

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, JANUARY 19, 2010**

Chairman David Albrecht called the meeting to order at 6:00 p.m. in the County Board Room, Fourth Floor, Courthouse, 415 Jackson Street, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an invocation by Supervisor Lennon.

The following Supervisors were present: Koneczke, Barker, Griesbach, Eisen, Ramos, Miller, Koziczowski, Smith, Widener, Hamblin, Albrecht, Gabert, Thompson, Lennon, Hall, Wingren, Jacobson, Norton, Robl, Eichman, Schmuhl, Kline, Locke, Nelson, Finch, Sievert, Farrey, Diakoff, Brennand, Egan, Ellis, Rengstorf and Reinert.

Excused: Warnke and Gearhart. Absent: Riste.

Motion by Supervisor Robl and seconded to adopt tonight's amended agenda. CARRIED BY VOICE VOTE.

PUBLIC HEARING

No one addressed the Board.

COMMUNICATION, PETITIONS, ETC.

Notice of Claim from Adam D. Cook for personal items lost while he was incarcerated in the Winnebago County jail was referred to the Personnel & Finance Committee.

Notice of Claim from American Family Insurance Group for Gerald Voelker, Sr. for damage to his vehicle caused by an accident with a Sheriff's Department vehicle was referred to the Personnel & Finance Committee.

The following resolutions were received from various counties:

- Brown County – "Resolution in Support of Federal Funding for Welfare Fraud Investigation" was referred to the Legislative Committee
- Dodge County – "Opposing Assembly Bill 145 Legislative Review of Municipal Ward Plans" was referred to the Legislative Committee
- Fond du Lac County – "Resolution Encouraging Governor Doyle and the State Legislature to Acknowledge and Act Upon the Final Report of the Northeast Wisconsin Karst Task Force" was referred to the Legislative Committee
- Iowa County – "Resolution Supporting Delayed Implementation of Farmland Preservation Rezoning Conversion Fee" was referred to the Legislative Committee
- Langlade County – "Intent: Support Maintaining Current Law Regarding Jurisdictional Amounts and Court Fees in Small Claims Actions" was referred to the Judiciary & Public Safety Committee
- Outagamie County – Resolution No. 102-2009-10, "oppose legislation allowing local units of government the option of not allowing a search by last name function on the publicly available website or to allow people who state they have a private safety concern to opt out of being listed by name on the website" was referred to the Legislative Committee
- Outagamie County – Resolution No. 110-2009-10, "oppose legislation requiring custody study reports to be submitted to both the court and the parties as least ten days prior to being introduced into evidence" was referred to the Legislative Committee
- Outagamie County – Resolution No. 117-2009-10, "support proposed language which would prohibit the revision of any reallocation under which the recipient of a reallocation has adopted a resolution authorizing the issuance of a bond" was referred to the Legislative Committee
- Outagamie County – Resolution No. 113-2009-10, "does support language allowing governmental units to release audio public records of 911 calls as transcripts when requested and to release them as audio recordings at the discretion of the governmental unit in possession was referred to the Legislative Committee
- Outagamie County – Resolution No. 101-2009-10, "request that exemption be made to State law to allow counties to borrow funds for the purpose of purchasing delinquent taxes" was referred to the Personnel & Finance Committee
- Racine County – Resolution No. 2009-98, "Resolution by Intergovernmental Relations Committee Supporting 2009 Wisconsin Assembly Bill 392 to End Predatory Lending in Wisconsin" was referred to the Legislative Committee

Petition for amendment to the Winnebago County Town/County Zoning Ordinance was received from Cary Rowe, Winnebago County Zoning Administrator, to amend section 07(1) of the Winnebago County Construction Site Erosion Control and Stormwater Management Ordinance was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Thomas G. Foth, Town of Neenah, for zoning change for tax parcel no. 010-0325 from B-2 to R-1 a family residence was referred to the Planning & Zoning Committee.

