

CORRECTION

WINNEBAGO COUNTY BOARD OF SUPERVISORS TUESDAY, MAY 19, 2015

There will be an Adjourned Meeting of the Winnebago County Board of Supervisors on Tuesday, May 19, 2015, at 6:00 p.m., in the Supervisors' Room, Fourth Floor, Winnebago County Courthouse, 415 Jackson Street, Oshkosh, Wisconsin. At this meeting, the following will be presented to the Board for its consideration:

- Roll Call
- Pledge of Allegiance
- Invocation
- Adopt agenda

Time will be allowed for persons present to express their opinion on any Resolution or Ordinance that appears on the agenda.

- Communications, petitions, etc.
 - Zoning Petitions
 - No. 1 – Chris Schmid, Town of Nekimi, tax parcel no. 012-0250(p); rezone to I-1
 - No. 2 – David J. Sweet, Town of Algoma, tax parcel no. 002-0041-06; rezone R-1
- Reports from Committees, Commissions & Boards
- Approval of the proceedings from the April 21, 2015 meeting
- County Executive's Report
- County Executive's Appointments:
 - Lakeland Long Term Care District – Jim Koziczowski
 - **Winnebago County Housing Authority** – Tina Beahm and Supervisor Robert Keller
 - Winneconne Library Board – Supervisor Tom Snider
- County Board Chairman's Report
- Public Health North-End Office Consolidation – Doug Gierny, Director, Winnebago County Public Health Department
- Waukau Avenue Pulverizing and Repaving Project – Ernest Winters, Winnebago County Highway Commissioner

ZONING REPORTS & ORDINANCES

Report No. 001 – Douglas Dobberstein, Julie Dobberstein and Cynthia A. Sypek, - Town of Vinland

Amendatory Ordinance No. 05/01/15 – Rezoning to R-2 for tax parcel nos. 026-0661-02-05 and 026-0661-08(p)

Report No. 002 – Blanche M. Glatz TSTE; Glatz Joint Trust; and John W. Glatz, TSTE – Town of Nekimi

Amendatory Ordinance No. 05/02/15 – Rezoning to A-2 for tax parcel nos. 012-0213 and 012-0212

Report No. 003- Multiple Owners in the Towns of Clayton, Neenah, Nekimi, Nepeuskun, Utica, Vinland & Winchester

Amendatory Ordinance No. 05/03/15 – Rezoning to A-2 for the following tax parcels: 006-0563-04, 010-0130-05, 010-0134-01, 010-0146-03, 010-0156-01, 010-0351-01, 010-0367-02, 012-0063-02, 012-0086-01, 012-0113-01, 012-0114-01, 012-0124-01, 012-0126-02, 012-0185-01-01, 012-0185-02, 012-0186-01, 012-0189-01, 012-0287-09, 012-0291-03, 012-0295-02, 012-0296-02-03, 012-0296-04, 012-0346-02, 012-0360-01, 012-0377-02, 012-0398-01, 012-0457-01, 012-0519-01, 012-0573-01, 012-0580-01, 012-0584-02, 014-0019-01, 014-0099-01, 014-0099-02, 014-0126, 014-0126-01, 014-0128-01, 014-0128-02, 014-0154, 014-0154-01, 014-0177-02, 014-0347-03, 024-0607-02, 024-0683, 024-0686, 026-0201-01, 026-0505-02, 028-0344-02, 028-0520-02, 028-0734-02, 028-0948-01, 028-0949-01, 012-0213; three "no tag" properties in the Town of Nepeuskun; eight "no tag" properties in the Town of Nekimi; and Parcel V980P115 in the Town of Nekimi

Report No. 004 – Winnebago County Planning & Zoning Committee – text amendment

Amendatory Ordinance No. 05/04/15 – Text amendment to Chapter 23 of the Winnebago County General Code

RESOLUTIONS AND ORDINANCES

RESOLUTION NO. 161-52015: Commendation for Elizabeth Zwicky

Submitted by:

PERSONNEL & FINANCE COMMITTEE

RESOLUTION NO. 162-52015: Commendation for Sandra Hartmann

Submitted by:

PERSONNEL & FINANCE COMMITTEE

RESOLUTION NO. 163-52015: Commendation for Hazel Kaiser

Submitted by:

PERSONNEL & FINANCE COMMITTEE

RESOLUTION NO. 164-52015: Approve Lease Extension with SBA Communications Corporation at Wittman Regional Airport

Submitted by:
AVIATION COMMITTEE

RESOLUTION NO. 165-52015: Approve the Appropriation of \$100,000 in Funding to Begin the Design Process for an Intersection Improvement at CTH CB and Oakridge Road

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL & FINANCE COMMITTEE

RESOLUTION NO. 166-52015: Authorize the Winnebago County Public Health Department to Accept Additional Grant Funding Totaling \$34,842 and Appropriate the Funds to Grant Program Costs

Submitted by:
BOARD OF HEALTH
PERSONNEL AND FINANCE COMMITTEE

RESOLUTION NO. 167-52015: Authorize the Winnebago County Public Health Department to Accept Additional Grant Funds in the Amount of \$78,140 and apply the Funds to Program Costs

Submitted by:
BOARD OF HEALTH
PERSONNEL AND FINANCE COMMITTEE

RESOLUTION NO. 168-52015: Oppose Bill Eliminating Personal Property Tax and the Elimination of Computer Aid Payments to Local Governments

Submitted by:
LEGISLATIVE COMMITTEE

RESOLUTION NO. 169-52015: Urge the Wisconsin Legislature to Seek Rate Increase Funding Sources in Order to Avoid Further Medicaid Rate Cuts to Most Nursing Homes As Proposed in Senate/Assembly Bill 21, 2015 – 17 State Biennial Budget Bill

Submitted by:
LEGISLATIVE COMMITTEE

RESOLUTION NO. 170-52015: Request Sheriff to Read Declaration of Independence on Courthouse Steps on July 4, 2015

Submitted by:
JUDICIARY AND PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 171-52015: Adopt Winnebago County Merit Pay Plan

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

RESOLUTION NO. 172-52015: Create Section 4.6 of the Rules of the Winnebago County Board of Supervisors

Submitted by:
MICHAEL NORTON, District 20

ORDINANCE NO. 173-52015: Amend Section 5.04(2) of the General Code of Winnebago County (Coroner's Cremation Permit Fee)

Submitted by:
JUDICIARY AND PUBLIC SAFETY COMMITTEE

Respectfully submitted,
Susan T. Ertmer
Winnebago County Clerk

Upon request, provisions will be made for people with disabilities.
(Times provided are estimates. Any item on the agenda may be taken up by the Board after 6:00 P.M.)

MARK L. HARRIS
County Executive

112 OTTER AVE., P. O. BOX 2808
OSHKOSH, WISCONSIN 54903-2808



OSHKOSH (920) 232-3450
FOX CITIES (920) 727-2880
FAX (920) 232-3429

Winnebago County
Office of the County Executive

TO: Members of the Winnebago County Board
FROM: Mark L. Harris
DATE: May 19, 2015
SUBJECT: Re-appointment to the **LAKELAND LONG TERM CARE DISTRICT.**

Subject to your approval, I am hereby making the following reappointment to the **LAKELAND LONG TERM CARE DISTRICT.**

Jim Koziczkowski
104 Lexington St.
Neenah, WI. 54956

This is a three (3) year term which will expire April 30, 2018.

Thank you in advance for your favorable consideration of this appointment.



Mark L. Harris, County Executive

MLH/jpf
CC: County Clerk
Lakeland Long Term Care District

MARK L. HARRIS
County Executive

112 OTTER AVE., P. O. BOX 2808
OSHKOSH, WISCONSIN 54903-2808



OSHKOSH (920) 232-3450
FOX CITIES (920) 727-2880
FAX (920) 232-3429

Winnebago County
Office of the County Executive

TO: Members of the Winnebago County Board

FROM: Mark L. Harris

DATE: May 19, 2015

SUBJECT: Appointments to the **WINNEBAGO COUNTY HOUSING AUTHORITY.**

Subject to your approval, I am hereby making the following appointments to the **WINNEBAGO COUNTY HOUSING AUTHORITY.**

Tina Beahm
3413 Logan Dr. #15
Oshkosh, WI. 54901

Robert Keller
975 E. County Road Z
Oshkosh, WI. 54902

Ms. Beahm will have a five (5) year term which will expire April 21, 2020.

Mr. Keller is replacing Frank Frassetto who resigned. His term expires April 16, 2019.

Thank you in advance for your favorable consideration of these appointments.


Mark L. Harris, County Executive

MLH/jpf
CC: County Clerk
Winnebago County Housing Authority

MARK L. HARRIS
County Executive

112 OTTER AVE., P. O. BOX 2808
OSHKOSH, WISCONSIN 54903-2808



OSHKOSH (920) 232-3450
FOX CITIES (920) 727-2880
FAX (920) 232-3429

Winnebago County
Office of the County Executive

TO: Members of the Winnebago County Board
FROM: Mark L. Harris
DATE: May 19, 2015
SUBJECT: Re-appointment to the **WINNECONNE LIBRARY BOARD**

Subject to your approval, I am hereby making the following re-appointment to the **WINNECONNE LIBRARY BOARD**.

Tom Snider
6450 Breeze St.
Winneconne, WI. 54986

This is a three (3) year term which will expire June 30, 2018.

Thank you in advance for your favorable consideration of this appointment.


Mark L. Harris, County Executive

MLH/jpf
CC: County Clerk
Winneconne Library Board

TO THE WINNEBAGO COUNTY BOARD SUPERVISORS

Your Planning and Zoning Committee begs leave to report:

WHEREAS, it has reviewed the Petition for Zoning Amendment 2015-ZC-3030 filed with the County Clerk by:

DOBBERSTEIN, DOUGLAS ; DOBBERSTEIN, JULIE ; SYPEK, CYNTHIA A ; SYPEK, EDWARD, Town of VINLAND and referred to the Planning and Zoning Committee on 4/21/2015 and

WHEREAS, a Public Hearing was held on 4/28/2015, pursuant to mailed and published notice as provided by as on the following:

PROPERTY INFORMATION:

Owner(s) of Property: DOBBERSTEIN, DOUGLAS ; DOBBERSTEIN, JULIE ; SYPEK, CYNTHIA A ; SYPEK, EDWARD

Agent(s): REIDER, BOB - CAROW LAND SURVEYING CO INC

Location of Premises Affected: PAYNES POINT RD
NEENAH, WI 54956

Legal Description: Being a part of Paynes Point plat, Lot 1, located in the S 1/2 of the NE 1/4, Section 16, Township 19 North, Range 17 East, Town of Vinland, Winnebago County, Wisconsin.

Tax Parcel No.: 026-06610205, 026-066108

Sewer: Existing Required Municipal Private System
Overlay: Airport SWDD Shoreland
 Floodplain Microwave Wetlands

WHEREAS,
Applicant is requesting a rezoning to R-2 Suburban Low Density Residential,

And
WHEREAS, we received no notification from the Town of VINLAND

And
WHEREAS, your Planning and Zoning Committee, being fully informed of the facts, and after full consideration of the matter, making the following findings:

1. The Town of VINLAND has Not Responded. Town action is advisory due to shoreland jurisdiction.
2. There were no objections.
3. Proposed use is compatible with adjacent uses.
4. Zoning Map Amendment /Zoning Change is required as a condition of plat/CSM approval and will place development in appropriate zoning district.

Findings were made in consideration of Section 23.7-5(b)(1),(2),&(3).

NOW THEREFORE BE IT RESOLVED, that this committee hereby reports our findings for your consideration and is hereby recommending Approval by a vote of 5-0

AND BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors, that the enclosed Ordinance is hereby [ADOPTED] OR [DENIED].

For the Planning and Zoning Committee

AMENDATORY ORDINANCE # 05/01/15

The Winnebago County Board of Supervisors do ordain Zoning Amendment # 2015-ZC-3030 as follows:

Being a part of Paynes Point plat, Lot 1, located in the S 1/2 of the NE 1/4, Section 16, Township 19 North, Range 17 East, Town of Vinland, Winnebago County, Wisconsin.

FROM: R-1 Rural Residential,

TO: R-2 Suburban Low Density Residential,

Adopted/ Denied this _____ day of _____, 20_____

David Albrecht, Chairperson

ATTEST:

Susan T. Ertmer, Clerk

APPROVED BY WINNEBAGO COUNTY EXECUTIVE THIS _____ DAY OF _____, 20_____.

