

**ADJOURNED SESSION  
COUNTY BOARD MEETING  
TUESDAY, DECEMBER 19, 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: Kollath, Barker, Griesbach, O'Brien, Savas, Maehl, Koziczkowski, Klitzke, Widener, Lauson, 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.

Motion by Supervisor Robl and seconded to adopt the amended agenda by moving Resolution No. 138-122000 to follow Resolution No. 137-122000. CARRIED BY VOICE VOTE.

**COMMUNICATIONS, PETITIONS, ETC.**

Petition for Zoning Amendment from Mark A. Strobel for William R. and Marie A. Rohrer, Town of Menasha, for zoning change from flood-plain zoning district to non flood-plain zoning district was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Bernice Spiegelberg, Town of Winchester, for zoning change from A-1 to A-2 for agriculture/cropland use was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Tom Wilson, Town of Wolf River, for zoning change from A-2 to R-1 for a single family residence was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Michael J. Skoglund for Frank Goetz, Town of Black Wolf, for zoning change from A-2 to R-1 to add green space to an existing lot was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Alan Robert Davey, Town of Clayton, for zoning change from A-1 to A-2 for agricultural purposes was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Michelle R. Bachaus for Robert Breaker, Town of Clayton, for zoning change from A-2 to R-2 for single-family residential one acre lots was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from James Smith for Virginia M. Rackley and Harlan P. Davidson, Town of Omro, for zoning change from B-2 & A-2 to R-1 for single-family residence was referred to the Planning & Zoning Committee.

**COMMITTEE REPORTS**

Supervisor Lauson explained that the Expo Site Master Plan that was distributed to the Board for tonight's meeting, will instead be discussed at the Special Orders meeting on January 9, 2001.

Supervisor Finch reported that the applications for the scholarship program are now available for distribution.

Supervisor Griesbach, Chairman of the Emergency Management Committee, thanked Tim Franz, Oshkosh Fire Chief, for the excellent way his department handled the hazardous chemical fire in Oshkosh this week. Supervisor Griesbach commended Chief Franz for the good working relationship he has with the county's Local Emergency Planning Committee (LEPC).

Supervisor Widener reported that the Human Services Department is working to reduce the number of people on the COP and COP Waiver waiting lists. At this point, the department is utilizing current personnel to address the needs of the people on the waiting lists.

Motion by Supervisor Lauson and seconded to approve the proceedings of the November 9 and 21, 2000 County Board meetings. CARRIED BY VOICE VOTE.

## **COUNTY EXECUTIVE'S REPORT**

Executive Van De Hey reported that Don Wilmot, Emergency Government Director, is still actively involved in the hazardous chemical fire situation that continues on the southeast side of Oshkosh. She explained that of the 700 families evacuated, 25 families are still being kept out of their homes.

Executive Van De Hey commended Mr. Wilmot and the entire Emergency Management team for their efforts during this situation. She stated that there has been excellent coordination of efforts between various county and state departments, as well as the Environmental Protection Agency. She thanked all the involved departments for their concentrated efforts to bring this situation to a safe conclusion.

## **COUNTY EXECUTIVE'S APPOINTMENTS**

Executive Van De Hey asked for the Board's approval of her appointment of Patrick G. Seubert and Greg Kargus to the Board of Adjustment. Mr. Seubert will replace Jim Macy, who resigned from this board. His term will expire June 30, 2002. Mr. Kargus will serve as an alternate for a three-year term that will expire June 30, 2003. Motion by Supervisor Lauson and seconded to approve. CARRIED BY VOICE VOTE.

Executive Van De Hey asked for the Board's approval of her appointment of Tom Shadonay to the Grievance Review Board. Mr. Shadonay will serve a five-year term that will expire on December 31, 2005. Motion by Supervisor Lauson and seconded to approve. CARRIED BY VOICE VOTE.

Executive Van De Hey asked for the Board's approval of her appointment of Donald Griesbach to the Human Services Board. Mr. Griesbach will replace David Metzgi. Mr. Griesbach will serve a three-year term that will expire December 31, 2003. Motion by Supervisor Kollath and seconded to approve. CARRIED BY VOICE VOTE.

Executive Van De Hey asked for the Board's approval of her re-appointment of Supervisors Rengstorf, Savas and Widener to the Human Services Board. These are three-year terms that will expire on December 31, 2003. Motion by Supervisor Pech and seconded to approve. CARRIED BY VOICE VOTE.

Executive Van De Hey asked for the Board's approval of her re-appointment of Richard E. Langan to the Veterans Service Commission. Mr. Langan will serve a three-year term which will expire December 31, 2003. Motion by Supervisor Spanbauer and seconded to approve. CARRIED BY VOICE VOTE.

Executive Van De Hey asked for the Board's approval of her re-appointment of Dorothy Nimmer, W. Kenneth Watt and Lurton Blessingame to the Winnefox Library Board. These are three-year terms which expire on December 31, 2003. Motion by Supervisor Lauson and seconded to approve. CARRIED BY VOICE VOTE.