Motion by Supervisor Finch and seconded to approve the proceedings from the December 15, 2009 County Board meeting. Supervisor Widener stated that the vote listed for Resolution No. 313-122009 is not correct and asked

that it be corrected. The County Clerk will correct the minutes on file in her office. Motion to approve the proceedings as corrected—CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris reported that the county has received an exceptional interest rate on the general obligation refunding bonds that the Board will be voting on tonight in Resolution No. 340-12010, "Resolution Authorizing the Issuance and Awarding the Sale of \$7,895,000 General Obligation Refunding Bonds".

Executive Harris reported that he attending a Joint Review Board meeting at the City of Oshkosh in regards to tax increment financing (TIF) for Oshkosh Corporation. Executive Harris explained that prior to submitting their bid to manufacture M-ATV's (Multipurpose All Terrain Vehicles) for the U.S. government, Oshkosh Corporation approached the State of Wisconsin, the City of Oshkosh, Winnebago County and Chamco about possible "incentives" that they could get that would allow them to lower their bid price. Oshkosh Corporation believed that a successful bid would allow them to retain or add approximately 2,000 jobs. A condition of this contract is that they have to build a "heat treat" plant for painting these vehicles. Executive Harris stated that he believes if Oshkosh Corporation hadn't received any incentives from the state, city or county, they would not have been awarded the bid.

Executive Harris stated that if the City of Oshkosh approves the TIF, all the other taxing authorities (county, school, technical school, etc.) will be impacted as well. However, the city, county and state will benefit from the retention of these jobs and Oshkosh Corporation. And, when the TIF period is over, there will be additional tax value to the city, county and state. Executive Harris stated that as a member of the Joint Review Board, he will be supporting this TIF.

COUNTY EXECUTIVE'S APPOINTMENTS

Grievance Review Board

Executive Harris asked for the Board's approval of his appointment of Jeff Brandt, 904 Meadowview Drive, Menasha, to the Grievance Review Board. Mr. Brandt will fill the unexpired term of Brenda Keller, who resigned from the Board. Mr. Brandt's term will expire December 31, 2011. Motion by Supervisor Farrey and seconded to approve. CARRIED BY VOICE VOTE.

Winnefox Library System Board of Trustees

Executive Harris asked for the Board's approval of his re-appointments of Lurton Blassingame, 1926 East Murdock Avenue, Oshkosh; and Gary Wilmer, 808 North Main Street, Oshkosh, to the Winnefox Library System Board of Trustees. These are 3-year terms which will expire December 31, 2012. Motion by Supervisor Widener and seconded to approve. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported that Supervisors Warnke and Gearhart are excused from tonight's meeting.

Chairman Albrecht reported that the county's scholarship application is now available from either the County Clerk's Office or on the county's website at www.co.winnebago.wi.us.

Chairman Albrecht announced that Patty Francour, Information Systems Director, does not have to give the report that was listed on tonight's agenda. That issue had been addressed at the Board's October 5, 2009 meeting.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners, Donald Kienast & Kevin Langlois, Town of Omro, for a zoning change to R-1 for tax parcel nos. 016-0526(p) & 016-0526-01. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 01-01-10. A requested zoning change from R-1/A-2 (Single Family non-subdivided/General Agriculture) to R-1 (Single Family non-subdivided). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – January 21, 2010)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner, Robert Berndt, Town of Clayton, for a zoning change to A-2 for tax parcel no. 006-0551. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 01-02-10. A requested zoning change from A-1 (Exclusive Agriculture) to A-2 (General Farming). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – January 21, 2010)

AMENDATORY ORDINANCE 3. A requested zoning change from the Town of Black Wolf on behalf of Thomas Nitz for zoning change from A-2 to R-1 for tax parcel nos. 004-0512-02, 004-0511-01 and 004-0511-02. Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – January 21, 2010)

AMENDATORY ORDINANCE 4. A requested zoning change from the Town of Black Wolf on behalf of Thomas Nitz for zoning change from A-2 to R-1 for tax parcel no. 004-0512. Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – January 21, 2010)

RESOLUTIONS AND ORDINANCES

RESOLUTION NO. 330-12010: Commendation for Margaret L. Bero

WHEREAS, Margaret Bero has been employed with the Winnebago County Department of Human Services, for the past twenty-nine years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Margaret Bero 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 it hereby is extended to Margaret Bero for the fine services she has rendered to Winnebago County.

