

**ADJOURNED SESSION
COUNTY BOARD MEETING**

Tuesday, July 28, 1998

Chairman Joseph Maehl called the meeting was called to order at 6:00 p.m. in the County Board Room, Fourth Floor, Courthouse, Oshkosh.

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

The following Supervisors were present:

Motion by Supervisor Albrecht and seconded to approve the minutes of May 19 & 27 and June 2 & 16, 1998. CARRIED BY UNANIMOUS VOICE VOTE.

Motion by Supervisor Rengstorf and seconded to adopt the agenda with the change of order of the ordinances/resolutions by acting first on No. 71-798, No. 74-798, No. 75-798, No. 78-798 and No. 76-798. CARRIED BY UNANIMOUS VOICE VOTE. Chairman Maehl then asked to act on Resolution NO. 65-798 prior to Resolution No. 71-798.

COMMUNICATIONS, PETITIONS, ETC.

Notice of Claim from Howard Wojahn regarding damages to a tractor as the result of striking a Highway Department snow fence pole that was left in his field was referred to the Personnel & Finance Committee.

Notice of Claim from General Casualty Insurance regarding a claim on behalf of Dennis & Jessica Lahay was referred to the Personnel & Finance Committee.

Two (2) Notices of Claim from Willie Dobson regarding situations at Waupun Correctional Institute was referred to the Personnel & Finance Committee.

A thank-you note from Supervisor Schwartz was read. In her note, she thanked the Board for the plant they sent after her recent surgery.

The following correspondence was shared with the Board: a request from WCA for Steering Committee Nominations; a letter from Representative Underheim; a letter from Governor Thompson's office; a copy of a resolution passed by Oconto County supporting legislation that will assist counties in dealing with probation and parole issues; a copy of a resolution passed by Calumet County opposing proposed changes to Wisconsin Administrative Code 83 & 85 governing private sewage disposal; a resolution from Door County asking the State of Wisconsin's Department of Commerce enforce regulations requiring sanitary facilities at all place of employment and in public buildings; information on and an order form for the books, History of Winnebago County, Wisconsin, Its Cities, Towns, Resources, People, (1908).

The following two (2) pieces of correspondence are on file with these proceedings in the Clerk's Office: a letter from the Wisconsin Department of Transportation regarding, "Traffic, Speed Zoning, STH 21 – Algoma"; and a letter from the U.S. Environmental Protection Agency advising the County that the EPA, "will be formally proposing" the Fox River as a Superfund site.

Petition for Zoning Amendment from Russell E. Wagner for change from R-2 to R-5 (Planned United Development) for residential purposes was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Russell Potratz for change from R-1 to A-2 for agriculture and a single-family residence was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Ralph M. Bergman for change from A-2 to R-2 for a residential subdivision was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Jeffrey D. Ogden for change from A-2 to M-1 (Light Industrial) for distribution and light manufacturing was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Alvin Jarvenpaa for change from A-2/R-1 to A-2 for a single family residence purposes was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Time Warner Cable for change from R-3/B-2 to R-1 (Single Family) for, "transmittal tower and two buildings, single family residence," was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Dennis J. Jochman for change from B-3 (Highway Business) to B-3 (General Business) for convenience store/gas/fast food was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Robert Prescott for change from R-1 to R-4/B-5 for mullti-family and commercial use was referred to the Planning & Zoning Committee.

COMMITTEE REPORTS

Supervisor Lauson reported that work on Phase I of the Community Park has begun. They hope to have this phase of the project completed by winter.

Supervisor Rankin and Brennand made their "annual" presentation to the Board, in which they gave entertaining reasons for the Board to attend the County Fair. The fair will run from August 12 to August 16, with the opening ceremony to be held on the 12th at 3:00 p.m. at the Expo Building. Their "report" was well received by the Board.

Supervisor Albrecht told the Board that at the opening ceremony a presentation will be made to five Winnebago County families who have lived on their farms for 150 or more years. He reported that the two books on Winnebago County's history will be on sale at the fair. On Saturday, August 15, at 12 o'clock noon, there will be a Sesquicentennial Parade. It will start in the Community Park and wind its way past Park View Health Center, the James P. Coughlin Center and into the fairgrounds. He invited all the Supervisors to be in the parade. He also told the Board that on Saturday evening, there will be a dance, with music provided by the Madison Brass Band.

Supervisor Wagner reported that the Property Management & Maintenance Committee met and approved the DNR addition to the James P. Coughlin Center. Supervisor Wagner then presented a map to the Board that she received at the NACo Conference in Portland, Washington. She asked that it be placed in the County Clerk's Office.

Supervisor Barker shared information on farmland run off that she learned at NACo. In Oregon, farmers are only allowed to put a small amount of cow manure on the land. The rest, depending upon which part of Oregon you live in, it is either put in "ag bags" and deposited in the landfill, or it's dried and burned. She thought it was an interesting solution to that problem.

Supervisor Montgomery told the Board that the Legislative Committee's Sub-Committee on Campaign Finance Reform will be meeting on Thursday, July 30, at 6:00 p.m., in the Courthouse Lounge Room. Supervisor Kramer asked that Chuck Orenstein, Finance Director, supply the Board with a report on the County's financial status for the first six months of 1998. Mr. Orenstein said he would supply the Board with that information in the packet for next month's County Board meeting.

Supervisor Savas told the Board that she has been active in trying to stop the demolition of the movie theater in downtown Neenah. She also reported that at the NACo Conference in Portland, Oregon, she attended workshops that involved children and young adults. She reported that three points were stressed at all of these workshops--intervention, prevention and education.

PUBLIC HEARING

Rob Way, Winnebago County Parks Director, spoke in support of Resolution No. 60-798, "Adopt Memorandum of Agreement for Operation of the Fond du Lac to Berlin Trail." He compared this project to the successful WIOUWASH Trail, and encouraged the Board to adopt this resolution.

James Coughlin, representing the Winneconne Development Corporation, asked for the Board's support of Resolution No. 65-798, "Provide Loan to Village of Winneconne - Industrial Development Board." The loan will be used to put an addition on an existing business in Winneconne.

Steve Barney, 1301 Algoma Boulevard, Oshkosh, spoke in opposition to Resolution No. 70-798, "Encourage Cost Effective PCB Sediment Remediation Strategy for Lower Fox River Valley."

Joseph Sosmoski, Oshkosh, spoke on behalf of the Winnebago County Tobacco Free Coalition. He spoke against the adoption of Ordinance No. 75-798, "Create Section 9.28 of the General Code of Winnebago County: Prohibit Purchase or Possession of Tobacco Products by Minors." He felt that the adults who use and sell tobacco products are the people who should be penalized.

