

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, DECEMBER 20, 2011**

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

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

The following Supervisors were present: Konetzke, Barker, Englebert, Eisen, Ramos, Miller, Roh, Smith, Widener, Hamblin, Albrecht, Gabert, Grabner, Thompson, Lennon, Hall, Wingren, Jacobson, Norton, Warnke, Robl, Singstock, Neubauer, Kline, Locke, Hegg, Finch, Sievert, Farrey, Diakoff, Brennand, Egan, Ellis, Nelson and Kriescher.

Excused: Reynolds.

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

COMMUNICATIONS, PETITIONS, ETC.

Notice of Claim from Dianna Puckett for damage to her house's siding and a window caused by a county snow plow was referred to the Personnel & Finance Committee.

Petition for Zoning Amendment from Sue Koplitz, Town of Nekimi, for a zoning change for tax parcel nos. 012-0445-01 and 012-0445 from A-1 & R-1 to A-1 & R-1 for general agriculture and a single-family residence was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from William A. Monteith, Town of Oshkosh, for a zoning change for tax parcel no. 018-0574-01 from R-1 to B-3 for offices was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Carol J. Kaufmann and Florian D. Kaufmann, Jr., Town of Oshkosh, for a zoning change for tax parcel no. 018-0262-01 and 018-0262-02 from R-1 & A-2 to A-2 & R-1 for a minor adjustment in the lot boundaries was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Michael F. Kurtz, Town of Vinland, for a zoning change for tax parcel nos. 026-0475 and 026-0475-02 from R-1 to A-2 for a single-family residence was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Jeffrey D. Ogden, Town of Neenah, for a zoning change for tax parcel no. 010-0217 from A-2 to M-1 for mini storage units was referred to the Planning & Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Barker aka "Mrs. Claus" extended Merry Christmas and Happy New Year greetings to the Board.

PUBLIC HEARING

Jeremy Monnett, 2347 Ashland Street, Oshkosh, representing the Wittman Regional Airport commercial tenant group. Mr. Monnett expressed his support of Resolution No. 322-122011, "Authorize Wittman Regional Airport to Purchase a Runway Broom at a Cost of \$750,000 to be Funded by General Obligation Bonds Totaling \$600,000 and Airport Unrestricted Fund Balance Proceeds of \$150,000."

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS, cont.

Supervisor Eisen reported on his appointment to the Wisconsin Counties Association's (WCA) Organization and Personnel Steering Committee.

Supervisor Brennand reported that because they have not received approval from the State of Wisconsin on the Winnebago County Farmland Preservation Plan, he is withdrawing the public hearing on that plan as well as Report No. 1/Amendatory Ordinance No. 11-01-11 and Ordinance No. 309-112011 from tonight's agenda.

Supervisor Widener commented on the apartments that are being built by a private firm adjacent to UW-Fox Valley. He wanted everyone to be aware that those apartments have nothing to do with UW-Fox Valley or Winnebago County.

Supervisor Jacobson reported that he will not be running for re-election to the Board in Supervisor District 19. He stated that he would assist anyone interested in the position.

Motion by Supervisor Lennon and seconded to approve the proceedings from the Annual Budget Session (October 31-November 2, 2011). CARRIED BY VOICE VOTE.

Motion by Supervisor Robl and seconded to approve the November 15, 2011 Adjourned Session. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris expressed his support for the following Resolutions:

- No. 318-122011, “Approve Consortium Agreement for Local Elected Officials of the Fox Valley Workforce Development Area”.
- No. 319-122011, “Approve Agreement Between the Fox Valley Workforce Development Board of Directors and Winnebago County.”

Executive Harris explained that the State of Wisconsin is requiring these agreements to be updated.

Winnebago County needs to approve both of these resolutions if we want to continue to participate and receive their services. No county funds involved in this program. It is funded by the U.S. Department of Labor and approved by the State of Wisconsin’s Work Force Development Board.

Executive Harris explained that the county could be held liable for amounts spent and then challenged by the U.S. Department of Labor. Currently, there is a dispute focusing on the fact that the Workforce Development Board owns their building and then leases it to Workforce Economics. If Workforce Development Board is found liable, the assets of Workforce Development will be applied first. Then, if the assets are exceeded, the six counties participating in the Workforce Development Board would have to pay those costs proportionate to their population.