BE IT FURTHER RESOLVED, that the County Clerk send a copy of this Resolution to Margaret Bero.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

REPORTS FROM COMMITTEES, COMMISSION AND BOARDS

Supervisor Rengstorf reported that there will be a Safe Streets graduation on Friday, January 22, 2010. There will be three graduates at this ceremony. Supervisor Rengstorf encouraged other supervisors to attend this event.

Supervisor Lennon reported that the Aviation Committee will be meeting on Wednesday, February 3 @ 8:00 a.m. at Wittman Regional Airport.

Supervisor Kline reported that the Legislative Committee meeting will be meeting on Monday, January 25 @ 8:30 a.m. at the James P. Coughlin Center.

RESOLUTION NO. 331-12010: Commendation for Susan Hansen

WHEREAS, Susan Hansen has been employed with the Winnebago County Department of Human Services, for the past twenty-five years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Susan Hansen 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 it hereby is extended to Susan Hansen for the fine services she has rendered to Winnebago County.

BE IT FURTHER RESOLVED, that the County Clerk send a copy of this Resolution to Susan Hansen.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 332-12010: Commendation for Joanne Schmelz

WHEREAS, Joanne Schmelz has been employed with the Winnebago County Department of Human Services, for the past thirty-four years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Joanne Schmelz 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 it hereby is extended to Joanne Schmelz for the fine services she has rendered to Winnebago County.

BE IT FURTHER RESOLVED, that the County Clerk send a copy of this Resolution to Joanne Schmelz.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 333-12010: Commendation for Karen Fox

WHEREAS, Karen Fox has been employed with the Winnebago County Department of Human Services, for the past twenty-six years, and during that time has been a most conscientious and devoted County employee; and
WHEREAS, Karen Fox 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 it hereby is extended to Karen Fox for the fine services she has rendered to Winnebago County.

BE IT FURTHER RESOLVED, that the County Clerk send a copy of this Resolution to Karen Fox.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 334-12010: Commendation for Steven L. Herman

WHEREAS, Steven Herman has been employed with the Winnebago County Sheriff's Office for the past thirty years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Steven Herman has now retired from those duties, and it is appropriate for the Winnebago County Board of Supervisors to acknowledge his years of service.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that sincere appreciation and commendation be and it hereby is extended to Steven Herman for the fine services he has rendered to Winnebago County.

BE IT FURTHER RESOLVED, that the County Clerk send a copy of this Resolution to Steven Herman.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 335-12010: Disallow Claim of Town of Nepeuskun for Matthew Maki

WHEREAS, your Personnel and Finance Committee has had the claim of Town of Nepeuskun for Matthew Maki referred to it for attention; and

WHEREAS, your Committee has investigated the claim and recommends disallowance of same by Winnebago County.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the claim of Town of Nepeuskun for Matthew Maki dated November 17, 2009, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE. (Supervisor Farrey voted no.)

RESOLUTION NO. 336-12010: Disallow Claim of Lenora G. Borchardt

WHEREAS, your Personnel and Finance Committee has had the claim of Lenora G. Borchardt referred to it for attention; and

WHEREAS, your Committee has investigated the claim and recommends disallowance of same by Winnebago County.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the claim of Lenora G. Borchardt dated December 3, 2009, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 337-12010: Amend the Table of Organization for Winnebago County Register of Deeds Office

WHEREAS, the current Table of Organization for the Winnebago County Register of Deeds Office identifies one (1) full-time Land Tract Recorder position and five (5) full-time Records Clerk positions; and
WHEREAS, the Register of Deeds desires to re-classify one (1) full-time Land Tract Recorder position to one (1) full-time Records Clerk position; and
NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Table of Organization for the Winnebago County Register of Deeds Office is amended to change one (1) full-time Land Tract Recorder position to be one (1) full-time Records Clerk position. The position description for the position of Records Clerk is attached hereto and is made a part of this resolution by reference.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 33. Nays: 0. Excused: 2 – Gearhart and Warnke. Absent: 1 – Riste. CARRIED.