Gordon Dooley, spoke in opposition to Resolution No. 70-798, ""Encourage Cost Effective PCB Sediment Remediation Strategy for Lower Fox River Valley."

COUNTY EXECUTIVE'S REPORT

Executive Van De Hey gave a brief report on the NACo Conference in Portland, Oregon. She met with the U.S. Census Bureau and made important contacts with people who will work with GIS Departments to

make sure that census counts are accurate. She also received information from the Environmental Protection Agency on the disposal of PCBs. She invited interested members of the Board to come to her office for additional information on these issues.

Executive Van De Hey reported that the Orrin King Administration Building had to be evacuated on Monday, July 27 because of a chemical leak in the air-conditioning system. The recently installed public address system worked very well and the building was evacuated in an orderly fashion. It may be some time before the air-conditioning system will be repaired.

Executive Van De Hey told the Board that her office will assist in making travel arrangements for people interested in attending conventions and conferences.

Executive Van De Hey asked for that the Board table or send back for further budgetary evaluation Resolution No. 63-798, "Create One Full-Time Position of Home Consultant in the Access Unit of the Department of Social Services."

Executive Van De Hey asked for the Board's support of the following resolutions: No. 69-798, "Amend Section 3.05(4)(b)(1) and Section 3.05(5)(a)(8) and (b) of the General Code of Winnebago County: Travel Expense Reimbursement;" No. 70-798, "Encourage Cost Effective PCB Sediment Remediation Strategy for Lower Fox River Valley;" No. 72-798, "Create Section 5.06 of the General Code of Winnebago County - Public Safety Building Board;" and Ordinance No. 73-798, "Amend Section 11.10(2)(a) and 11.10(4)(a) of the General Code of Winnebago County - (County Social Services Board Membership)."

COUNTY EXECUTIVE APPOINTMENTS

Winnefox Library System

Executive Van De Hey asked for the Boards approval of her appointments of Lurton Blassingame, 1926 East Murdock Avenue, Oshkosh; and W. Kenneth Watts, 1029 Evans Street, Oshkosh, to the Winnebago Library System. These are three-year terms, which will begin immediately and expire on December 31, 2000. Motion by Supervisor O'Brien and seconded to approve. CARRIED BY UNANIMOUS VOICE VOTE.

Board of Adjustment

Executive Van De Hey asked for the Board's approval of her re-appointments of Betty Pollack, 3006 West Lone Elm, Van Dyne; and Arden Schroeder, 9458 Highway 45, Neenah, to the Board of Adjustment. These are three-year terms, which will begin immediately and expire on June 30, 2001. Motion by Supervisor Arne and seconded to approve. CARRIED BY UNANIMOUS VOICE VOTE.

Menasha Library Board

Executive Van De Hey asked for the Board's approval of her corrected appointment of Joyce Schoepel, 2008 Omega Drive, Appleton, to the Menasha Library Board. Executive Van De Hey explained that when Ms. Schoepel was appointed last month, the term of her appointment was incorrect. Ms. Schoepel's term is for three years, beginning immediately and expiring on June 30, 2001. Motion by Supervisor Kollath and seconded to approve. CARRIED BY UNANIMOUS VOICE VOTE.

FAIR SESQUICENTENNIAL ACTIVITY REPORT

John Hoeft, Winnebago County Fair Manager, spoke to the Board on behalf of Mr. Francis Crowley. He told the Board that the Winnebago County Fair is proud to be a part of the county's celebration of the State's Sesquicentennial. He thanked the county's Sesquicentennial Committee for working with the Fair Association to make this a memorable event.

Mr. Hoeft explained that during the county fair, a separate Sesquicentennial celebration will be taking place. Coordinating these activities has taken a lot of work and cooperation on the part of the Sesquicentennial Committee, the Fair Association, and many other groups and individuals.

Two of the main Sesquicentennial activities at the fair will be the Historic Industrial Park and the Saturday morning parade. He explained that the historic industrial park will be located in and around the old Sunnyview Complex and will feature historic displays of various county business and organizations. There will be a large entertainment tent that will be featuring music, from the time of the Civil War to World War II.

Mr. Hoeft showed to the Board the pewter belt buckle that Francis Crowley designed, using the county's Sesquicentennial logo, which incorporates the county's official seal from 1840. He told the Board that only 525 buckles were produced and are being sold for \$10.00. If any of the Board members would like to purchase one, they should contact Mr. Hoeft or Mr. Crowley.

Mr. Hoeft said that a schedule of fair events will be mailed to the Board. He encouraged the supervisors to attend the opening ceremony and the "business after hours" on Wednesday, August 12, and to participate in the parade on Saturday, August 15. He asked that they let him know if they will be attending any of these events.

Other Sesquicentennial items that will be available are: two books on Winnebago County's history, memorabilia items, envelopes with special U.S. Postal cancellations and cachet, and trees for planting in the memorial tree grove.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Maehl asked that the Board utilize the information that they get in their meeting packets to inform their constituents about county activities and county government. He encouraged them to promote the fair and reminded them how far the fair has progressed since it was located on the corners of Jackson Street and Murdock Avenue in the City of Oshkosh. He commended those involved in the fair on their scheduled activities and said it was, "a benefit to the whole county."

Chairman Maehl told the Board that Winnebago County received some excellent publicity in Technology Magazine's articles, "Millennial Madness or Technological Necessity?" and "Government HR Departments - Are They Up To The Year 2000 Challenge?" In these articles, Winnebago County and the City of Cincinnati, Ohio, are mentioned as, "the two government agencies that are ahead of the race." He said that this magazine is distributed to a 4,000 member international group.

Chairman Maehl reported that Winnebago County is receiving a refund check for \$9,515 from County Mutual Insurance. This results from an audit of the loss control deductible fund. He asked that Supervisor Brennand report to the Board next month the amount of money that Winnebago County has gotten back from County Mutual Insurance.

Chairman Maehl commended Mike Koles, , from the University Extension Office, on his statement regarding sales taxes implemented by other counties. Chairman Maehl commented on the potential for Winnebago County should we implement a .5% county sales tax. He asked that the Board keep this information and consider its possibilities.

Chairman Maehl extended birthday wishes to Sheriff Brooks, Supervisors Sievert, Wagner and Kramer, and Dave Schmidt, County Planner. At this point, the Board recessed to birthday cake and ice cream provided by Supervisors Sievert, Wagner and Kramer.

ZONING REPORTS AND ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Dennis Markham for property owned by PHENCO, Inc., in the Town of Clayton, for zoning change to B-3 for commercial development. Motion by Supervisor Schaidler and seconded to accept the report, which recommends DENIAL of this request. CARRIED BY UNANIMOUS VOICE VOTE.

