

**ADJOURNED SESSION
COUNTY BOARD MEETING**

TUESDAY, MAY 19, 1998

Chairman Joseph Maehl called the meeting to order at 6:00 P.M. in the Supervisors' Room, Fourth Floor, Courthouse, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an Invocation by Supervisor Wagner.

Roll Call: All present except Supervisors Widner and Lawson.

Supervisor Robl moved and it was seconded to adopt the agenda with the change of order of the resolutions, so that Resolution No. 34-598 be acted on first. CARRIED BY UNANIMOUS VOICE VOTE.

COMMITTEE REPORTS

Supervisor Lauson asked the Board to be aware of the Legislative Committee notice that is on their desks. The meeting will be held at 9:00 a.m., Tuesday, May 26, at the James Coughlin Center.

Supervisor Koziczkowski reminded the Board that on May 26 from 6:00 p.m. to 8:00 p.m., the Oshkosh Social Services Department is having an open house. There will be various informational sessions held during the open house. He asked that anyone interested in attending, contact the director's office and make reservations.

Supervisor Albrecht reported on the kick off of the State's Sesquicentennial celebration in Madison on May 29. There are numerous activities planned, as well as, the state-wide bell ringing at noon. A large birthday cake will be served.

Supervisor Albrecht reported that Wisconsin will be the only state represented during this year's Smithsonian Institute's Festival of The American Folk Land. It will be held on the national mall in Washington, D.C., June 24 to July 5. There will be more than 100 folk artists and performers portraying the State of Wisconsin's variety of cultures.

Winnebago County's Sesquicentennial events include two history books, one by Michael Goc, and one by Dr. Martin Gruberg. Special postal cancellations are being prepared in commemoration of the Sesquicentennial.

A memorial tree grove is also being designed. People will purchase trees for planting in the grove as a memorial to their loved ones. There are numerous activities planned during the county fair, such as a historic industrial park, a parade and an old time barn dance. He also invited the Board to attend the bell ringing ceremony that will be held at the Courthouse.

PUBLIC HEARING

Don Arne, 5128 Island View Drive, Oshkosh, spoke in opposition to Resolution No. 34-598, "Abolish the Position of County Coroner and Establish a Medical Examiner System." Also speaking in opposition to this resolution were: Dee Durkee, 1416 Beech Street, Oshkosh; Ted Westgor, of Westgor Funeral Homes, 205 West Doty Avenue, Neenah; Ron Mueller of Mueller Funeral Home, 904 East Main Street, Winneconne; Michael Tresp, a pathologist at Mercy Medical Center, Oshkosh

Bob Lace, 765 Oak Street, Neenah, spoke in support of Resolution No. 34-598, "Abolish the Position of County Coroner and Establish a Medical Examiner System." Also speaking in support of this resolution were: Gary

Ludwig, a pathologist from Fox Valley Pathologists, 111 East North Water Street, Neenah; Karen Casper, 5211 Channel View Drive, Oshkosh; Connie Owens Schulz, 2131 Fairview Street, Oshkosh; Daniel Dringoli, 422 Edgewood, Neenah.

Fran Weaver, Executive Director of the Oshkosh Convention and Visitors Bureau, spoke in support of Resolution No. 39-598, "Authorize Lease Agreement Between Winnebago County and Oshkosh Convention and Visitors Bureau."

COUNTY EXECUTIVE'S REPORT

Executive Van De Hey stated that she did not want to get into the debate surrounding Resolution No. 34-598, "Abolish the Position of County Coroner and Establish a Medical Examiner System". She did explain that this has been an issue since 1990. She said that this is a decision that is up to the Board, and asked that they draw on past experiences with the Coroner's office to make the right decision.