- No. 320-122011, “Authorize Lease Agreement Between Winnebago County and the City of Oshkosh (Courtroom Space – Public Safety Building)”

Executive Harris explained that the county still has two courtrooms and three departments in the Public Safety Building. This lease will give the county time to properly relocate those departments and their courtrooms. The three-year lease proposed in this resolution also reduces the cost to the county.

- Resolution No. 323-122011, “Authority to Execute 2011 Labor Agreement with the Public Safety Professional Dispatcher’s Association.”

Executive Harris explained that during the demolition of the Pleasant Acres facility and the Rehabilitation Pavilion at the former Park View Health Center site, it was discovered that there is adhesive materials on inside walls that contain asbestos. This “dramatically changed” how those materials had to be treated. Executive Harris explained that this could cause the cost for the project to exceed the originally budgeted amount. An actual cost is not yet available.

Executive Harris stated that he is using his executive discretion to direct Mike Elder, Director of Facilities and Property Management, to continue with the demolition and removal of the asbestos materials and then report to the Board as soon as possible what the cost will be. At that time, the Board will be able to vote on those items.

Executive Harris explained that it’s likely that a lot of these additional expenses will be incurred before the Board is able to vote on them.

COUNTY EXECUTIVE’S APPOINTMENTS

Motion by Supervisor Widener and seconded to approve the following County Executive’s appointments with one motion. CARRIED BY VOICE VOTE.

Advocap Board of Directors:

Executive Harris asked for approval of his appointment of Supervisor Susan Locke to the Advocap Board of Directors.

Aging & Disability Resource Center Committee:

Executive Harris asked for approval of Peter Christiansen, 5300 Ann Street, Larsen, to the Aging & Disability Resource Center Committee.

FoxComm User Technical Committee:

Executive Harris asked for approval of his appointment of Keith Keisow, Town of Menasha Fire Chief, to the FoxComm User Technical Committee.

Fox Valley Workforce Development Board, Inc.:

Executive Harris asked for approval of his appointments of: Rob Kleman, Oshkosh Commercial Development; Jose Martinez, MHS Director; Linda Mingus, Aurora Healthcare; Robert Geigel, Oshkosh Area School District; and Peter Kelly, United Way Fox Cities, to the Fox Valley Workforce Development Board, Inc.

Grievance Review Board:

Executive Harris asked for approval of his appointment of Jeff Brandt, 904 Meadowview Drive, Menasha, to the Grievance Review Board.

Human Services Board:

Executive Harris asked for approval of his appointment of Supervisors Jef Hall and Michael Norton to the Human Services Board.

Local Emergency Planning Commission:

Executive Harris asked for approval of his appointment of Keith Keisow, Town of Menasha Fire Chief; Bob Doemel, Winnebago County Highway Department; Nick Cluppert, American Red Cross; Janell Tatro, Utica Energy, LLC; and Ann Lagorio, Aurora Medical Center, to the Local Emergency Planning Commission.

Veterans Service Commission:

Executive Harris asked for approval of his appointment of Dale Witzke, 6072 Harbor South, Winneconne, to the Veterans Service Commission.

Winnefox Library System Board of Trustees:

Executive Harris asked for approval of his appointment of Supervisor Tom Widener and Kristy Bradish to the Winnefox Library System Board of Trustees.

Motion by Supervisor Widener and seconded to approve the County Executive appointments. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported that Supervisor Bill Wingren has been elected the Chairman of the Judiciary & Public Safety Committee and Supervisor Al Jacobson has been elected Chairman of the Park View Health Center Committee.

Chairman Albrecht reported that as of yet, there are no candidates for Supervisor Districts 13, 17, 19 and 31. He encouraged people to consider running for those positions.

COUNTY BOARD CHAIRMAN'S APPOINTMENTS
Supervisor District No. 35

Chairman Albrecht asked for approval of his appointment of Douglas Nelson, 214 North 6th Avenue, Winneconne to Supervisor District No. 35. Mr. Nelson will complete the term of Harvey Rengstorf who passed away.. Motion by Supervisor Finch and seconded to approve. CARRIED BY VOICE VOTE.

Chairman Albrecht administered the Oath of Office to Mr. Nelson.

PUBLIC HEALTH UPDATE ON RECENT INCREASE IN PERTUSSIS (WHOOPING COUGH)
DOUG GIERYN, DIRECTOR OF THE WINNEBAGO COUNTY HEALTH DEPARTMENT

Doug Gieryn, Health Department Director; and Cindy Draws, Health Department Nursing Coordinator; presented the Board with information on the increase in cases of pertussis (whooping cough) in Winnebago County.