AMENDATORY ORDINANCE NO. 7-01-98. A request for zoning change from A-1 (Agri-Business District) and A-2 (General Farming District) to B-3 (General Business District). Motion by Supervisor Schaidler and seconded to DENY. CARRIED BY UNANIMOUS VOICE VOTE.

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Dennis Radloff for property owned by Dennis Radloff, in the Town of Nekimi, for zoning change to B-3 for construction of mini-warehouses. Motion by Supervisor Schaidler and seconded to accept the report. CARRIED BY UNANIMOUS VOICE VOTE.

AMENDATORY ORDINANCE NO. 7-02-98. A request for zoning change from A-1 (Agri-Business District) to B-3 (HB - General Business District, Highway Business Overlay). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from the Town of Neenah, applicant, for property owned by George Cowlings (Site 1) and the Willard Schindler Estate (Karen Babcock) (Site 2), in the Town of Neenah, for zoning change to R-1. Motion by

Supervisor Schaidler and seconded to accept the report. CARRIED BY UNANIMOUS VOICE VOTE.

AMENDATORY ORDINANCE NO. 7-03-98. A request for zoning change from M-1 (Light Industrial and Office District) to R-1 (Rural Residential District). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Dave Schmalz for property owned by James Clapper, Town of Vinland, for zoning change to R-2 for a suburban residential district. Motion by Supervisor Schaidler and seconded to accept the report. CARRIED BY UNANIMOUS VOICE VOTE.

AMENDATORY ORDINANCE NO. 7-04-98. A request for zoning change from A-2 (General Farming District) to R-2 (Suburban Residential District). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

AMENDATORY ORDINANCE NO. 5. A request from the Town of Vinland on behalf of Merlin & Rosanna Jensen for zoning change from A-2 to B-3. Motion by Supervisor Hue and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

AMENDATORY ORDINANCE NO. 6. A request from the Town of Wolf River on behalf of Leonel G. Bucholtz, Jr., for zoning change from A-2 and R-1 to A-3. Motion by Supervisor Metzsig and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

AMENDATORY ORDINANCE NO. 7. A request from the Town of Vinland on behalf of Francis and Addie Mulvey for zoning change from A-1 and R-1 to A-2. Motion by Supervisor Hue and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

AMENDATORY ORDINANCE NO. 8. A request from the Town of Rushford on behalf of David Jorgenson for zoning change from A-1 to A-2. Motion by Supervisor Egan and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE. (Supervisor Diakoff noted that this Ordinance should be corrected by changing, "...to the zoned district of A-1" to "...the zoned district of A-2.")

AMENDATORY ORDINANCE NO. 9. A request from the Town of Wolf River on behalf of Joni Sorcic for zoning change from B-3 and A-2 to M-1. Motion by Supervisor Metzsig and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

AMENDATORY ORDINANCE NO. 10. A request from the Town of Wolf River on behalf of Willard and Natalie M. Rieckmann for zoning change from A-2 to R-2. Motion by Supervisor Metzsig and seconded to adopt. CARRIED BY UNANIMOUS VOICE VOTE.

RESOLUTIONS AND ORDINANCES

RESOLUTION NO. 60-798: Adopt Memorandum of Agreement for Operation of the Fond du Lac to Berlin Trail

WHEREAS, Winnebago County is currently operating approximately 5 miles of recreational trail along abandoned rail property in the south west section of the County; and

WHEREAS, the trail is accessible to urban areas, within close proximity of areas of significant natural beauty, is of sufficient width to provide for designated recreation purposes, is likely to receive significant public use and there is continued successful management and operation at the County level; and

WHEREAS, an understanding has been reached between Fond du Lac, Green lake and Winnebago Counties, and the State of Wisconsin Department of Natural Resources to enter into a Memorandum of Agreement for the purpose of acquisition, development, and operation of 31.05 miles of trail as part of the State Recreational Trail System.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves and authorizes the Winnebago County Executive and Winnebago County Clerk to execute the Memorandum of Agreement between Winnebago County, Green Lake County, Fond du Lac County, and the State of Wisconsin Department of Natural Resources as to the operation and development of 31.05 miles of abandoned rail property as a part of the State Recreational trail System. A copy of said Memorandum of Agreement is attached hereto and incorporated as a part of this resolution.

Submitted by:
PARKS & RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 – Pech & Wagner. CARRIED.

RESOLUTION NO. 61-798: Authority to Execute 1998-2000 Labor Agreement with the Winnebago County Highway Department Employees' Union, Local 1903, AFSCME

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the County Executive and the County Clerk be, and they hereby are authorized to execute a three-year Agreement on behalf of Winnebago County and the Winnebago County Highway Department Employees' Union, Local 1903, AFSCME for the years 1998, 1999 and 2000 effective January 1, 1998, which Agreement will provide the following major changes from the previous Agreement:

- 1) WAGES
3.0% across-the-board effective January 1, 1998
3.0% across-the-board effective January 1, 1999
3.0% across-the-board effective January 1, 2000

2. ARTICLE 14 – SICK LEAVE WITH PAY

Change the call-in provision in the Solid Waste Department from fifteen minutes to one hour before the start of the shift, except in case of emergency.

In addition to the foregoing, the new agreement includes minor revisions to the articles covering holiday dates, duration of the agreement and Appendix A.

Submitted by,
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 36. Nays: 0. Excused: – Pech and Wagner. CARRIED.

RESOLUTION NO. 62-798: Authorize the Purchase of a Flail Mower/Snow Blower for Wittman Regional Airport

WHEREAS, the current mower and snow blower are very old and expensive to maintain; and
WHEREAS, one single mower/snow blower combination can be purchased to replace both pieces of equipment; and

WHEREAS, the Airport will not be able to achieve the same standard of summer maintenance as in the past and the rental of such equipment would not be cost justifiable; and

WHEREAS, this project was included in the County Executive 1998-2002 Capital Improvements and it is recommended that this equipment be purchased in 1998.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates an amount not to exceed \$130,000 for the purchase of a new flail mower/snow blower and hereby authorizes the Airport Director to purchase said equipment and related components.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for said project are hereby appropriated from the General Fund of Winnebago County, with said fund to be reimbursed from a subsequent bond issue.

Submitted by:
AVIATION COMMITTEE
AND
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 – Pech & Wagner. CARRIED.