Executive Van De Hey also commented on and asked for the Board's support of the following resolutions: No. 35-598, "Create One Part-Time Position of Secretary I: Finance Department"; No. 39-598, "Authorize Lease Agreement Between Winnebago County and Oshkosh Convention and Visitors Bureau"; No. 41-598, "Establish Salaries for Constitutional Offices of Winnebago County", suggesting they may want to make some changes to the resolution; and No. 42-598, "Authorize Appropriation of \$8,000--Project Manager - Winnebago County Jail/Sheriff's Facility".

CORRECTION - COUNTY EXECUTIVE APPOINTMENT SOLID WASTE MANAGEMENT BOARD

Motion by Supervisor Lauson and seconded to approve the correction to David D. Eisele's appointment to the Solid Waste Management Board. Mr. Eisele's three-year term should be corrected to end on April 21, 2001, and not April 21, 2000, as previously indicated. CARRIED BY UNANIMOUS VOICE VOTE.

PRESENTATION OF THE CLEAN BAY BACKER AWARD

Supervisor Barker presented one of the annual Clean Bay Backer awards to Donald Sleik of Cross Farms, 7022 Cross Road, Winneconne. This award is presented annually to a business; a governmental, non-profit organization; a school youth group; an area farmer; and the media for, "outstanding efforts to restore and protect the water resources in Green Bay and the Fox-Wolf Rivers." Mr. Sleik was one of the winners in the agricultural group. Mr. Sleik stated that they were proud to receive the award, because it shows that they are concerned about the environment and that they're doing something about it that's positive.

Supervisor Barker presented Chairman Maehl with a "Certificate of Recognition" from the Local Water Quality Improvement Program. She explained that last fall the County Board approved \$100,000 in funding for the next three years for this program. The program is administered by the Land Conservation Committee through the Land & Water Conservation Department. The program offers financial assistance to County landowners who are installing or adopting practices that will improve water quality. This certificate was presented in appreciation for the implementation of this program.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Maehl asked that the Supervisors take note of the University Extension Office's Info Source 1998-99 brochure. He explained that it provides excellent information and would be of interest to their constituents.

Chairman Maehl encourage the Board to attend the Social Services open house on Tuesday, May 26, from 6:00 to 8:00 p.m.

Chairman Maehl spoke about the financial impact that the Federal Telecommunications Act of 1996 will have on landowners and municipalities. He encouraged the Supervisors to consider attending the WCA's Educational Seminar entitled, "Cellular Tower Sitings and the Telecommunications Act of 1996 Impact on County Government". It will be held on Monday, June 29 from 10:00 a.m. to 3:00 p.m., at the Wausau Inn, Wausau, Wisconsin. Anyone who is interested in attending should contact the County Clerk's Office by June 24.

Chairman Maehl thanked all the Supervisors who attended the County Board tour on Monday, May 18.

COUNTY BOARD CHAIRMAN'S APPOINTMENT - COMMITTEE ON AGING

Chairman Maehl presented his appointment of Supervisor James Koziczkowski to the Committee on Aging. Supervisor Koziczkowski would file the unexpired term of Mary Jo Widener, who retired. His term would be effective immediately and end on April 18, 2000.

Motion by Supervisor O'Brien and seconded to approve the appointment.
CARRIED BY UNANIMOUS VOICE VOTE.

ZONING REPORTS & ORDINANCES

REPORT. NO. 001. A report from Planning & Zoning Committee re: rezoning to A-2 to for an existing residence. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY UNANIMOUS VOICE VOTE.

AMENDATORY ORDINANCE NO. 5-01-98. A request from John & Mary Materna for change from B-3 (General Business District) A-2 (General Agriculture). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

REPORT NO. 002. A report from Planning & Zoning Committee re: rezoning to B-3 for an existing commercial development. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY UNANIMOUS VOICE VOTE.

AMENDATORY ORDINANCE NO. 5-02-98. A request from John E. Kies for change from R-1 (Rural Residential District, Single-Family, non-subdivided) to B-3 (General Business District). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

REPORT NO. 003. A report from Planning & Zoning Committee re: rezoning to B-3 for development of a "Park & Ride." Motion by Supervisor Schaidler and seconded to accept. CARRIED BY UNANIMOUS VOICE VOTE.