## **COUNTY BOARD CHAIRMAN'S REPORT**

Chairman Maehl reported that Supervisor Crowley will be having surgery on Thursday. He asked that everyone keep her in their thoughts and prayers.

Chairman Maehl reminded the Board that mileage will increase to \$.345 on January 1, 2001.

Chairman Maehl extended happy birthday wishes to Supervisors Hert, Koziczkowski, Brennand and Wingren. Supervisors Hert, Koziczkowski and Wingren also made monetary donations to the Winnebago County Scholarship Fund.

Chairman Maehl then read a letter from Supervisor Brennand announcing that he was making a \$100 donation to the Winnebago County Scholarship fund in the names of members of his family and friends who passed away in 2000. Those people are: Tom Brennand, Tom Menacher, Mildred Petrick, Marvin Marx, Elder Mellintine and Wayne Bradley.

Chairman Maehl reported that any Supervisor who would like to have a copy of the adopted 2001 Budget should contact Chuck Orenstein, Winnebago County Finance Director.

## **PUBLIC HEARING**

Russ Meerdink, 4351 West College Avenue, Appleton, Wisconsin, spoke in opposition to Zoning

Report No. 008 and Amendatory Ordinance No. 12-08-00. He asked that the County Board take into consideration the amendment that he distributed to them. Supervisor Schaidler stated that the amendment information Mr. Meerdink distributed is not admissible because proper procedures have not been followed.

A citizen asked to speak in opposition of a county sales tax. Chairman Maehl stated that that item is not on the agenda and therefore would not be open for discussion.

Melissa Wendt-Turzinski questioned the high construction cost of the proposed new jail and Sheriff's facility as quoted in Resolution No. 137-122000, "Approve Schematic Design for New Winnebago County Jail/Sheriff's Office; and Appropriate Money for Construction Purposes". She suggested the Board consider other options.

Jerry Frey, Chairman of the Town of Oshkosh, asked that the Board support Resolution No. 135-122000, "Place Two Year Moratorium on Adoption of County Land Use Plan."

Gordon Doule, 1225 Summit Avenue, Oshkosh, questioned the purpose of Ordinance No. 123-122000, "Create Section 6.11 of the General Code of Winnebago County: Local Emergency Planning Committee". He also commended the people who have been involved in containing the hazardous chemical fire on the southeast side of Oshkosh.

Chairman Maehl stated that Don Wilmot will not be able to address the Board this evening because of the ongoing hazardous chemical fire on the southeast side of Oshkosh. Supervisor Hert, who's district was evacuated because of the fire, reported that he went to the shelters and spoke with the people who were evacuated to see how the situation was being handled and to discuss their concerns. Their greatest concern was whether they would see any reimbursement after the situation had been settled. Supervisor Hert stated that arrangements have been made for the City of Oshkosh and the residents to be reimbursed. Supervisor Hert hopes that Winnebago County will also be reimbursed for their expenses.

Supervisor Hert commended the citizens of District 21 on the way they have handled a very difficult situation.

### **PROPOSED HIGHWAY DEPARTMENT SATELLITE SHOP**

John Haese, Winnebago County Highway Commissioner, reported that with the expansion of the state highway system in Winnebago County (Highways 10, 45 and 110), the Winnebago County Highway Department will have the responsibility of an additional 100 lane miles of highway.

The Wisconsin Department of Transportation recommends that Winnebago County prepare to maintain the additional highway miles as they are constructed. In August 1999, Martenson and Eisele completed a study to determine whether the current facilities, equipment and personnel would be sufficient to handle these additional lane miles. They determined that it would be appropriate to construct a highway department satellite shop and eliminate the Omro and Town of Winchester shops.

Mr. Haese explained that both the Omro and Town of Winchester shops are not up to code and would be inadequate to meet the equipment and staffing needs of a satellite shop. Both of these present shops are in need of repair and are not large enough to house current equipment.

The study also indicates that the expansion of Highway 10 makes the Town of Winchester the best location for a new satellite shop. The Wisconsin Department of Transportation is in the process of obtaining the right-of-way for Highway 10 alignment and they have agreed to deed to Winnebago County a 9-acre parcel north of Highway 10 and west of CTH W.

Mr. Haese stated that they would like to begin the design work in 2001, with construction to be completed by 2003. This would coincide with the opening of the new USH 10 Freeway. Mr. Haese stated that the approximate cost to construct a satellite shop for Winnebago County would be between \$700,000 and \$1,000,000.

Mr. Haese stated that the cost of the architectural design will be covered by highway funds and would be approximately \$60,000. He also stated that construction costs, if they are at an acceptable level, could also be covered by highway funds.

Mr. Haese stated that the Highway Committee will bring a resolution to the Board in February

asking for approval of the architectural firm for this project.

After discussion, it was suggested that it be studied to see whether it would be feasible to combine the Highway Department's satellite shop with the proposed Sheriff's Department satellite office.

