

**ADJOURNED SESSION
COUNTY BOARD MEETING
TUESDAY, NOVEMBER 21, 2000**

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

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

The following Supervisors were present: Barker, Griesbach, Savas, Maehl, Koziczowski, Klitzke, Widener, Albrecht, Pech, Leschke, Green, Madison, Reilly, Sundquist, Wingren, King, Norton, Hert, Nielsen, Robl, Eichman, Kline, Kramer, Schaidler, Finch, Spanbauer, Sievert, Arne, Diakoff, Brennand, Egan, Rankin, Rengstorf and Metzgi. Excused: Crowley and Lauson. Absent: Kollath and O'Brien.

Motion by Supervisor Robl and seconded to approve the agenda with the change of order of the resolutions, so that action can be taken on Resolution No. 121-112000 before Resolution No. 111-112000.
CARRIED BY VOICE VOTE.

COMMUNICATIONS, PETITIONS, ETC.

Letters were received from the following towns opposing Winnebago County's proposed Comprehensive Land Use Plan: Algoma, Black Wolf, Nekimi, Oshkosh, Vinland, Neenah, Utica, Winchester and Wolf River. Copies of the letters were distributed to the Board.

Information on the following seminars and conferences were read:

- ◆ "Project Wrap-Up Meeting to Discuss the Cleanup of the Lower Fox River Site," sponsored by the U.S. Environmental Protection Agency, Tuesday, December 5, 7:00 p.m., Brown County Library, Green Bay, Wisconsin
- ◆ "Public Participation and Outreach," sponsored by WCA, Monday, December 4, Wausau, Wisconsin

Petition for Zoning Amendment from Oakbrook Evangelical Free Church of Oshkosh, Wisconsin, Inc., Town of Algoma, for zoning change from R-2 to P-1 for a ministry center and church was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Donald M. & Margaret A. Johnson, Town of Winchester, for change from A-1 (Parcel 0280431) & B-2 (Parcel 028043102) to B-3 (both parcels) for commercial development and a proposed county garage facility was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Bob Dodd, Town of Omro, for change from A-2, R-1, B-2 and P-1 to A-2 and P-1 for general agriculture and an existing cemetery was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Arthur Busse, Town of Omro, for zoning change from R-1 & B-2 to A-2 for a single family residence and farm was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from James B. Potratz, Town of Omro, for change from A-2 & R-1 to A-2 to eliminate dual zoning and to use property for residential purposes was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Viola L. Schmick, Town of Omro, for change from B-2, R-1 & A-2 to A-2 for agricultural and residential use was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from James Longworth, Town of Omro, for change from B-2 to B-3 (HB) for mini-warehousing was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Thomas Hughes, Town of Omro, for zoning change from B-2 & A-2 to A-2 for a single family residence and farm was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Reuben Olson, Town of Clayton, for change from A-1 to A-2 for agricultural use was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from James E. Thompson, Town of Clayton, for change from A-1 to A-2 for continued agricultural use was referred to the Planning & Zoning Committee.

COMMITTEE REPORTS

Supervisor Koziczowski asked that the Board read through the Human Services Department 1999

Annual Report. He stated that the report contains important information on the various programs that are administered by the Human Services Department.

Supervisor Robl reported that County Road A has re-opened to traffic. It is now a four-lane highway from County Road Y south to the City of Oshkosh.

Supervisor Barker reported that the WCA will be holding a meeting on December 1 at 1:30 p.m. to discuss the gypsy month problem. This will be held at the WCA's office in Madison.

Supervisor Barker also reminded the Legislative Committee that there is a meeting scheduled for Monday, November 27 and that Mark O'Connell from the WCA will present a report on the Kettl Commission at that meeting.

Supervisor Pech commended the Oshkosh North High School football team and coaching staff for winning the Wisconsin State Football Championship. He also commended other students in the county for their hard work and efforts in their studies and in their extra curricular activities.