RESOLUTION NO. 338-12010: Authorize Winnebago County to Borrow \$125,000 and Lending of the Funds to East Central Wisconsin Regional Planning Commission to Allow Them to Refinance Their Unfunded Pension Liability

WHEREAS, the East Central Wisconsin Regional Planning Commission (East Central) is a participant in the Wisconsin Retirement System; and
WHEREAS, East Central has an unfunded pension liability in the amount of roughly \$125,000; and
WHEREAS, the liability will continue to grow and likely never be paid off under the current repayment formula due to assumptions for payroll growth that are not occurring and will not likely occur; and
WHEREAS, East Central is currently paying 7.8% on the past service liability; and
WHEREAS, Winnebago County along with other counties are members of East Central and pay membership dues; and
WHEREAS, assisting East Central with the refinancing of their past service liability will have no financial impact on Winnebago County with the exception of using a very small portion of our available borrowing limit; and
WHEREAS, it would be in the best interest of Winnebago County to use its tax exempt borrowing authority to borrow the funds in the bond market and in turn lend the proceeds to East Central; and
WHEREAS, Winnebago County will negotiate a repayment schedule with East Central that is in both parties best interest.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Finance Director to go to market, issue tax exempt promissory notes in the amount of \$125,000 and lend the proceeds to East Central with repayment due from East Central no later than the date the Bonds issued by Winnebago County fully mature, on a repayment schedule agreeable to both parties.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 29. Nays: 4 – Ramos, Gabert, Farrey and Reinert. Excused: 2 – Gearhart and Warnke. Absent: 1 – Riste. CARRIED.

RESOLUTION NO. 339-12010: Appropriate \$600,000 to Upgrade the Chiller in the County Jail, to be Funded With Bond Proceeds and an Energy Block Grant

WHEREAS, The American Recovery and Reinvestment Act (ARRA) provides energy efficiency and conversion grant funds to local governments to update equipment and building systems to be more energy efficient; and
WHEREAS, installing an absorption chiller in the jail is more efficient for air-conditioning and would be able to use waste heat from the County Solid Waste Department to air-condition the jail and Sheriff's Office; and
WHEREAS, \$265,000 of block grant funds are available to pay for part of the cost of the project; and
WHEREAS, the balance of funds of \$335,000 would be obtained through a general obligation borrowing in 2010; and

WHEREAS, the total cost of the project would be recovered in 9 years; and
WHEREAS, the chiller and gas available from the landfill have a life of roughly 25 years; and
WHEREAS, it would be in the best interest of the County to install the chiller and take advantage of available block grant funding.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$600,000 to a project to upgrade the air-conditioning equipment at the County Jail and authorizes the acceptance of \$265,000 of grant funding to cover part of the cost of the project.

BE IT FURTHER RESOLVED that the remaining \$335,000 of funds needed to complete the project be transferred from the General Fund of Winnebago County to the Jail Air-Conditioning Upgrade Capital Project fund with the General Fund being reimbursed from a subsequent bond issue.

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

Motion by Supervisor Kline and seconded to adopt. Ayes: 32. Nays: 1 – Widener. Excused: 2 – Gearhart and Warnke. Absent: 1 – Riste. CARRIED.