AMENDATORY ORDINANCE NO. 5-03-98. A request from Bonny Borchert for change from A-1 (Agri-Business District, Farmland Preservation) to B-3 (General Business District). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

REPORT NO. 004. A report from Planning & Zoning Committee re:

rezoning to R-5 for development of a Planned Residential development. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY UNANIMOUS VOICE VOTE.

AMENDATORY ORDINANCE NO. 5-04-98. A request from the Town of Menasha for change from P-1 (Institute and Recreational Park District) to R-5 (Planned Residential District). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

REPORT NO. 005. A report from Planning & Zoning Committee re: rezoning to B-3 for an existing landscape business. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY UNANIMOUS VOICE VOTE.

AMENDATORY ORDINANCE NO. 5-05-98. A request from the Steven Lee Boegh for change from B-2 (Community Business District) to B-3 (General Business District). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

AMENDATORY ORDINANCE NO. 6. A request from the Town of Wolf River on behalf of Leon & Carol Maierhafer for zoning change from A-2 to A-3. Motion by Supervisor Metzsig and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

REPORTS, RESOLUTIONS & ORDINANCES

RESOLUTION NO. 34-598: Abolish the Position of County Coroner and Establish a Medical Examiner System

WHEREAS, Winnebago County has an elected Coroner; and

WHEREAS, the complex nature of modern death investigations requires the on-staff expertise of a professional who is trained in medical-legal investigation; and

WHEREAS, the only requirements for an elected Coroner are that candidates be a) at least 18 years old, b) a citizen and c) be free of felony convictions; and

WHEREAS, Counties are prohibited from enacting additional requirements for the position of Coroner, self-evident necessity notwithstanding; and

WHEREAS, Article VI, Section 4 of the Wisconsin Constitution permits Counties to abolish the elective office of Coroner and implement a Medical Examiner system to take effect at the end of the incumbent Coroner's term; and

WHEREAS, the Winnebago County Board of Supervisors find that the establishment of a Medical Examiner system will guarantee to the people of Winnebago County that medical-legal death investigations are performed by on-staff personnel who have acquired expertise in the field.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the position of Winnebago County Coroner be, and hereby is, abolished, effective January 4, 1999.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a Medical Examiner system be, and hereby is, established to perform the duties of the former Coroner position and the duties of a Medical Examiner prescribed in Wisconsin Statutes 59.34 and 977.01 et seq.

Submitted by:

RON J. MONTGOMERY, DIST. #15

HELEN SAVAS, DIST. #5

JACQUELYN WAGNER, DIST. #19

COUNTY BOARD SUPERVISORS

Motion by Supervisor Montgomery and seconded to adopt.

Supervisor Montgomery explained that both sides of this issue have legitimate arguments and he hopes for a spirited debate on the issue. Supervisor Montgomery explained that because this issue is going before other county boards, his comments may have seemed "extremely non-committal." Likewise, he felt that because this issue had gotten personal, the opinions of many professionals and county officials may have been tempered.

Supervisor Montgomery explained the time frame of this resolution. He stated that he has been in favor of a medical examiner system since 1989, and that this is not being brought up now to "snow anybody or blind side anybody, to surprise anybody or to catch anybody off guard." He didn't want this issue to be "tangled up" in Supervisors' election campaigns, so he waited until the April election was over. However, because candidates for county offices, including the coroner, begin circulating nomination papers and campaigning on June 1, it's necessary to resolve this issue.

Supervisor Montgomery spoke about the fact that if this resolution passes, the citizens of Winnebago County would be losing a voted position. He compared this to other existing non-elected government positions, such as Finance Director, Director of Social Services, etc. He explained that these people are hired because of their "expertise" in their particular area of work.