RESOLUTION NO. 63-798: Create One Full-Time Position of Home Consultant in the Access Unit of the Department of Social Services

WHEREAS, in order to maintain a safe environment for children following a crisis situation within their homes, it is necessary for the Department of Social Services to remove them from their homes on a temporary basis; and

WHEREAS, the removal of children from their homes by the Department of Social Services on a temporary basis following a crisis situation is expensive from both an emotional and cost standpoint; and

WHEREAS, it is expected that the removal of children from their homes following a crisis situation could be avoided in some cases if the Department of Social Services had a trained staff person available to perform a variety of crisis intervention services immediately following the crisis situation; and

WHEREAS, Federal grant funding is currently available to cover the full cost of employing an individual within the Department of Social Services, as a Home Consultant, to perform such services.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that one full-time position of Home Consultant, be and hereby is created within the Table of Organization of the Access Unit of the Department of Social Services, for the purpose of providing intensive crisis intervention services to families with dependent children.

BE IT FURTHER RESOLVED, that this position continue to exist within the Table of Organization only for as long as grant funding is available to cover the full cost of its continuation.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

Supervisor Albrecht referred this resolution to the Social Services Board.

RESOLUTION NO. 64-798: Authorize the Project Expenditures for the 1998 Phase of the West Side Arterial Roadway (Cty Rd CB) Project

WHEREAS, the Winnebago County Board supports the construction of the West Side Arterial (County Road CB) Project; and

WHEREAS, the 1998 phase of the project includes:

- | | |
|--|------------|
| 1) Change of Route Design and Right of Way
(Larsen Road crossing instead of
Oakridge road) | \$ 250,000 |
| 2) Traffic signals. Jacobson, East Shady
Lane, and CTH BB intersections | \$ 130,000 |
| 3) Bike/pedestrian trail design changes | \$ 20,000 |
| 4) Utility relocation | \$ 100,000 |

WHEREAS, total costs related to the 1998 phase are expected to be \$500,000, all representing Winnebago County costs.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$500,000 to the West Side Arterial Capital Project Fund for the purpose of paying said costs.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for said project are hereby appropriated from the General Fund Undesignated Fund Balance of Winnebago County, with said fund to be reimbursed from a subsequent bond issue.

Submitted by:
HIGHWAY COMMITTEE and
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 65-798: Provide Loan to Village of Winneconne - Industrial Development Board

WHEREAS, the Village of Winneconne has made a loan request to the Winnebago Industrial Development Board for the purpose of assisting the expansion of Historic Floors of Oshkosh; and

WHEREAS, Winnebago County and its Industrial Development Board are empowered to make such loans pursuant to the authority vested by Sec. 59.57(2)(f)(4), Wisconsin Statutes; and

WHEREAS, the Village of Winneconne projects that assisting such business park development shall generate new jobs and create additional new tax base within the community and Winnebago County; and

WHEREAS, your Industrial Development Board has approved said loan request and is requesting that the County Board of Supervisors approve the project for funding at this time.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the aforementioned Winnebago County Industrial Development Project is hereby approved.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds in the amount of \$117,000 shall be made available to loan to the Village of Winneconne with such loan agreement to be for a period of five (5) years and at an interest of 1/2 of the prime rate on the date that said loan is made, with interest due yearly upon said loan and the principal of said loan to be due to the Winnebago County Industrial Development Board on the fifth year anniversary date of said loan.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Industrial Development Board and any necessary Winnebago County officers are authorized to execute an agreement between Winnebago County's Industrial Development Board and the Village of Winneconne for this project and for said loan.

Submitted by:
INDUSTRIAL DEVELOPMENT BOARD

Motion by Supervisor Sundquist and seconded to adopt. Ayes: 37. Nays: 0. Excused: 1 – Pech. CARRIED.

RESOLUTION NO. 66-798: Create One Full-Time Position of Clerk/Receptionist: Child Support Department

WHEREAS, in reviewing the workload distributions within the Child Support Agency, it has been determined that a new position of Clerk/Receptionist is needed in order to provide prompt counter service to the public and to ensure the efficient processing of payments under the KIDS system; and

WHEREAS, the recent combination of the positions of Child Support Director and Assistant Corporation Counsel has allowed for the creation of the position of Clerk/Receptionist within the Child Support Agency without exceeding the number of positions authorized by the 1998 budget; and

WHEREAS, State funding is currently available to cover the full cost of this position.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that one full-time position of Clerk/Receptionist be, and hereby is created within the Table of Organization of the Winnebago County Child Support Agency; and

BE IT FURTHER RESOLVED, that the position of Assistant Corporation Counsel be deleted from the Table of Organization of the Child Support Agency; and

BE IT FURTHER RESOLVED, that the position of Clerk/Receptionist be continued in the Child Support Agency for only so long as State funding of the position is available; and

BE IT FURTHER RESOLVED, that funds to cover the cost of this action be applied from within the budget of the Child Support Department.

Submitted by:
JUDICIARY AND PUBLIC SAFETY COMMITTEE
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 – Pech and Lawson. CARRIED.

RESOLUTION NO. 67-798: Authorize Transfer of \$13,000 to Land Records Modernization Fund (Replacement of Reader/Printer - Register of Deeds Office)

WHEREAS, the Reader/Printer for microfilm in the Register of Deeds Office is presently ten (10) years old; and

WHEREAS, said Reader/Printer is in need of replacement due to its age and due to wear and tear upon it; and

WHEREAS, said Reader/Printer is the only instrument available for reading microfilm within the Register of Deeds Office and without it, the Register of Deeds Office is not able to adequately service its customers.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$13,000 from the Land Record Budget Fund to the Land Record Modernization Fund for the purpose of purchasing a new Reader/Printer for the Winnebago County Register of Deeds Office.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 – Pech and Lawson. CARRIED.

RESOLUTION NO. 68-798: Authorize Appropriation of Funds Received Pursuant to WIC Grant - Winnebago County Health Department

WHEREAS, the Women, Infants and Children (WIC) Program has been awarded an additional \$5,726 in grant funding for the current fiscal year; and

WHEREAS, this increase in funding is based upon a review of participation levels and a base rate adjustment; and

WHEREAS, the majority of these funds will be used to hire a temporary nutritionist to meet the increased level of demand for services within said program.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that hereby authorizes \$5,726 to be transferred from the WIC Grant Fund of the Winnebago County Health Department Budget to the following categories within the Winnebago County Health Department Budget:

Temporary employees.....	\$ 3,335
Fringes.....	\$ 346
Registration & Tuition.....	\$ 750
Auto Allowance.....	\$ 25
Meals.....	\$ 100
Lodging.....	\$ 150
Advertising.....	\$ 1,020

Submitted by:
HEALTH BOARD
AND
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Rankin and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 – Pech and Lawson. CARRIED.