RESOLUTION NO. 340-12010: RESOLUTION AUTHORIZING THE ISSUANCE AND AWARDED THE SALE OF \$7,970,000 GENERAL OBLIGATION REFUNDING BONDS

WHEREAS, the County Board of Supervisors of Winnebago County, Wisconsin (the "County") hereby finds and determines that it is necessary, desirable and in the best interest of the County to raise funds for the purpose of paying the cost of refinancing certain outstanding obligations of the County, to wit: the General Obligation Promissory Notes, dated May 15, 2002, maturing in the years 2011 and 2012, (the "Refunded Obligations") (hereinafter the refinancing of the County's Refunded Obligations shall be referred to as the "Refunding"), and there are insufficient funds on hand to pay said cost;

WHEREAS, the County Board of Supervisors deems it to be necessary, desirable and in the best interest of the County to refund the Refunded Obligations for the purpose of achieving debt service cost savings;

WHEREAS, counties are authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation refunding bonds to refinance their outstanding obligations;

WHEREAS, the County has directed its financial advisor, Robert W. Baird & Co. Incorporated, Milwaukee, Wisconsin ("Baird") to take the steps necessary to sell General Obligation Refunding Bonds (the "Bonds") to pay the cost of the Refunding;

WHEREAS, Baird, in consultation with the officials of the County, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on January 19, 2010;

WHEREAS, the County Clerk (in consultation with Baird) caused notice of the sale of the Bonds to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the Bonds for public sale;

WHEREAS, the County has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation");

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the County. Baird has recommended that the County accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference; and

WHEREAS, none of the proceeds of the Bonds shall be used to fund the operating expenses of the general fund of the County or to fund the operating expenses of any special revenue fund of the County that is supported by property taxes.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1A. Ratification of the Official Notice of Sale and Offering Materials. The County Board of Supervisors of the County hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Official Notice of Sale and any other offering materials prepared and circulated by Baird are hereby ratified and approved in all respects. All actions taken by officers of the County and Baird in connection with the preparation and distribution of the Official Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Authorization of the Bonds. For the purpose of paying the cost of the Refunding, there shall be borrowed, pursuant to Section 67.04, Wisconsin Statutes, through the issuance of the Bonds, the sum of SEVEN MILLION NINE HUNDRED SEVENTY THOUSAND DOLLARS (\$7,970,000).

Section 1C. Award of the Bonds. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal, plus accrued interest to the date of delivery, is hereby accepted. The Chairperson and

County Clerk or other appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be retained by the County Treasurer until the closing of the bond issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds"; shall be issued in the aggregate principal amount of \$7,970,000; shall be dated February 9, 2010; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum; and mature on April 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest is payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2010. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds shall not be subject to optional redemption.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2010 and 2011 for the payments due in the years 2010 through 2012 in the amounts set forth on the Schedule. The amount of tax levied for the year 2010 shall be the total amount of debt service due on the Bonds in the years 2010 and 2011; provided that the amount of such tax carried onto the tax rolls shall be abated by any amounts appropriated pursuant to subsection (D) below which are applied to payment of principal of or interest on the Bonds in the year 2010.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

(D) Appropriation. The County hereby appropriates from amounts levied to pay debt service on the Refunded Obligations or other funds of the County on hand a sum sufficient to be irrevocably deposited in the segregated Debt Service Fund Account created below and used to pay debt service on the Bonds coming due on April 1, 2010 and October 1, 2010 as set forth on the Schedule.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$7,970,000 General Obligation Refunding Bonds, dated February 9, 2010" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The County Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Bonds; (ii) any excess premium not used for the Refunding which may be received by the County above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal

and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any excess premium not used for the Refunding and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the County and disbursed solely for the purpose for which borrowed or for the payment of the principal of and the interest on the Bonds. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose for which the Bonds have been issued has been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Bonds and by the Refunded Obligations and their ownership, management and use will not cause the Bonds or the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Bonds are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The County hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 12. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by the County Clerk or County Treasurer (the "Fiscal Agent").

Section 13. Persons Treated as Owners; Transfer of Bonds. The County shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid. Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer. The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 14. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 16. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds). The County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 18. Redemption of the Refunded Obligations. The Refunded Obligations are hereby called for prior payment and redemption on April 1, 2010 at a price of par plus accrued interest to the date of redemption. The County hereby directs the County Clerk to work with Baird to cause timely notice of redemption, in substantially the form attached hereto as Exhibit F and incorporated herein by this reference (the "Notice"), to be provided at the times, to the parties and in the manner set forth on the Notice.