Supervisor Montgomery stated that even some elected officials, such as district attorneys and judges need to meet additional criteria before they can run for office and be elected. But, he explained, "to be a coroner in Wisconsin, you have to be 18, a non-felon and U.S. citizen." When asked, Supervisor Montgomery stated that the requirements for other elected officials, such as Clerk of Court, County Clerk or County Executive are the same as for the coroner.

Coroner Busby addressed the Board. He presented the following figures to the Board: 1995 - 23 forensic cases & 27 other autopsies; 1996 - 11 forensic cases & 31 other autopsies; 1997 - 19 forensic cases & 20 other autopsies; to date in 1998 - 11 forensic & 16 other autopsies. He explained that the cost for a forensic pathology study is between \$900 to \$1200, and the cost for a hospital autopsy goes up to approximately \$500.

Coroner Busby expressed his concern about rushing into this before checking into the availability of a pathologist. He stated that there are still too many questions on this issue that have not been answered. He told the Board that every year there are only approximately 40 people graduating from medical school as forensic pathologists. In the entire United States there are only approximately 900 forensic pathologists, of which 8 are in Wisconsin. His concern is that the Board is under the impression that just because they vote for a forensic pathologists, that they are going to be able to hire one at a relative low salary. The average costs of a regular pathologist in the U.S. ranges from \$159,000 to \$209,000, so the cost of a forensic pathologist will be even greater.

Supervisor Pech voiced his concern that this issue has gotten very emotional and political. He urged the Board to make a, "sound, reasoned decision based on the best facts and data that's available to us at any given time." At this time, he didn't feel that the Board had the necessary information to make this decision.

Supervisor Footit explained to the Board that the criminal justice system dictates that the coroner's offices, law enforcement agencies and district attorneys, "must work together in any type of criminal investigation when it comes to death." He further explained that to assist

them in death investigations, they can hire a forensic pathologist. He further stated that according to some of the statements made this evening by a pathologist in the audience, that the coroner system in Winnebago County is working. He recommends keeping the current system.

Supervisor Sievert felt the "ideal situation" would be to have a coroner/forensic pathologists combination. She recommends further study on this issue and asked that the Board wait until the election in 2000 before making any changes to the coroner position. She also recommended working with surrounding counties and developing a regional forensic pathologist system.

Supervisor Diakoff asked about the economic impact of developing an office for a forensic pathologists, which we are required to do by State statute. She also asked for an explanation of the figures presented that show 1996 pathologist costs at \$27,000 and the projected cost of a medical examiner at \$17,000. Chuck Orenstein, Finance Director, explained that the 1996 figure was based on the cost of each forensic autopsy costing \$1,300 to \$1,400 each. The \$17,000 figure represents the cost of using the morgue at Theda Clark.

Various Supervisors expressed their opinion that this issue needed further study and that they didn't like the idea of taking away the rights of the public to vote for this position.

Other Supervisors expressed the opinion that it would be in the best interest of Winnebago County to have a forensic pathologist, not an elected coroner. They feel that the expertise that a forensic pathologist would bring to Winnebago County would be beneficial to its citizens. In addition, this could be a service to other counties that would produce revenue for Winnebago County.

Coroner Busby told the Board that he is interested in what is best for Winnebago County. He feels that the current system works well, because there are many "checks and balances" between the police departments, the District Attorney's Office, funeral directors, medical personnel and the Coroner's Office.

Coroner Busby presented the budget figures from other counties that have a medical examiner/forensic pathologist system. Fond du Lac County has approximately two-thirds the number of deaths that Winnebago County has and their 1999 projected labor costs will be \$162,000. Waukesha County has approximately two times the number of deaths as Winnebago County and their total 1999 budget is \$465,000. Brown County has approximately fifty percent more deaths than Winnebago County and their total 1999 Budget is \$486,000. He further explained that Dane County, who has a coroner system that utilizes the services of a pathologists, has three times the number of deaths as Winnebago County and their costs is \$435,000. These figures compare to Winnebago County's Coroner's Budget of \$139,000.