Mark Harris
County Executive

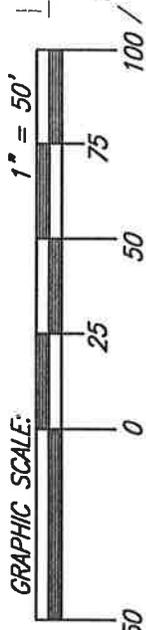
County Board Supervisory district 30

"REZONING MAP"

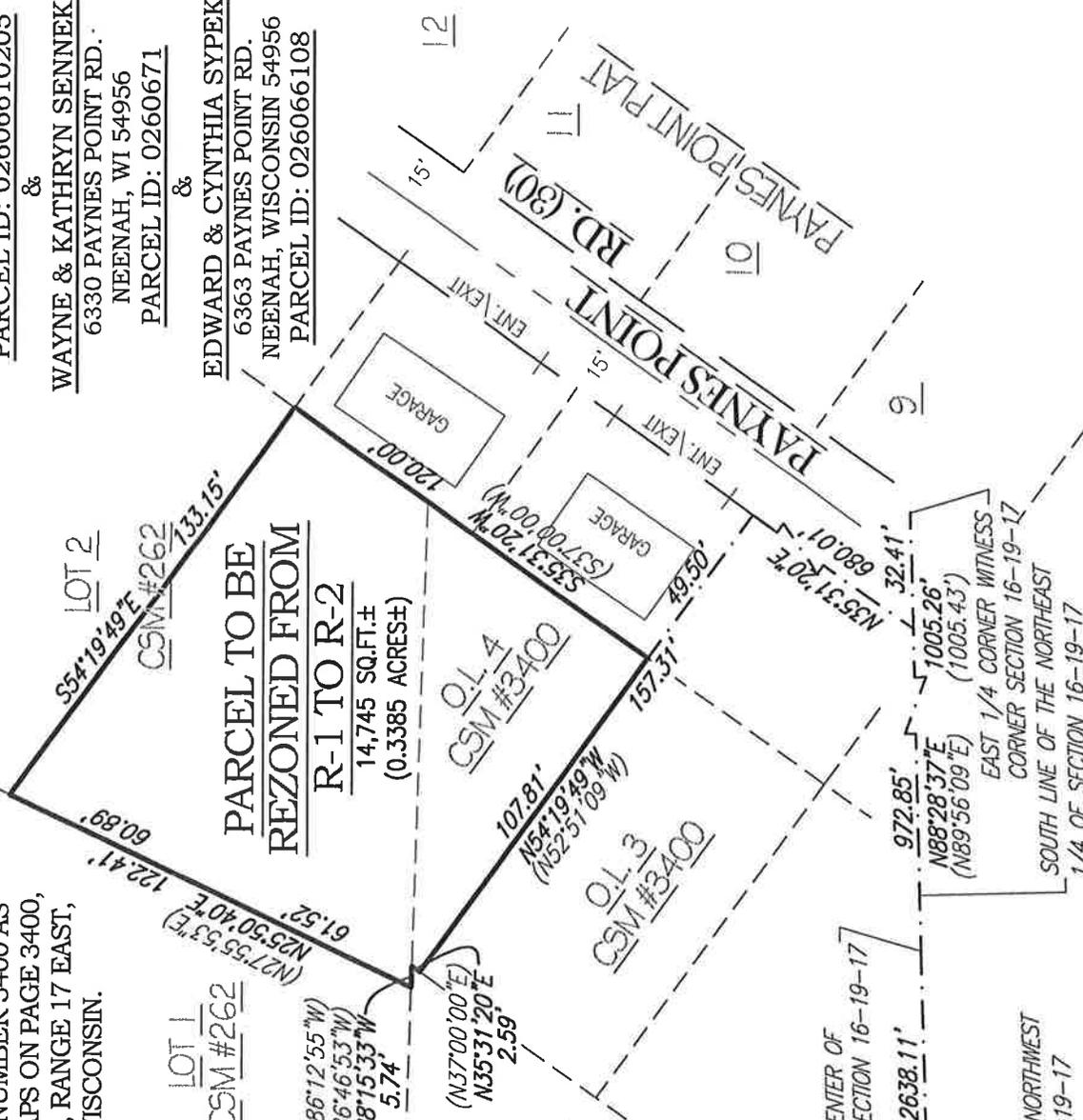
BEING PART OF LOT 2 OF CERTIFIED SURVEY MAP NUMBER 262 AS RECORDED IN VOLUME 1 OF CERTIFIED SURVEY MAPS ON PAGE 262, AND ALL OF OUTLOT 4 OF CERTIFIED SURVEY MAP NUMBER 3400 AS RECORDED IN VOLUME 1 OF CERTIFIED SURVEY MAPS ON PAGE 3400, ALL LOCATED IN SECTION 16, TOWNSHIP 19 NORTH, RANGE 17 EAST, TOWN OF VINLAND, WINNEBAGO COUNTY, WISCONSIN.

OWNERS OF RECORD:
 DOUGLAS & JULIE DOBBERSTEIN
 6326 PAYNES POINT RD.
 NEEHAH, WI 54956
 PARCEL ID: 02606610205
 &
 WAYNE & KATHRYN SENNEKE
 6330 PAYNES POINT RD.
 NEEHAH, WI 54956
 PARCEL ID: 02606671
 &
 EDWARD & CYNTHIA SYPEK
 6363 PAYNES POINT RD.
 NEEHAH, WISCONSIN 54956
 PARCEL ID: 026066108

PARCEL TO BE REZONED FROM R-1 TO R-2
 14,745 SQ.FT.±
 (0.3385 ACRES±)



NORTH IS REFERENCED TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 19 NORTH, RANGE 17 EAST, TOWN OF VINLAND, WINNEBAGO COUNTY, WISCONSIN, WHICH BEARS N88°12'46"E PER THE WINNEBAGO COUNTY COORDINATE SYSTEM.



CAROW LAND SURVEYING CO., INC.

615 WINDYDALE DRIVE, P.O. BOX 1297
 SHEET OF 1 SHEETS
 APPLETON, WISCONSIN 54912-1297
 PHONE: (920)731-4168 FAX: (920)731-5673

SCALE	1" = 50'
DRAWN BY	RDD
PROJECT NO.	A963.47-14

Application #15-ZC-3030

Date of Hearing:

April 28, 2015

Owner(s):

Dobberstein, Doug /

Sypek, Edward

Subject Parcel(s):

02606610205 &

026066108(P)



Winnebago County
WINGS Project

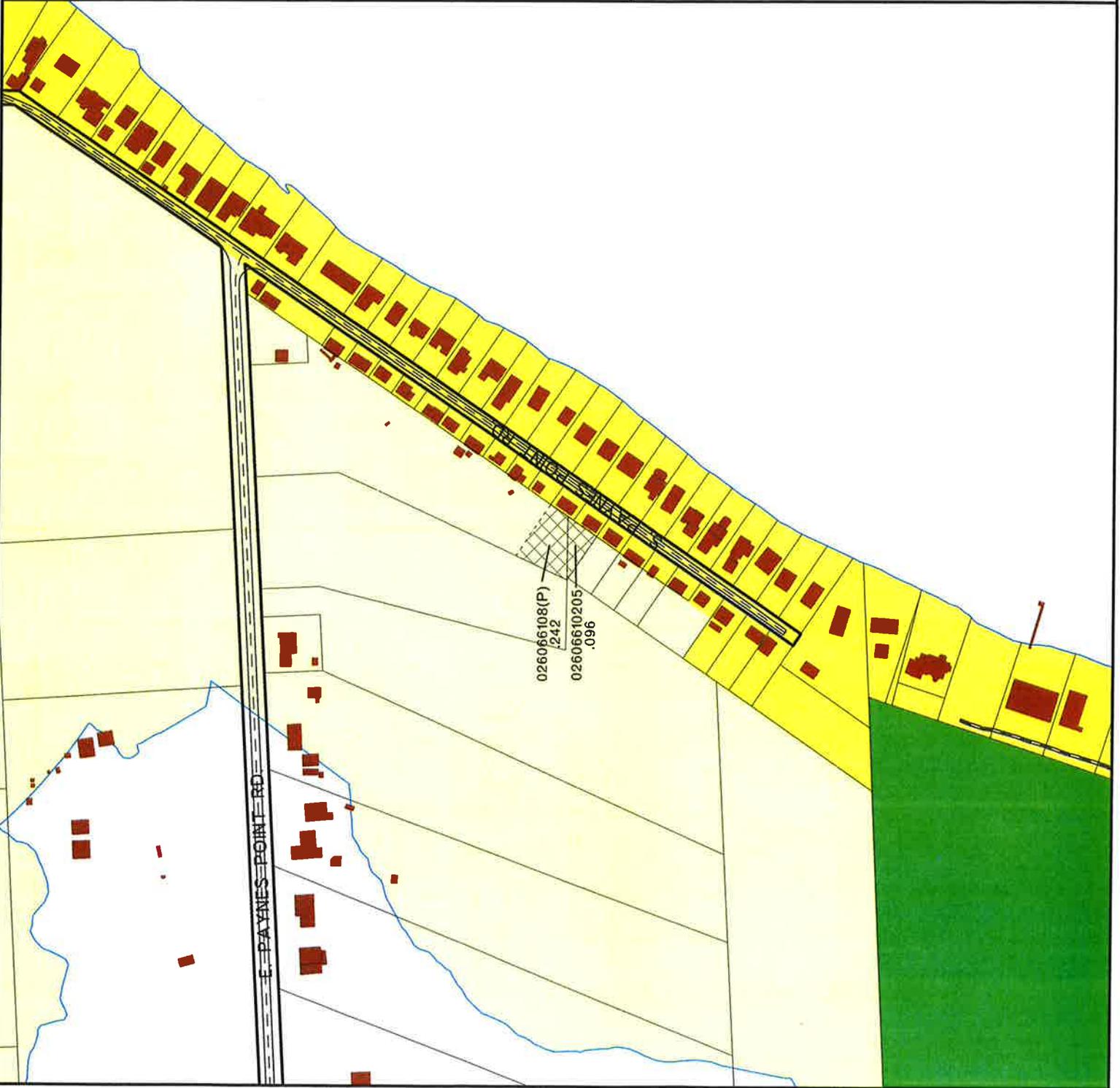
Scale
1 inch : 300 feet

County Zoning Districts

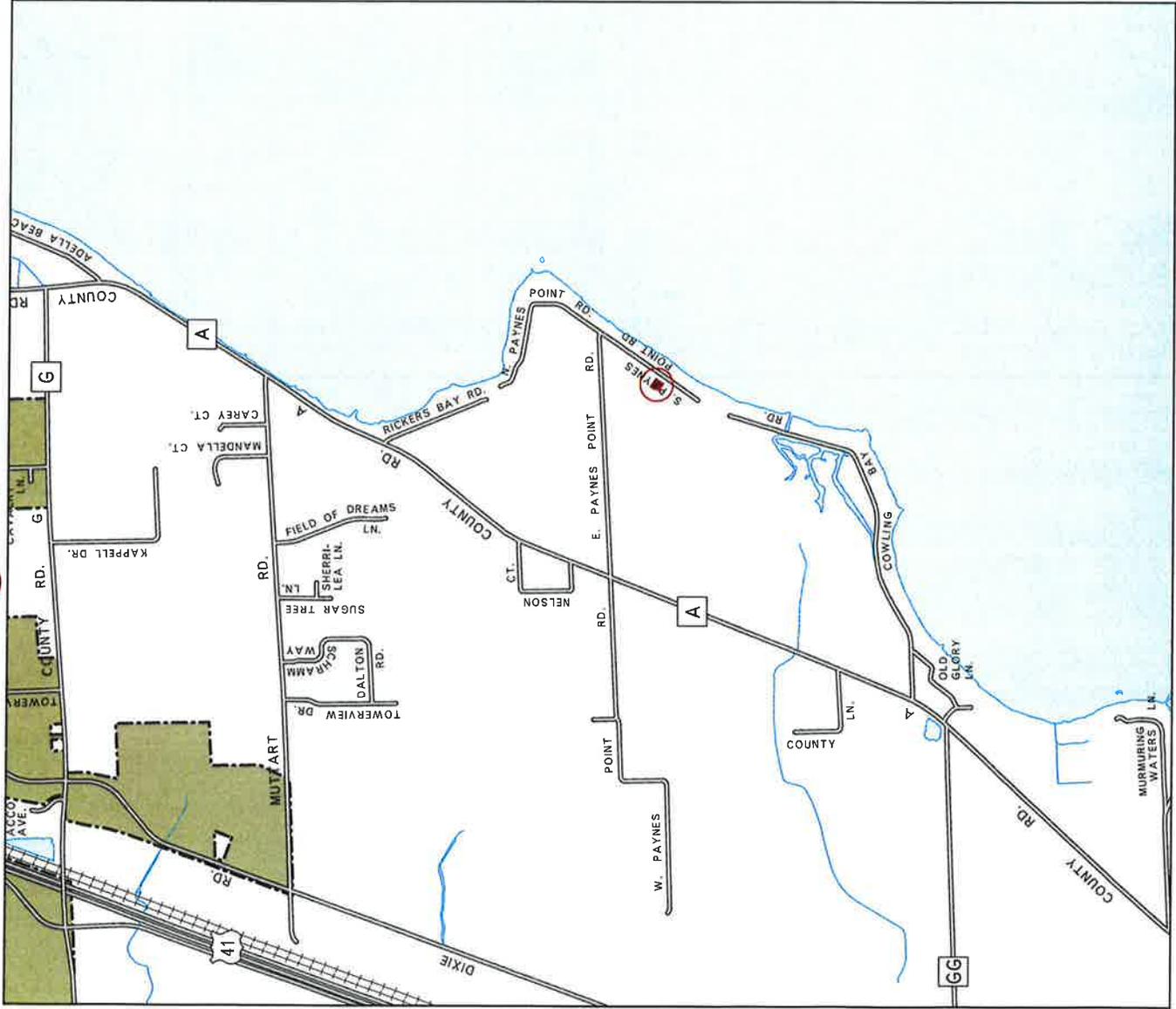
R-1	POD	B-1
R-2	A-1	B-2
R-3	A-2	B-3
R-4	I-1	M-1
R-8	I-2	