Supervisor Brennand invited the Board to attend the Wisconsin Counties Mutual Insurance Board meeting that will be held on December 1 @ 10:00 a.m. at the Pioneer Inn in Oshkosh.

Supervisor Nielsen commended the County Clerk's Office for their efforts on election night, which made election results available in an expedient and efficient manner.

Supervisor Madison commended the Parks & Recreation Committee for attempting to form a citizen advisory committee to study leashing dogs on county trails. Supervisor Madison would like to have the Committee or possibly the County Board reconsider that option.

Motion by Supervisor Robl and seconded to approve the proceedings from the October 16, 17 & 18 and October 24, 2000 County Board meetings. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Van De Hey extended her congratulations to the Oshkosh North High School football team on their state championship. She also noted that two of the players, Patrick Hughes and Bob Docherty, are the sons of two Winnebago County employees—Officers Chris & Bob Hughes of the Sheriff's Department and Steve Docherty of the Child Support Agency.

Executive Van De Hey reported that she was involved in telethon at the UW-Oshkosh over the weekend. which raised over \$10,000 to help fight the rare childhood disease of ataxia telangiectasia.

Executive Van De Hey encouraged the Board to approve Resolution No. 121-112000, "Awarding the Sale of \$2,710,000 General Obligation Promissory Notes; Providing the Form of the Notes; and Levying a Tax in Connection Therewith."

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Maehl welcomed Supervisor Kramer back after his extended illness. The Board welcomed Supervisor Kramer back with a round of applause.

Chairman Maehl stated that Supervisors Crowley and Lauson are both ill and will not be in attendance at tonight's meeting.

Chairman Maehl announced that Supervisor Eichman has been appointed to the WCA's Transportation & Public Works Steering Committee.

Chairman Maehl asked that the Board take note of the calendar/memo books and the Christmas party invitations that were placed on their desks.

Chairman Maehl extended "happy birthday" wishes to Supervisors Finch, Spanbauer and Klitzke and Chuck Orenstein, Finance Director. He also thanked Supervisor Spanbauer for his donation to the scholarship fund.

PUBLIC HEARING

Sandra Kempken, 6754 Forest Park Road, Winneconne, citizen member of the Winnebago County Long Term Support Advisory Committee, thanked the Board for passing "Amendment (1) – Amend Human

Services Budget”, at their October 18 meeting which added \$488,000 to the Human Services Department’s budget for the COP and COP Waiver programs.

Mary Berndt, 545 West Larrabee Street, Omro, thanked the Board for passing “Amendment (1) – Amend Human Services Budget”, at their October 18 meeting which added \$488,000 to the Human Services Department’s budget for the COP and COP Waiver programs.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner JJR LLC, Town of Menasha, for zoning change to R-2 (Single family subdivided). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11-01-00. A request for zoning change from R-1 (Single family non-subdivided) to R-2 (Single family subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 2. A request from the Town of Black Wolf in accordance with the petition of the Town of Black Wolf for a zoning change for parcel #004-0340-02 from A-2 to P-1. Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 3. A request from the Town of Black Wolf on behalf of Robert & Pamela Newell for zoning change from A-2 to R-1. Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 4. A request from the Town of Poygan on behalf of Virgil Achterberg for zoning change from A-2 to R-1. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 5. A request from the Town of Poygan on behalf of Martin & Pearl Muscavitch for zoning change from A-2 to R-1. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 6. A request from the Town of Rushford on behalf of Gerald Zink for zoning change from A-1 to A-3. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTIONS & ORDINANCES

RESOLUTION NO. 121-112000: Awarding The Sale of \$2,710,000 General Obligation Promissory Notes; Providing The Form of The Notes; and Levying A Tax In Connection Therewith