Coroner Busby read a job description for the coroner position. He listed numerous duties, such as: going to a death scene, identifying bodies, pronouncing people dead, doing dental identification, assisting the families of the deceased, and investigating suspicious deaths. In addition, a coroner does death scene investigations, take photographs of and documents the scene, collects evidence and specimens. He also stated numerous other duties that are coordinated with law enforcement, the DA, medical personnel and funeral homes. In addition, he and others have had specific training in these areas to make them better able to handle these difficult situations. He asked that the Board "slow down" and study the issues. He asked that they be involved in setting up the guidelines and the standards, so that this will be a good situation for Winnebago County.

Motion by Supervisor Montgomery and seconded to postpone this Resolution until the June 2, 1998, Special Orders Meeting. Supervisor Montgomery withdrew his motion to postpone.

Vote on resolution - ayes: 16 - Kollath, Barker, Griesbach, O'Brien, Savas, Maehl, Koziczowski, Lauson, Leschke, Montgomery, Wagner, Kramer, Finch, Sievert, Brennand and Rankin; nays: 20 - Klitzke, Albrecht, Pech, Schwartz, Bertrand, Sundquist, Wingren, Warnke, Footit, Troxell, Robl, Payne, Crowley, Schaidler, Hue, Arne, Diakoff, Egan, Rengstorf and Metzsig; excused: 2 - Widener and Lawson. LOST. Supervisor Montgomery asked to have his vote recorded as "nay". Chairman Maehl ruled that this was permissible since a vote on the next item has not been called. Supervisor Montgomery's vote was recorded as "nay", changing the vote to: 15 ayes and 21 nays.

ORDINANCE NO. 26-598: Amend Section 5.01(2) of the General Code of Winnebago County - Huber Law Prisoners: Per Capita Daily Costs

WHEREAS, Section 5.01(2) of the General Code of Winnebago County presently charges a per capita daily charge to Huber Law prisoners which is equal to the actual costs of meals and tax plus \$5.25 per day; and

WHEREAS, the actual costs of incarcerating Huber Law prisoners is much greater than \$5.25 per day based upon the capital costs of operating said facility plus labor costs associated therewith; and

WHEREAS, your undersigned Committee believes that the per capita daily costs of prisoners should be increased to \$6.00 per day in addition to the costs of meals and tax so as to more appropriately place the costs of the incarceration of Huber Law prisoners upon said prisoners.

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

That Section 5.01(2) of the General Code of Winnebago County be amended to read as follows:

5.01 HUBER LAW PRISONERS.

(2) Per Capita Daily Costs. (a) A per capita daily charge equal to the actual costs of meals, tax, plus \$6.00 is hereby established for all Huber Law prisoners. Each prisoner shall be charged for all meals served during each day incarcerated, regardless as to whether the prisoner actually consumed each meal.

(b) Exception. Notwithstanding Subsection (2)(a) above, Huber Law prisoners earning gross wages of less than 30 times the Federal minimum hourly wage per week shall be required to pay only the actual costs of meals per day, plus any tax, if applicable. For purposes of this ordinance, each work week shall be deemed to begin on Sunday.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that this ordinance shall take effect as of June 14, 1998.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Supervisor Rengstorf asked that Lines 14 and 23 be corrected to read "\$6.25" instead of "\$6.00". Vote on ordinance as corrected - ayes: 35; nays: 0; excused: 3 - Wagner, Widener and Lawson. CARRIED.

AMENDED

RESOLUTION NO. 27-598: Authorize Payment of Per Diem and Expenses for Unassigned Committee Activities

BE IT RESOLVED by the Winnebago County Board of Supervisors that pursuant to Section 59.13(2), Statutes, hereby authorizes the payment of per diems and any expenses as allowed by law for the attendance of County Board members and other committee and board members at those meetings listed on Exhibit "A" which is herewith attached and made a part of this resolution by reference.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 28. Nays: 3 - Wingren, Footit and Diakoff. Abstain: 2 - Pech and Leschke. Excused: 5 - Montgomery, Wagner, Finch, Widener and Lawson. CARRIED.