ORDINANCE NO. 69-798: Amend Section 3.05(4)(b)(1) and Section 3.05(5)(a)(8) and (b) of the General Code of Winnebago County: Travel Expense Reimbursement

WHEREAS, in March, 1991, the Winnebago County Board of Supervisors established the current reimbursement rate for meals, tips for porter services and telephone calls to one's home while away on County business; and

WHEREAS, costs for meals and other incidental items that employees and elected officials may incur while away on County business have increased since March, 1991; and

WHEREAS, your undersigned Committee believes that it is reasonable at the present time to amend the County's Expense Reimbursement Ordinance in order to reflect said increases in costs.

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

That Section 3.05(4)(b)(1) of the General Code of Winnebago County be amended to read as follows:

3.05 ATTENDANCE AT MEETINGS OR SCHOOLS.
(4) EXPENSE REIMBURSEMENT.

(b) (Lodging and Meal Expense.

1) The following schedule consists of maximum reimbursable expenses for lodging and meals:

Overnight lodging - Single room costs

Supper.....	\$14.00
Lunch.....	\$ 7.50
Breakfast.....	\$ 5.50

Supper, breakfast, Lunch, no overnight lodging.....	\$ 27.00
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BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that Section 3.05(5)(a)(8) be amended to read as follows:

3.05 ATTENDANCE AT MEETINGS OR SCHOOLS.

(5) GENERAL ITEMS OR EXPENSES.

(a) The costs of tips, not to exceed 15% of meal expenses, may be included as part of the meal bill and are reimbursable expenses for meal expense reimbursement only when claimed on a per meal basis under this ordinance. In addition, reimbursement of up to \$.50 per bag for porter services are reimbursable expenses under this ordinance.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that Section 3.05(5)(b) of the General Code of Winnebago County be amended to read as follows:

3.05 ATTENDANCE AT MEETINGS OR SCHOOLS.

(5) GENERAL ITEMS OR EXPENSES.

(b) Telephone: Employees, officers and elected officials shall be eligible for reimbursement of personal telephone expenses for calls between their place of lodging and their home not to exceed an average of \$3.50 per day for each night of lodging away from home.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that this ordinance shall become effective as of September 1, 1998.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Motion by Supervisor Arne and seconded to delete Lines 44-52. Ayes: 10 – Kozickowski, Leschke, Bertrand, Wingren, Footit, Troxell, Robl, Crowley, Sievert and Arne. Nays: 26 – Kollath, Barker, Griesbach, O'Brien, Savas, Maehl, Widener, Lauson, Albrecht, Schwartz,

Montgomery, Sundquist, Wagner, Warnke, Payne, Kramer, Schaidler, Finch, Hue, Diakoff, Brennand, Egan, Rank, Rengstorf and Metzsig. LOST. Motion by Supervisor Leschke to require receipts for all expenses. No second. Vote on Resolution – Ayes: 35. Nays: 1 – Diakoff. Excused: 2 – Pech and Lawson. CARRIED.

RESOLUTION NO. 70-798: Encourage Cost Effective PCB Sediment Remediation Strategy For Lower Fox River Valley

WHEREAS, from the mid-1950's through the 1970's, industries along the Fox River discarded polychlorinated biphenyls (PCBs) and other chemicals into the Fox River; and

WHEREAS, PCBs were valuable in various manufacturing processes because of their quality in resisting breakdown in water and their non-combustibility; and

WHEREAS, in 1978 the U.S. Environmental Protection Agency (EPA) restricted the production, transport and disposal of PCBs; and

WHEREAS, the Wisconsin Department of Natural Resources (DNR), area municipalities, paper companies, and others have been working cooperatively toward determining the most effective means of remediating whatever PCB contamination continues to exist in the Fox River; and

WHEREAS, in January 1997, the DNR and seven paper companies located along the Fox River agreed to spend \$10 million to fund demonstration projects on the river for the purpose of testing various methods of remediation of that problem; and

WHEREAS, despite these local efforts, the EPA is considering designating the Fox River as a Superfund Priority Site and imposing federal, rather than a local, solution regarding *remediation*; and

WHEREAS, your undersigned Committee believes that the EPA, the DNR and the paper industry should vigorously pursue a PCB clean-up plan that addresses environmental and health concerns in a cost effective manner, taking into account the financial impact of said clean-up upon the economies of Fox River Valley communities, long term development goals, the tourism industry and legal and governmental expenses.

WHEREFORE, NOW BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby encourages the federal government, the State of Wisconsin, local municipalities and local industries to work together toward developing a cost effective, expedient PCB sediment remediation strategy in the lower Fox River Valley which shall protect human health and also restore the biological integrity of the lower Fox River.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby urges the Environmental Protection Agency to refrain from considering the Fox River as a Superfund Priority Site until demonstration projects with regard to PCB remediation funded by the DNR and local paper companies can be concluded and the results analyzed.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes and directs the Winnebago County Clerk to transmit a copy of this resolution to United States Senators Herbert Kohl and Russell Feingold; to Congressman Thomas Petri; to the Administrator of the United States Environmental Protection Agency; to the Secretary of the Wisconsin Department of Natural Resources; to all legislators representing constituents within Winnebago County in the Wisconsin State Legislature; and to the Office of Governor Tommy Thompson.

Submitted by:
LEGISLATIVE COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Supervisor Lauson corrected Line 39 by deleting, "considering the Fox River as a Superfund Priority Site" and adding, "selecting a remedial action for the Fox River". Motion by Supervisor Kollath and seconded to add, "and analysis be concluded no later than June 30, 1999" at the end of Line 47. LOST BY VOICE VOTE. Vote on Resolution as corrected – Ayes: 35. Nays: 0. Excused: 3 – Savas, Pech and Lawson. CARRIED.

ORDINANCE NO. 71-798: Create Section 9.26, General Code of Winnebago County: Prohibit Obstruction of Highways by Railroad Trains

WHEREAS, the obstruction of highways or street crossings by railroad trains has been a continuing

problem within Winnebago County; and

WHEREAS, the obstruction of highway or street crossings by railroad trains not only results in frustration to those using said highways but also places the health and safety of the citizens of Winnebago County in danger by obstructing the course of police, fire and emergency medical vehicles; and

WHEREAS, your undersigned Committee believes that the passage of an ordinance penalizing railroads for unnecessary blockage of highways and street crossings is presently necessary so as to limit those situations referred to above.

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

The creation of Section 9.26, of the General Code of Winnebago County which shall read as follows:

9.26 OBSTRUCTION OF HIGHWAYS BY TRAINS.

(1) AUTHORITY. This section of the Code is adopted under the authority granted by Section 59.54(6), Wisconsin Statutes.