Section 19. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 20. Bond Insurance. If the Purchaser of the Bonds determines to obtain municipal bond insurance with respect to the Bonds, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 21. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Submitted by;
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 33. Nays: 0. Excused: 2 – Gearhart and Warnke. Absent: 1 – Riste. CARRIED.

RESOLUTION NO. 341-12010: Transfer \$13,440 from Airport Fund Balance to the Equipment Repairs Account of the 2009 Budget to Pay For Unexpected Repairs to the Control Tower Elevator

WHEREAS, the Federal Aviation Administration built and paid for the new control tower at Wittman Regional Airport; and

WHEREAS, the agreement with the Federal Aviation Administration is that the County maintain the tower after it is built; and

WHEREAS, the elevator in the control tower ceased functioning on July 24, 2009, the start of EAA AirVenture, and was outside of the warranty period and further was not covered at that time under the county's elevator maintenance contract; and

WHEREAS, the elevator needed to be repaired immediately to facilitate the movement of air traffic control personnel and equipment to the tower cab (12 stories from the ground floor).

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$13,440 from the Airport undesignated fund balance to the Airport equipment repairs account of the 2009 budget to pay for necessary emergency repairs to the elevator in the Airport Control Tower.

Submitted by:
AVIATION COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Lennon and seconded to adopt. Ayes: 33. Nays: 0. Excused: 2 – Gearhart and Warnke. Absent: 1 – Riste. CARRIED.

RESOLUTION NO. 342-12010: Appropriate \$460,000 for Replacement of the HVAC Units at the Sunnyview Expo Center Exposition Building and Fund with Bond Proceeds of \$311,300 and Accept Energy Block Grant of \$148,700 to Pay for the Balance.

WHEREAS, the rooftop heating and air conditioning units at the Sunnyview Expo Center Exposition Building have reached the end of their useful lives; and

WHEREAS, the units have been repaired on an on-going basis and continuing to try to maintain them will soon exceed the cost of replacing them; and

WHEREAS, the existing roof top units lack coordinated controls and are inadequate to maintain proper operating temperatures for the Exposition Building and we are facing potential overheating problems; and

WHEREAS, The Focus on Energy analysis of the potential cost savings that might be achieved through a replacement HVAC system are estimated to be at between 10 – 15 percent.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$460,000 to the capital project fund to replace the air-conditioning units at the County Expo Facility and accepts a Focus On Energy Grant of \$148,700 to pay for part of the cost with the remainder of \$311,300 to be transferred from the General Fund of Winnebago County to cover the balance.

BE IT FURTHER RESOLVED that the General fund will be reimbursed the \$311,300 advanced to the project through a subsequent bond issue.

Submitted by:
PARKS & RECREATION COMMITTEE
FACILITIES & PROPERTY MANAGEMENT COMMITTEE

Motion by Supervisor Finch and seconded to adopt. Ayes: 33. Nays: 0. Excused: 2 – Gearhart and Warnke. Absent: 1 – Riste. CARRIED.

RESOLUTION NO. 343-12010: Support Current Law Regarding Jurisdictional Amounts and Court Fees in Small Claims Actions

WHEREAS, under present law, a person may bring a small claims action in the Circuit Court for a money judgment, attachment, garnishment, or to enforce a lien, only if the amount claimed is not more than \$5,000; and

WHEREAS, a proposal has been made to the State Legislature to extend small claims jurisdiction to actions which do not exceed \$10,000 if the Plaintiff has commenced 20 or fewer actions in small claims court within the previous 365 days; and

WHEREAS, said proposal would increase the filing fee for small claims actions for persons filing 20 or fewer actions in small claims court during the previous year from \$22 to \$33 and would increase the fee for persons filing 21 or more actions in small claims court during the previous year from \$22 to \$44; and

WHEREAS, your undersigned Committee believes that said split fee proposal would create an administrative nightmare in the Clerk of Courts office; and

WHEREAS, your undersigned Committee believes that the present \$5,000 limit on small claims actions is appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby supports maintenance of the present law regarding jurisdictional amounts and court fees in small claims actions.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of this resolution be transmitted to all Legislators representing constituents within Winnebago County; to the Wisconsin Counties Association; and to the Office of Governor James Doyle.