### **ZONING REPORTS & ORDINANCES**

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Longworth Construction, Town of Omro, for zoning change to B-3 (H.B.)(General Business/Highway Business Overlay). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-01-00. A request for zoning change from B-2 (Community Business) to B-3 (H.B.) (General Business/Highway Business overlay). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Attorney Douglas Marone and property owner Oakbrook Evangelical Free Church of Oshkosh, Town of Algoma, for zoning change to P-1 (Institutional & Recreational Park District). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-02-00. A request for zoning change from A-2 (General Farming) to P-1 (Institutional & Recreational Park District). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Viola Schmick and property owner Wayne Schmick, Town of Omro, for zoning change to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-03-00. A request for zoning change from B-2/R-1/A-2 (Community Business/Single family non-subdivided/General Farming) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner James Potratz, Town of Omro, for zoning change to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-04-00. A request for zoning change from R-1/A-2 (Single family non-subdivided/General Farming) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 005. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant James Smith, of Martenson & Eisele, and property owner Arthur Busse, Town of Omro, for zoning change to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-05-00. A request for zoning change from A-2/R-1/B-2 (General Farming/Single family non-subdivided/Community Business) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 006. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners Bob and Connie Dodd, Town of Omro, for zoning change to A-2/P-1 (General Farming/Institutional & Recreational Park). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-06-00. A request for zoning change from A-2/R-1/P-1/B-2 (General Farming/Single family non-subdivided/Institutional & Recreational Park District/Community Business) to A-2/P-1 (General Farming/Institutional & Recreational Park District). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 007. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Douglas Griffin, Town of Clayton, for zoning change to R-2 (single family subdivided). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-07-00. A request for zoning change from A-1 (Agri-Business) to R-2 (single family subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

REPORT NO. 008. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Charles Olson, Meerdink & Associates, and property owner Donald and Margaret Johnson, Town of Winchester, for zoning change to B-3 (General Business) for parcel nos. 028-0431-02 & 028-0431. Motion by Supervisor Schaidler and seconded to accept approval of zoning change for parcel no. 028-0431-02 and deny zoning change for parcel no. 028-0431. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-08-00. A request for zoning change from A-1/B-2 (Agri-Business/Community Business) to B-3 (General Business). Motion by Supervisor Schaidler and seconded to adopt zoning change for parcel no. 028-0431-02 and deny zoning change for parcel no. 028-0431. Ayes: 35. Nays: 2 – Wingren and Rengstorf. Excused: 1 – Crowley. CARRIED.

AMENDATORY ORDINANCE NO. 9. A request from Town of Black Wolf on behalf of Robert and Janet Dahl for zoning change from A-2 to R-1. Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 10. A request from the Town of Poygan on behalf of F & M Bank for zoning change from A-2 to R-1. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11. A request from the Town of Rushford on behalf of William & Susan Carpenter for zoning change from A-2 to A-3. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12. A request from the Town of Utica on behalf of Randy Polfuss for zoning change from A-3 to R-1. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO 13. A request from the Town of Utica on behalf of Joyce Lloyd for zoning change from A-1 to A-3. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. Supervisor Diakoff voted nay.

AMENDATORY ORDINANCE NO. 14. A request from the Town of Rushford on behalf of Francis and Jeffrey Schuster for zoning change from A-1 to A-2. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. Supervisor Diakoff voted nay.

AMENDATORY ORDINANCE NO. 15. A request from the Town of Rushford on behalf of Bruce Bohn for Bohn Farms, Inc. for zoning change from A-1 to A-2. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. Supervisor Diakoff voted nay. Supervisor Albrecht abstained.

At approximately 7:45 p.m., the Board took a 15-minute recess.  
The Board reconvened at approximately 8:00 p.m.

## **RESOLUTIONS & ORDINANCES**

**RESOLUTION NO. 137-122000: Approve Schematic Design for New Winnebago County Jail/Sheriff's Office; and Appropriate Money for Construction Purposes**

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the schematic design for the Winnebago County Jail/Sheriff's Offices, which was presented to the County Board on December 12, 2000, by Kimme and Associates, Oscar J. Boldt and Company, and Venture Architects, with said building to be located near the intersection of U.S. Highway 45 and County Trunk Y. The cost of said building, as presented in the schematic design plan, is not to exceed \$33,050,000.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates funds, as needed, but not to exceed \$5,000,000 at any given time, from the Winnebago

County General Fund for said construction subject to reimbursement of the General Fund for Winnebago County from subsequent bond issues.

Submitted by:  
JUDICIARY AND PUBLIC SAFETY COMMITTEE  
AND  
FACILITIES AND PROPERTY MANAGEMENT  
COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt.

Motion by Supervisor Pech and seconded to reduce the amount of \$33,050,000 on Line 17 by \$788,000 and eliminate the evidence garage from the proposal. Supervisor Pech withdrew this amendment.