RESOLUTION NO. 28-598: Disallow Claim of Robert B. Ciarpaglini

WHEREAS, your Personnel and Finance Committee has had the claim of Robert B. Ciarpaglini 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 Robert B. Ciarpaglini dated March 14, 1998, 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 & FINANCE COMMITTEE

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

RESOLUTION NO. 29-598: Disallow Claim of Gloria A. Jenson

WHEREAS, your Personnel and Finance Committee has had the claim of Gloria A. Jenson 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 Gloria A. Jenson dated April 1, 1998, 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 & FINANCE COMMITTEE

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

RESOLUTION NO. 30-598: Commendation for Nancy Warhurst

WHEREAS, Nancy Warhurst has been employed with Park View Health Center of Winnebago County, for the past thirty years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Nancy Warhurst 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 Nancy Warhurst 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 Nancy Warhurst.

Submitted by,
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 31-598: Commendation for Charles Lococo

WHEREAS, Charles Lococo has been employed with Park View Health Center of Winnebago County, for the past twenty-two years and two months, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Charles Lococo 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 Charles Lococo 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 Charles Lococo.

Submitted by,
PERSONNEL & FINANCE COMMITTEE

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

ORDINANCE NO. 32-598: Amend Section 8.02(4)(h) and (i) of the General Code of Winnebago County (Cost Sharing By Local Units of Government: Federal and State Aid Road Projects)

WHEREAS, your undersigned Committee believes that a greater incentive is needed to local units of government to participate in federal and state aid eligible road projects undertaken by Winnebago County; and

WHEREAS, in order to provide more incentive to local units of government to participate in said projects, your undersigned Committee believes that the County's percentage of project costs subject to cost sharing payable by the local unit of government should be 25% while, alternatively, the percentage of project costs subject to cost sharing payable by Winnebago County should be 75%.

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

That Section 8.02(4)(h) and (i) of the General Code of Winnebago County be amended to read as follows:

8.02 URBAN TYPE CONSTRUCTION ON COUNTY TRUNK HIGHWAYS UNDER COUNTY MAINTENANCE JURISDICTION; POLICY.

(4) DETERMINATION OF PROJECT COST SUBJECT TO COST SHARING AND COUNTY AND LOCAL SHARE PROJECT COST: FEDERAL AND STATE AID PROJECT. Every project hereunder shall be subject to the following formula for determination of project cost subject to cost sharing. ...

- (h) Percentage of project cost subject to cost sharing in item (g) payable by local unit of government. 25%
- (i) Percentage of project cost subject to cost sharing in item (g) payable by County. 75%

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

Submitted by:
HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 32. Nays: 2 - Lauson and Diakoff. Excused: 3 - Widener, Lawson and Montgomery. (Schaidler was in attendance, but did not register a vote.) CARRIED.

ORDINANCE NO. 33-598: Amend Section 7.02 of the General Code of Winnebago County: Speed Limit Regulations

WHEREAS, it has been recommended, by the Winnebago County Highway Commissioner, to your undersigned Committee that the Winnebago County Speed Limit Regulations be amended to reflect changes in speed limit regulations pursuant to s. 349.11, Wisconsin Statutes; and

WHEREAS, the Winnebago County Highway Commissioner has recommended the following changes to the Speed Limit Regulations which have been approved by the Winnebago County Board of Supervisors Highway Committee.

