

**ADJOURNED SESSION  
COUNTY BOARD MEETING  
TUESDAY, SEPTEMBER 26, 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 31 Supervisors were present: Kollath, Barker, Savas, Maehl, Koziczowski, Klitzke, Widener, Lauson, Pech, Leschke, Green, Madison, Reilly, Sundquist, Wingren, King, Norton, Hert, Nielsen, Robl, Eichman, Kline, Spanbauer, Sievert, Arne, Diakoff, Brennand, Albrecht, Schaidler, O'Brien and Metzsig. Excused: 6 – Rengstorf, Griesbach, Finch, Egan, Kramer and Rankin. Absent: 1 – Crowley.

Motion by Supervisor Robl and seconded to act on Resolution No. 84-92000 before Resolution No. 74-92000 and to adopt the agenda as amended. CARRIED BY VOICE VOTE.

**COMMUNICATIONS, PETITIONS, ETC.**

WCA Educational Seminar entitled, "Owner Direct Insurance Purchasing & the Bidding Process," Monday, October 23, Park Inn International, Wausau, Wisconsin.

Letter from Senator Michael Ellis thanking the Board for sending their Resolution No. 65-82000, "Support Midwest Railroad Initiative and Amtrak Service."

Washburn County's Resolution No. 70-00, "A Resolution Requesting State Funding for County Jails" – referred to the Judiciary & Public Safety Committee.

Letter from the Nepeuskun Town Board voicing their opposition to the proposed Winnebago County Land Use Plan – referred to Planning & Zoning Committee and Land Conservation Committee.

Letter from the Winneconne Town Board requesting an "18 month window" for them to continue their review of the proposed Winnebago County Comprehensive Plan – referred to Planning & Zoning Committee and Land Conservation Committee.

A Notice of Claim from United Services Automobile Association for Arthur and Jacquelynn Treccani for damage to their vehicle by county Park's Department vehicle was referred to the Personnel & Finance Committee.

A Notice of Claim from Rory Moxon for damage to his trailer by a county bulldozer at the Winnebago County Landfill was referred to the Personnel & Finance Committee.

Petition for zoning amendment from Darlene Lyness, Town of Nekimi, for zoning change from A-1 to A-2 for a private residence was referred to the Planning & Zoning Committee.

Petition for zoning amendment from John Brantmeier, Town of Neenah, for zoning change from R-2 to B-3 for an expanded auto sales center was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Wendy H. Mitchell, Town of Nekimi, for zoning change from A-1 to A-2 for an existing single-family residence was referred to the Planning & Zoning Committee.

Petition for zoning amendment from James C. Wismer, Town of Clayton, for zoning change from A-2 to R-1 for an existing residence was referred to the Planning & Zoning Committee.

**COMMITTEE REPORTS**

Supervisor Schaidler reported that the first of two informational meetings on the proposed Comprehensive Land Use Plan was held on Thursday, September 21 at the Coughlin Center. He stated that it was well attended and he encouraged the Board to attend the second meeting, which will be held at the Coughlin Center on Wednesday, October 4, 6:30 to 9:00 p.m. Supervisor Schaidler stated that the concerns expressed by the Towns of Nepeuskun and Winneconne, as well as others, will be addressed at that meeting.

Supervisor Madison reported that he attended the Wisconsin Bicycling Federation conference in Neenah. He stated that even though he did not attend the conference as a Winnebago County Supervisor, he still acted as an advocate for Winnebago County and was surprised to see that Oshkosh was not included in the Federation's Fox Cities map. Supervisor Madison stated that he would like to be involved in getting Winnebago County included in such activities and wondered how to go about it. Supervisor Lauson encouraged Supervisor Madison to attend the Parks & Recreation Committee's meetings to discuss various

trail and bicycling issues.

Supervisor Robl reported that a public hearing was held on August 29<sup>th</sup> regarding the replacement of bridges on County Trunk D in the Town of Poygan and on County Trunk E in the Town of Rushford. These bridges will be replaced in 2002.

Supervisor Spanbauer reported that the Fox Cities Green Ways has developed a system of bike trails in the north end of Winnebago County that connects with Outagamie County. He also reported that the Town of Neenah has a bike trail committee that has helped to develop a trail along County Road CB. Supervisor Spanbauer has suggested to the Parks & Recreation Committee that Winnebago County consider forming a citizen-involved trail sub-committee to study this issue.