Motion by Supervisor Pech and seconded to amend Line 17 by changing "\$33,050,000" to "\$31,407,736". Ayes: 4 – Pech, Wingren, Nielsen and Robl. Nays: 33. Excused: 1 – Crowley. LOST.

Motion by Supervisor Madison and seconded to reduce the amount of \$33,050,000 on Line 17 by \$250,000 and use that \$250,000 to institute an intensive sanctions electronic monitoring system in Winnebago County. Supervisor Madison withdrew this amendment

Motion by Supervisor Madison to amend Line 21 to include wording that will indicate that Winnebago County will actively seek alternatives to incarceration and avoid expansion of the jail facility. Chairman Maehl suggested that Supervisor Madison make this amendment a separate resolution to be brought in at a later date. There was no second to Supervisor Madison's amendment.

Vote on Resolution as presented: Ayes: 33. Nays: 4 – Pech, Madison, Reilly and Wingren. Excused: 1 – Crowley. CARRIED.

**RESOLUTION NO. 138-122000: Authorizing the Issuance of General Obligation Bonds or Promissory Notes for Law Enforcement Center**

BE IT RESOLVED by the Winnebago County Board of Supervisors that there may be issued, pursuant to Wis. Stats. Chap. 67, general obligation bonds or promissory notes in an amount not to exceed \$32,520,000 for the public purpose of constructing and equipping a new Law Enforcement Center.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said amount shall be levied on all the taxable property in Winnebago County as a direct, annual tax in such years and in such amounts as are sufficient to pay when due the principal and interest on such bonds or notes.

Submitted by:  
JUDICIARY AND PUBLIC SAFETY COMMITTEE  
AND  
FACILITIES AND PROPERTY MANAGEMENT  
COMMITTEE

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

**RESOLUTION NO. 105-102000: Declaration of intent Not to Enforce Non-Metallic Mining Reclamation Pursuant to Wisconsin Administrative Code Chapter NR 135**

WHEREAS, the Wisconsin Department of Natural Resources, effective December 1, 2000, has adopted Wisconsin Administrative Code Chapter NR 135; and

WHEREAS, this Code addressed the reclamation of non-metallic mining sites; and

WHEREAS, the Code requires the County to adopt an ordinance regulating non-metallic mining

County-wide, including areas within incorporated areas, although local municipalities may adopt their own ordinance in lieu of a County code; and

WHEREAS, the Code provides that if a county or local municipality chooses not to enact or administer a non-metallic reclamation ordinance that the State will administer enforcement of the Code; and

WHEREAS, there is no penalty for not administering the Wisconsin Administrative Chapter NR 135 to counties or local municipalities and a county or a municipality, if it so chooses, may enact an ordinance allowing local enforcement with regard to said mining for a later date; and

WHEREAS, your undersigned Committee believes that it would be in the interest of Winnebago County not to administer the enforcement of Wisconsin Administrative Code Chapter 35 for the following reasons:

- (A) Current Staffing levels do not permit the level of administration required;
- (B) Enforcement of the ordinance would require an increase in staffing levels, even if totally funded by applicable fees, and would also require additional office space; and
- (C) Administration of said Wisconsin Administrative Code Chapter on a county-wide basis extends the scope of county authority beyond what currently exists.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that Winnebago County hereby declares its intent not to enforce Wisconsin Administrative Code Chapter NR 135 on a local basis.

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 Natural Resources.

Submitted by:  
PLANNING & ZONING COMMITTEE

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

**ORDINANCE NO. 123-122000: Create Section 6.11 of the General Code of Winnebago County: Local Emergency Planning Committee**

WHEREAS, Section 59.54(8), Wisconsin Statutes and title 42 United States Code Annotated Section 11001 require the establishment of a local Emergency Planning Committee; and

WHEREAS, no local Emergency Planning Committee has been formally constituted by the Winnebago County Board of Supervisors; and

WHEREAS, it is necessary, pursuant to federal and state statutes, that such a local Emergency Planning Committee be formally constituted.

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

The creation of Section 6.11 of the General Code of Winnebago County which shall read as follows:

6.11 LOCAL EMERGENCY PLANNING COMMITTEE

(1) AUTHORITY. This ordinance is created pursuant to that authority provided pursuant to Section 59.54(8), Wisconsin Statutes and Title 42 United States Code 11001.

(2) MEMBERSHIP. The Emergency Planning Committee shall consist of sixteen (16) members appointed by the Winnebago County Executive, subject to confirmation by the Winnebago County Board of Supervisors. The County Emergency Municipal Government Director shall be a member ex-officio of said Committee. In addition, at least one member shall be appointed from each of the following groups:

- (a) an elected state official;
- (b) an elected local official;

- (c) a person employed in law enforcement within Winnebago County;
- (d) a person employed in a civil defense capacity within Winnebago County;
- (e) a fire fighter employed within Winnebago County;
- (f) a person employed or who regularly performs first aid or first responder duties within Winnebago County;
- (g) a local health department officer or employee;
- (h) a person employed or working with a local environmental concern;
- (i) a person who is an officer or an employee of a hospital within Winnebago County;
- (j) an officer or an employee of a transportation firm or concern within Winnebago County;
- (k) a member of the broadcast or print media from within Winnebago County;
- (l) a member of a community group or organization; and
- (m) an owner or operator of a facility subject to the requirements of Title 42 USC Section 11001.