Other Areas

City of Oshkosh Extraterritorial Zoning Jurisdiction	Incorporated Area
--	-------------------



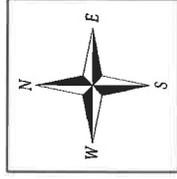
○ = SITE



Application #15-ZC-3030

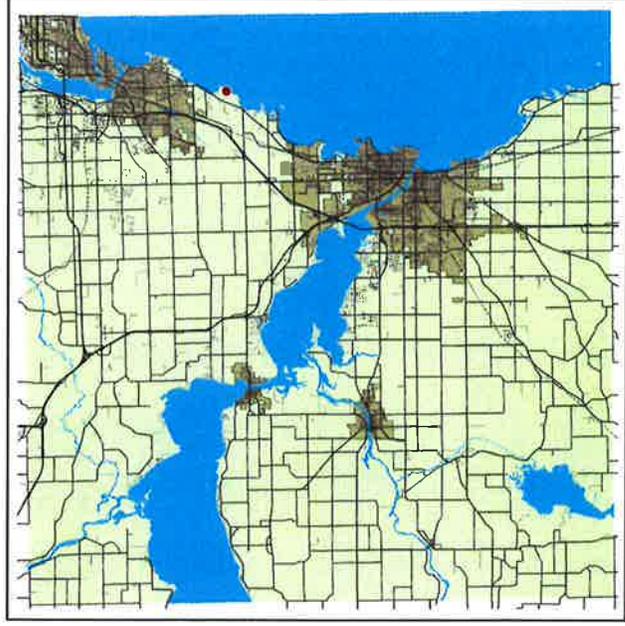
Date of Hearing:
April 28, 2015

Owner(s):
Dobberstein, Doug / Sypek, Edward
Subject Parcel(s):
02606610205 & 026066108(P)



Winnebago County
WINGS Project

● = SITE



Scale 1 inch : 2000 feet

WINNEBAGO COUNTY

TO THE WINNEBAGO COUNTY BOARD SUPERVISORS

Your Planning and Zoning Committee begs leave to report:

WHEREAS, it has reviewed the Petition for Zoning Amendment 2015-ZC-3040 filed with the County Clerk by:

BLANCHE M GLATZ TSTE ; GLATZ JOINT TRUST ; JOHN W GLATZ TSTE, Town of NEKIMI and referred to the Planning and Zoning Committee on 4/21/2015 and

WHEREAS, a Public Hearing was held on 4/28/2015, pursuant to mailed and published notice as provided by as on the following:

PROPERTY INFORMATION:

Owner(s) of Property: BLANCHE M GLATZ TSTE ; GLATZ JOINT TRUST ; JOHN W GLATZ TSTE
Agent(s): ZONING, DEPARTMENT - WINNEBAGO COUNTY

Location of Premises Affected: 3050 COUNTY RD N OSHKOSH, WI 54902

Legal Description: Being a part of the W 1/2 of the SE 1/4, Section 11, Township 17 North, Range 16 East, Town of Nekimi, Winnebago County, Wisconsin.

Tax Parcel No.: 012-0213, 012-0212

Sewer: Existing Required Municipal Private System
Overlay: Airport SWDD Shoreland
 Floodplain Microwave Wetlands

WHEREAS,
Applicant is requesting a rezoning to A-2 General Agriculture,

And
WHEREAS, we received no notification from the Town of NEKIMI

And
WHEREAS, your Planning and Zoning Committee, being fully informed of the facts, and after full consideration of the matter, making the following findings:

1. The Town of NEKIMI has Not Responded. Town has right of approval or denial per terms of zoning ordinance.
2. There were no objections.
3. Proposed use is compatible with adjacent uses.
4. Such land use is better suited for a use not otherwise allowed in the A-1 district.
5. The amendment is substantially consistent with the county's farmland preservation plan as certified by the Wisconsin Department of Agriculture, Trade, and Consumer Protection.
6. The amendment will not substantially impair or limit current or future agricultural use of other protected farmland in the area.

Findings were made in consideration of Section 23.7-5(b)(1),(2),&(3).

NOW THEREFORE BE IT RESOLVED, that this committee hereby reports our findings for your consideration and is hereby recommending Approval by a vote of 5-0

AND BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors, that the enclosed Ordinance is hereby [ADOPTED] OR [DENIED].

For the Planning and Zoning Committee

AMENDATORY ORDINANCE # 05/02/15

The Winnebago County Board of Supervisors do ordain Zoning Amendment # 2015-ZC-3040 as follows:

Being a part of the W 1/2 of the SE 1/4, Section 11, Township 17 North, Range 16 East, Town of Nekimi, Winnebago County, Wisconsin.

FROM: A-1 Agribusiness,

TO: A-2 General Agriculture,

Adopted/ Denied this _____ day of _____, 20_____

David Albrecht, Chairperson

ATTEST:

Susan T. Ertmer, Clerk

APPROVED BY WINNEBAGO COUNTY EXECUTIVE THIS _____ DAY OF _____, 20_____.

Mark Harris
County Executive

County Board Supervisory district 32

Application #15-ZC-3040

Date of Hearing:

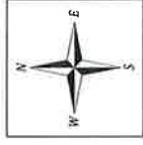
April 28, 2015

Owner(s):

Glatz Joint Trust

Subject Parcel(s):