Supervisor Sievert reminded the Board that the WIOUWASH Trail is also available to bicyclists. She stated that the Town of Clayton is trying to locate a source for grant money to fund a tunnel under the intersection of State Highways 10 & 45 for the trail. The Department of Transportation will pay 75% of the estimated \$300,000 cost for the tunnel, but the Town of Clayton is looking for a source for the remainder of that cost. Supervisor Sievert asked that anyone with grant information contact her. Chairman Maehl suggested that the Town of Clayton contact the Wisconsin Counties Association.

Supervisor Barker stated that Linda Stoll, Executive Director of the Fox Wolf Basin 2000, would be an excellent contact person regarding bicycle and recreation trails.

Supervisor Barker asked that anyone with items for the Legislative Committee contact her so it can be put on the next agenda.

Motion by Lauson and seconded to approve the proceedings from the August 15, 2000 County Board meeting. CARRIED BY VOICE VOTE.

### **LIBRARY CARD SIGN UP MONTH PROCLAMATION**

Chairman Maehl announced that September is Library Card Sign Up Month and read a portion of the following Winnefox Library proclamation:

#### **Proclamation: Winnebago County Recognizes September as Library Card Sign Up Month**

The Winnebago County Board of Supervisors, duly assembled at its regular meeting on September 26, 2000 does proclaim as follows:

WHEREAS, September is National Library Card sign Up Month; and

WHEREAS, literacy is basic to the survival of communities and democracy; and

WHEREAS, the five libraries in Winnebago County are an important resource for the citizens of Winnebago County; and

WHEREAS, these libraries provide materials for checkout, Reference Service, Children's Programming, Internet Access and Literacy Support; and

WHEREAS, citizens use their library to find jobs, research major purchases, conduct genealogical research, receive computer assistance and check out books, magazines, CDs, movies and more; and

WHEREAS, this provides a substantial economic and cultural benefit to Winnebago County,

THEREFORE, the Winnebago County Board hereby proclaims September as Library Card Sign Up Month in Winnebago County, and hereby encourages all citizens to not only sign up for a library card, but also to use it regularly.

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

### **COUNTY EXECUTIVE'S REPORT**

Executive Van De Hey reported that the budget books have been distributed to the Board. She commended and thanked everyone involved in the budgeting process for their cooperation.

Executive Van De Hey stated that the budget shows the areas where the county is effected by the problem of unfunded mandates. These areas are primarily in the court system, juvenile aids and Park View Health Center.

Executive Van De Hey explained that borrowing is down to approximately \$1,000,000. And, because

there has been a 5.3% increase in property values, the tax rate has stayed the same with an additional \$1.9 Million in expenses.

Executive Van De Hey reported that unfunded mandates will be discussed at greater length during the budget session in October.

Executive Van De Hey stated that the Kettl Commission should be completed in November and making their final recommendations.

Executive Van De Hey reported that new contracts with Odyssey and Country USA will be presented to the Board in October.

Executive Van De Hey asked that the Board support the following resolutions: No. 74-92000, "Authorize Transfer of \$17,549 from Winnebago County General Fund Balance to Expo Building – Roof Repair Account: Parks Department"; No. 87-92000, "Request Winnebago County Elderly and Disabled Transportation Coordinating committee be Renamed as Winnebago County Specialized Transportation Council"; and No. 90-92000, "Authorize Lease Between Winnebago County and Beechwood Plaza Hotel of Oshkosh, L.L.C."

## **CHAIRMAN'S REPORT**

Chairman Maehl welcomed Supervisor Savas back after her illness-related absence. Supervisor Savas thanked the Board for all their cards, thoughts and prayers and stated how happy she was to be back.

Chairman Maehl reported that Supervisor Kramer is still hospitalized and suffering from major complications. He asked that the Board keep Supervisor Kramer in their thoughts and prayers.

### **County Board Chairman's Appointment - 2001 WCA Convention Committee**

Chairman Maehl asked for the approval of his appointment of the following Supervisors to the 2001 WCA Convention Committee:

David Albrecht, Nancy Barker, Stan Kline, Joseph Maehl, Patrick O'Brien, Harvey Rengstorf, Joanne Sievert, Paul Sundquist and Bill Wingren.

Their terms would begin immediately. Motion by Supervisor Pech and seconded to approve.  
CARRIED BY VOICE VOTE.