(2) HIGHWAY OBSTRUCTION PROHIBITED. No railroad train, locomotive or car shall stop upon or cross any highway or street crossing or leave the same standing upon such crossing longer than ten (10) minutes, except in cases of accident.

(3) PENALTY. Any conductor, engineer, brakeman or other person in charge of any railroad train, locomotive or car or responsible therefore who shall violate this ordinance shall be fined \$500. Each and every act of violation shall constitute a separate offense. Upon default of payment, the violator shall be imprisoned for five (5) days.

(4) APPLICABILITY. This ordinance shall only apply to unincorporated areas of Winnebago County.

(5) EFFECTIVE DATE. This ordinance shall be in full force and effect as of September 1, 1998.

Submitted by:

JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 36. Nays: 0. Abstain: 1 – Footit. Excused: 1 – Pech. CARRIED.

ORDINANCE NO. 72-798: Create Section 5.06 of the General Code of Winnebago County - Public Safety Building Board

WHEREAS, Section 66.508, Wisconsin Statutes provides that any county and city may by ordinance jointly construct or otherwise acquire, equip, furnish, operate and maintain a county-city safety building; and

WHEREAS, a resolution creating a Public Safety Building Board was adopted by the City of Oshkosh and Winnebago County in 1979, but no ordinance relating to said Public Safety Building Board was ever adopted by Winnebago County; and

WHEREAS, your undersigned supervisor believes that it is necessary at the present time to create such an ordinance in order to comply with state statute and also for the purpose of bringing the by-laws of the Public Safety Building Board into compliance with state statute; and

WHEREAS, the City of Oshkosh has adopted an ordinance adopting the provisions of Section 66.508, Wisconsin Statutes.

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

The creation of Section 5.06 of the General Code of Winnebago County which shall read as follows:

5.06 CITY-COUNTY PUBLIC SAFETY BUILDING BOARD

(1) AUTHORITY. This ordinance is adopted pursuant to the authority provided under Section 66.508, Wisconsin Statutes.

(2) CITY-COUNTY PUBLIC SAFETY BUILDING. Winnebago County hereby authorizes the equipping, furnishing, operating and maintaining of a county-city safety building jointly with the City of Oshkosh. Said function shall be governed by a County-City Safety Building Board. Section 66.508, Wisconsin Statutes, together with any future amendments, deletions or supplements thereto shall govern the operation of said building and board and said statute is herewith incorporated as a part of this chapter and shall have the same force and effect as those set forth in full herein.

(3) EFFECTIVE DATE. This ordinance shall be effective as of the date following the date of its publication.

Submitted by:
PAUL SUNDQUIST, DIST. #17
COUNTY BOARD SUPERVISOR

Motion by Supervisor Sundquist and seconded to adopt. Ayes: 31. Nays: 3 – Barker, Crowley and Finch. Excused: 4 – Pech, Savas, Bertrand and Lawson. CARRIED.

ORDINANCE NO. 73-798: Amend Section 11.10(2)(a) and 11.10(4)(a) of the General Code of Winnebago County (County Social Services Board Membership)

WHEREAS, Section 11.10(2)(a) and Section 11.10(4)(a) of the General Code of Winnebago County presently prescribes that the Winnebago County Social Services Board shall consist of 5 members all of whom shall be members of the Winnebago County Board of Supervisors; and

WHEREAS, your undersigned Board believes that it would be in the best interest of Winnebago County that membership of the Board be expanded so as to include within Board membership 2 non-County Board members who have a demonstrated interest in the public welfare of the community.

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

That Section 11.10(2)(a) of the General Code of Winnebago County be amended to read as follows:
11.10 COUNTY SOCIAL SERVICES BOARD.

(2) MEMBERSHIP. (a) The Winnebago County Social Services Board shall consist of seven (7) members. Five (5) members of the Social Services Board shall be members of the Winnebago County Board of Supervisors. The two (2) remaining members of the Board of Social Services shall be non-members of the Winnebago County Board of Supervisors and residents of Winnebago County and shall have a demonstrated interest in the public welfare of the community.

(4) TERM. (a) All members of the Winnebago County Social Services Board shall serve a term of two (2) years. Those members of the Social Services Board who are also members of the Winnebago County Board of Supervisors shall serve a term which shall run concurrent to their term as members of the Winnebago County Board of Supervisors. One of those members appointed to the Social Services Board who is a non-member of the County Board of Supervisors shall serve a term which shall expire on December 31, 1998. The other non-County Board of Supervisors member of the Social Services Board shall serve a term which shall expire on December 31, 1999. Vacancies within the Board shall be filled as provided pursuant to Subsection (3), above. Members of the Social Services Board who are not members of the County Board of Supervisors shall be entitled to a per diem and expenses for attendance at Social Services Board meetings.

Submitted by:
SOCIAL SERVICES BOARD

Motion by Supervisor Koziczkowski and seconded to adopt. Ayes: 33. Nays: 1 – Crowley. Excused: 4 – Pech, Savas, Bertrand and Lawson. CARRIED.

ORDINANCE NO. 74-798: Create Section 9.27, General Code of Winnebago County: Restriction on Sale or Gift of Cigarettes or Tobacco Products to Minors

WHEREAS, Section 134.66, Wisconsin Statutes restricts the sale or gift of cigarettes or tobacco products to minors; and

WHEREAS, and the Winnebago County Sheriff has advised your undersigned Committee that Section 134.66(5), Wisconsin Statutes allows for a county to adopt an ordinance restricting the sale or gift of cigarettes or tobacco products to minors if it strictly conforms to Section 134.66, Statutes

WHEREAS, the Winnebago County Sheriff has informed your undersigned Committee that the adoption of such an ordinance would allow for the easier enforcement of laws restricting the sale of tobacco products and

gift of tobacco products to minors.

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

The creation of Section 9.27 of the General Code of Winnebago County which shall read as follows:
9.27 RESTRICTION ON SALE OR GIFT OF CIGARETTES OR TOBACCO PRODUCTS TO

MINORS.

(1) AUTHORITY. This ordinance is adopted pursuant to that authority provided under Section 134.66(5), Statutes.

(2) SECTION 134.66, WISCONSIN STATUTES INCORPORATED BY REFERENCE.

Section 134.66, Wisconsin Statutes, 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 if fully set forth herein. Any act required to be performed or prohibited by Section 134.66, Wisconsin Statutes is required or prohibited by this section of the Code, and any act or omission penalized pursuant to Section 134.66(4), Wisconsin Statutes is penalized in the same manner by this section of the Code.