Of those persons appointed to the Committee, other than that of the County Emergency Municipal Government Director whose term shall run concurrent with his or her appointment to that office, the term of five (5) members shall expire on December 31, 2001; the term of five (5) members shall expire on December 31, 2002; and the term of five (5) members shall expire on December 31, 2003. After the expiration of said terms, thereafter, all terms shall be for a period of three (3) years, with each term of office to commence on January 1 of the year of appointment.

(3) POWERS AND DUTIES. The Emergency Planning Committee shall have those powers and duties established for such committees pursuant to Sections 166.20 and 166.21, Wisconsin Statutes and pursuant to Title 42 United States Code 11000 to 11050.

(4) EXPEDITURES. Pursuant to Section 59.54(8)(a)(2) and 59.54(8)(b)(1), Statutes, expenditures by the Emergency Planning Committee shall be limited to those funds appropriated to said committee for its operation by the Winnebago County Board of Supervisors.

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

Submitted by:  
EMERGENCY MANAGEMENT COMMITTEE

Motion by Supervisor Griesbach and seconded to adopt. Supervisor Griesbach asked that Lines 35 & 59 be corrected by changing "Emergency Municipal Government Director" to "County Emergency Management Director".

Vote on Resolution as corrected: Ayes: 35. Nays: 1 – Madison. Excused: 1 – Crowley. Absent: 1 – Savas. CARRIED.

**RESOLUTION NO. 124-122000: Authorize Appropriation of Funds Received from the Wisconsin Division of Public Health: State Tobacco Settlement (Public Health Department)**

WHEREAS, the Wisconsin Tobacco Board has awarded \$5,000,000 to the Division of Public Health to address tobacco related issues; and

WHEREAS, the Winnebago County Health Department has qualified for level B funding from the Division of Health in relationship to said settlement in the amount of \$74,518.00; and

WHEREAS, the Winnebago County Health Board recommends that said grant money be used to hire a full-time Tobacco Prevention Specialist to assist the Winnebago County Tobacco Free Coalition with activities directed at the elimination of tobacco product use and the reduction of health hazards related to second-hand smoke; and

WHEREAS, operating expenses for such a position will include a computer, office supplies, and outreach and educational materials; and

WHEREAS, said budget transfer shall be effective for budget year 2001.

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



hereby authorizes transfer of \$74,518.00 from the Grants Fund of the Winnebago County Health Department to those funds within the Winnebago County Health Department in the amounts indicated on the attached Budget Transfer Sheet, which is hereby made a part of this Resolution by reference.

Submitted by:  
BOARD OF HEALTH  
AND  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Rankin and seconded to adopt. Ayes: 30. Nays: 6 – Klitzke, Madison, Hert, Eichman, Finch and Spanbauer. Excused: 1 – Crowley. Absent: 1 – Savas. CARRIED.

**RESOLUTION NO. 125-122000: Create One Full-Time Position of Tobacco Prevention Specialist: Public Health Department**

WHEREAS, the Wisconsin Tobacco Board, through the State Division of Public Health, will be making funding available to county health departments for the purpose of enhancing prevention, policy development and education programs relating to the use and adverse effects of tobacco products; and

WHEREAS, the Director of Public Health and the Board of Health have determined that the best way to accomplish the objectives of this funding program is through the creation of a full-time position of Tobacco Prevention Specialist to assist the Winnebago County Tobacco Free Coalition, on behalf of the Health Department, in its prevention, policy development and education efforts.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that one full-time position of Tobacco Prevention Specialist be, and hereby is created in the Table of Organization of the Winnebago County Health Department; and

BE IT FURTHER RESOLVED, that all costs associated with the creation of and maintenance of this position be funded by the grant monies from the Wisconsin Division of Public Health; and

BE IT FURTHER RESOLVED, that this position of Tobacco Prevention Specialist continue to exist in the Table of Organization for only as long as State funding remains sufficient to fully fund it.

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt.

Motion by Supervisor Widener and seconded to amend Lines 21 & 22 to read, "If state funding no longer fully supports this position, a resolution as to the whether the position is to be retained will be made by the Board." LOST BY VOICE VOTE.

Vote on Resolution as presented: Ayes: 26. Nays: 9 – Klitzke, Widener, Green, Madison, Hert, Nielsen, Eichman, Finch and Spanbauer. Excused: 1 – Crowley. Absent: 2 – Savas and Metzger. CARRIED.