Chairman Maehl asked that the Board read the letter that was placed on their desks from Karen Ordinans, Milwaukee County Board Chairperson, regarding Winnebago County's WCA Intergovernmental Transfer Program fee arrearage. In her letter, Ms. Ordinans states that this arrearage could cause the 2001 WCA Convention to be held in another county. Chairman Maehl urged the Board to reconsider their position on paying this fee to the WCA.

Chairman Maehl reported that the Wisconsin Tourism Bureau presented the Lake Winnebago WITBC with a \$20,000 grant to promote tourism in Winnebago County.

Chairman Maehl read a letter from scholarship recipient Tara Shea thanking the Board for presenting her with a \$1,000 scholarship. She stated what a wonderful scholarship program it is and how it helped her to gain more understanding about county government.

## **PUBLIC HEARING**

Delphine Farvour asked for clarification of Zoning Report No. 003 and Amendatory Ordinance No. 09-03-00, as it could be setting a precedent.

Joe Nemeck expressed his support of Zoning Report No. 005 and Amendatory Ordinance No. 09-05-00.

Supervisor Pech read a letter from David M. Hirsh, 1225 Merritt Avenue, Oshkosh, expressing his opposition to Resolution No. 84-92000, "Place Advisory Referendum on November, 2000 Ballot: Increase The Property Tax Levy."

John Casper, representing the Oshkosh Chamber of Commerce, expressed their opposition to Resolution No. 84-92000, "Place Advisory Referendum on November, 2000 Ballot: Increase The Property Tax Levy."

## ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from the City of Omro, applicant, and property owner Fredrick Kasten, in the Town of Omro, for zoning change to A-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 09-01-00. A request for zoning change from B-2/A-2 to A-2. Motion by Supervisor Schaidler and seconded to approve. CARRIED BY VOICE VOTE.

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Catherine Reed and property owner Richard Pennau II, Town of Omro, for zoning change to B-3. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 09-02-00. A request for zoning change from B-2 to B-3. 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 Carl Borchert and property owner Mark & Bonnie Huetten, Town of Clayton, for zoning change to A-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 09-03-00. A request for zoning change from A-1 to A-2. 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 Lawrence Zentner and property owner Darlene Jackson, Town of Oshkosh, for zoning change to B-3 for Lot 1 and R-1 for Lot 2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 09-04-00. A request for zoning change from B-3/A-2 to B-3 for Lot 1 and R-1 for Lot 2. 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 Joseph Nemeck, Bechard Group, and property owner Jeffrey Ogden, Town of Clayton, for zoning change to A-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 09-05-00. A request for zoning change from A-1/A-2 to A-2. 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 applicant Rodney Scholz and property owner Arthur & Beverly Kregal, Town of Winchester, for zoning change to R-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 09-06-00. A request for zoning change from A-2 to R-2. 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 Ralph Spanbauer and property owner Garry Decker, Town of Black Wolf, for zoning change to R-1. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 09-07-00. A request for zoning change from A-2 to R-1. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 8. A request from the Town of Rushford on behalf of Edward & Julie Henke for zoning change from A-2 to A-3 for Lot 1 & Lot 2 of CSM. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 9. A request from the Town of Black Wolf on behalf of Benjamin Karau 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 Thomas Rusch for zoning change from A-2 to R-1. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11. A request from the Town of Poygan on behalf of Steven Brooks for zoning change from A-2 to R-1. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12. A request from the Town of Wolf River on behalf of Jeff Thomsen, et al for zoning change from A-2 to R-1. Motion by Supervisor Metzsig and seconded to adopt.

CARRIED BY VOICE VOTE.

Chairman Maehl asked that the Board review the United Way information that was placed on their desks and return the forms to Sue Ertmer, County Clerk, by the next meeting.

At 7:10 p.m., the Board took a 15 minutes recess. Chairman Maehl reconvened the meeting at 7:25 p.m.

### **RESOLUTIONS & ORDINANCES**

**RESOLUTION NO. 84-92000: Place Advisory Referendum on November, 2000 Ballot: Increase the Property Tax Levy**

WHEREAS, Winnebago County is in the process of constructing a new Winnebago County Jail Facility and adjoining Sheriff's Administration Building; and

WHEREAS, the cost of said construction is likely to be between \$20 Million and \$30 Million Dollars; and

WHEREAS, your undersigned Supervisor believes that a direct polling of residents of Winnebago County should occur to determine the means by which said Jail is paid for; and

WHEREAS, your undersigned Supervisor believes that the most effective means of doing so would be placing an Advisory Referendum on the November, 2000 election ballot.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the following Advisory Referendum Question be placed upon the November, 2000 election ballot:

“Should Winnebago County Pay for the Construction of a New County Jail Facility and Sheriff's Department Administration Building by Increasing the Property Tax Levy in lieu of implementing a ½ cent County Sales Tax?”