(3) APPLICABILITY. This ordinance shall apply to all areas of the County, unless a town, village or city within the County has adopted an ordinance pursuant to Section 134.66(5), Wisconsin Statutes, in which case said town, village or city ordinance shall take precedence over this ordinance.

(4) EFFECTIVE DATE. This ordinance shall be effective as of September 1, 1998.

Submitted by:

JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 22 – Kollath, Barker, Griesbach, O'Brien, Savas, Maehl, Widener, Leschke, Schwartz, Montgomery, Bertrand, Wingren, Robl, Lawson, Crowley, Hue, Sievert, Arne, Brennand, Egan, Rankin and Rengstorf. Nays: 15 – Kozickowski, Klitzke, Lauson, Albrecht, Sundquist, Wagner, Warnke, Footit, Troxell, Payne, Kramer, Schaidler, Finch, Diakoff and Metzlig. Excused: 1 - Pech. CARRIED.

ORDINANCE NO. 75-798:

**Create Section 9.28 of the General Code of Winnebago County:
Prohibit Purchase or Possession of Tobacco Products by Minors**

WHEREAS, Section 938.983(5), 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 Section 938.983, Wisconsin Statutes; 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 Section 938.983, Wisconsin Statutes.

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

The creation of Section 9.28, General Code of Winnebago County be created to read as follows:

9.28 POSSESSION OF TOBACCO PRODUCTS BY MINORS PROHIBITED.

(1) AUTHORITY. This ordinance is adopted pursuant to that authority provided by Section 938.983, Wisconsin Statutes.

(2) SECTION 938.983, WISCONSIN STATUTES, INCORPORATED BY REFERENCE. Section 938.983, Wisconsin Statutes, 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 Section 938.983, Wisconsin Statutes, 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 the imposition of those penalties upon them as is provided in Section 25.04 of this Code.

(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 Section 938.983(5), Wisconsin Statutes.

(5) EFFECTIVE DATE. This ordinance shall become effective as of September 1, 1998.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 13 – Kollath, Barker, Griesbach, O'Brien, Savas, Maehl, Leschke, Montgomery, Wingren, Hue, Brennand, Egan and Rengstorf. Nays: 24 – Kozickowski, Klitzke, Widener, Lauson, Albrecht, Schwartz, Bertrand, Sundquist, Wagner, Warnke, Footit, Troxell, Robl, Payne, Lawson, Crowley, Kramer, Schaidler, Finch, Sievert, Arne, Diakoff, Rankin and Metzger. Excused: 1 – Pech. LOST.

RESOLUTION NO. 76-798: Ratify Execution of Joint Powers Agreement: Winnebago County Sophisticated E911 System

WHEREAS, Section 66.30, Wisconsin Statutes, allows municipalities in the State of Wisconsin to enter into intergovernmental cooperation agreements; and

WHEREAS, Section 146.70(9), Statutes requires that in implementing a sophisticated E911 system as has been done and will continue to be done in Winnebago County, that municipalities within the county shall annually enter into a Joint Powers Agreement which agreement shall provide that if an emergency services vehicle is dispatched in response to a request through the Winnebago County system, such vehicle shall render its services to persons needing aid and assistance; and

WHEREAS, Winnebago County and municipalities within the County have entered into such a Joint Powers Agreement as is required by Section 146.70(9), Wisconsin Statutes, said Agreement also establishing a County Communications and Information Systems Advisory Committee with regard to the use and operation of the sophisticated E911 system; and

WHEREAS, a copy of the form of said Joint Powers Agreement is herewith attached to and incorporated as a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby ratifies and authorizes the execution of the attached Joint Powers Agreement between Winnebago County and the following municipalities:

Cities of Menasha, Neenah, Oshkosh and Omro;
Towns of Algoma, Black Wolf, Clayton, Menasha,
Neenah, Nekimi, Omro, Poygan, Oshkosh,
Rushford, Utica, Vinland, Winchester,
Winneconne and Wolf River;
and the Village of Winneconne.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Supervisor Rengstorf corrected the Resolution by adding the Town of Nepeuskun to the list of municipalities. Ayes: 36. Nays: 1 – Robl. Excused: 1 – Pech. CARRIED.

RESOLUTION NO. 77-798: Support State Highway 110 Improvement Project Freeway Design

WHEREAS, the State Highway 110 Improvement Project is being designed to promote efficient movement of traffic to meet future needs and to provide for the ultimate safety for those using the highway infrastructure; and

WHEREAS, your undersigned Committee believes that in order to meet those needs, that State Highway 110 should be designed and built as a freeway.

NOW, THEREFORE, the Winnebago County Board of Supervisors requests that the State Highway 110

Improvement Project be designed and built as a freeway.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that should there be insufficient funding for the design and construction of State Highway 110 as a freeway, that an interchange be designed and built, as an alternative, at the State Highway 116, County Highway "GG" intersection to promote safe traffic movements.

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 the Secretary of the Wisconsin Department of Transportation, to all legislators representing constituents within Winnebago County, to the Office of Governor Tommy Thompson and to the Wisconsin Counties Association.

Submitted by:
HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 33. Nays: 1 – Widener. Excused: 4 – Savas, Pech, Bertrand and Lawson. CARRIED.

ORDINANCE NO. 78-798: Create Section 9.28 General Code of Winnebago County: Restrictions on Stopping and Parking Vehicles

WHEREAS, the Winnebago County Sheriff's Department has recommended that an ordinance be adopted which would adopt the language contained within Section 346.50 through 346.56, Wisconsin Statutes so as to allow the County Sheriff to issue a citation for an ordinance violation for stopping and parking violations relating to motor vehicles; and

WHEREAS, your undersigned Committee believes that the adoption of such an ordinance would be in the best interests of the citizens of Winnebago County.

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

The creation of Section 9.28 of the General Code of Winnebago County which shall read as follows:
9.28 RESTRICTIONS ON STOPPING AND PARKING OF VEHICLES

(1) AUTHORITY. This section of the Code is adopted under the authority granted by Section 59.54(6), Wisconsin Statutes.

(2) SECTIONS 346.50 THROUGH 346.56, WISCONSIN STATUTES, INCORPORATED BY REFERENCE. Sections 346.50 through 346.56, Wisconsin Statutes, 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 if fully set forth herein. Any act required to be performed or prohibited by Sections 346.50 through 346.56, Wisconsin Statutes, is required or prohibited by this section of the Code.

(3) APPLICABILITY. This ordinance shall be applicable in all unincorporated areas of Winnebago County.