Mr. Gieryn explained that pertussis is caused by a bacterium that causes inflammation in a person's upper airways. It can be treated with antibiotics, but it is very contagious. It is especially contagious before a person has any symptoms of the disease, which makes it very difficult to contain. Initial symptoms of pertussis are similar to a cold and then it progresses to the "whooping" cough, which can last for a couple of weeks. Mr. Gieryn said the symptoms can range from being very mild to very severe with that violent coughing. The coughing can be so severe and continuous that the person exhales almost all the air out of their lungs and when they try to breathe in they make that "whooping" sound. Mr. Gieryn stated that the cough can persist for up to three months.

World-wide, there are approximately 30 to 50 million cases of pertussis annually with about 300,000 deaths. In 2010, there were approximately 27,000 cases of pertussis in the United States. Twenty-seven of those people died. Mr. Gieryn explained that pertussis is preventable with proper vaccination.

Mr. Gieryn went over two reports that he presented to the Board—"Reports of Communicable Disease in All of Winnebago County – Nov 2011" and "U.S. reported pertussis incidence 1990-2010". He explained that the "Reports of Communicable Disease in All of Winnebago County" is a monthly report that Ms. Draws prepares and then shares with the area's medical community. Mr. Gieryn stated that the November report shows the increase in pertussis cases in Winnebago County. The report also shows that approximately 30% of the cases of pertussis in 2011 in Wisconsin occurred around October. The report also breaks down the occurrences of pertussis by age group and shows that infants under one year of age have the highest incidence of pertussis in 2011.

The other report he presented showed:

- number of cases of pertussis in Wisconsin by county
- by age group in the United States for the years 1990-2010
 - infants under one year of age continue to have the most cases of pertussis
- number of cases of pertussis in the United States between the years 1990-2010
 - cases of pertussis increases in waves every three to five years

Mr. Gieryn explained that most of the cases of pertussis in Wisconsin were individuals who had had the vaccine. That doesn't mean the vaccine wasn't beneficial, because those cases were much less severe than if they had not had the vaccine.

Pertussis immunization rates in Winnebago County for 7-11 year old children is approximately 86%. It is also recommended that adults get a pertussis booster vaccine once every ten years. Mr. Gieryn stated that it's important that anyone who is going to be around an infant also get a pertussis booster vaccine.

Mr. Gieryn and Ms. Draws then took questions from the Board.

FARMLAND PRESERVATION PLAN PUBLIC HEARING

This was POSTPONED until January 17, 2012 by Supervisor Brennand.

ZONING REPORTS & ORDINANCES

REPORT NO. 001—a report from the Planning & Zoning Committee regarding a Land Use Plan amendment to include a Farmland Preservation Plan—POSTPONED until January 17, 2012 by Supervisor Brennand.

AMENDATORY ORDINANCE NO. 11-01-11—POSTPONED until January 17, 2012 by Supervisor Brennand.

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant, Herb Treu; and property owner, Katherine Treu Rev Trust, Town of Nekimi, for a zoning change to A-1 for tax parcel no. 012-0602(p). Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-01-11. A requested zoning change from A-1 (Agri-Business District) to A-2 (General Farming). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – January 9, 2012)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owners, Maribeth Monday and Leslie Flanagan, Town of Rushford, for a zoning change to R-1 for tax parcel nos. 022-0559 & 022-0558. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-02-11. A requested zoning change from A-2 (General Farming) to R-1 (Single Family non-subdivided). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – January 9, 2012)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner, Wesley Radloff, Town of Utica, for a zoning change to A-2 for tax parcel nos. 024-0221, 024-0222, 024-0223 & 024-0224. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-03-11. 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 9, 2012)

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant, O'Reilly Automotive Stores; and property owner, Allen Lembcke, Town of Menasha, for a zoning change to B-3 for tax parcel no. 008-0342-02. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-04-11. A requested zoning change from R-1 (Single Family non-subdivided) to B-3 (General Business). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – January 9, 2012)

RESOLUTIONS AND ORDINANCES

ORDINANCE NO. 309-112011: Adopt Winnebago County Farmland Preservation Plan: 2012-2026

Submitted by:
PLANNING AND ZONING COMMITTEE

POSTPONED until the January 17, 2012 by Supervisor Brennand.