0120213



Winnebago County
WINGS Project

Scale

1 inch : 500 feet

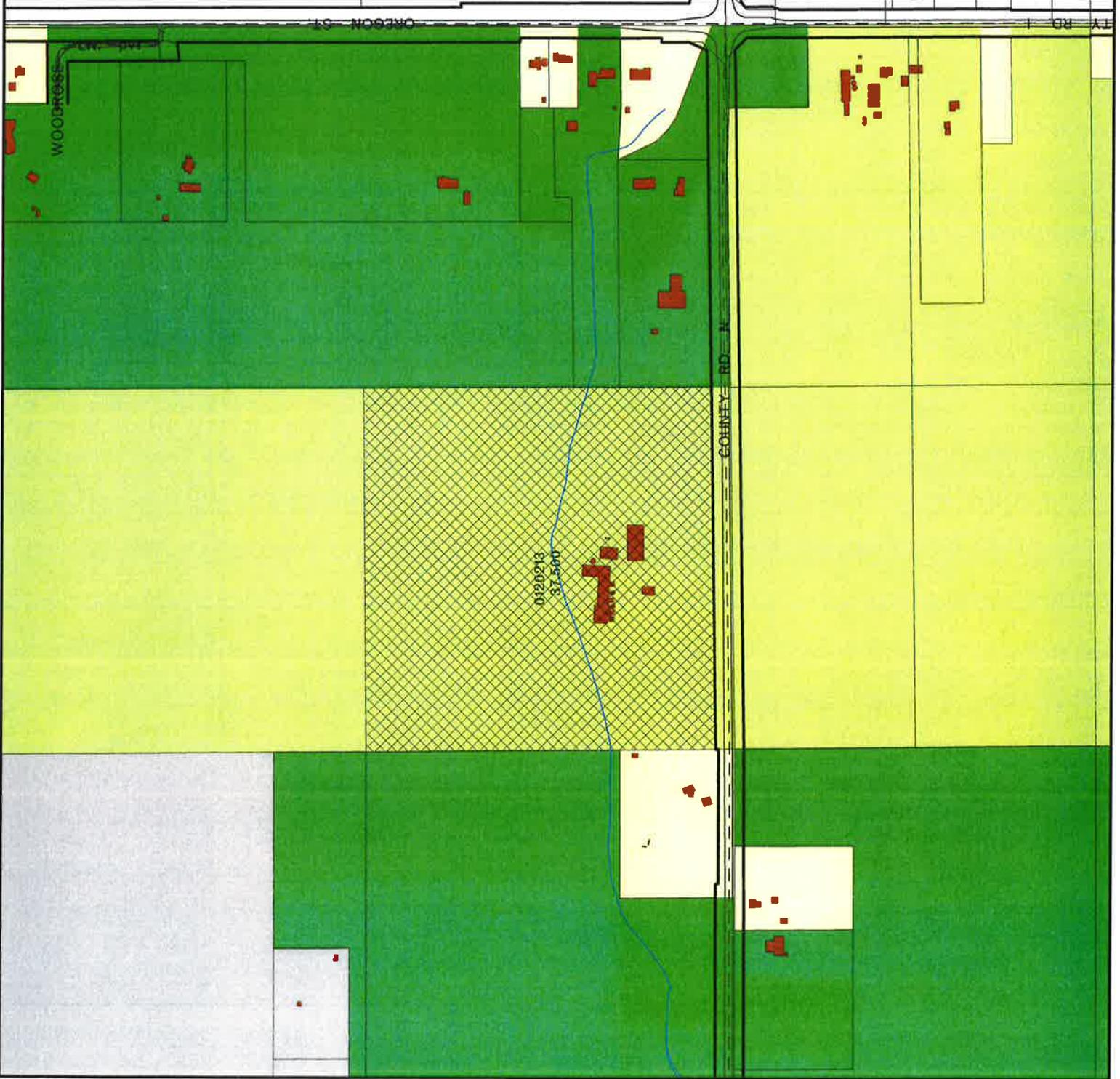
County Zoning Districts

R-1	PDD	B-1
R-2	A-1	B-2
R-3		B-3
R-4	I-1	M-1

Other Areas

City of Oshkosh Extraterritorial
Zoning Jurisdiction

Incorporated Area

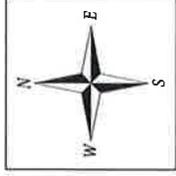


Application # 15-ZC-3040

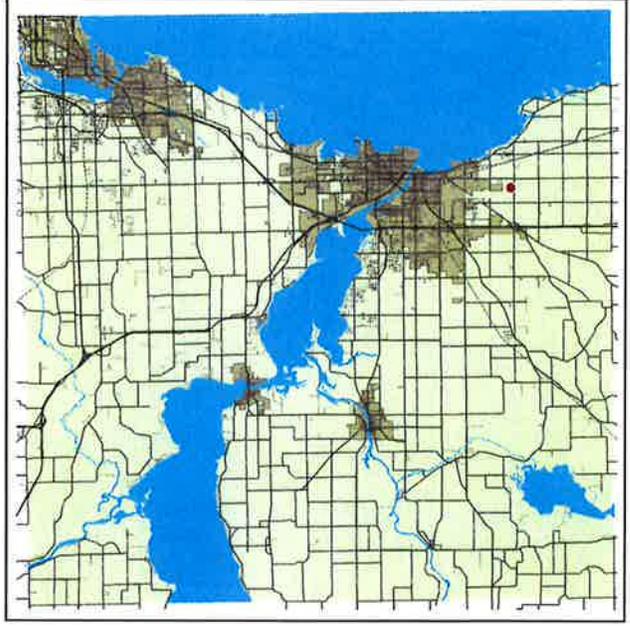
Date of Hearing:
April 28, 2015

Owner(s):
Glatz Joint Trust
Subject Parcel(s):
0120213

Winnebago County
WINGS Project

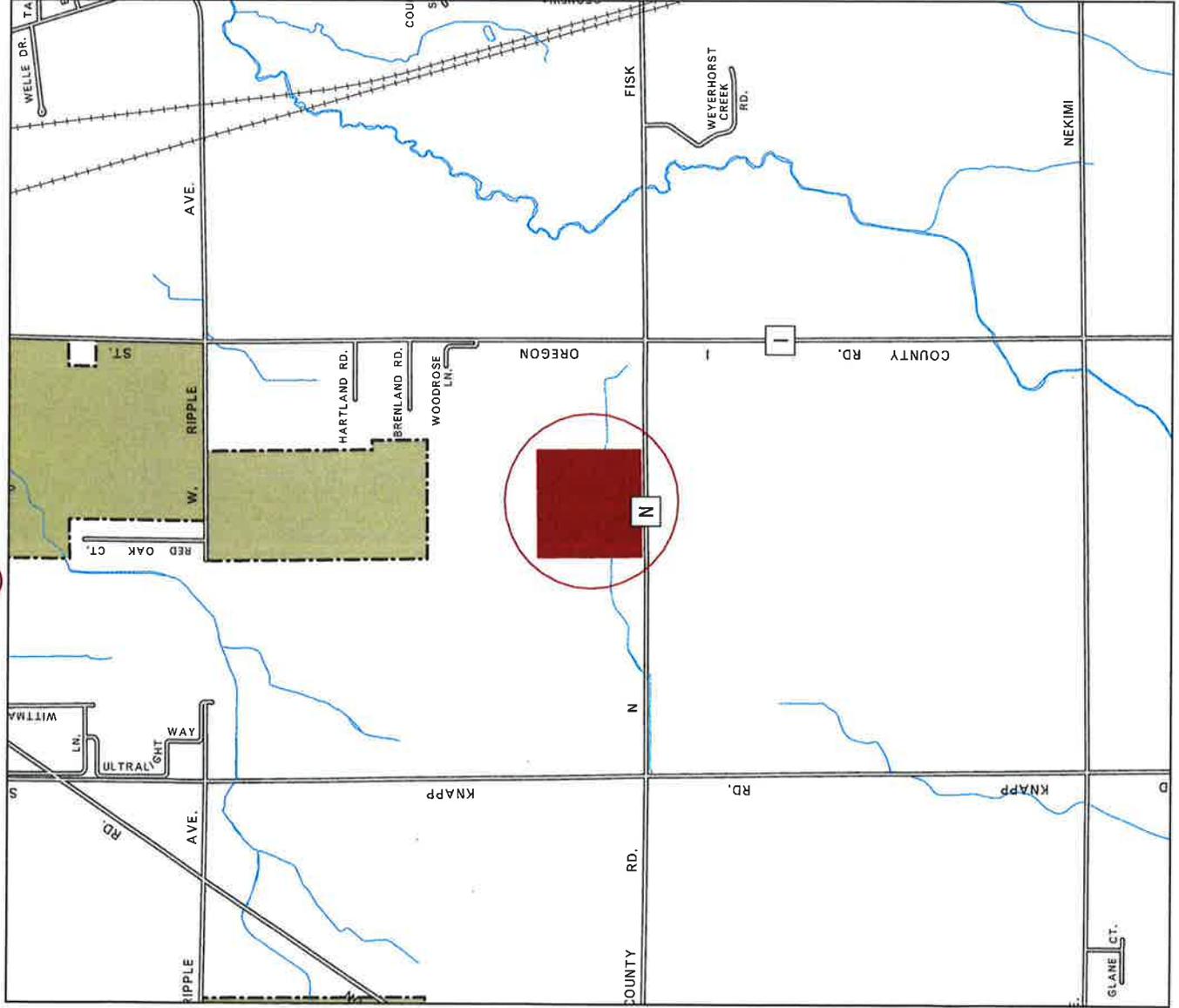


● = SITE



WINNEBAGO COUNTY

○ = SITE



Scale 1 inch : 2000 feet

TO THE WINNEBAGO COUNTY BOARD SUPERVISORS

Your Planning and Zoning Committee begs leave to report:

WHEREAS, it has reviewed the Petition for Zoning Amendment 2015-ZC-3100 filed with the County Clerk by:

Winnebago Co. Zoning Department, Town(s) of Clayton, Neenah, Nekimi, Nepeuskun, Utica, Vinland & Winchester

and referred to the Planning and Zoning Committee on 4/21/2015 and

WHEREAS, a Public Hearing was held on 4/28/2015, pursuant to mailed and published notice as provided by as on the following:

PROPERTY INFORMATION:

Owner(s) of Property: Multiple Owners

Applicant(s): Zoning Department, Winnebago Co.

Location of Premises Affected: Multiple parcels – see attached

Legal Description: NA

Tax Parcel No.: Multiple parcels – see attached

<i>Sewer:</i>	<input type="checkbox"/> Existing	<input type="checkbox"/> Required	<input type="checkbox"/> Municipal	<input type="checkbox"/> Private System
<i>Overlay:</i>	<input type="checkbox"/> Microwave	<input type="checkbox"/> Airport	<input type="checkbox"/> SWDD	
	<input type="checkbox"/> Shoreland	<input type="checkbox"/> Floodplain	<input type="checkbox"/> Wetlands	

WHEREAS,

Applicant is requesting a rezoning to A-2 General Agriculture district

And

WHEREAS, we received notification from the Town(s) of NEENAH, NEKIMI, NEPEUSKUN & UTICA recommending approval

And

WHEREAS, we received no response from the Town(s) of CLAYTON, VINLAND & WINCHESTER

And

WHEREAS, your Planning and Zoning Committee, being fully informed of the facts, and after full consideration of the matter, making the following findings:

1. The Town(s) of Clayton, Vinland & Winchester have not responded. Town action is advisory only.
2. There were no objections.
3. Proposed use is compatible with adjacent uses.
4. Such land is better suited for a use not otherwise allowed in the A-1 district.
5. The amendment is substantially consistent with the county's farmland preservation plan as certified by the Wisconsin Department of Agriculture, Trade, and Consumer Protection.
6. The amendment will not substantially impair or limit current or future agricultural use of other protected farmland in the area.

Findings were made in consideration of Section 23,7-5(b)(1),(2),&(3).

NOW THEREFORE BE IT RESOLVED, that this committee hereby reports our findings for your consideration and is hereby recommending Approval by a vote of 5-0.

AND BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors, that the enclosed Ordinance is hereby [ADOPTED] OR [DENIED].

For the Planning and Zoning Committee

AMENDATORY ORDINANCE # 05/03/15

The Winnebago County Board of Supervisors do ordain Zoning Amendment # 15-ZC-3100 as follows:

FROM: A-1 Agribusiness district

TO: A-2 General Agriculture district

Adopted/ Denied this _____ day of _____, 2015

David Albrecht, Chairperson

ATTEST:

Susan T. Ertmer, Clerk

APPROVED BY WINNEBAGO COUNTY EXECUTIVE THIS _____ DAY OF _____, 2015

Mark Harris
County Executive

County Board Supervisory district(s) 9, 30, 32, 33 & 36

Parcels Zoned A-1 Outside of FPP (All Road or Railroad Right-of-Way Parcels)

March 11, 2015

PARCEL	OWNER 1	OWNER 2	MAILING ADDRESS	CITY/STATE/ZIP	SEC. TOWNSHIP-RANGE	DEED AC.
006056304	STATE OF WISCONSIN	DEPARTMENT OF TRANSPORTATION	944 VANDERPERREN WAY	GREEN BAY WI 54304 0000	Sec. 21, T20N-R16E	1.43
010013005	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 8, T19N-R17E	11.50
010013401	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 8, T19N-R17E	5.10
010014603	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 8, T19N-R17E	0.40
010015601	WINNEBAGO COUNTY		PO BOX 2808	OSHKOSH WI 54903 2808	Sec. 8, T19N-R17E	4.34
010035101	CITY OF NEENAH		BREEZEWOOD LN	NEENAH WI 54956 0000	Sec. 31, T20N-R17E	0.02
010036702	CITY OF NEENAH		BREEZEWOOD LN	NEENAH WI 54956 0000	Sec. 32, T20N-R17E	0.14
012006302	TOWN OF NEKIMI		3790 PICKETT RD	OSHKOSH WI 54904 0000	Sec. 4, T17N-R16E	0.50
012008601	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 5, T17N-R16E	1.80
012011301	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 6, T17N-R16E	4.00
012011401	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 6, T17N-R16E	0.83
012012401	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 7, T17N-R16E	0.45
012012602	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 7, T17N-R16E	4.00
01201850101	STATE OF WISCONSIN	DEPT OF TRANSPORTATION	944 VANDERPERREN WAY	GREEN BAY WI 54304	Sec. 10, T17N-R16E	0.08
012018502	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 10, T17N-R16E	8.90
012018601	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 10, T17N-R16E	1.54
012018901	STATE WISCONSIN DIV HWYS		944 VANDERPERREN WAY	GREEN BAY WI 54304	Sec. 10, T17N-R16E	1.07
012028709	TOWN OF NEKIMI		3790 PICKETT RD	OSHKOSH WI 54904	Sec. 17, T17N-R16E	0.32
012029103	TOWN OF NEKIMI		3790 PICKETT RD	OSHKOSH WI 54904 0000	Sec. 17, T17N-R16E	0.83
012029502	TOWN OF NEKIMI		3790 PICKETT RD	OSHKOSH WI 54904 0000	Sec. 17, T17N-R16E	0.83
01202960203	TOWN OF NEKIMI		3790 PICKETT RD	OSHKOSH WI 54904 0000	Sec. 17, T17N-R16E	0.87
012029604	TOWN OF NEKIMI		3790 PICKETT RD	OSHKOSH WI 54904	Sec. 17, T17N-R16E	1.49
012034602	TOWN OF NEKIMI		3790 PICKETT RD	OSHKOSH WI 54904 0000	Sec. 20, T17N-R16E	1.14
012036001	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 20, T17N-R16E	2.16
012037702	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 21, T17N-R16E	4.60
012039801	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 22, T17N-R16E	8.34
012045701	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 27, T17N-R16E	8.47
012051901	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 29, T17N-R16E	5.46
012057301	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 32, T17N-R16E	10.42
012058001	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 32, T17N-R16E	2.25
012058402	WINNEBAGO, COUNTY OF				Sec. 32, T17N-R16E	0.06
014001901	STATE OF WISCONSIN	DEPT OF TRANSPORTATION	944 VANDERPERREN WAY	GREEN BAY WI 54304	Sec. 2, T17N-R14E	5.97
014009901	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 5, T17N-R14E	1.70
014009902	STATE WISCONSIN DIV HWYS		944 VANDERPERREN WAY	GREEN BAY WI 54304	Sec. 5, T17N-R14E	0.60
0140126	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 6, T17N-R14E	4.18
014012601	STATE WISCONSIN DIV HWYS		944 VANDERPERREN WAY	GREEN BAY WI 54304	Sec. 6, T17N-R14E	2.70
014012801	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 7, T17N-R14E	0.97
014012802	STATE WISCONSIN DIV HWYS		944 VANDERPERREN WAY	GREEN BAY WI 54304	Sec. 7, T17N-R14E	0.60
0140154	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 8, T17N-R14E	1.00
014015401	STATE WISCONSIN DIV HWYS		944 VANDERPERREN WAY	GREEN BAY WI 54304	Sec. 8, T17N-R14E	0.68
014017702	WINNEBAGO COUNTY	HIGHWAY COMMISSION	PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 8, T17N-R14E	2.42
014034703	TOWN OF NEPEUSKUN		1475 COUNTY RD E	RIPON WI 54971 0000	Sec. 17, T17N-R14E	1.60

Parcels Zoned A-1 Outside of FPP (All Road or Railroad Right-of-Way Parcels)

March 11, 2015

PARCEL	OWNER 1	OWNER 2	MAILING ADDRESS	CITY/STATE/ZIP	SEC. TOWNSHIP-RANGE	DEED AC.
024060702	TOWN OF UTTICA		1730 COUNTY RD FF	OSHKOSH WI 54904 0000	Sec. 29, T17N-R15E	1.45
0240683	STATE OF WISCONSIN				Sec. 31, T17N-R15E	2.45
0240686	STATE OF WISCONSIN				Sec. 31, T17N-R15E	2.38
026020101	WINNEBAGO COUNTY		PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 9, T19N-R16E	1.05
026050502	TOWN OF VINLAND		6085 COUNTY RD T	OSHKOSH WI 54904 0000	Sec. 23, T19N-R16E	1.21
028034402	TOWN OF WINCHESTER		8522 PARK WAY	LARSEN WI 54947 0000	Sec. 11, T20N-R15E	0.99
028052002	WINNEBAGO COUNTY	HIGHWAY COMMISSION	PO BOX 2764	OSHKOSH WI 54903 2764	Sec. 17, T20N-R15E	8.69
028073402	STATE OF WISCONSIN	DEPT OF TRANSPORTATION	944 VANDERPERREN WAY	GREEN BAY WI 54304	Sec. 25, T20N-R15E	17.68
028094801	STATE OF WISCONSIN	DEPT OF TRANSPORTATION	944 VANDERPERREN WAY	GREEN BAY WI 54304 0000	Sec. 36, T20N-R15E	0.60
028094901	STATE OF WISCONSIN	DEPT OF TRANSPORTATION	944 VANDERPERREN WAY	GREEN BAY WI 54304	Sec. 36, T20N-R15E	38.50

012-0213 GLATZ JOINT TRUST JOHN W GLATZ TRUST, et. al. 4994 LARSEN HIGHWAY RD OSHKOSH WI 54904 Sec. 11, T17N-R16E 37.50

Additional NT Parcels Zoned A-1 Outside of FPP

March 20, 2015

TOWN	PARCEL	OWNER	STREET	LOCATION
NEPEUSKUN	NT	UNKNOWN	COUNTY RD M	GOVT. LOT 2
NEPEUSKUN	NT	UNKNOWN	COUNTY RD M	GOVT. LOT 3
NEPEUSKUN	NT	UNKNOWN	COUNTY RD E	E/SE
NEKIMI	NT	UNKNOWN	COUNTY RD I	NE/NE
NEKIMI	NT	UNKNOWN	COUNTY RD I	SE/NE
NEKIMI	NT	UNKNOWN	COUNTY RD I	NE/SE
NEKIMI	V980P115	WINNEBAGO COUNTY	STATE RD 26	SE/SW
NEKIMI	NT	UNKNOWN	STATE RD 26	NE/NE
NEKIMI	NT	UNKNOWN	STATE RD 26	NW/NE
NEKIMI	NT	UNKNOWN	STATE RD 26	NW/SW
NEKIMI	NT	UNKNOWN	CLAIRVILLE RD	SW/NE
NEKIMI	NT	UNKNOWN	CLAIRVILLE RD	NE/SW

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS

Your Planning and Zoning Committee begs leave to report:

WHEREAS, it has reviewed the Petition for Zoning Amendment # 2015-ZC-3110 filed with the County Clerk by:

Winnebago County Planning & Zoning Committee
and referred to the Planning & Zoning Committee on April 21, 2015 and

WHEREAS, a Public Hearing was held on April 28, 2015 pursuant to mailed and published notice as provided by law on the following:

PROPERTY INFORMATION:

Applicant(s): Winnebago County Planning & Zoning Committee
PO Box 2808
Oshkosh WI 54903-2808

920-232-3344

WHEREAS,

Applicant is requesting Text Amendments to the Winnebago County Zoning Code (Chapter 23) of the Winnebago County General Code. A complete text is on file with the Winnebago County Zoning Office.