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

Motion by Supervisor Madison and seconded to adopt. Supervisor Leschke requested that the special orders session on the Sheriff's facility and jail that was cancelled in August be rescheduled for the near future so that the Board can be apprised of the status of the project. Chairman Maehl stated that in December a detailed report on the jail project will be made to the Board.

Vote on Resolution: Ayes – 3 – Green, Madison and Sievert. Nays: 28. Excused: 6 – Rengstorf, Griesbach, Finch, Egan, Kramer and Rankin. Absent: 1 – Crowley. LOST.

**RESOLUTION NO. 74-92000: Authorize Transfer of \$17,549 from Winnebago County General Fund Balance to Expo Building – Roof Repair Account: Parks Department**

WHEREAS, on June 29, 2000, a roof leak was discovered that was allowing water into the electrical room inside the Expo Building at the Winnebago County Community Park; and

WHEREAS, the County's electrician has determined the water had already caused the main circuit breaker at the Expo Building to tri at least twice in the past 24 hours; and

WHEREAS, for safety reasons, a decision was made to rectify the situation as soon as possible by having a metal roofing contractor lay down a polyester membrane on all flashing, fasteners and seams on the South Hall and Main Hall roofs; and

WHEREAS, the cost of said repair amounted to \$17,549.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of 417,549 from the General Fund Balance to the Winnebago County Parks Department

Expo Building - Roof Repair Account for the purpose of paying for emergency roof repairs made to the Expo Building at the Winnebago County Community Park.

Submitted By:  
 PARKS & RECREATION COMMITTEE  
 AND  
 PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Lauson and seconded to approve. Supervisor Norton asked that line 29 be corrected by changing "417,549" to \$17,549." Vote on Resolution as corrected: Ayes: 31. Nays: 0. Excused: 6 – Rengstorf, Griesbach, Finch, Egan, Kramer and Rankin. Absent: 1 – Crowley. CARRIED.

**RESOLUTION NO. 75-92000:            Establish New Maximum Salary Rates for Managerial Nursing Positions at Park View Health Center and Adjust Pay Rates**

WHEREAS, because of market conditions, it has been found to be necessary to add a new maximum salary rate (10<sup>th</sup> step) to the pay schedules for the following managerial nursing positions at Park View Health Center, as shown:

R.N. Educators

Step A <u>Minimum</u>	Step <u>B</u>	Step <u>C</u>	Step <u>D</u>	Step <u>E</u>	Step <u>F</u>	Step <u>G</u>	Step <u>H</u>	Step I Current <u>Maximum</u>	Step J Proposed <u>Maximum</u>
30,459	32,023	33,583	35,142	36,702	38,261	39,821	41,380	42,941	44,501

R.N. Shift Coordinator  
R.N. Unit Manager

Step A <u>Minimum</u>	Step <u>B</u>	Step <u>C</u>	Step <u>D</u>	Step <u>E</u>	Step <u>F</u>	Step <u>G</u>	Step <u>H</u>	Step I Current <u>Maximum</u>	Step J Proposed <u>Maximum</u>
33,596	35,439	37,282	39,127	40,972	42,812	44,658	46,500	48,343	50,186

WHEREAS, in order to maintain competitive pay rates for all incumbents in these positions it is proposed that the pay of all incumbents be raised to the pay step immediately above their current pay step retroactively to August 13, 2000 and that they continue to progress through the steps in this pay schedule in accordance with their previously established pay progression schedule.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that new maximum salary rates for managerial nursing positions at Park View Health Center be established as set forth herein; and

BE IT FURTHER RESOLVED, that the pay of all incumbents in the managerial nursing positions identified herein be increased to the salary step immediately above their present rate of pay effective retroactively to August 13, 2000; and

BE IT FURTHER RESOLVED, that employees affected by this action be allowed to continue to progress through the steps in this pay schedule in accordance with their previously established pay progression schedule; and

BE IT FURTHER RESOLVED, that funds necessary to cover the cost of this action be applied from within the budget of Park View Health Center.

Submitted by,  
 PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 30. Nays: 1 – Eichman. Excused: 6 – Rengstorf, Griesbach, Finch, Egan, Kramer and Rankin. Absent: 1 – Crowley. CARRIED.