WHEREAS, on October 24, 2000, the County Board of Supervisors of Winnebago County, Wisconsin (the "County") adopted a resolution entitled: "Resolution Authorizing the Borrowing of Not to Exceed \$2,710,000; and Providing for the Issuance and Sale of General Obligation Promissory Notes Therefor" (the "Authorizing Resolution") authorizing the issuance and sale of general obligation promissory notes in an amount not to exceed \$2,710,000 for the purpose of paying the cost of constructing, extending and improving roads and bridges; building and equipment acquisition; and improvement, replacement and repair projects at various County buildings and sites (the "Project");

WHEREAS, the County Board has directed its financial advisor, Robert W. Baird & Co., Milwaukee, Wisconsin, to take the necessary steps to sell general obligation promissory notes in the amount of \$2,710,000 for the public purpose of financing the Project;

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

WHEREAS, an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) has been circulated to potential bidders;

WHEREAS, the following bid proposals were received:

BIDDER

TRUE INTEREST COST

NET INTEREST RATE

(SEE BID TABULATION ATTACHED AS EXHIBIT B)

WHEREAS, it has been determined that the bid proposal submitted by Robert W. Baird & Co. Incorporated, Milwaukee, Wisconsin, fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the County. A copy of said bid is attached hereto as Exhibit C and incorporated herein by this reference.

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

Section 1. Approval of Offering Documents. The Official Notice of Sale and other offering materials prepared and circulated by Robert W. Baird & Co. are hereby ratified and approved.

Section 2. Award of the Notes. The bid proposal of Robert W. Baird & Co. Incorporated, Milwaukee, Wisconsin (the "Purchaser") is hereby accepted, said proposal offering to purchase the \$2,710,000 Winnebago County General Obligation Promissory Notes (the "Notes") for the sum of TWO MILLION SIX HUNDRED NINETY-SEVEN THOUSAND FOUR HUNDRED FOURTEEN AND 15/100 DOLLARS (\$2,697,414.15) plus accrued interest to the date of delivery. The Notes bear interest as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2001	\$290,000	4.55%
2002	220,000	4.60
2003	230,000	4.60
2004	240,000	4.60
2005	255,000	4.60
2006	265,000	4.65
2007	280,000	4.65
2008	295,000	4.70
2009	310,000	4.75
2010	325,000	4.85

Section 3. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes"; shall be dated December 1, 2000; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered 1 and upward; and shall mature serially on April 1 of each year, in the years and principal amounts as set forth above. Interest is payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2001.

Section 4. Redemption Provisions. At the option of the County, the Notes maturing on April 1, 2009 and thereafter shall be subject to redemption prior to maturity on April 1, 2008 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 5. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit D and incorporated herein by this reference.

Section 6. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years and in the amounts as follows:

<u>Levy Year</u>	<u>Amount</u>
2000	\$388,702.50
2001	328,105.00
2002	327,755.00
2003	326,945.00
2004	330,560.00
2005	328,533.75
2006	330,862.50
2007	332,420.00
2008	333,125.00
2009	332,881.25

The direct annual irrepealable tax hereby levied shall be carried onto the tax roll and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected. So long as any part of the principal of or interest on the Notes remains unpaid, the tax hereinabove levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account created by Section 7 hereof.

Section 7. Debt Service Fund Account. There is hereby established in the County treasury a fund account separate and distinct from all other funds or accounts of the County designated "Debt Service Fund Account for \$2,710,000 Winnebago County General Obligation Promissory Notes dated December 1, 2000", which fund account shall be used solely for the purpose of paying the principal of and interest on the Notes. There shall be deposited in said fund account all accrued interest paid on the Notes at the time the Notes are delivered to the Purchaser, any premium, all money raised by taxation pursuant to Section 6 hereof and all other sums as may be necessary to pay principal of and interest on the Notes as the same becomes due. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Notes and shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished.

Section 8. Borrowed Money Fund; Reimbursement. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into an account separate and distinct from all other funds and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes.