Submitted by:
LEGISLATIVE COMMITTEE

Supervisor Kline withdrew this resolution.

RESOLUTION NO. 344-12010: Oppose Constitutional Amendment to Change the Time of Election of the Supreme Court Justices and the State Superintendent of Public Instruction to the November General Election

WHEREAS, a Constitutional Amendment has been proposed to the State Legislature for initial consideration so as to change current election laws so as to hold the elections for Supreme Court Justices and the State Superintendent of Public Instruction at the same time as the November general election; and

WHEREAS, your undersigned Committee is of the opinion that no changes should be made in present law regarding the elections for such offices.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby opposes any constitutional amendments so as to change the time for elections for Supreme Court Justices and the State Superintendent of Public Instruction to the November general election.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of this resolution be transmitted by the Winnebago County Clerk to all Legislators representing constituents within Winnebago County; to the Wisconsin Counties Association; and to the Office of Governor James Doyle.

Submitted by:
LEGISLATIVE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 32. Nays: 1 – Norton. Excused: 2 – Gearhart and Warnke. Absent: 1 – Riste. CARRIED.

RESOLUTION NO. 345-12010: Oppose Shifting of Responsibility for Property Tax Evaluations and Administration to the County Level

WHEREAS, a proposal has been made to the State Legislature so as to shift responsibility for property tax administration and evaluation from the local municipal level to Wisconsin's counties; and

WHEREAS, your undersigned Committee is of the opinion that the administration and evaluation of property for tax purposes should remain at a local municipal level.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby indicates its opposition to any legislation shifting the responsibility for property tax administration and evaluation to the county level.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to transmit a copy of this resolution to all Legislators representing constituents in Winnebago County; to the Wisconsin Counties Association; and to the Office of Governor James Doyle.

Submitted by:
LEGISLATIVE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 32. Nays: 1 – Thompson. Excused: 2 – Gearhart and Warnke. Absent: 1 – Riste. CARRIED.

ORDINANCE NO. 346-12010: Create Section 9.30 of the General Code of Winnebago County: Prohibit Purchase or Possession of Tobacco Products by Minors

WHEREAS, Section 254.92(4), Wisconsin Statutes, allows a county to adopt an ordinance regulating the purchase or possession of tobacco products by minors provided that any ordinance adopted strictly conforms to Wisconsin Statutes Sec. 254.92; and

WHEREAS, the Sheriff of Winnebago County has advised your undersigned Committee that the passage of said ordinance would allow Sheriff's deputies to more easily enforce the possession and purchase of tobacco products by minors as regulated by Sec. 254.92.

NOW, THEREFORE, the County Board of Supervisors of the County of Winnebago does ordain as follows:

The creation of Section 9.30 of the General Code of Winnebago County to read as follows:

9.30 POSSESSION OF TOBACCO PRODUCTS BY MINORS PROHIBITED.

(1) **AUTHORITY.** This ordinance is adopted pursuant to that authority provided by Section 254.92(4), Wisconsin Statutes.

(2) **SECTION 254.92, INCORPORATED BY REFERENCE.** Section 254.92, to the extent such statutory section requires any act to be performed or prohibits any act is hereby adopted and by reference made a part of this Section of the Code as fully set forth herein. Any act required to be performed or prohibited by Sec. 254.92, is required or prohibited by this Section of the Code.

(3) **PENALTY.** Any person who violates any provision of this Section of the Code shall be subject to forfeiture of no less than \$50 but not greater than \$250.

(4) **APPLICABILITY.** The provisions of this ordinance shall apply in all areas of Winnebago County with the exception of any town, village or city, that has adopted or adopts an ordinance pursuant to Sec. 254.92.