**RESOLUTION NO. 76-92000:            Modify the Terms of the 1998-2000 Collective Bargaining Agreement**

**between Winnebago County and the Winnebago County Highway  
Department Employees Union, Local 1903, AFSCME, AFL-CIO**

WHEREAS, a dispute regarding group health insurance benefits has existed between Winnebago County and the Winnebago County Highway Department Employees Union since September of 1998; and

WHEREAS, an arbitrator, appointed by the Wisconsin Employment Relations Commission, has mediated a tentative agreement between the parties which settles all past grievances and which also establishes equitable terms for group health benefits for the insurance renewal period, commencing October 1, 2000, and which agreement also establishes acceptable terms of premium cost sharing between the parties for the balance of the term of the current collective bargaining agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the 1998-2000 collective bargaining agreement between Winnebago County and the Winnebago County Highway Department Employees Union, Local 1903, AFSCME, AFL-CIO be, and hereby is modified to incorporate the terms of settlement, set forth as follows:

1. The contractual language regarding group health insurance be modified to recognize the Winnebago County PPO as the standard plan.
2. Benefit reductions in the standard plan will not be implemented without the written consent of the Union.
3. The parties agree that Unity HMO will not be continued beyond September 30, 2000.
4. The County will increase the pay of all positions across-the-board by \$0.50 per hour effective October 1, 2000.
5. The County will make long term disability insurance available for all represented employees at no cost, effective December 1, 2000.
6. The Union accepts the terms of settlement, outlined above, as full and final settlement of all grievances filed on behalf of employees represented by AFSCME, Local 1903 and also accepts the terms of insurance plan renewal and premium cost sharing offered by Winnebago County for the renewal period commencing October 1, 2000.

BE IT FURTHER RESOLVED, that funds necessary to cover the cost of this action be applied from within the budgets of the affected departments: Highway Department, Parks Department, Airport, and Solid Waste Department.

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 30. Nays: 1 – Spanbauer. Excused: 6 – Rengstorf, Griesbach, Finch, Egan, Kramer and Rankin. Absent: 1 – Crowley. CARRIED.

**RESOLUTION NO. 77-92000:                      Commendation for Bonita J. Walker**

WHEREAS, Bonita J. Walker has been employed with Park View Health Center of Winnebago County, for the past twenty-three years and seven months, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Bonita J. Walker 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 Bonita J. Walker 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 Bonita J. Walker.

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. CARRIED BY VOICE VOTE. Supervisor Norton suggested inviting the retirees to the Board meeting and receiving their commendations in person. The Chairman concurred.

**RESOLUTION NO. 78-92000: Disallow Claim of Wade Gullikson**

WHEREAS, your Personnel and Finance Committee has had the claim of Wade Gullikson 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 Wade Gullikson dated July 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. 79-92000: Disallow Claim of Maris Kempf**

WHEREAS, your Personnel and Finance Committee has had the claim of Maris Kempf 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 Maris Kempf dated August 9, 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. 80-92000: Disallow Claim of Barb Luchinski**

WHEREAS, your Personnel and Finance Committee has had the claim of Barb Luchinski 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 Barb Luchinski dated June 15, 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. 81-92000: Disallow Claim of Lois Meisel**

WHEREAS, your Personnel and Finance Committee has had the claim of Lois Meisel 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 Lois Meisel dated June 15, 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. 82-92000: Disallow Claim of Jacquelin Mulvey**

WHEREAS, your Personnel and Finance Committee has had the claim of Jacquelin Mulvey 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 Jacquelin Mulvey dated June 15, 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.

**ORDINANCE NO. 83-92000: Amend Chapter 13, sec. 13.14 of the General Code of Winnebago County Animal Waste Management**

WHEREAS, it is well documented and widely recognized that nutrients and organic matter from mismanaged or misapplied livestock waste are major contributors to the water quality degradation in the rivers, lakes and streams throughout Wisconsin, including those in Winnebago County; and

WHEREAS, the degradation of the water resources in Winnebago County imposes a threat to the environment, health and economic welfare of the citizens of the county; and

WHEREAS, the Winnebago County Land Conservation Committee, in an effort to further protect the water resources of Winnebago County while limiting the financial exposure to Winnebago County.