RESOLUTION NO. 311-122011: Commendation for Patricia Stockli

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 312-122011: Commendation for Judy Goyette

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 313-122011: Disallow Claim of Ron Feggestad

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 314-122011: **Disallow Claim of the Rodney Christianson, Daryl Christianson, Howard Christianson, and the Estate of Sarah C. Christianson**
Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 315-122011: **Disallow Claim of Peter J. Long**
Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 316-122011: **Amend the Table of Organization for the Winnebago County Planning and Zoning Department**
Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Brennand and seconded to adopt. Ayes: 32. Nays: 2 – Hall and Egan. Abstained: 1 – Hegg. Excused: 1 – Reynolds. CARRIED.

RESOLUTION NO. 317-122011: **Authorize Budget Transfer of \$9,170 from Reserve Contingency Fund to Professional Services Fund of District Attorney's 2011 Budget**
Submitted by:
JUDICIARY AND PUBLIC SAFETY COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 318-122011: **Approve Consortium Agreement for Local Elected Officials of the Fox Valley Workforce Development Area**
Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 319-122011: **Approve Agreement Between the Fox Valley Workforce Development Board of Directors and Winnebago County**
Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 320-122011: **Authorize Lease Agreement Between Winnebago County and the City of Oshkosh (Courtroom Space—Public Safety Building)**
Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Motion by Supervisor Englebert and seconded to amend by incorporating a plan to relocate in this Resolution. Add the following paragraph to the Resolution:
BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that an action plan be submitted to the County Board of Supervisors so as to accomplish the move of all offices from the public safety building to the Courthouse by December 1, 2014.

Vote on Englebert's amendment: Ayes – 22. Nays – 13: Widener, Albrecht, Thompson, Lennon, Hall, Wingren, Jacobson, Norton, Kline, Locke, Hegg, Finch and Farrey. Excused – 1: Reynolds. CARRIED.

Vote on Resolution as amended: Ayes – 30. Nays – 5 – Grabner, Jacobson, Hegg, Finch and Brennand. Excused – 1 – Reynolds. CARRIED.

At 7:05 p.m., Chairman Albrecht called for a brief recess so that the voting board could be corrected to allow Supervisor Nelson's votes to be registered. The meeting reconvened at 7:20 p.m.

RESOLUTION NO. 321-122011: **Support Senate Bill 125/Assembly Bill 180 (Limitation on Liability for Insufficiently- or Inadequately-Maintained Highways)**
Submitted by:
LEGISLATIVE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 24. Nays: 10 – Widener, Thompson, Hall, Wingren, Jacobson, Norton, Locke, Finch, Farrey and Ellis. Abstain: 1 – Ramos. Excused: 1 – Reynolds. CARRIED.

RESOLUTION NO. 322-122011: **Authorize Wittman Regional Airport to Purchase a Runway Broom at a Cost of \$750,000 to be Funded by General Obligation Bonds Totaling \$600,000 and Airport Unrestricted Fund Balance Proceeds of \$150,000**
Submitted by:
AVIATION COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Lennon and seconded to adopt. It was noted that the vote of the Personnel & Finance Committee should be corrected to 4-1.

After discussion, motion by Supervisor Robl and seconded to refer back to committee. Ayes: 24. Nays: 11 – Eisen, Widener, Hamblin, Gabert, Thompson, Lennon, Hall, Norton, Warnke, Robl and Brennand. Excused: 1 – Reynolds. CARRIED.

RESOLUTION NO. 323-122011: **Authority to Execute 2011 Labor Agreement with the Public Safety Professional Dispatchers' Association**
Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Reynolds. CARRIED.

RESOLUTION NO. 324-122011: **Offer Support for the Oshkosh Civility Project**
Submitted by:
STAN KLINE, District 25

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

RESOLUTION NO. 325-122011: **Authorize Payment of Excess Committee Days (May 1, 2010, through April 30, 2011)**
Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 33. Nays: 1 – Wingren; Abstain: 1 – Finch. Excused: 1 – Reynolds. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until Tuesday, January 3, 2012. CARRIED BY VOICE VOTE.

The meeting was adjourned at 7:55 p.m.

Respectfully submitted by,
Susan T. Ertmer
Winnebago County Clerk

State of Wisconsin)
County of Winnebago) ss

I, Susan T. Ertmer, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their regular meeting held December 20, 2011.

Susan T. Ertmer
Winnebago County Clerk