**RESOLUTION NO. 126-122000: Authorize Execution of Expo Center Rental Agreement Between Winnebago County and Oshkosh Earth Science Club Inc.**

WHEREAS, Winnebago County recognizes that Oshkosh Earth Science Club Inc. wishes to rent the Sunnyview Exposition Center to hold an annual two (2)-day Gem and Mineral Show over a period of five (5) consecutive years; and

WHEREAS, it is in the best interests of Winnebago County to permit the long-range scheduling of said event to allow the promoter to secure necessary agreements with subcontractors; and

WHEREAS, the long-range scheduling of events at the Sunnyview Exposition Center allows County staff to efficiently program the Expo to minimize its use and ensure generation of revenue; and

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and the Winnebago County Clerk to execute the

rental agreement between Winnebago County and Oshkosh Earth Science Club Inc. for a term beginning September 28, 2001, and ending September 26, 2005. A portion of the rental agreement is attached hereto and incorporated herein by reference.

Submitted by:  
PARKS & RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Crowley. Absent: 2 – Savas and Metzig. CARRIED.

**RESOLUTION NO. 127-122000: Revision of the Fee Schedule for GIS Services**

WHEREAS, Winnebago County has developed a successful Geographic Information System (GIS); and

WHEREAS, The GIS database has been copyrighted January 1997, which allows revenue to be generated from the sale of digital and map products made from the system; and

WHEREAS, the Planning and Zoning Committee recommends that the cost of GIS digital and map products should reflect computer, labor, and operating costs.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby adopts the attached Revision of Fee Schedule for GIS map products.

Submitted by:  
PLANNING & ZONING COMMITTEE

Motion by Supervisor Schaidler and seconded to adopt. Ayes: 34. Nays: 0. Excused: 1 – Crowley. Absent: 3 – Savas, Robl and Metzig. CARRIED.

**RESOLUTION NO. 128-122000: Support Blue Ribbon Commission Recommendations**

WHEREAS, the State/County partnership was based upon a policy which sought to raise revenue at the State level to equalize taxes and deliver services at the local level to achieve the greatest efficiency in the delivery of such services to our citizenry with proper accountability; and

WHEREAS, many of the needed State programs carried out by counties are done so with insufficient State resources which must then be supplemented with local property tax revenue; and

WHEREAS, a significant percentage of the needed revenue is now being raised at the local level, and this shift in funding has caused tremendous strain on the State/local relationship; and

WHEREAS, Governor Tommy G. Thompson created a Blue Ribbon Commission on State/Local Partnerships for the 21<sup>st</sup> Century charged with the mission of making recommendations on how to improve the State/local relationship; which could be incorporated into the 2001-2003 biennial budget; and

WHEREAS, the Wisconsin Counties Association developed a package of proposals (attached) addressing the State Court System, Juvenile Justice and Health and Human Services, which seek to redesign our taxation and service delivery system in Wisconsin in a meaningful way that will result in improved efficiency, greater accountability, and measurable outcomes; and

WHEREAS, the counties throughout the State of Wisconsin must receive funding increases to continue providing services on behalf of the State.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby supports the efforts and proposals put forth by the Wisconsin Counties Association regarding the Blue Ribbon Commission.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby requests Governor Thompson to recognize the State's financial obligation to adequately fund State programs administered by counties in the 2001-2003 biennial budget regardless of potential recommendations from the Blue Ribbon Commission on State/Local Partnerships.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes sending a copy of this Resolution to Governor Thompson, local members of the State Senate and Assembly, the Wisconsin Counties Association, members of the Blue Ribbon Commission, and our colleagues in Wisconsin's other 71 counties.

Submitted by:  
LEGISLATIVE COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Ayes: 30. Nays: 4 – Wingren, Norton, Nielsen and Kline. Abstain: 1 – Pech. Excused: 1 – Crowley. Absent: 2 – Savas and Metzlig.  
CARRIED.

**RESOLUTION NO. 129-122000:      Application for Aids from Wisconsin Department of Natural Resources: Lake Poygan Buoy Purchase Project**

WHEREAS, Winnebago County recognizes that properly marked waterways are necessary for safe recreational boating; and

WHEREAS, Winnebago County is involved in placing buoys for recreational boating and operates boat launch facilities on area lakes and rivers; and

WHEREAS, financial assistance is available from the Wisconsin Department of Natural Resources for purchasing buoys and improving boat launch facilities.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive to submit an application on behalf of Winnebago County to the Wisconsin Department of Natural Resources for such funding aids as may be available for marking navigational waterways in Lake Poygan and to use half of any grant monies received for that purpose.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that of the possible \$8,301.00 in funding aids that may be available from the Wisconsin Department of Natural Resources, one-half of the amount received shall be paid as recompense to the Tri-County Powerboat Alliance for their \$8,301.00 donation towards the implementation of the Lake Poygan Buoy Purchase Project.

Submitted by:  
PARKS & RECREATION COMMITTEE

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

**RESOLUTION NO. 130-122000:      Commendation for Susan Berg**

WHEREAS, Susan Berg has been employed with the Winnebago County Sheriff's Department for the past twenty-three years and eleven months, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Susan Berg has now retired from those duties, and it is appropriate for the Winnebago County Board of Supervisors to acknowledge her years of services.