WHEREAS, we received notification from the TOWNS OF NEENAH, NEKIMI, OMRO, ALGOMA, BLACK WOLF, MENASHA, NEPEUSKUN, OSHKOSH, UTICA, POYGAN and WINNECONNÉ recommending approval, and

WHEREAS, your Planning & Zoning Committee, being fully informed of the facts, and after full consideration of the matter, make the following findings:

1. The Towns of NEENAH, NEKIMI, OMRO & ALGOMA have approved. These Towns have right of approval per State Statutes due to being under Winnebago County Zoning Authority. The Towns of BLACK WOLF, MENASHA, NEPEUSKUN, OSHKOSH, UTICA, POYGAN & WINNECONNÉ have approved. These Towns are advisory only. There was no response from the Towns of CLAYTON, RUSHFORD, WINCHESTER & WOLF RIVER. These Towns are also advisory only.
2. Text amendment is a requirement of the Department of Agriculture, Trade, and Consumer Protections conditional approval and certification of the County's Zoning Ordinance.
3. There were no objections.
- 4.
- 5.

NOW THEREFOR BE IT RESOLVED, that this committee has prepared the enclosed amendatory ordinance effectuating this change for your consideration and is hereby recommending approval

NOW BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors, that the enclosed ordinance is hereby [ADOPTED] or [DENIED].

For the Planning & Zoning Committee

AMENDATORY ORDINANCE # 05/04/15

The Winnebago County Board of Supervisors do ordain Zoning Amendment # 2015-ZC-3110 as follows:

Applicant is requesting Text Amendments to the Winnebago County Zoning Code (Chapter 23) of the Winnebago County General Code. A complete text is on file with the Winnebago County Zoning Office.

Adopted/ Denied this _____ day of _____, 20 _____.

David Albrecht, Chairperson

ATTEST:

Sue Ertmer (County Clerk)

APPROVED BY WINNEBAGO COUNTY EXECUTIVE THIS _____ DAY OF _____, 20 ____.

Mark Harris
(County Executive)

1 **161-52015**

2 **RESOLUTION: Commendation for Elizabeth Zwicky**

3

4 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

5 **WHEREAS**, Elizabeth Zwicky has been employed with the Winnebago County Department of Human
6 Services for the past thirty (30) years, and during that time has been a most conscientious and devoted County
7 employee; and

8 **WHEREAS**, Elizabeth Zwicky has now retired from those duties, and it is appropriate for the Winnebago
9 County Board of Supervisors to acknowledge her years of service.

10 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that sincere
11 appreciation and commendation be and is hereby extended to Elizabeth Zwicky for the fine services she has
12 rendered to Winnebago County.

13 **BE IT FURTHER RESOLVED** that the Winnebago County Clerk send a copy of this Resolution to
14 Elizabeth Zwicky.

15 Respectfully submitted by:

16 **PERSONNEL AND FINANCE COMMITTEE**

17

18 Committee Vote: **4-0**

19 Vote Required for Passage: **Majority of Those Present**

20

21

22 Approved by the Winnebago County Executive this _____ day of _____, 2014.

23

24

25

26

Mark L Harris
Winnebago County Executive

1 **162-52015**

2 **RESOLUTION: Commendation for Sandra Hartmann**

3

4 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

5 **WHEREAS**, Sandra Hartmann has been employed with the Winnebago County District Attorney's Office for
6 the past thirty-two (32) years, and during that time has been a most conscientious and devoted County employee;
7 and

8 **WHEREAS**, Sandra Hartmann has now retired from those duties, and it is appropriate for the Winnebago
9 County Board of Supervisors to acknowledge her years of service.

10 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that sincere
11 appreciation and commendation be and is hereby extended to Sandra Hartmann for the fine services she has
12 rendered to Winnebago County.

13 **BE IT FURTHER RESOLVED** that the Winnebago County Clerk send a copy of this Resolution to
14 Sandra Hartmann.

15 Respectfully submitted by:

16 **PERSONNEL AND FINANCE COMMITTEE**

17

18 Committee Vote: **4-0**

19 Vote Required for Passage: **Majority of Those Present**

20

21

22 Approved by the Winnebago County Executive this _____ day of _____, 2014.

23

24

25

26

Mark L Harris
Winnebago County Executive

1 **163-52015**

2 **RESOLUTION: Commendation for Hazel Kaiser**

3

4 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

5 **WHEREAS**, Hazel Kaiser has been employed with Park View Health Center for the past thirty-four (34)
6 years, and during that time has been a most conscientious and devoted County employee; and

7 **WHEREAS**, Hazel Kaiser has now retired from those duties, and it is appropriate for the Winnebago County
8 Board of Supervisors to acknowledge her years of service.

9 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that sincere
10 appreciation and commendation be and is hereby extended to Hazel Kaiser for the fine services she has rendered to
11 Winnebago County.

12 **BE IT FURTHER RESOLVED** that the Winnebago County Clerk send a copy of this Resolution to
13 Hazel Kaiser.

14 Respectfully submitted by:

15 **PERSONNEL AND FINANCE COMMITTEE**

16

17 Committee Vote: **4-0**

18 Vote Required for Passage: **Majority of Those Present**

19

20

21 Approved by the Winnebago County Executive this _____ day of _____, 2014.

22

23

24

25

Mark L Harris
Winnebago County Executive

1 164-52015

2 **RESOLUTION: Approve Lease Extension with SBA Communications Corporation at**
3 **Wittman Regional Airport**

4
5
6 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

7 **WHEREAS**, SBA Communications Corporation (f/k/a SBA Towers Inc and SBA Structures Inc) entered into
8 a Ground Lease Agreement with Winnebago County in November 2000 for the purpose of leasing property on
9 Wittman Regional Airport for the construction and operation of cell phone towers; and

10 **WHEREAS**, SBA Communications Corporation desires to amend the Ground Lease by extending the term of
11 the Lease, including a lease assignment section and including a lease right of first refusal/exclusive use section; and

12 **WHEREAS**, the Aviation Committee has reviewed the attached Ground Lease Agreement Extension and
13 believes that its execution would be in the best interests of the citizens of Winnebago County.

14 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
15 authorizes the Winnebago County Executive and the Winnebago County Clerk to approve a Ground Lease
16 Agreement Extension between Winnebago County and SBA Communications Corporation for the purpose of
17 continuing cell phone tower operations on Wittman Regional Airport property.
18
19

20 Respectfully submitted by:

21 **AVIATION COMMITTEE**

22 Committee Vote: **5-0**

23 Vote Required for Passage: **Majority of Those Present**

24
25 Approved by the Winnebago County Executive this ____ day of _____, 2015.

26
27 _____
28 Mark L Harris
29 Winnebago County Executive

Prepared by: Karen Mello
After recording return to: Khreshmore Spence
SBA Network Services, LLC
5900 Broken Sound Parkway, NW. 3rd Floor
Boca Raton, FL 33487-2797
Ph: 1-800-487-7483 ext. 7795

Parcel ID: 002-0477

AMENDMENT TO GROUND LEASE

THIS AMENDMENT TO GROUND LEASE ("Amendment") is executed this _____ day of _____, 2015, by and between **WINNEBAGO COUNTY, a Wisconsin municipal corporation**, having an address at Attn: Wittman Regional Airport, 415 Jackson Street, Oshkosh, WI 54903-2808 ("Lessor") and **SBA STRUCTURES, LLC, a Delaware limited liability company**, having a principal office located at 5900 Broken Sound Parkway, NW, Boca Raton, Florida 33487-2797 ("Lessee").

WHEREAS, Lessor and SBA Towers, Inc., a Florida corporation entered into that certain Ground Lease, dated November 2, 2000, as evidenced by that certain Memorandum of Ground Lease, recorded August 1, 2002, as Instrument No. 1192676, in the Register of Deeds of Winnebago County, State of Wisconsin, and ultimately assigned to Lessee, successor by conversion to SBA Structures, Inc., a Florida corporation pursuant to that certain unrecorded Assignment and Assumption Agreement, dated October 31, 2006 (collectively, the "Lease") for Lessee's use of a portion of the real property ("Leased Space") located at 525 West 20th Avenue, Oshkosh, WI 54901 ("Premises"), being more particularly described in the attached Exhibit "A"; and

WHEREAS, Lessor and Lessee desire and intend to amend and supplement the Lease as provided herein.

NOW, THEREFORE, for good and valuable consideration of One Hundred and no/100 Dollars (\$100.00), the receipt and sufficiency of which is hereby acknowledged, the parties hereto covenant, agree and bind themselves to the following modifications to the Lease:

1. **Section 5. TERM**, of the Lease is hereby amended as follows:

In addition to the Terms as referenced in the Lease, the Lease is hereby amended to include four (4) additional successive terms of five (5) years (each an "Additional Renewal Term"). Each Additional Renewal Term shall be deemed automatically extended, unless Lessee notifies Lessor of its intention not to renew the Lease at least sixty (60) days prior to the commencement of the succeeding Additional Renewal Term. The first Additional Renewal Term shall commence on November 14, 2020 ("Additional Renewal Term Commencement Date"), upon the expiration of the Term expiring on November 13, 2020.

2. **Section 19. ASSIGNMENT OF LEASE BY TENANT**, of the Lease is hereby deleted in its entirety and replaced as follows:

Lessee may assign the Lease in whole or in part. Upon such assignment, Lessee shall be relieved of all liabilities and obligations under the Lease.

3. **Section 20. SUBLEASING**, of the Lease is hereby deleted in its entirety and replaced as follows:

Lessee may sublet all or part of the Leased Space or transfer the Lease in whole or in part.

4. **Section 36. NOTICES**, of the Lease is hereby amended as follows:

If to Lessor:

Winnebago County
Attn: Wittman Regional Airport
415 Jackson Street
Oshkosh, WI 54903-2808

If to Lessee:

SBA Structures, LLC
Attn: Site Administration
5900 Broken Sound Parkway, NW
Boca Raton, FL 33487-2797
Re: WI21195-A/Oshkosh Airport

5. The Lease is hereby amended to include **Section 40. RIGHT OF FIRST REFUSAL / EXCLUSIVE USE**, as follows:

If at any time during the term of the Lease, Lessor receives a bona fide written offer from a third person (the "Offer") to sell, assign, convey, lease, factor or

otherwise transfer or create any interest in the current or future Rent, this Lease, the Leased Space or the Premises, or any portion thereof, which Lessor desires to accept, Lessor shall first give Lessee written notice (including a copy of the proposed contract) of such Offer prior to becoming obligated under such Offer, with such notice giving Lessee the right to acquire the interest described in the Offer on the terms set forth in the Offer. Lessee shall have a period of thirty (30) days after receipt of Lessor's notice and terms to exercise Lessee's right of first refusal by notifying Lessor in writing. If Lessee has not exercised its right of first refusal in writing to Lessor within such thirty (30) day period, the Offer will be deemed rejected. Lessor may not assign the Rent or the Lease or any rights hereunder, or grant any interest in any portion of the Premises, except in connection with conveyance of fee simple title to the Premises, without the prior written consent of Lessee, in Lessee's sole and absolute discretion.