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

Section 7.04 of the General Code of Winnebago County be amended to read as follows:

7.02 SPEED LIMIT REGULATIONS.

- (1) COUNTY TRUNK HIGHWAY "A"
 - (a) Towns of Neenah, Oshkosh and Vinland:
 - 1. 35 miles per hour for all vehicles from the city limits of the City of Neenah; southerly to Muttart Road in the Town of Neenah.
 - 2. 45 miles per hour for all vehicles from its intersection with Muttart Road southerly to the city limits of the City of Oshkosh.
- (2) COUNTY TRUNK HIGHWAY "AP".
 - (a) Town of Menasha:
 - 1. 35 miles per hour from its intersection with County Trunk Highway "P" easterly to its intersection with USH 10.
- (3) COUNTY TRUNK HIGHWAY "BB".
 - (a) Town of Menasha:
 - 1. 45 miles per hour from its intersection with Irish Road easterly to its intersection with Cold Spring Road.
- (4) COUNTY TRUNK HIGHWAY "E".
 - (a) Town of Algoma:
 - 1. 45 miles per hour for all vehicles from the city limits of the City of Oshkosh westerly to a point 0.45 of a mile west of its intersection with Horseshoe Road.
 - (b) Town of Rushford:
 - 1. 25 miles per hour from a point 0.50 of a mile south of its intersection with County Trunk Highway "K" in the unincorporated place known as Eureka and easterly for a distance of 0.40 of a mile from its intersection with County Trunk Highway "K".
 - (c) Town of Nepeuskun:
 - 1. 45 miles per hour for all vehicles from a point 0.30 of a mile south of its intersection with County Trunk Highway "V" northerly to a point 0.50 of a mile north of its intersection with County Trunk Highway "V".
- (5) COUNTY TRUNK HIGHWAY "G".
 - (a) Town of Neenah:
 - 1. 45 miles per hour for all vehicles from its intersection with Woodenshoe Road easterly to its intersection with County Trunk Highway "A".
 - (b) Town of Vinland:
 - 1. 45 miles per hour from a point 450 feet northeast of its intersection with Hilltop Road, westerly for a distance of 0.52 of a mile.
 - 2. 45 miles per hour from its intersection with USH 45 westerly for a distance of 1.0 miles.
- (6) COUNTY TRUNK HIGHWAY "H".
 - (a) Town of Wolf River:
 - 1. 35 miles per hour from the Winnebago-Waushara County Line easterly for a distance of 0.55 miles.
- (7) COUNTY TRUNK HIGHWAY "I".
 - (a) Towns of Black Wolf and Nekimi:
 - 1. 45 miles per hour from its intersection with Waukau Avenue southerly for a distance of 1.38 miles.
- (8) COUNTY TRUNK HIGHWAY "K"
 - (a) Town of Algoma:
 - 1. 35 miles per hour from the city limits of the City of Oshkosh westerly to its intersection with Clairville Road.
 - (b) Town of Rushford:
 - 1. 25 miles per hour from a point 0.40 of a mile southwest of

its intersection with County Trunk Highway "E" in the unincorporated place known as Eureka northwesterly for a distance of 0.70 of a mile.

2. 35 miles per hour for all vehicles beginning at its intersection with State Road 116 thence northwesterly for a distance of 2,000 feet.

(9) COUNTY TRUNK HIGHWAY "M".

(a) Town of Utica:

1. 35 miles per hour for all vehicles from State Road 44 southeasterly for a distance of 0.35 of a mile.

(b) Town of Winneconne:

1. Forty-five (45) miles per hour for all vehicles from its intersection with State Road 116 northerly to its intersection with Lasley Point Road.

(10) COUNTY TRUNK HIGHWAY "O".

(a) Towns of Neenah and Menasha:

1. 35 miles per hour for all vehicles from its intersection with USH 41, westerly to its intersection with State Road 150.

(11) COUNTY TRUNK HIGHWAY "P".

(a) Town of Menasha:

1. 35 miles per hour for all vehicles from its intersection with State Road 47 westerly and southerly to its intersection with Ninth Street in the City of Menasha.

(12) COUNTY TRUNK HIGHWAY "T".

(a) Town of Clayton:

1. 25 miles per hour from a point 0.25 of a mile southeast of Grandview Road northerly to a point 0.15 of a mile north of said road.

2. 45 miles per hour for all vehicles from its intersection with Breezewood Lane northerly and westerly to a point of .25 of a mile southeast of Grandview Road.