(5) **EDUCATION PROGRAM.** Any person who receives a citation under this ordinance shall be offered the opportunity to have the citation dismissed upon attendance in a tobacco use education program. This opportunity will be made available only one time, regardless of the number of citations any individual receives.

(6) **EFFECTIVE DATE.** This ordinance shall become effective as of March 1, 2010.

Submitted by:
BOARD OF HEALTH

Motion by Supervisor Sievert and seconded to adopt. Ayes: 31. Nays: 2 – Eisen and Reinert. Excused: 2 – Gearhart and Warnke. Absent: 1 – Riste. CARRIED.

RESOLUTION NO. 347-12010: Accept Property from Lucille M. Winkelman and Quit Claiming of Property to the Town of Winchester

WHEREAS, Lucille M. Winkelman has offered to quit claim to Winnebago County a strip of property which is in the Town of Winchester containing approximately 1,980.8 square feet of property; and

WHEREAS, the Town of Winchester desires to acquire the property for highway purposes; and

WHEREAS, upon acquisition of the property, the Winnebago County Highway Department desires to transfer said property to the Town of Winchester.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes Winnebago County to accept a quit claim deed as to the following described property from Lucille M. Winkelman which is located in the Town of Winchester, Winnebago County, Wisconsin:

A 5 foot strip of land located in part of the Southwest 1/4 of the Northwest 1/4 of Section 10, Township 20 North, Range 15 East, in the Town of Winchester, Winnebago County, Wisconsin and is bounded by a line described as follows:

Commencing at the West 1/4 corner of said Section 10, thence N89°39'57"E, along the South line of the Northwest ¼ a distance of 817.84 feet to the Point of Beginning of the following described strip of land, thence N49°39'17"W, 393.26 feet, thence N40°20'43"E, 5.00 feet, thence S49°39'17"E, 399.08 feet to the South line of the Northwest ¼; thence S89°39'57"W, along said South line a distance of 7.67 feet to the Point of Beginning.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that upon receipt of said property from Lucille M. Winkelman, that the Winnebago County Highway Department is hereby authorized to transfer said property by Quit Claim Deed to the Town of Winchester.

Submitted by:
HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 33. Nays: 0. Excused: 1 – Warnke. Absent: 2 – Gearhart and Riste. CARRIED.

RESOLUTION NO. 348-12010: Oppose Assembly Bill 403

WHEREAS, under current law, local governmental units, including counties, may insure their property through the local government property insurance fund (property fund); and

WHEREAS, the local governmental unit pays premium in the state treasury for the benefit of the property fund; and

WHEREAS, Assembly Bill 403 requires the Commissioner of Insurance to reduce a local governmental unit's premium for insurance property through the property fund for premiums beginning on October 1, 2009 and ending on September 30, 2010, for property insured in 2008 through the property fund by the amount that the local governmental unit paid in premiums in 2008 on that property; and

WHEREAS, the local governmental unit that pay no premium will receive no refund if the premium paid in 2008 is higher than the premium beginning on October 1, 2009 and ending on September 30, 2010; and

WHEREAS, the local government property insurance fund purpose is to provide low cost property insurance for local governments; and

WHEREAS, it is the concern that after this premium holiday, that the local governmental property insurance fund will need to immediately begin charging higher premiums to restore an adequate balance.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it opposes Assembly Bill 403 as it is written in that the formula provided is not actuarially sound.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of this resolution be transmitted by the Winnebago County Clerk to all Legislators representing constituents within Winnebago County; to the Wisconsin Counties Association; and to the Office of Governor James Doyle.

Submitted by:
LEGISLATIVE COMMITTEE

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

Motion by Supervisor Robl and seconded to adjourn until Tuesday, February 23, 2010 at 6:00 p.m. CARRIED BY VOICE VOTE.

The meeting was adjourned at 6:45 p.m.

Respectfully submitted,
Susan T. Ertmer
Winnebago County Clerk

State of Wisconsin)
County of Winnebago) ss

I, Susan T. Ertmer, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their regular meeting held January 19, 2010.

Susan T. Ertmer
Winnebago County Clerk