As part of Lessee's right to the undisturbed use and enjoyment of the Leased Space, Lessor shall not at any time during the term of the Lease (i) use or suffer or permit another person to use any portion of the Premises or any adjacent parcel of land now or hereafter owned, leased or managed by Lessor for the uses permitted herein or other uses similar thereto, or (ii) grant any interest in or an option to acquire any interest in any portion of the Premises that permits (either during the term of the Lease or after the term hereof) any of the uses permitted under the Lease without the prior written consent of Lessee, in Lessee's sole discretion.

6. Capitalized terms not defined in this Amendment will have the meaning ascribed to such terms in the Lease.
7. This Amendment will be governed by and construed and enforced in accordance with the laws of the state in which the Premises is located without regard to principles of conflicts of law.
8. Except as specifically set forth in this Amendment, the Lease is otherwise unmodified and remains in full force and effect and is hereby ratified and reaffirmed. In the event of any inconsistencies between the Lease and this Amendment, the terms of this Amendment shall take precedence.
9. Lessor acknowledges that the attached Exhibit "A" may be preliminary or incomplete and, accordingly, Lessee may replace and substitute such Exhibit with an accurate survey and legal descriptions of the Leased Space and easements and re-record this Amendment with the approval of Lessor. Following such re-recording, the descriptions of the Leased Space and easements described therein shall serve as the descriptions for same for all purposes under the Amendment.
10. Lessor represents and warrants to Lessee that the Lessor is the sole owner in fee simple title to the Leased Space and easements and the Lessor's interest under the Lease and that consent or approval of no other person is necessary for the Lessor to enter into this Amendment.

11. This Amendment may be executed in one or more counterparts, and by the different parties hereto in separate counterparts, each of which when executed shall be deemed to be an original but all of which taken together shall constitute one and the same Lease.
12. Lessee shall have the right to record this Amendment.

[The remainder of this page is intentionally left blank. Signatures to follow.]

IN WITNESS WHEREOF, the parties have executed this Amendment as of the day and year first above written.

WITNESSES:

LESSOR:

WINNEBAGO COUNTY, a Wisconsin municipal corporation

Print Name: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

STATE OF WISCONSIN
COUNTY OF _____

The instrument was acknowledged before me, this _____, day of _____, 2015, by _____, as _____, of Winnebago County, a Wisconsin municipal corporation, on behalf of the corporation, who is personally known to me or has produced _____ as identification.

Notary Public

(NOTARY SEAL)

WITNESSES:

Print Name: _____

Print Name: _____

LESSEE:

**SBA STRUCTURES, LLC, a Delaware
limited liability company**

By: _____

Alyssa Houlihan
Vice President, Site Leasing

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

The foregoing instrument was acknowledged before me on the ____ day of _____, 2015, by Alyssa Houlihan, Vice President, Site Leasing of SBA Structures, LLC, a Delaware limited liability company, on behalf of the company and who is personally known to me.

Notary Public

Print Name: _____

My Commission Expires: _____

(NOTARY SEAL)

EXHIBIT "A"

Legal description to be incorporated upon receipt of final survey.

SITUATE IN THE COUNTY OF WINNEBAGO, AND STATE OF WISCONSIN:

A PARCEL OF LAND LOCATED IN THE SE 1/4 OF SECTION 34, T18N, R16E, TOWN OF ALGOMA, WINNEBAGO COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

1. BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 34; THENCE N89°28'14"W, ALONG THE SOUTH LINE OF SAID SE 1/4, 846.89;
2. THENCE N0°21'06"E, 185.70 FEET;
3. THENCE N89°28'14"W, 524.09 FEET;
4. THENCE N0°23'29"W, 199.55 FEET;
5. THENCE N0°18'40"W, 951.30 FEET;
6. THENCE S89°47'24"E, 1,374.40 FEET TO THE EAST LINE OF SAID SE 1/4;
7. THENCE S0°04'54"E, ALONG SAID EAST LINE, 1,344.15 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 39.976 ACRES, MORE OR LESS.

ALSO AS SHOWN ON THE ATTACHED SURVEY PLAT OF PARCEL NO. 66, DATED 5-17-93 BY MEAD & HUNT, ENGINEERS-SURVEYORS, MADISON, WISCONSIN.



**UNANIMOUS WRITTEN CONSENT
OF THE SHAREHOLDERS AND BOARD OF DIRECTORS OF
WINNEBAGO COUNTY, A WISCONSIN MUNICIPAL CORPORATION**

The undersigned constitute all of the shareholders and directors of the board of directors of **Winnebago County, a Wisconsin municipal corporation** (the "Corporation"). The undersigned hereby consent to, and adopt, the following preamble and resolutions by this instrument in lieu of a formal meeting of the shareholders and board of directors of the Corporation:

WHEREAS, the shareholders and board of directors of the Corporation on the ____ day of _____, 2015, duly adopted a resolution for an Amendment to Ground Lease ("Amendment") on the property described in Exhibit "A" to **SBA Structures, LLC** ("SBA"), to amend the Ground Lease, dated November 2, 2000, as evidenced by that certain Memorandum of Ground Lease, recorded August 1, 2002, as Instrument No. 1192676, in the Register of Deeds of Winnebago County, State of Wisconsin, and ultimately assigned to SBA, successor by conversion to SBA Structures, Inc., a Florida corporation, pursuant to that certain unrecorded Assignment and Assumption Agreement, dated October 31, 2006, as amended and assigned from time to time ("Lease") to SBA by and between the Corporation as Lessor and SBA, as Lessee.

RESOLVED, that the Corporation shall be and is hereby authorized and directed to grant the Amendment, and in connection therewith _____, *[Signing Officer]* as _____ *[Title]* of the Corporation, is hereby authorized, empowered and directed to execute and deliver for, on behalf of, and in the name of the Corporation, the Amendment, and any and all documents in connection with the Lease as _____, *[Title]* or the signing officer in his/her sole and absolute discretion deems to be in the best interests of the Corporation; and it is

FURTHER RESOLVED, that _____ *[Signing Officer]* be and is hereby authorized to execute, in the name and on behalf of this Corporation, to take or cause to be taken, any and all actions necessary to enter into, execute, deliver and perform the Amendment and any and all documents and documentation (all of which are to be in form and substance as the person executing the same may deem necessary or desirable, the execution thereof by _____, *[Signing Officer]* is conclusive evidence of approval of such form and substance by _____, *[Signing Officer]* that may be required or contemplated under the terms of the Lease and to do any and all things which in his/her discretion he/she may deem to be necessary or appropriate in connection with or in furtherance of the foregoing resolution; and it is

FURTHER RESOLVED, that the signature of _____, *[Signing Officer]* on the Amendment, and any other documents and instruments executed in connection therewith or pursuant thereto shall be conclusive evidence of his/her authority to execute and deliver such instruments or documents.

FURTHER RESOLVED, that all actions previously taken by the Corporation in connection with the Amendment, and the transactions contemplated by the foregoing resolution thereby be, and they hereby are adopted, ratified, confirmed and approved in all respects.

This document may be executed in two or more counterparts, each of which will be deemed an original and together, but all of which together will constitute one and the same instrument.

IN WITNESS WHEREOF, the undersigned hereby affix their hands and seal effective as of this ____ day of _____, 2015.

Print Name:
Title:

EXHIBIT 'A'

SITUATE IN THE COUNTY OF WINNEBAGO, AND STATE OF WISCONSIN:

A PARCEL OF LAND LOCATED IN THE SE 1/4 OF SECTION 34, T18N, R16E, TOWN OF ALGOMA, WINNEBAGO COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

1. BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 34; THENCE N89°28'14"W, ALONG THE SOUTH LINE OF SAID SE 1/4, 846.89;
2. THENCE N0°21'06"E, 185.70 FEET;
3. THENCE N89°28'14"W, 524.09 FEET;
4. THENCE N0°23'29"W, 199.55 FEET;
5. THENCE N0°18'40"W, 951.30 FEET;
6. THENCE S89°47'24"E, 1,374.40 FEET TO THE EAST LINE OF SAID SE 1/4;
7. THENCE S0°04'54"E, ALONG SAID EAST LINE, 1,344.15 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 39.976 ACRES, MORE OR LESS.

ALSO AS SHOWN ON THE ATTACHED SURVEY PLAT OF PARCEL NO. 66, DATED 5-17-93 BY MEAD & HUNT, ENGINEERS-SURVEYORS, MADISON, WISCONSIN.

Prepared by: Karen Mello
After recording return to: Khreshmore Spence
SBA Network Services, LLC
8051 Congress Avenue
Boca Raton, FL 33487-1307
Ph: 1-800-487-7483 ext. 7795

Parcel ID: 002-0477

AMENDMENT TO GROUND LEASE

THIS AMENDMENT TO GROUND LEASE ("Amendment") is executed this _____ day of _____, 2015, by and between **WINNEBAGO COUNTY, a Wisconsin municipal corporation**, having an address at Attn: Wittman Regional Airport, 415 Jackson Street, Oshkosh, WI 54903-2808 ("Lessor") and **SBA STRUCTURES, LLC, a Delaware limited liability company**, having a principal office located at 8051 Congress Avenue, Boca Raton, Florida 33487-1307 ("Lessee").

WHEREAS, Lessor and SBA Towers, Inc., a Florida corporation entered into that certain Ground Lease, dated November 2, 2000, as evidenced by that certain Memorandum of Ground Lease, recorded August 1, 2002, as Instrument No. 1192676, in the Register of Deeds of Winnebago County, State of Wisconsin, and ultimately assigned to Lessee, successor by conversion to SBA Structures, Inc., a Florida corporation pursuant to that certain unrecorded Assignment and Assumption Agreement, dated October 31, 2006 (collectively, the "Lease") for Lessee's use of a portion of the real property ("Leased Space") located at 525 West 20th Avenue, Oshkosh, WI 54901 ("Premises"), being more particularly described in the attached Exhibit "A"; and

WHEREAS, Lessor and Lessee desire and intend to amend and supplement the Lease as provided herein.

NOW, THEREFORE, for good and valuable consideration of One Hundred and no/100 Dollars (\$100.00), the receipt and sufficiency of which is hereby acknowledged, the parties hereto covenant, agree and bind themselves to the following modifications to the Lease:

1. **Section 5. TERM**, of the Lease is hereby amended as follows:

In addition to the Terms as referenced in the Lease, the Lease is hereby amended to include four (4) additional successive terms of five (5) years (each an “Additional Renewal Term”). Each Additional Renewal Term shall be deemed automatically extended, unless Lessee notifies Lessor of its intention not to renew the Lease at least sixty (60) days prior to the commencement of the succeeding Additional Renewal Term. The first Additional Renewal Term shall commence on November 14, 2020 (“Additional Renewal Term Commencement Date”), upon the expiration of the Term expiring on November 13, 2020.

2. **Section 36. NOTICES**, of the Lease is hereby amended as follows:

If to Lessor:

Winnebago County
Attn: Wittman Regional Airport
415 Jackson Street
Oshkosh, WI 54903-2808

If to Lessee:

SBA Structures, LLC
Attn: Site Administration
8051 Congress Avenue
Boca Raton, FL 33487-1307
Re: WI21195-A/Oshkosh Airport

3. The Lease is hereby amended to include **Section 40. RIGHT OF FIRST REFUSAL / EXCLUSIVE USE**, as follows:

If at any time during the term of the Lease, Lessor receives a bona fide written offer from a third person (the “Offer”) to sell, assign, convey, lease, factor or otherwise transfer or create any interest in the current or future Rent, this Lease, the Leased Space or the Premises, or any portion thereof, which Lessor desires to accept, Lessor shall first give Lessee written notice (including a copy of the proposed contract) of such Offer prior to becoming obligated under such Offer, with such notice giving Lessee the right to acquire the interest described in the Offer on the terms set forth in the Offer. Lessee shall have a period of thirty (30) days after receipt of Lessor’s notice and terms to exercise Lessee’s right of first refusal by notifying Lessor in writing. If Lessee has not exercised its right of first refusal in writing to Lessor within such thirty (30) day period, the Offer will be deemed rejected. Lessor may not assign the Rent or the Lease or any rights hereunder, or grant any interest in any portion of the Premises, except in connection with conveyance of fee simple title to the Premises, without the prior written consent of Lessee, in Lessee’s sole and absolute discretion.

As part of Lessee's right to the undisturbed use and enjoyment of the Leased Space, Lessor shall not at any time during the term of the Lease (i) use or suffer or permit another person to use any portion of the Premises or any adjacent parcel of land now or hereafter owned, leased or managed by Lessor for the uses permitted herein or other uses similar thereto, or (ii) grant any interest in or an option to acquire any interest in any portion of the Premises that permits (either during the term of the Lease or after the term hereof) any of the uses permitted under the Lease without the prior written consent of Lessee, in Lessee's sole discretion.