NOW, THEREFORE, BE IT ORDAINED by the County Board of Supervisors of the County of Winnebago that Chapter 13, Sec. 13.14 of the General Code of Winnebago County be amended to read as follows:

**13.14 ABANDONMENT**

- (1) The owner and/or operator of any existing animal waste storage facility in Winnebago County shall not abandon nor otherwise make said facility inoperative prior to preparing an Abandonment Plan. The plan must be prepared in accordance with USDA, NRCS Technical Standard 313 and approved by the Winnebago County Land & Water Conservation Department.
- (2) Should the local Health Officer determine that any animal waste storage facility constitutes a human health hazard pursuant to Section 254.59, Wisconsin Statutes, Winnebago County reserves the right to abate said human health hazard and to assess costs pursuant to Section 254.59, Wisconsin Statutes.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that this ordinance shall become effective the date following the date of publication.

Submitted By:  
LAND CONSERVATION COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Ayes: 31. Nays: 0. Excused: 6 – Rengstorf, Griesbach, Finch, Egan, Kramer and Rankin. Absent: 1 – Crowley. CARRIED.

**RESOLUTION NO. 85-92000: Amend Planning & Zoning Department Fee Schedule (Review Certified Survey Map)**

WHEREAS, your undersigned Committee has recommended that the fee charged by the Planning and Zoning Department for reviewing Certified Survey Maps be increased to \$50.00, effective January 1, 2001; and

WHEREAS, your undersigned Committee recommends the increase of this fee for the following reasons:

1. The review fee has not been increased since the 1970's;
2. Current labor costs to review Certified Survey Maps equal at least \$50.00;
3. The Certified Survey Maps are presently reviewed by the Zoning Office, GIS Office, Property Tax Lister and Highway Department;
4. The current level of a review has determined that approximately 75-80% of submitted maps are in error at the time of submission and that the review corrects the errors prior to recording, resulting in a significant level of improved service to the general public.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Planning and Zoning Department to amend its fee schedule so as to increase the fee charged by the Department for review of Certified Survey Maps to \$50.00, effective January 1, 2001.

Submitted by:  
PLANNING & ZONING COMMITTEE

Motion by Supervisor Schaidler and seconded to adopt. Ayes: 30. Nays: 1 – Nielsen. Excused: 6 – Rengstorf, Griesbach, Finch, Egan, Kramer and Rankin. Absent: 1 – Crowley. CARRIED.

**ORDINANCE NO. 86-92000: Amend Section 5.01(2) of the General Code of Winnebago County (Charge for Huber Law Prisoner's Meals)**

WHEREAS, Section 303.08(4), Wisconsin Statutes, provides authority to the Winnebago County Board of Supervisors to fix the full per person maintenance and cost of the prisoner's board in the jail; and

WHEREAS, your undersigned Judiciary and Public Safety Committee has determined that the full per person maintenance and cost of prisoner's board in the County Jail is \$15.50 per day.

NOW, THEREFORE, BE IT ORDAINED by the County Board of Supervisors of the County of Winnebago does ordain as follows:

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

- (2) Per Capita Daily Costs. (a) The per capita daily charge for maintenance and cost of the prisoner's board in the County Jail is hereby established as \$15.50 per day for all Huber Law prisoners. Each prisoner shall be charged for all meals served during each day incarcerated, regardless of the prisoner actually consuming each meal.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago as follows:

That Section 5.02(2)(b) be deleted from the General Code of Winnebago County.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that said amendment shall be effective as of January 1, 2001.

Submitted by:

JUDICIARY & PUBLIC SAFETY

Motion by Supervisor Maehl and seconded to adopt. Ayes: 30. Nays: 1 – Arne. Excused: 6 – Rengstorf, Griesbach, Finch, Egan, Kramer and Rankin. Absent: 1 – Crowley. CARRIED.

**RESOLUTION NO. 87-92000: Request Winnebago County Elderly and Disabled Transportation Coordinating Committee be Renamed As Winnebago County Specialized Transportation Council**

WHEREAS, in May, 1988, the County Board adopted a resolution which established a Winnebago County Elderly and Disabled transportation Coordinating Committee to assist the Planning and Zoning Committee in streamlining transportation services for elderly and disabled persons in Winnebago County; and

WHEREAS, the original objective of streamlining transportation services has been attained through considerable planning and coordinating efforts by the Planning Department under the auspices of the Planning and Zoning Committee; and

WHEREAS, the continuing need for coordination among providers and funders of transportation services to disabled and elderly citizens no longer requires a special planning role for the Planning Department; and

WHEREAS, since May, 1988, staff from the Human Services Department have participated as members of this Committee to represent Winnebago County and to meet the requirement that the Human Services Department yearly prepare the submissions of application materials to the State of Wisconsin in order for Winnebago County to receive specialized transportation funds to serve elderly and disabled citizens.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Elderly and Disabled Transportation Coordinating Committee be designated to assist the Human Services Department Committee in its efforts to address the continuing need for coordination of transportation services to disabled and elderly citizens and in its responsibility to submit an annual grant application for specialized transportation funds.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Elderly and Disabled Transportation Coordinating Committee be renamed as the Winnebago County Specialized Transportation Council.