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

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Clerk forward a copy of this Resolution to Susan Berg.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 131-122000: Commendation for Michael Lukowicz**

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

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

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

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Clerk forward a copy of this Resolution to Michael Lukowicz.

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 132-122000: Authorize Transfer of \$135,180 from Professional Services Fund to Case Manager Capital Project Fund, Winnebago County Department of Human Services**

WHEREAS, during the first quarter of Financial Year 2000, the Winnebago County Department of Human Services became aware of the fact that it could receive a 59% reimbursement from a Federal funding source to customize its Adult Services/Developmentally Disabled Client Computer Program into Department of Human Services Case Manager Computer Program; and

WHEREAS, the Winnebago County Department of Human Services Board believes that it would be prudent at the present time to transfer an amount equal to the 59% Federal funding source reimbursement to the Case Manager Capital Project Fund in the 2001 budget to allow the Information Systems Department to purchase the software and equipment necessary to finish said project in anticipation of receipt of said Federal funds; and

WHEREAS, the receipt of said Federal Funds in virtually guaranteed; and

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes a transfer of a total amount of \$135,180 from the CIP 1B Federal Waiver Revenue Fund to the TCM Capital Project Fund of the Information Services Department for the purpose of obtaining software and equipment to fulfill said project to allow its application to Adult Services and developmentally disabled clients

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the CIP 1B Federal Waiver Revenue Fund shall be reimbursed upon receipt of said Federal funding.

Submitted by:  
HUMAN SERVICES BOARD  
AND  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Koziczkowski and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Crowley. Absent: 2 – Savas and Metzger. CARRIED.

**RESOLUTION NO. 133-122000: Authorize Transfer of \$102,170 from two Winnebago County Department of Human Services Professional Services Funds to the Information Systems TCM Capital Project Fund**

WHEREAS, \$102,170 has been appropriated to two Professional Services Funds of the Winnebago County Department of Human Services; and

WHEREAS, the Winnebago County Department of Human Services, at this time, desires that said money be transferred to the TCM (The Case Manager) Capital Project Fund to facilitate the completion of said project.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of a total of \$102,170 from two Professional Services Funds of the Winnebago County Department of Human Services 2000 budget to the TCM Capital Project Fund of the Winnebago County Information Systems Departments 2000 budget to facilitate the completion of said project.

Submitted by:  
HUMAN SERVICES BOARD  
AND  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Koziczkowski and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Crowley. Absent: 2 – Savas and Metzig. CARRIED.

**RESOLUTION NO. 134-122000: Authorize Application for Grant From State of Wisconsin Department of Administration, Office of Land Information Services and Appropriation of Funds: Winnebago County Comprehensive Plan**

WHEREAS, Wisconsin Act 9 (Wisconsin's New Smart Growth Law) requires that all communities within Wisconsin complete a comprehensive land use plan; and

WHEREAS, the State of Wisconsin has budgeted 2.5 million dollars in grant funds to assist communities in developing all non-transportation elements of said plan; and

WHEREAS, it is estimated that it will cost approximately \$77,400 to complete the other 8 elements of the Winnebago County Comprehensive Plan; and

WHEREAS, a 25% local match is required in relationship to the application for such a grant; and

WHEREAS, your undersigned Planning and Zoning Committee deems it to be advisable to apply for and accept said grant which would reimburse the County for expenses related to developing the comprehensive plan.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive to execute an application to the State Office of Land Information Services for a grant of \$58,050 to complete all non-transportation elements of a comprehensive Winnebago County Land Use Plan..

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$19,350 from the Contingency Fund of the Winnebago County 2001 Budget to the Planning & Zoning Department's Professional Services Plan.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that should grant revenue be received from the State of Wisconsin as specified above, that any grant revenue shall be appropriated to the Professional Services Account of the Winnebago County Planning and Zoning Department for use in completing said comprehensive plan.

Submitted by:  
PLANNING & ZONING COMMITTEE  
AND  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Schaidler and seconded to adopt. Ayes: 31. Nays: 4 – Klitzke, Finch,

Spanbauer and Arne. Excused: 1 – Crowley. Absent: 2 – Savas and Metzlig. CARRIED.

**RESOLUTION NO. 135-122000: Place Two year Moratorium on Adoption of County Land Use Comprehensive Plan**

WHEREAS, while recent state law provides that all municipalities shall adopt a comprehensive land use plan within the State of Wisconsin, federal law provides that the adoption of said comprehensive plan is not required until 2010; and

WHEREAS, the majority of towns in Winnebago County are in disagreement with a tentative comprehensive land use plan which is likely to be proposed to the Winnebago County Board of Supervisors in the near future.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that a moratorium of at least two (2) years be placed upon the adoption of any comprehensive land use plan by Winnebago County.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Planning and Zoning Department and the Winnebago County Planning and Zoning Committee to work with the towns of Winnebago County to prepare a plan which is agreeable to the majority of the towns within Winnebago County.

