immediately.

Submitted by:  
JUDICIARY AND PUBLIC SAFETY COMMITTEE

Motion by Supervisor Wingren and seconded by Supervisor Albrecht to adopt. Motion by Supervisor Keller and seconded by Supervisor Hogan to amend Line 12 to read as follows: "Any resolution that is presented for the purpose of expressing support, opposition, or the desire for initiation of any state or federal legislation shall require a three-fourths vote of those members present for passage." Vote on Amendment: CARRIED BY VOICE VOTE.

Vote on Resolution as Amended - AYES: 33; NAYES: 1 – Norton; ABSTAIN: 1 – Farrey; ABSENT: 1 – Wojciechowski.  
CARRIED.

Motion by Supervisor Robl and seconded by Supervisor Konetzke to adjourn until the September 4, 2018 special orders meeting at 6:00 p.m. The meeting was adjourned at 7:15 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 August 21, 2018.

Julie A. Barthels  
Winnebago County Deputy Clerk