Any expenditures already paid by the County for which the County is to be reimbursed with Note Proceeds (a) were paid no earlier than 60 days prior to the dates on which the County Board of Supervisors adopted (i) the Authorizing Resolution or (ii) resolutions stating its expectation to reimburse itself from Note Proceeds for any expenditures on the Project which it paid from other funds of the County prior to receipt of the Note Proceeds or (b) are preliminary expenditures relating to the Project (such as architectural, engineering, surveying, soil testing, costs of issuance and similar costs but not including land acquisition, site preparation and similar costs incident to the commencement of construction) which are in an amount which is less than 20% of the issue price of the Notes. The Authorizing Resolution and the reimbursement resolutions referred to above shall be publicly available in the official books, records or proceedings of the County Board of Supervisors.

Section 9. Arbitrage Covenant. The County shall not take any action with respect to the Note Proceeds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of the delivery of and payment for the Notes (the "Closing"), would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") and any income tax regulations promulgated thereunder (the "Regulations").

The Note Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Notes remain outstanding, moneys on deposit in any fund or account created or maintained in connection with the Notes, whether such moneys were

derived from the Note Proceeds or from any other source, will not be used or invested in a manner which would cause the Notes to be "arbitrage bonds" within the meaning of the Code or Regulations.

The County Clerk, or other officer of the County charged with responsibility for issuing the Notes, shall provide an appropriate certificate of the County, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the County regarding the amount and use of the Note Proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

Section 10. Additional Tax Covenants; Small Issuer Exemption from Rebate; Qualified Tax-Exempt Obligation Status; IRS Audit. The County hereby further covenants and agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Notes) to assure that the Notes are obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes, throughout their term. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes, shall provide an appropriate certificate of the County as of the Closing, for inclusion in the transcript of proceedings, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Further, it is the intent of the County to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Notes will continue to be obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes throughout their term.

The County acknowledges that, in the event of an examination by the Internal Revenue Service (the "Service") of the exemption from federal income taxation for interest paid on the Notes, it will be treated as the "taxpayer" in such examination and agrees that it will respond in a commercially reasonable manner to any inquiries from the Service in connection with such an examination.

The County covenants that it is a governmental unit with general taxing powers and that the Notes are not "private activity bonds" as defined in Section 141 of the Code.

In accordance with Section 148(f)(4)(D) of the Code, the County covenants that ninety-five percent (95%) or more of the net proceeds of the Notes are to be used for local governmental activities of the County and that the aggregate face amount of all tax-exempt obligations (other than "private activity bonds") issued by the County, including all subordinate entities of the County, during calendar year 2000 will not exceed \$5,000,000. If for any reason the County did not qualify for the small issuer exemption from the rebate requirements of the Code, the County covenants that it would take all necessary steps to comply with such requirements.

The County Board of Supervisors hereby designates the Notes to be "qualified tax-exempt obligations" pursuant to the provisions of Section 265(b)(3) of the Code and in support of such designation, the County Clerk or other officer of the County charged with the responsibility for issuing the Notes, shall provide an appropriate certificate of the County, all as of the Closing.

Section 11. Execution of the Notes. The Notes shall be issued in typewritten or printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated by its fiscal agent, if any, sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the delivery of the Notes, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute and deliver all documents as may be necessary and convenient to effectuate the Closing.

Section 12. Payment of the Notes. The principal of and interest on the Notes shall be paid in lawful money of the United States of America by the County Clerk or County Treasurer.

Section 13. Persons Treated as Owners; Transfer of Notes. The County shall keep books for the registration and for the transfer of the Notes. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or

interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the County Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the County Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Clerk shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes. Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the corresponding record date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 15. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the holders of the Notes, to enter into a written undertaking (the "Undertaking") required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the holders of the Notes or by the Purchaser on behalf of such holders (provided that the rights of the holders and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 16. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Chairman Maehl introduced Brad Viegut, Vice President of Robert W. Baird & Co., who presented the final pricing summary for the \$2,710,000 General Obligation Promissory Notes.

Vote on Resolution: Ayes: 34. Nays: 0. Excused: 2 – Crowley and Lauson. Absent: 2 - O'Brien and Kollath. CARRIED.