Submitted by:

HARVEY RENGSTORF, DIST. #37

JOSEPH MAEHL, DIST. #6

BERNIE EGAN, DIST. #35

DAVID METZIG, DIST. #38

JOANNE SIEVERT, DIST. #31

PATRICK BRENNAND, DIST. #34

MIKE HERT, DIST. #21

DAVID ALBRECHT, DIST. #11

TOM PECH, DIST. #12

STEVE SPANBAUER, DIST. #30

TOM WIDENER, DIST. #9

DON GRIESBACH, DIST. #3

RON EICHMAN, DIST. #24

KEN ROBL, DIST. #23

HERB KRAMER, DIST. #27

COUNTY BOARD SUPERVISORS

Motion by Supervisor Rengstorf and seconded to adopt.

Motion by Supervisor Schaidler and seconded to amend Line 30 after "Winnebago County" by adding, ", plus the Winnebago County Board of Supervisors." CARRIED BY VOICE VOTE. Supervisor Finch voted nay.

Vote on Resolution as amended: Ayes: 33. Nays: 1 – Koziczowski. Excused: 1 – Crowley. Absent: 3 – Savas, Maehl and Metzlig. CARRIED.

**RESOLUTION NO. 136-122000: Authorize Execution of Expo Center Rental Agreement Between Winnebago County and Life Promotions, Inc**

WHEREAS, Winnebago County recognizes that Life Promotions, Inc. wishes to rent the Sunnyview Exposition Center to hold an annual three (3)-day Christian music festival for a period of five (5) consecutive years; and

WHEREAS, it is in the best interests of Winnebago County to permit the long-range scheduling of said event to allow the promoter to secure necessary agreements with subcontractors; and

WHEREAS, the long-range scheduling of events at the Sunnyview Exposition Center allows

County staff to efficiently program the Exposition Center to maximize its use and ensure generation of revenue.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and the Winnebago County Clerk to execute the rental agreement between Winnebago County and Life Promotions, Inc. for a term beginning July 11, 2001, and ending July 12, 2005. A copy of the rental fee schedule is attached hereto and incorporated herein by reference.

Submitted by:  
PARKS AND RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Ayes: 34. Nays: 0. Excused: 1 – Crowley. Absent: 3 – Savas, Maehl and Metzsig. CARRIED.

**RESOLUTION NO. 139-122000: Authority to Execute the 2001-2003 Labor Agreement with the Public Safety Professional Dispatchers' Association**

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 Public Safety Professional Dispatchers' Association for the years 2001, 2002 and 2003 effective January 1, 2001, which Agreement will provide the following major changes from the previous Agreement:

1) **WAGES**

- 3.0% across-the-board effective January 1, 2001
- 1.0% across-the-board effective October 1, 2001
- 3.0% across-the-board effective January 1, 2002
- 3.0% across-the-board effective January 1, 2003

2) **ARTICLE 16 – HEALTH INSURANCE**

Effective with the premium for the month of October, 2001, all eligible and participating employees shall pay 5% of the monthly premium for any of the group health insurance plans offered by Winnebago County, not to exceed \$20.83 per month for single coverage and \$45.83 per month for double or family coverage.

3) **ARTICLE 25 – TRAINER PAY**

Effective January 1, 2001, the hourly premium for employees assigned to provide on-the-job training for new employees shall be raised from the current level of \$0.50 per hour to \$1.00 per hour.

4) **ARTICLE 26 – UNIFORM ALLOWANCE**

Effective January 1, 2003, the annual uniform allowance shall be increased by \$25 per year to \$300.

5) **NEW ARTICLE – JURY DUTY**

Effective January 1, 2001, employees serving as jurors shall receive their regular pay for work days on which they serve as jurors.

6) **ARTICLE 6 – HOURS OF WORK**

Effective January 1, 2001, implement a management proposal to create a one person split overlap shift in order to reduce mandatory overtime assignments and other overtime

expenses.

7) **ARTICLE 29 – PAY ASSIGNMENT PROCEDURES AND PAY SCHEDULE**

Effective January 1, 2001, implement a management proposal that allows for paying persons formerly employed as County dispatchers who return to County employment as dispatchers at pay rates above the normal starting rate.

In addition to the foregoing, this agreement provides for minor changes to existing contractual provisions covering scope and duration, recognition and unit of representation, hours of work, overtime and compensatory time, funeral leave, sick leave, grievance procedure, salary assignment procedures and salary schedule, authorized or required uniform items, rules and regulations.

Submitted by,  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 29. Nays: 5 – Klitzke, Pech, Kramer, Spanbauer and Sievert. Excused: 1 – Crowley. Absent: 3 – Savas, Nielsen and Metzig. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until Tuesday, January 9, 2001. The meeting was adjourned at 10:30 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 December 19, 2000.

Susan T. Ertmer  
Winnebago County Clerk