(4) PENALTIES. *Any person who violates any provision of this section of the Code shall be subject to the imposition of those penalties upon them as is provided in Section 345.56, Wisconsin Statutes, which is incorporated herein by reference.*

(5) EFFECTIVE DATE. This ordinance shall be in full force and effect as of September 1, 1998.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 22 – Barker, Griesbach, O'Brien, Savas, Maehl, Koziczowski, Widener, Albrecht, Leschke, Schwartz, Bertrand, Wingren, Wagner, Footit, Robl, Lawson, Sievert, Arne, Brennand, Egan, Rengstorf and Metzsig. Nays: 15 – Kollath, Klitzke, Lauson, Montgomery, Sundquist, Warnke, Troxell, Payne, Crowley, Kramer, Schaidler, Finch, Hue, Diakoff and Rankin. CARRIED.

RESOLUTION NO. 79-798: Authorize Construction of New Wisconsin of Department of Natural Resources Building by Winnebago County and Sale of Property to the State of Wisconsin

WHEREAS, for approximately five (5) years, the Winnebago County Planning Department, the Winnebago County Executive and the State of Wisconsin have been involved in negotiations for the construction of a new Wisconsin Department of Natural Resources Building which would be constructed upon property presently owned by Winnebago County which is adjacent to the present James P. Coughlin Center Building; and

WHEREAS, the new proposed Wisconsin Department of Natural Resources Building and the James P. Coughlin Center would be attached by an atrium to be constructed between the two buildings; and

WHEREAS, the Wisconsin Department of Natural Resources has tentatively agreed, subject to the approval by the State Building Board, to pay Winnebago County for the costs of constructing said building, which are presently estimated at approximately 1.2 million dollars; and

WHEREAS, based upon the State's preference and based upon liability concerns on the part of Winnebago County, Winnebago County has tentatively proposed to sell the State of Wisconsin that property upon which the proposed Wisconsin Department of Natural Resources Building would be constructed for the price of \$3600.00, said price being reached pursuant to an independent appraisal performed upon said property; and

WHEREAS, a tentative proposal has been made by Winnebago County which has been tentatively accepted by the State of Wisconsin to provide the State of Wisconsin easements with regard to the asphalt drive into said building and to the parking *lots* surrounding said building; and

WHEREAS, a tentative proposal has also been agreed to by the State of Wisconsin to rent additional property upon the James P. Coughlin Center site for the construction of a metal storage building for the Department of Natural Resources which would be behind the proposed Department of Natural Resources Building; and

WHEREAS, the Wisconsin Department of Natural Resources has also tentatively agreed to enter into a maintenance agreement with Winnebago County to compensate Winnebago County for the costs of upkeep and improvements to the drive and parking lots surrounding said office complex and with regard to the costs of heating and cooling said buildings; and

WHEREAS, if said agreements are approved by the Winnebago County Board of Supervisors and the State of Wisconsin Building Board, it is anticipated that commencement of construction upon said new Wisconsin Department of Natural Resources Building could commence as early as September, 1998; and

WHEREAS, the construction of said building by the State of Wisconsin would result in said building becoming a regional headquarters for the State Department of Natural Resources with as many as fifteen (15) jobs being relocated to Winnebago County; and

WHEREAS, the construction of said building would provide convenience to the citizens of Winnebago County who are dealing with natural resource issues who may be required to visit both county and state offices as well as providing convenience to Winnebago County Departments who frequently deal with the Wisconsin Department of Natural Resources.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and Winnebago County Clerk to execute a contract with the State of Wisconsin pursuant to which Winnebago County would construct a new office building for the Wisconsin Department of Natural Resources upon property adjacent to the James P. Coughlin Center in the City of Oshkosh, contingent upon payment of sums for the construction of said building to Winnebago County by the State of Wisconsin.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and Winnebago County Clerk to execute a Warranty Deed to the State of Wisconsin upon payment of the costs of construction of the proposed Department of Natural Resources Office Building upon the payment of \$3600.00 for said property, said property being described as follows:

That part of the N.E. 1/4 of Section 36, T19N, R16E, City of Oshkosh, Winnebago County, Wisconsin, which is bounded and described as follows:

Commencing at the N. 1/4 corner of said Section, thence North 90°00'00" East along the North line of said 1/4 Section 1410.99 Ft., thence South 00°00'00" East 239.67 Ft. to the most Easterly corner of an existing masonry building, thence South 44°56'47" West along the outer face of the Southeasterly wall of said building 91.10 Ft., thence South 45°03'13" East 20.00 Ft., thence North 44°56'47" East 13.00 Ft. to the point of beginning of the footprint to be described, thence South 45°03'13" East 130.00 Ft., thence South 44°56'47" West 78.00 Ft., thence North 45°03'13" West 130.00 Ft., thence North 44°56'47" East 78.00 Ft. to the point of beginning.

Access to the aforescribed parcel will be granted by way of an existing driveway leading from

Sunnyview Road. Access will also be granted to and over existing Parking Lots "A" and "B" and proposed Parking Lot "C" as depicted on a site survey dated July 21, 1998 prepared by Roehlig Land Surveying and Consulting, Ltd.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said Warranty Deed shall be subject to the following restricted covenants:

- (1) That should State of Wisconsin at some future date offer said property for sale, that Winnebago County shall have a first and last Right of Refusal with regard to the option of purchasing said property from the State of Wisconsin;
- (2) That the State of Wisconsin shall be restricted to utilizing said property for business office purposes.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and Winnebago County Clerk to execute an ingress and egress easement to the State of Wisconsin with regard to access to the above-described property as well as an easement for the purposes of using parking lots surrounding said property for the purpose of parking vehicles upon said lots.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it authorizes the Winnebago County Executive and Winnebago County Clerk, at some future date, to negotiate and execute a rental agreement with the State of Wisconsin with regard to space behind the proposed Wisconsin Department Natural Resources Building which shall be used by the Department of Natural Resources for the construction of a metal storage shed.

BE IT FURTHER RESOLVED that it hereby authorizes the Winnebago County Executive and Winnebago County Clerk to execute an agreement with the State of Wisconsin for contribution to the costs of maintenance of the roadways, parking lots, joint heating and cooling facilities, utility costs and any other shared costs with regard to said proposed Department of Natural Resources Building in relationship to the James P. Coughlin Center.

Submitted by:

PROPERTY MANAGEMENT & MAINTENANCE COMMITTEE

Motion by Supervisor Wagner and seconded to adopt. Ayes: 34. Nays: 0. Excused: 4 – Pech, Savas, Bertrand and Lawson. CARRIED.

Motion by Supervisor Schwartz and seconded to adjourn until August 18, 1998, at 6:00 p.m. The meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Susan T. Ertmer