(b) Town of Oshkosh:

1. 45 miles per hour from its intersection with State Road 110, northerly to its intersection with Brooks Road.

(13) COUNTY TRUNK HIGHWAY "Y".

(a) Town of Oshkosh:

1. 45 miles per hour for all vehicles from its intersection with State Road 110 easterly to its intersection with County Trunk Highway "A".

(14) COUNTY TRUNK HIGHWAY "FF".

(a) Town of Utica:

1. 45 miles per hour from State Road 44 northerly to Fisk Avenue.

2. 35 miles per hour from Fisk Avenue northerly for 0.5 of a mile.

(15) COUNTY TRUNK HIGHWAY "JJ".

(a) Towns of Clayton, Vinland and Neenah:

1. 45 miles per hour for all vehicles from its intersection with USH 45 northeasterly for a distance of 2.20 miles; thence 40 miles per hour for a distance of .40 mile; thence 30 miles per hour to the city limits of the City of Neenah.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that this amendment to said ordinance shall be effective as of posting of the limit, but no earlier than June 15, 1998.

Submitted by:

HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 - Widener and Lawson. CARRIED.

Motion by Supervisor Arne and seconded to re-consider Resolution No. 34-598, "Abolish the Position of County Coroner and Establish a Medical Examiner System." Ayes: 19 - Barker, Griesbach, Savas, Maehl, Koziczkowski, Leschke, Bertrand, Sundquist, Wagner, Footit, Troxell, Crowley, Finch, Hue, Diakoff, Brennand, Rankin, Rengstorf and Metzsig. Nays: 17 - Kollath, O'Brien, Klitzke, Lauson, Albrecht, Pech, Schwartz, Montgomery, Wingren, Warnke, Robl, Payne, Kramer, Schaidler, Sievert, Arne and Egan. Excused: 2 - Widener and Lawson. CARRIED.

Supervisor Arne called for a vote on Resolution No. 34-598. Supervisor Montgomery call for the postponement of a vote on Resolution No. 34-598 until June 16, 1998. Vote on postponement - ayes: 16 - Kollath, Barker, Griesbach, O'Brien, Savas, Maehl, Koziczkowski, Lauson, Leschke, Schwartz, Montgomery, Wagner, Kramer, Finch, Sievert and Brennand; nays: 20 - Klitzke, Albrecht, Pech, Bertrand, Sundquist, Wingren, Warnke, Footit, Troxell, Robl, Payne, Crowley, Schaidler, Hue, Arne, Diakoff, Egan, Rankin, Rengstorf and Metzsig; excused: 2 - Widener and Lawson. LOST.

Supervisor Arne called for a vote on Resolution No. 34-598.

Supervisor Finch asked if this resolution is defeated for the seconded time, can it no longer be brought before this Board. Corporation Counsel Bodnar explained that if this resolution is reconsidered, it can not be brought back "in substantially the same form" during the term of this Board (the next two years).

Supervisor Finch asked for verification of the strategy. Supervisor Arne stated that it is, "not much different than changing a "yes vote" to a "no vote" so that it can be reconsidered." Supervisor Arne again called for the question.

Motion by Supervisor O'Brien and seconded to adjourn. Ayes: 20 - Kollath, Barker, O'Brien, Savas, Maehl, Koziczkowski, Klitzke, Lauson, Leschke, Schwartz, Montgomery, Wagner, Robl, Crowley, Kramer, Finch, Hue, Sievert, Brennand and Rankin. Nays: 16 - Griesbach, Albrecht, Pech, Bertrand, Sundquist, Wingren, Warnke, Footit, Troxell, Payne, Schaidler, Arne, Diakoff, Egan, Rengstorf and Metzsig. Excused: 2 - Widener and Lawson. CARRIED.

Motion by Supervisor Schwartz and seconded to adjourn to June 2, 1998. CARRIED BY VOICE VOTE.

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 Adjourned meeting held May 19, 1998.

Susan T. Ertmer
Winnebago County Clerk