4. Capitalized terms not defined in this Amendment will have the meaning ascribed to such terms in the Lease.
5. This Amendment will be governed by and construed and enforced in accordance with the laws of the state in which the Premises is located without regard to principles of conflicts of law.
6. Except as specifically set forth in this Amendment, the Lease is otherwise unmodified and remains in full force and effect and is hereby ratified and reaffirmed. In the event of any inconsistencies between the Lease and this Amendment, the terms of this Amendment shall take precedence.
7. Lessor acknowledges that the attached Exhibit "A" may be preliminary or incomplete and, accordingly, Lessee may replace and substitute such Exhibit with an accurate survey and legal descriptions of the Leased Space and easements and re-record this Amendment with the approval of Lessor. Following such re-recording, the descriptions of the Leased Space and easements described therein shall serve as the descriptions for same for all purposes under the Amendment.
8. Lessor represents and warrants to Lessee that the Lessor is the sole owner in fee simple title to the Leased Space and easements and the Lessor's interest under the Lease and that consent or approval of no other person is necessary for the Lessor to enter into this Amendment.
9. This Amendment may be executed in one or more counterparts, and by the different parties hereto in separate counterparts, each of which when executed shall be deemed to be an original but all of which taken together shall constitute one and the same Amendment.
10. Lessee shall have the right to record this Amendment.

[The remainder of this page is intentionally left blank. Signatures to follow.]

IN WITNESS WHEREOF, the parties have executed this Amendment as of the day and year first above written.

WITNESSES:

LESSOR:

WINNEBAGO COUNTY, a Wisconsin municipal corporation

Print Name: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

STATE OF WISCONSIN
COUNTY OF _____

The instrument was acknowledged before me, this _____, day of _____, 2015, by _____, as _____, of Winnebago County, a Wisconsin municipal corporation, on behalf of the corporation, who is personally known to me or has produced _____ as identification.

Notary Public

(NOTARY SEAL)

WITNESSES:

Print Name: _____

Print Name: _____

LESSEE:

**SBA STRUCTURES, LLC, a Delaware
limited liability company**

By: _____

Alyssa Houlihan

Vice President, Site Leasing

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

The foregoing instrument was acknowledged before me on the _____ day of _____, 2015, by Alyssa Houlihan, Vice President, Site Leasing of SBA Structures, LLC, a Delaware limited liability company, on behalf of the company and who is personally known to me.

Notary Public

Print Name: _____

My Commission Expires: _____

(NOTARY SEAL)

EXHIBIT "A"

Legal description to be incorporated upon receipt of final survey.

SITUATE IN THE COUNTY OF WINNEBAGO, AND STATE OF WISCONSIN:

A PARCEL OF LAND LOCATED IN THE SE 1/4 OF SECTION 34, T18N, R16E, TOWN OF ALGOMA, WINNEBAGO COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

1. BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 34; THENCE N89°28'14"W, ALONG THE SOUTH LINE OF SAID SE 1/4, 846.89;
2. THENCE N0°21'06"E, 185.70 FEET;
3. THENCE N89°28'14"W, 524.09 FEET;
4. THENCE N0°23'29"W, 199.55 FEET;
5. THENCE N0°18'40"W, 951.30 FEET;
6. THENCE S89°47'24"E, 1,374.40 FEET TO THE EAST LINE OF SAID SE 1/4;
7. THENCE S0°04'54"E, ALONG SAID EAST LINE, 1,344.15 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 39.976 ACRES, MORE OR LESS.

ALSO AS SHOWN ON THE ATTACHED SURVEY PLAT OF PARCEL NO. 66, DATED 5-17-93 BY MEAD & HUNT, ENGINEERS-SURVEYORS, MADISON, WISCONSIN.

2 **RESOLUTION: Approve the Appropriation of \$100,000 in Funding to Begin the Design**
3 **Process for an Intersection Improvement at CTH CB and Oakridge Road**

4
5
6 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

7 **WHEREAS**, the CTH CB and Oakridge Road intersection in the Town Neenah is not at an acceptable level
8 of performance in terms of safety; and

9 **WHEREAS**, in 2008 a study of the intersection for geometrics and safety history was completed, and was
10 updated in 2013, and the study indicated that the traffic safety and volume warrants for signals were not met and
11 revealed that there is an increasing accident history resulting in numerous injuries; and

12 **WHEREAS**, the Winnebago County Highway Department receives complaints and improvement requests
13 regarding this intersection on a regular basis, but especially after accidents. Not only is the intersection quite wide,
14 but traffic volumes, multiple turning movements, and speeds all add up to more accident opportunities. Numerous
15 residents and the Town of Neenah all support a safety improvement at this intersection; and

16 **WHEREAS**, to complete this project with Federal or State funding, a proper Intersection Control Evaluation,
17 or "ICE," will need to be conducted prior to undertaking an improvement design; and

18 **WHEREAS**, the Winnebago County Board of Supervisors is committed to maintaining Winnebago County's
19 system of highways and supports safe and efficient transportation system improvement efforts.

20
21 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
22 approves the appropriation of \$100,000 to begin the design process for an intersection improvement project at the
23 intersection of CTH CB and Oakridge Road in the Town of Neenah.

24
25 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that the funds to pay for this
26 project be transferred from the CTH I and CTH N Intersection Capital Project, which has available surplus funds.

27
28 **Fiscal Note:** No additional funding is being requested. Funds remaining from another highway project will be
29 transferred to cover the cost of this study.
30

31 Respectfully submitted by:
32 **HIGHWAY COMMITTEE**

33 Committee Vote: **5-0**

34 Respectfully submitted by:
35 **PERSONNEL AND FINANCE COMMITTEE**

36 Committee Vote: **5-0**

37 Vote Required for Passage: **Two-Thirds of Members-Elect**

38
39 Approved by the Winnebago County Executive this ____ day of _____, 2015.

40
41
42 _____
43 Mark L Harris
Winnebago County Executive

1 166-52015

2 **RESOLUTION: Authorize the Winnebago County Public Health Department to Accept**
3 **Additional Grant Funding Totaling \$34,842 and Appropriate the Funds to**
4 **Grant Program Costs**

5
6
7 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

8 **WHEREAS**, the Winnebago County Public Health Department has been awarded additional grant funds to
9 be applied to the following Programs: Heroin Task Force, Performance Management, Maternal Child Health (MCH),
10 and Radon; and

11 **WHEREAS**, it would be beneficial to the residents of Winnebago County for the Public Health Department to
12 accept and utilize the funds as intended; and

13 **WHEREAS**, these Programs are fully funded by the grants.

14
15 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
16 authorizes the Winnebago County Public Health Department to accept additional grant funds totaling \$34,842, and
17 authorizes the Department to utilize the funds in accordance with the grant programs.

18
19 **Fiscal Note:** This Resolution is cost neutral. Grant funds will cover all the program costs.
20

21
22 Respectfully submitted by:
23 **BOARD OF HEALTH**

24 Committee Vote: **7-0**

25 Respectfully submitted by:
26 **PERSONNEL AND FINANCE COMMITTEE**

27 Committee Vote: **4-0**

28 Vote Required for Passage: **Two-Thirds of Membership-Elect**

29
30 Approved by the Winnebago County Executive this ____ day of _____, 2015.

31
32 _____
33 Mark L Harris
34 Winnebago County Executive

1 167-52015

2 **RESOLUTION: Authorize the Winnebago County Public Health Department to Accept**
3 **Additional Grant Funds in the Amount of \$78,140 and Apply the Funds to**
4 **Program Costs**

5
6
7 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

8 **WHEREAS**, the Winnebago County Public Health Department annually includes estimates of grant funds
9 and expenditures in its annual budget; and

10 **WHEREAS**, often the amounts of these grant funds change after the budget has been adopted; and

11 **WHEREAS**, additional grant funds totaling \$78,140 will be received above what was budgeted for the
12 following Programs: Hospital Preparedness, Prevention Activities, and Community Health Initiative; and

13 **WHEREAS**, it would be beneficial to the residents of Winnebago County for the Public Health Department to
14 accept these additional funds and apply them to their intended programs; and

15 **WHEREAS**, there are no County funds required to receive these additional funds.

16
17 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
18 authorizes the Winnebago County Public Health Department to accept additional grant funds in the amount of
19 \$78,140, and utilize them to cover expenses related to the grant programs.

20

21 **Fiscal Note:** This Resolution is cost neutral.

22

23 Respectfully submitted by:

24

BOARD OF HEALTH

25 Committee Vote: **7-0**

26

Respectfully submitted by:

27

PERSONNEL AND FINANCE COMMITTEE

28 Committee Vote: **4-0**

29 Vote Required for Passage: **Two-Thirds of Members-Elect**

30

31 Approved by the Winnebago County Executive this ____ day of _____, 2015.

32

33

34

35

Mark L Harris
Winnebago County Executive

2 **RESOLUTION: Oppose Bill Eliminating Personal Property Tax and the Elimination of**
3 **Computer Aid Payments to Local Governments**

4
5 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

6 **WHEREAS**, Representative Kulp and Senator Tiffany are seeking cosponsors to Bills for a plan on
7 introducing (Legislative Reference Bureau—1183/Legislative Reference Bureau—2009) that would eliminate both the
8 personal property tax and the computer aid payments local governments receive for tax exempt computer and
9 related equipment; and

10 **WHEREAS**, the passage of such Bills would have a huge negative impact on homeowners and local
11 government services; and

12 **WHEREAS**, said Bills, at a minimum, would result in the loss of local tax revenue and a huge tax shift to
13 local homeowners; and

14 **WHEREAS**, the total statewide personal property tax levy collected in 2014 was \$290 Million; and

15 **WHEREAS**, since 2001, the state has been making computer aid payments to local governments to offset
16 the personal property tax exemption for computer equipment that was created in 2001. The total payment made by
17 the state in 2015 was approximately \$83.8 Million; and

18 **WHEREAS**, the Legislative Fiscal Bureau has estimated that the share of net property taxes bourn by
19 property owners would increase on an average by two percentage points statewide if personal property taxes were
20 eliminated; and

21 **WHEREAS**, this increase will have a greater impact on cities and villages where most of the personal
22 property tax base is located. For example, in the City of Fond du Lac, this would result in a loss of approximately
23 \$128 Million in the City's property tax, representing 4.9% of the City's taxable property tax base; and

24 **WHEREAS**, fully exempting all personal property from the property tax base will likely result in a reduction in
25 the incremental levy for many tax incremental finance districts; and

26 **WHEREAS**, when the Legislature has exempted large amounts of personal property from taxation in the
27 past, it has typically offset the reduction in the property tax base and avoided a tax shift by reimbursing local
28 governments for the lost tax revenue. The Bills presently proposed would not do this; and

29 **WHEREAS**, passage of these Bills would have a devastating effect on local government finances.

30 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
31 opposes the elimination of the state personal property tax and the elimination of computer aid payments to local
32 governments which is received for tax exempt computer and related equipment.

33 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that a copy of this Resolution
34 be transmitted to the Wisconsin Counties Association, to the Office of Governor Scott Walker, to all representatives
35 representing constituents within Winnebago County, and to the Office of Representative Kulp and Senator Tiffany in
36 the Wisconsin Legislature.

37 Respectfully submitted by:

38 **LEGISLATIVE COMMITTEE**

39 Committee Vote: **9-0**

40 Vote Required for Passage: **Majority of Those Present**

41
42
43
44
45
46

Approved by the Winnebago County Executive this ____ day of _____, 2015.

Mark L Harris
Winnebago County Executive

1 169-52015

2 **RESOLUTION: Urge the Wisconsin Legislature to Seek Rate Increase Funding Sources**
3 **in Order to Avoid Further Medicaid Rate Cuts to Most Nursing Homes As**
4 **Proposed in Senate/Assembly Bill 21, 2015 – 17 State Biennial Budget**
5 **Bill.**
6

7 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

8 **WHEREAS**, Wisconsin Governor Scott Walker has introduced his proposed Wisconsin State Budget for
9 fiscal years 2016/2017; and

10 **WHEREAS**, the Wisconsin Legislature, more specifically the Joint Finance Committee, has and will be
11 undertaking the task of debating the Governors Budget and making tough fiscal decisions for the State for the next
12 two-year period; and

13 **WHEREAS**, the Governor’s proposed Budget fails to provide rate increases for nursing homes; and

14 **WHEREAS**, the Governor’s proposed Budget fails to provide nursing homes with acuity adjustments to
15 recognize the residents they are caring for have greater service needs than they have in the past; and

16 **WHEREAS**, without additional Medicaid funding for nursing homes, approximately 80% of the state’s 376
17 nursing facilities will receive a cut in their July 1, 2015 – June 30, 2016 Medicaid rate; and

18 **WHEREAS**, the most recent comprehensive analysis of the nation’s Medicaid nursing home payment
19 systems ranked the Wisconsin system the 3rd worst in the country (“Report on Shortfalls in Medicaid Funding for
20 Nursing Care Center”; Eljay, LLP, January 2014).