ORDINANCE NO. 111-112000: Amend Section 7.02(1)(a) of the General Code of Winnebago County (Speed Limit - County Trunk Highway A)

WHEREAS, the Winnebago County Highway Committee, the City of Oshkosh, local residents and business owners have requested the County to lower the speed limit on County Trunk Highway A from Harrison Street to Snell Road from 45 miles per hour to 35 miles per hour; and

WHEREAS, your undersigned Committee believes that the lowering of the speed limit in that area would protect the safety of highway users and those living in that area or operating businesses in that area.

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

Section 7.02(1)(a) 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 its intersection with Snell Road.
- (3) 35 miles per hour for all vehicles from its intersection with Snell Road southerly to its intersection with Harrison Street in the City of Oshkosh.

BE IT FURTHER ORDAINED by the Winnebago County Board of Supervisors that said amendment to said ordinance shall be effective as of the date following the date of its publication and the posting of said new speed limits.

Submitted by:
HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 9 – Savas, Koziczkowski, Leschke, Madison, Robl, Schaidler, Sievert, Egan and Metzlig. Nays: 25. Excused: 2 – Crowley and Lauson. Absent: 2 - O'Brien and Kollath. LOST.

RESOLUTION NO. 112-112000: Authorize Discontinuance of Portion of Mildred Lane, Town of Poygan

WHEREAS, Florian E. Smits and Grace M. Smits of 307 Cherry Lane, Little Chute, Wisconsin have petitioned Winnebago County to discontinue that portion of Mildred Lane, consisting of the East 93.05 feet thereof, fronting and abutting Lot 1, Poygan Lakeview Plat, Section 10, Town of Poygan, Winnebago County, Wisconsin; and

WHEREAS, said road is upon platted land; and

WHEREAS, said road, while appearing upon the plat map of said property, has never been dedicated as a public highway; and

WHEREAS, said petition has been signed by the Vice President of the Town of Poygan-Poy Sippi Sanitary District No. 1 and by the owners of more than one-third of the frontage of lots and lands abutting on that portion of the remainder of the road which lies within 2650 feet of end of the road to be discontinued; and

WHEREAS, your undersigned Committee believes that it would not be harmful to the interest of the public to discontinue that portion of the road which the Petitioners seek to discontinue.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that pursuant to Sections 236.445 and 66.296, Wisconsin Statutes, it hereby grants the Petition of Florian E. Smits and Grace M. Smits to discontinue that portion of Mildred Lane fronting and abutting Lot 1, Poygan Lakeview Plat, Section 10, Town of Poygan, Winnebago County, Wisconsin consisting of the East 60 feet thereof.

Submitted by:
PLANNING & ZONING COMMITTEE

Motion by Supervisor Schaidler and seconded to adopt. Ayes: 34. Nays: 0. Excused: 2 – Crowley and Lauson. Absent: 2 - O'Brien and Kollath. CARRIED.

RESOLUTION NO. 113-112000: Require Advisory Referendum As Condition Precedent to Implementation of County Sales Tax

WHEREAS, there has been discussion before the County Board of Supervisors as to the possibility of the implementation of a 1/2 cent County sales tax to pay for the cost of additional capital improvement projects within Winnebago County; and

WHEREAS, your undersigned Supervisor believes that Winnebago County citizens should have a direct say as to whether such a sales tax would be implemented to pay for the cost of such capital projects; and

WHEREAS, your undersigned Supervisor believes that the best way to provide citizens with a direct say as to the implementation of such a sales tax would be through an advisory referendum.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that any resolution brought before the Board to implement a ½ cent County sales tax shall be subject to a condition precedent requiring an advisory referendum on that issue first be submitted to the electorate.