Submitted by:  
HUMAN SERVICES COMMITTEE

Motion by Supervisor Koziczowski and seconded to adopt. Ayes: 31. Nays: 0. Excused: 6 – Rengstorf, Griesbach, Finch, Egan, Kramer and Rankin. Absent: 1 – Crowley. CARRIED. (Line 54 was changed to “Human Services Board.”)

**RESOLUTION NO. 88-92000: Authorize Discontinuance of Portion of Kuehn Court, Town of Menasha**

WHEREAS, Winnebago County has received a Petition signed by 10 residents of the Town of Menasha requesting that a portion of Kuehn Court in the Town of Menasha be vacated in that it is no longer utilized for highway purposes and that the ownership of said vacated property be restored to its previous owners in possession, namely Robert Pheifer and Alan Pheifer, doing business as Pheifer Brothers Construction Company; and

WHEREAS, your undersigned Highway Committee has reviewed said Petition and recommends discontinuance of said portion of said roadway; and

WHEREAS, said roadway has been maintained by the Town of Menasha but Winnebago County has underlying ownership of the property rights to said roadway; and

WHEREAS, a request has been made by the Town Attorney for the Town of Menasha on behalf of Town that Winnebago County discontinue said roadway.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes discontinuance and vacation of a portion of Kuehn Court in the Town of Menasha, pursuant to Sec. 80.39(1), Stats., and authorizes the Winnebago County Clerk and Winnebago County Executive to transfer

said property by Quit Claim Deed to its previous owners, Robert Pheifer and Alan Pheifer, d/b/a as Pheifer Brothers Construction Company, said property being more particularly described as follows:

Vacated portion of Kuehn Court, located in the Southeast ¼ of the Southeast ¼, Section Seventeen (17), Township Twenty (20) North, range Seventeen (17) East, town of Menasha, Winnebago County, Wisconsin, more fully described as follows:

Commencing at the Southeast corner of said Section 17; thence North 89°58'20" West, along the South line of said Southeast ¼, a distance of 382.07 feet, thence North 00°01'40" West, 340.63 feet to the point of beginning, thence North 89°48'26" West, 86.75 feet; thence North 17°29'53" East, along the Westerly right-of-way line of Kuehn Court, 10.57 feet; thence continuing along said right-of-way line of Kuehn Court, 101.57 feet; thence continuing along said right-of-way line 333.28 feet along the arc of a curve to the left, having a radius of 570.11 feet and a chord of 328.56 feet that bears North 00°45'03" East; thence North 89°45'53" East, 85.81 feet; thence along the Easterly right-of-way line of Kuehn Court, 343.25 feet along the arc of a curve to the right, having a radius of 635.11 feet and a chord of 339.32 feet that bears South 01°06'18" West to the point of beginning. Containing 28.512 square feet (0.655 acre).

Submitted by:  
HIGHWAY COMMITTEE

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

**ORDINANCE NO. 89-92000:            Amend Section 5.04, General Code of Winnebago County (Coroner's Fees)**

WHEREAS, your undersigned Committee has been advised that most counties allow the Coroner to charge fees for certain services performed by the Coroner; and

WHEREAS, said fees are authorized pursuant to Section 59.36, Wisconsin Statutes, provided that such fees do not exceed an amount that is reasonably related to the actual and necessary cost of providing the service; and

WHEREAS, the Coroner has requested that your undersigned Committee amend Section 5.04 of the General Code of Winnebago County so as to create a \$30.00 fee for the signing of death certificates by the Coroner and a \$50.00 fee for applications for disinternments; and

WHEREAS, your undersigned Committee believes that said fees are reflective of the actual necessary costs of providing said services and are in line with those fees charged by other counties within the State of Wisconsin.

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

That Section 5.04 of the General Code of Winnebago County be amended to read as follows:

5.04 (1) **AUTHORITY.** This ordinance is adopted pursuant to the authority provided under Section 59.36 and 69.18(2)(d)(3), Wisconsin Statutes.