21 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
22 urges the Wisconsin Legislature to seek alternative revenue sources in order to reduce the borrowing component of
23 the Governors proposed FY 2016/2017 State Transportation budget.
24

25 Respectfully submitted by:

26 **LEGISLATIVE COMMITTEE**

27 Committee Vote: **8-1**

28 Vote Required for Passage: **Majority of Those Present**

29 Approved by the Winnebago County Executive this ____ day of _____, 2012.
30

31
32
33 _____
34 Mark L Harris
35 Winnebago County Executive

1 170-52015

2 **RESOLUTION: Request Sheriff to Read Declaration of Independence on Courthouse**
3 **Steps on July 4, 2015**
4

5 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

6 **WHEREAS**, the Continental Congress, by a Declaration of Independence, dated July 4, 1776, clearly
7 declared the inhabitants of New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey,
8 Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, were no longer colonial
9 subjects to be exploited arbitrarily by servants of the King and Parliament of Great Britain, but now were free citizens
10 of their own territories, and that free citizens should constitute the governments for those territories; and

11 **WHEREAS**, the Continental Congress provided that same day, by orders of their House, that their
12 Declaration should be proclaimed aloud and published to the free citizens of the territories represented in their
13 Congress; and

14 **WHEREAS**, the notification of the Declaration to responsible citizens was then done by sheriffs who
15 proclaimed it at the courthouse steps, by clergymen who read it from their pulpits, and by printers who printed it in
16 their gazettes; and

17 **WHEREAS**, the Continental Congress thus initiated a process that has created the Constitutions and state
18 governments of our Union including the Constitution and government of the State of Wisconsin.

19
20 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
21 requests Sheriff John Matz to read the Declaration of Independence from the steps of the Courthouse at 8:00 a.m. on
22 the morning of July 4, 2015, as this was the custom in the early history of our country.

23
24 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that we ask Sheriff Matz to
25 read the document without further comment or speech. This event is intended for those present to hear the words of
26 the Declaration as we begin to celebrate our Day of Independence.

27
28 Respectfully submitted by:

29 **JUDICIARY AND PUBLIC SAFETY COMMITTEE**

30 Committee Vote: **4-0**

31 Vote Required for Passage: **Majority of Those Present**

32

33

34 Approved by the Winnebago County Executive this ____ day of _____, 2015.

35

36

37

38

Mark L Harris
Winnebago County Executive

1 171-52015

2 **RESOLUTION: Adopt Winnebago County Merit Pay Plan**

3
4

5 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

6 **WHEREAS**, by Resolution 94-102014, the Winnebago County Board of Supervisors directed the
7 “Winnebago County Executive and the Winnebago County Human Resources Director to develop a proposed merit
8 pay plan for Winnebago County’s non-represented employees and to present such proposed plan to the Winnebago
9 County Board’s Personnel and Finance Committee within a suitable time period so as to allow such plan to be
10 reviewed and adopted prior to preparation of the 2016 Budget”; and

11 **WHEREAS**, the Winnebago County Executive and the Winnebago County Human Resources Director, with
12 the valuable assistance of other management personnel, did develop such a merit pay plan and presented it to the
13 Personnel and Finance Committee at its May 7, 2015, meeting; and

14 **WHEREAS**, the Merit Pay Plan in the form attached is designed to motivate employees to develop and
15 contribute to the best of their ability, to identify those aspects of employee performance most needed to achieve
16 department and County goals, and to provide for pay increases within the range tied to employee performance.

17
18 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
19 adopts the Winnebago County Merit Pay Plan, attached hereto and incorporated herein by reference..

20
21 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that the Winnebago County
22 Merit Pay Plan shall be effective immediately.

23
24 **Fiscal Note:** No immediate fiscal impact. Amounts are to be included in the 2016 Winnebago County Budget.

25
26 Respectfully submitted by:
27 **PERSONNEL AND FINANCE COMMITTEE**

28 Committee Vote: **No Vote Taken:**
29 **Referred to Full County Board**
30 Vote Required for Passage: **Majority of Those Present**

31
32
33 Approved by the Winnebago County Executive this ____ day of _____, 2015.

34
35
36 _____
37 Mark L Harris
Winnebago County Executive

WINNEBAGO COUNTY MERIT PAY PLAN

Section 1 Purpose and Scope

(a) This Merit Pay Plan is designed to motivate employees to develop and contribute to the best of their ability, to identify those aspects of employee performance most needed to achieve department and County goals, and to provide for pay increases within the range tied to employee performance.

(b) This Merit Pay Plan applies to all Full-Time Regular and Part-Time Regular employees of Winnebago County except for elected officials and those whose compensation is subject to collective bargaining as a public safety employee. It does not apply to temporary, project, casual, seasonal, or client/restitution employees.

Section 2 Establishment of Merit Pool

(a) As part of the County budget process, the County Executive will include in the Executive Budget an amount designated for merit pay increases County-wide. This amount will be budgeted in a separate contingency account, not a part of operating department budgets.

(b) Before determining the amount to include in the proposed merit pool, the Executive may consult with the Finance Director and Director of Human Resources regarding the projected availability of tax levy, savings achieved in the payroll base through employee turnover, and other factors as the Executive may see fit.

(c) Merit pay increases in the budgeted year will be limited to the total amount included in the merit pool in the budget adopted by the County Board.

(d) Across-the-board increases, not tied to employee performance except that employees not performing at a satisfactory level may be denied them, are not included in the merit pool.

Section 3 Annual Performance Evaluations

(a) Each employee to whom this Plan applies will receive an annual performance evaluation from his or her supervisor. Evaluations will be completed and shared with employees during the period from August 15 through October 31 each year.

(b) The performance evaluation will be based on the employee's performance during the rating period from August 1 the previous year through July 31 of the current year.

(c) The performance evaluation will be completed on a form approved by the Director of Human Resources. Each evaluation will include ratings of from 1 point to 4 points on each of

seven different competencies, so that the employee's total evaluation score will be in the range of 7 to 28 points.

(d) Some of the competencies used in the evaluation will be core competencies, applicable to all employees; some will be competencies applicable to supervisory or non-supervisory employees; and some will be based on the specific job class of the employee being evaluated.

(e) The performance evaluation form will also include space to list goals for the upcoming rating period, to describe progress toward the goals previously established, for the evaluator to make comments regarding the employee's general performance or training and development needs, and for comments by the employee, but these items will not contribute to the total evaluation score except to the extent that they influence competency ratings.

(f) Prior to completing the evaluation, supervisors should request employees to provide suggested goals, to identify progress toward previous goals, and to provide additional information regarding the employee's performance during the rating period.

(g) Performance evaluations are to be based solely on employee performance during the rating period. Supervisory employees must strictly avoid any bias or favoritism when preparing evaluations, and will be evaluated themselves based in part on how well they evaluate their subordinates.

(h) In order to promote consistency, each supervisor who is not a department head should submit each proposed evaluation to the department head, or to another County manager designated by the department head, for review before the performance evaluation is shared with the employee.

(i) Performance evaluations must be shared with the employee in a face-to-face meeting whenever possible. The employee may submit written comments to the Human Resources Department and to the employee's supervisor or department head within two weeks of the evaluation, and any comments so submitted will be attached to and become a part of the evaluation record.

(j) In addition to the annual performance evaluations called for by this Plan, all supervisors are strongly encouraged to provide frequent and regular feedback to employees through other appropriate means.

(k) When completed, all annual performance evaluations must be submitted to the Human Resources Department and will be placed in the employees' personnel files.

Section 4 Newer Employees and Transfers

(a) Any new employee who starts work on or before May 1 will receive an annual performance evaluation and is eligible to receive a merit pay increase the following January 1.

(b) A new employee who starts work after May 1 will not be eligible to receive a merit pay increase until January 1 following completion of a full year of employment with the County.

(c) Although merit pay increases may not be applicable, new employees should nevertheless be evaluated at least twice during the trial period, using either the annual performance evaluation form or some other suitable evaluation form.

(d) An employee who has transferred from one position in the County to another is eligible for merit pay without any waiting period. If advisable, the employee's current and former supervisors should share information to produce a joint evaluation of the employee's performance during the rating period.

Section 5 Allocation of Merit Pool

(a) Each year each employee subject to the Plan will be assigned a number of shares in the merit pool for the year. The number of shares will depend on the total performance evaluation score and on where the employee's current pay is within the pay range for the position. Shares will be determined by the following table, where the left-hand column indicates the total performance evaluation score, and the top row refers to quarters of the applicable pay range:

	Q1	Q2	Q3	Q4
25-28	5	4	3	2
18-24	4	3	2	1
11-17	3	2	1	0
0-10	0	0	0	0

(b) After receiving all of the annual performance evaluations, the Human Resources Department will determine what percentage increase in pay may be attributed to each merit pool share while keeping the total merit increases for the year equal to the merit pool approved as part of the County budget. Each employee eligible for a merit pay increase will receive a percentage increase equal to the employee's number of shares times the percentage increase for one share. For example, if each share is determined to represent a 0.5% pay increase, then an employee with two shares will receive a 1.0% increase, an employee with three shares will receive a 1.5% increase, and so forth.

(c) Employees whose pay is at the maximum of the pay range are not eligible for any merit pay increase. If a merit pay increase would move an employee's pay above the maximum of the pay range, then the employee's pay will be increased to the maximum but not beyond.

(d) In order to promote consistency among departments, the Director of Human Resources, with the approval of the County Executive, may subdivide the merit pool among departments or groups of departments in proportion to the payroll base for each department or group.

(e) An employee whose total performance evaluation score is 10 or below will not receive any across-the-board raise for the year.

Section 6 Pay Increases

(a) Merit pay increases, along with any across-the-board increase approved by the County Board, will take effect on January 1 following the performance evaluations.

Section 7 Transitional Provisions

(a) Performance evaluations will be completed during the fall of 2015 using five competencies. Competencies based on the specific job class of the employee being evaluated will not be used this year.

(b) For purposes of allocation of the 2016 merit pool only, the total performance evaluation scores needed to achieve a given merit pool share will be adjusted to reflect the reduced number of competency scores being used, as reflected in the table below:

	Q1	Q2	Q3	Q4
18-20	5	4	3	2
13-17	4	3	2	1
8-12	3	2	1	0
0-7	0	0	0	0

1 172-52015

2 **RESOLUTION: Create Section 4.6 of the Rules of the Winnebago County Board of**
3 **Supervisors**

4
5
6 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

7 **WHEREAS**, your undersigned believes that any votes on the County Board Budget Resolution or
8 amendments thereto should take place between 6:00 p.m. and 11:59 p.m. during any County Board Budget Sessions
9 so as to facilitate the presence of most board members and to allow them to vote on important issues; and

10 **WHEREAS**, many Board members are gainfully employed during the day and are unable to appear at
11 County Board Meetings held during normal work hours (8 a.m. through 5:00 p.m.).

12 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
13 amends Section 4.6 of the Rules of the Winnebago County Board of Supervisors as follows:

14
15 **4.0 Budget Session . . .**

16 **4.6** All proposed changes to the Annual Budget as well as final consideration of the Budget Resolution shall be
17 voted upon by the Board at a Budget Session that shall be held no earlier than 6:00 p.m. and no later than 11:59
18 p.m.

19
20 Respectfully submitted by:
21 **MICHAEL NORTON, District 20**

22 **Judiciary and Public Safety Committee Vote: 0-4**

23
24 Vote Required for Passage: **Two-Thirds of Members Present**

1 173-52015

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

ORDINANCE: Amend Section 5.04(2) of the General Code of Winnebago County (Coroner’s Cremation Permit Fee)

TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:

WHEREAS, the State Budget Bill, which is presently upon the Governor’s desk for signature, contains a provision which would prohibit counties from increasing fees for services rendered by a coroner under §§ 59.36 and 69.18(4), Wis Stats, for two years after the Bill’s general effective date; and

WHEREAS, said Bill has not been signed by the Governor, and it is unlikely that said Bill will be effective prior to June 2015; and

WHEREAS, said Bill also discontinues state grants to coroners for payment to the coroner for indigent burial; and

WHEREAS, failure to increase Cremation Permit Fees at this time may limit Winnebago County from increasing said Cremation Permit Fees within the next two years and possibly forever into the future; and

WHEREAS, your undersigned Committee believes that it would be in the best interests of Winnebago County to increase said Fee to \$250.00 at the present time.

NOW, THEREFORE, BE IT ORDAINED by the Winnebago County Board of Supervisors that it hereby amends Section 5.04(2) of the General Code of Winnebago County to read as follows:

5.04 CORONER’S FEES

(2) Cremation Permit Fee

(a) A fee of ~~\$150~~ **\$250** is hereby established for the viewing of a body by a coroner and the issuance of a permit as a precedence to cremation, pursuant to that procedure outlined by § 979.10, Wis Stats. The estate of the deceased shall be liable for payment of said fee, unless another party agrees in advance, in writing, to be responsible for the payment of said fee.

BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that said ordinance amendment shall take effect on the date following the date of its publication.

Submitted by:
JUDICIARY AND PUBLIC SAFETY COMMITTEE

Committee Vote: **4-0**
Vote Required for Passage: **Majority of Those Present**

Approved by the Winnebago County Executive this _____ day of _____, 2015.

Mark L Harris
Winnebago County Executive