Submitted by:
MARK MADISON, DIST. #15
COUNTY BOARD SUPERVISOR

Motion by Supervisor Madison and seconded to adopt. Motion by Supervisor Nielsen and seconded to table. Ayes: 19 – Barker, Koziczowski, Klitzke, Albrecht, Green, Sundquist, Wingren, King, Hert, Nielsen, Eichman, Kramer, Schaidler, Sievert, Diakoff, Brennand, Egan, Rankin and Metzsig. Nays: 15 – Griesbach, Savas, Maehl, Widener, Pech, Leschke, Madison, Reilly, Norton, Kline, Finch, Spanbauer, Arne and Rengstorf. Excused: 2 – Crowley and Lauson. Absent: 2 - O'Brien and Kollath. CARRIED.

RESOLUTION NO. 114 –112000: Replace Three Full-Time Positions of Corrections Officer with Three Full-Time Positions of Corporal: Sheriff's Department

WHEREAS, with the increased prisoner population and the increased entry level Corrections Officer staffing at the Work Release Center, it has been determined that three positions of Corporal are needed in order to provide enhanced management and lead worker services within the Work Release Center; and

WHEREAS, the Sheriff has determined that the most cost-effective method of providing the necessary leadership staffing in the Work Release Center is to replace three existing full-time positions of Corrections Officer with three full-time positions of Corporal.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that three full-time positions of Corrections Officer be replaced with three full-time positions of Corporal within the Table of Organization of the Winnebago County Sheriff's Department.

BE IT FURTHER RESOLVED, that funds necessary to cover the cost of this action be applied from within the budget of the Sheriff's Department.

Submitted by,
JUDICIARY & PUBLIC SAFETY COMMITTEE
AND
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 34. Nays: 0. Excused: 2 – Crowley and Lauson. Absent: 2 - O'Brien and Kollath. CARRIED.

RESOLUTION NO. 115-112000: Create One Full-Time Position of Social Worker in the Younger Adult Unit and One Full-Time Position of Social Worker in the Older Adult Unit of the Department of Human Services

WHEREAS, Amendment #1 to the 2001 Winnebago County budget was enacted, in part, to provide for increased funding in various accounts of the Human Services Department budget for the purpose of enhancing staffing within the Younger Adult and Older Adult units of the Department in order to enable the Department to provide services to approximately 200 citizens of the County on the waiting list for the

Community Options Program (COP) and the COP-Waiver; and

WHEREAS, in order to implement the staffing modification anticipated as part of Amendment # 1, it is necessary to formally amend the Table of Organization of the Department of Human Services.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that one full-time position of Social Worker be created within the Younger Adult Unit and one full-time position of Social Worker be created within the Older Adult Unit of the Table of Organization of the Department of Human Services; and

BE IT FURTHER RESOLVED, that funding to cover the cost of these positions be made available from within the budget of the Department of Human Services.

Submitted by,
HUMAN SERVICES BOARD
AND
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Widener and seconded to adopt. Supervisor Leschke asked that the Personnel & Finance Committee's vote, as noted on the resolution, be corrected to "3-2". Vote on corrected resolution: Ayes: 12 – Griesbach, Savas, Maehl, Koziczowski, Widener, Pech, Green, Norton, Kline, Arne, Brennand and Rengstorf. Nays: 22. Excused: 2 – Crowley and Lauson. Absent: 2 - O'Brien and Kollath. LOST.

RESOLUTION 116-112000: Establish Compensation Plan For County Executive to be Elected in Spring, 2001

WHEREAS, the compensation for the position of County Executive shall be set by the County Board prior to the first date for the circulation of nomination papers for election to fill the position for the upcoming term; and

WHEREAS, the first date for the circulation of nomination papers for election to the position of County Executive for the term of office commencing in April of 2001 is December 1, 2000.