(2) **CORONER'S FEES**

(a) **CREMATION PERMIT FEE.** A fee of \$60.00 is hereby established for the viewing of a body by a coroner and the issuance of a permit as a precedence to cremation, pursuant to that procedure outlined in Section 979.10, Wisconsin Statutes. The estate of the deceased shall be liable for payment of said fee, unless another party agrees in advance, in writing, to be responsible for the payment of said fee.

(b) A fee of \$30.00 is hereby established for the signing of a Certificate of Death by the Coroner. The estate of the deceased shall be liable for payment of such fee, unless another party agrees in advance, in writing, to be responsible for the payment of said fee. Pursuant to Section 69.18(2)(d)(3), Statutes, said fee shall not be charged if the deceased is indigent. Indigency shall be established pursuant to standards adopted by the State Public Defender's Office.

(c) **DISINTERNMENT FEE.** A fee of \$50.00 is hereby established for the application of disinternment of a decedent's corpse. Said fee shall be paid at the time of application by the applicant. Said fee shall not be applicable when a valid court order for disinternment has been

issued.

- (3) PAYMENT OF FEES. All fees paid pursuant to this ordinance shall be paid to the office of the Winnebago County Treasurer.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that this ordinance shall take effect as of November 1, 2000.

Submitted by:  
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Maehl and seconded to adopt. Motion by Supervisor Hert and seconded to delete "\$30.00 fee for the signing of death certificates by the Coroner and" on Lines 21 & 22 and to delete Lines 51 -59. Ayes: 20. Nays: 11 – Barker, O'Brien, Savas, Widener, Green, Madison, Sundquist, King, Kline, Schaidler and Spanbauer. Excused: 6 – Rengstorf, Griesbach, Finch, Egan, Kramer and Rankin. Absent: 1 – Crowley. CARRIED.

Motion by Supervisor Eichman and seconded to delete Lines 42-49. Ayes: 13 – Koziczkowski, Klitzke, Lauson, Albrecht, Leschke, Norton, Hert, Nielsen, Robl, Eichman, Sievert, Arne and Metzsig. Nays: 18. Excused: 6 – Rengstorf, Griesbach, Finch, Egan, Kramer and Rankin. Absent: 1 – Crowley. LOST.

Vote on Ordinance as amended – Ayes: 24. Nays: 7 – Savas, Lauson, Norton, Nielsen, Robl, Eichman and Brennand. Excused: 6 – Rengstorf, Griesbach, Finch, Egan, Kramer and Rankin. Absent: 1 – Crowley. CARRIED.

**RESOLUTION NO. 90-92000: Authorize Lease Between Winnebago County and Beechwood Plaza Hotel of Oshkosh, LLC**

WHEREAS, Beechwood Plaza Hotel of Oshkosh, LLC has made a proposal to lease the site of approximately 205,000 square feet from Wittman Regional Airport at a cost of \$.32 per square foot or initially \$65,600 per year for the purpose of constructing a commercial hotel, meeting and conference area, banquet hall, restaurant, garden and lounge upon said premises; and

WHEREAS, Winnebago County has entered into a tentative agreement, subject to approval by the Winnebago County Board of Supervisors and the Winnebago County Executive for a twenty-five (25) year lease with said entity with three five-year options for extension; and

WHEREAS, rent would be adjusted every three years, to the average of consumer price index over the three year period plus 1%; and

WHEREAS, final execution of said lease shall be subject to rezoning by the City of Oshkosh of the property from industrial to commercial and any storm water run off requirements that may be placed upon the property; and

WHEREAS, your undersigned Committee recommends the approval of said lease and its execution by Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the execution of a lease between Beechwood Plaza Hotel of Oshkosh, LLC and Winnebago County for 205,000 square feet of property at Wittman Regional Airport at an initial rate of \$.32 per square foot for an initial twenty-five (25) year term with an option for three five-year additional terms. (A copy of said lease may be obtained upon request from the Winnebago County Corporation Counsel or the Winnebago County Airport Director.).

Submitted by:  
AVIATION COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 30. Nays: 1 – Wingren. Excused: 6 – Rengstorf, Griesbach, Finch, Egan, Kramer and Rankin. Absent: 1 – Crowley. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until Tuesday, October 16, at 6:00 p.m. CARRIED BY VOICE VOTE. The meeting was adjourned at 8:35 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 adjourned session held on September 26, 2000.

Susan T. Ertmer  
Winnebago County Clerk