NOW THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the salary established for the position of County Executive for the term commencing the third Tuesday in April, 2001 shall be as follows:

ANNUAL

First Full Year of Term (4/01 – 4/02).....	\$70,000
Second Full Year of Term (4/02 – 4/03).....	\$72,100
Third Full Year of Term (4/03 – 4/04).....	\$74,263
Fourth Full Year of Term (4/04 – 4/05).....	\$76,491

BE IT FURTHER RESOLVED, that fringe benefits be provided to the position in accordance with County policy for Winnebago County Department Heads; and

BE IT FURTHER RESOLVED, that additional funds necessary to cover the full cost of this action be transferred from the Salary Contingency Fund to the County Executive Department Budget.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Motion by Supervisor Rengstorf and seconded that the resolution be amended so that the yearly increases do not exceed 3%. The amounts were amended as follows:

4/01 – 4/02	\$63,757
4/02 – 4/03	65,670
4/03 – 4/04	67,640
4/04 – 4/05	69,669

Supervisor Pech excused himself from voting on this resolution.

Vote on amendment: Ayes: 21 – Barker, Griesbach, Klitzke, Green, King, Norton, Hert, Nielsen, Eichman, Kline, Kramer, Schaidler, Finch, Spanbauer, Sievert, Arne, Diakoff, Brennand, Rankin, Rengstorf and Metzgi. Nay: 11. Excused: 3 – Crowley, Lauson and Pech. Absent: 3 – Egan, O'Brien and Kollath. CARRIED.

Motion by Supervisor Albrecht and seconded to delete the word “and” on Line 30 and Lines 31-34 in their entirety. CARRIED BY VOICE VOTE.

Vote on Resolution as amended – Ayes: 28. Nays: 5 – Maehl, Albrecht, Madison, Reilly and Wingren. Excused: 3 – Crowley, Lauson and Pech. Absent: 2 - O'Brien and Kollath. CARRIED.

RESOLUTION NO. 117-112000: Disallow Claim of Jamie Travis

WHEREAS, your Personnel and Finance Committee has had the claim of Jamie Travis 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 Jamie Travis dated October 11, 2000, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 118-112000: Disallow Claim of Joseph Toth

WHEREAS, your Personnel and Finance Committee has had the claim of Joseph Toth 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 Joseph Toth dated October 16, 2000, be and the same is hereby disallowed for the reason that there is no basis for liability on the part of Winnebago County.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 119-112000: Authorize Transfer of \$3861.00 from General Fund Balance to Equipment Repairs Fund - Veteran Services

WHEREAS, the Veterans Service Office was moved from the Schumerth House during the summer, 2000 to its new location in the old Williams Law Office, immediately adjacent to the Orrin King Building on Algoma Blvd.; and

WHEREAS, in that such a move was not anticipated at the time of passage of the 2000 Budget, no funds were budgeted in the Veterans Services 200 Budget to pay for new telecommunications wiring in the new Veterans Service Office; and

WHEREAS, the re-wiring of said office was necessary to allow the Veterans Service Department to move in to its new headquarters.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$3861.00 from the General Fund Balance to the Equipment Repairs Fund of the

Veterans Service 2000 Budget for the purpose of paying for telecommunications wiring in its new office located at 504 Algoma Blvd., Oshkosh.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 33. Nays: 1 – Nielsen. Excused: 2 – Crowley and Lauson. Absent: 2 - O'Brien and Kollath. CARRIED.

RESOLUTION NO. 120-112000: Commendation for Charlotte M. Hyler

WHEREAS, Charlotte Hyler has been employed with Park View Health Center of Winnebago County, for the past thirty-one years and six months, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Charlotte Hyler 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 Charlotte Hyler 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 Charlotte Hyler.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 34. Nays: 0. Excused: 2 – Crowley and Lauson. Absent: 2 - O'Brien and Kollath. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until the Special Orders Meeting on Tuesday, December 12, 2000. CARRIED BY VOICE VOTE.

The meeting was adjourned at 7:45 p.m.

Respectfully submitted,
Susan T. Ertmer
Winnebago County Clerk

State of Wisconsin)
County of Winnebago) ss

I, Susan T. Ertmer, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their regular meeting held November 21, 2000.

Susan T. Ertmer
Winnebago County Clerk