

**ADJOURNED SESSION
COUNTY BOARD MEETING
TUESDAY, APRIL 17, 2001**

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, Griesbach, O'Brien, Savas, Maehl, Koziczowski, Klitzke, Widener, Lauson, Albrecht, Leschke, Green, Madison, Sundquist, Wingren, Norton, Nielsen, Robl, Eichman, Kline, Kramer, Schaidler, Finch, Spanbauer, Sievert, Arne, Diakoff, Brennand, Egan, Rankin, Rengstorf and Metzger. Excused: 6 – Barker, Pech, Reilly, King, Hert and Crowley.

Motion by Supervisor Robl and seconded to adopt the corrected agenda with the following change: Resolution No. 202-42001 will be acted on before Resolution No. 191-42001. CARRIED BY VOICE VOTE.

Motion by Supervisor Wingren and seconded to amend the agenda with the following change: Resolution No. 213-42001 will be acted on before Resolution No. 191-42001. Ayes: 11 – Lauson, Albrecht, Leschke, Madison, Wingren, Norton, Nielsen, Robl, Eichman, Kline and Brennand. Nays: 19. Excused: 6 - Barker, Pech, Reilly, King, Hert and Crowley. Absent: 2 – Savas and Schaidler. LOST.

COMMUNICATIONS, PETITIONS, ETC.

A letter was received from Senator Ellis thanking the Board for sending him their resolutions on wetland protection and the terms of office for elected county officials. Senator Ellis agrees with the Board's position on these issues and will support state legislation regarding the same.

Information was received on the following seminars: Mini-Conference on Intergovernmental Cooperation, Friday, April 27 in Shawano; WCA Educational Seminar entitled, "Issues Facing County Jails: Objective Jail Classification, Mental Health Issues and Liability", Monday, April 30, in Wausau.

The following resolutions were received and forwarded to the Legislative Committee: Ashland County - No. R04-2001-679, "Request Complete Funding of Probation and Parole Violation Inmates"; Brown County - "Resolution to Support Kettl Commission Proposal"; and Douglas County - No. 24-01 re: State Mandated Insurance Payments; No. 25-01 re: County Option Sales Tax Increase; No. 30-01 re: State Policies for Housing Probation and Parole Violation Inmates in County Jails and No. 33-01 re: WCA Proposals Relating to Blue Ribbon Commission on State/Local Partnerships Supported; and, Jackson County—No. 17-3-01 re: Crisis in Agriculture.

A notice of claim, received from Anne Wachuta for \$35.00 for damage to personal property while working at the Oshkosh Human Services Department, was referred to the Personnel & Finance Committee.

A notice of claim, received from Atty. Alan S. Hoff for Badger Mutual and Bruce Koepke for \$10,890.00 for damage to Mr. Koepke's vehicle as a result of an accident with a Winnebago County snowplow, was referred to the Personnel & Finance Committee.

Petition for Zoning Amendment from John M. Jones, Town of Nekimi, for zoning change from A-1 to B-3 for commercial use was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Clifford A. Osen, Town of Oshkosh, for zoning change from A-2 to R-1 & B-3 for expansion of business and residential use was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Jose A. Ortiz, Town of Omro, for zoning change from A-2/R-1 to A-2 for residential use was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Joseph Nemecek, Town of Clayton, for zoning change from A-1 to R-1 for farming was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Gerard H. VanHoof, Town of Clayton, for zoning change from A-2 to M-1 for a warehouse facility was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Mary Alice Jansen, Town of Black Wolf for zoning change from R-1 with Wetland Overlay to R-1 Amended Overlay for residential property was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from David C. Stock, Town of Menasha, for zoning change from B-3 and R-5 to B-3 for a car wash was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Valley Gateway Development LLC, Town of Menasha, for zoning change from R-5 to R-2/R-3 for a single family residence and a duplex was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Timothy J. Halbrook, Town of Menasha, for zoning change from R-2/flood fringe floodplain overlay to R-2/Single family subdivided for a single family residence was referred to the Planning & Zoning Committee.

COMMITTEE REPORTS

Supervisor Rankin, in recognition of Public Health Week, commended the Winnebago County Public Health Department. He read a letter from the Winnebago County Board of Health commending Susan Huelsbeck and her staff for the fine services that they provide to the citizens of Winnebago County.

Supervisor Leschke reported that the Exploration Committee's cover letter and questionnaire has been placed on the supervisors' desks. She asked that all the supervisors fill out the questionnaire and return it to the County Clerk's Office by April 27.

Supervisor Egan reported that the facilities space study has been completed. The Facilities & Property Management Committee will be meeting on April 24 to go over the study and will present the study to the full board at the June Special Orders meeting.

Supervisor Koziczowski asked that the supervisors refer to Human Services Department's financial report that has been placed on their desks. He explained that the report indicates that in their budget there is an unexpended tax levy amount of \$2,621,499, which will be returned to the county's general fund.

Motion by Supervisor Lauson and seconded to approve the proceedings from the March 13 & 20 County Board meetings. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Maehl reported that Mark Rogacki of the Wisconsin Counties Association sent a letter to the Oshkosh Northwestern, Appleton Post Crescent, and the supervisors of the Outagamie and Winnebago County Boards clarifying the issue of financial contributions by Winnebago County for the WCA Convention to be held in Oshkosh in September.

Chairman Maehl reported that the French government will be presenting certificates of appreciation to American WWII veterans who served in French territory between June 6, 1944 and May 8, 1945. To receive the certificates, veterans need to fill out an application that will be available from veteran service organizations.

Chairman Maehl read a letter from Supervisor Ryan Reilly announcing his resignation from the Board. Supervisor Reilly's resignation is effective immediately. Chairman Maehl and Supervisor Rankin commended Supervisor Reilly on his fine service to the citizens of Winnebago County during his tenure on the Board.

Chairman Maehl extended happy birthday wishes to Supervisors Widener, Barker, O'Brien and Albrecht. Chairman Maehl thanked Supervisor O'Brien for his contribution to the Winnebago County Scholarship Fund.

COUNTY ROAD E PROJECT – JOHN HAESE, HIGHWAY COMMISSIONER

John Haese, Winnebago County Highway Commissioner reported that the widening of an approximate one-mile stretch of County Road E will be handled by Mead & Hunt. The location of this

project is just west of the intersection of County Road E and Oakwood Road east to the intersection of Washburn Avenue and U.S. Highway 41.

Mr. Haese reported that there are three areas in the design process that are Winnebago County's responsibility. These areas are archeological surveys, soil borings and title searches. The potential cost to Winnebago County for these parts of the design process would be approximately \$10,000.

Mr. Haese said that the approximate cost of construction could be \$1.5 Million, and that there could be additional costs associated with the potential widening of the bridge portion of this project.

PUBLIC HEARING

Kathleen Propp, 1936 Hazel Street, Oshkosh, representing the League of Women Voters, spoke in opposition of Resolution No. 213-42001, "Authorize Winnebago County Planning Department to Develop Supervisory Districts from 2000 U.S. Census Data." Ms. Propp recommends that the Board reduce the number of supervisors to between 22 and 35.

John Allen, Neenah, and Gordon Doule, Oshkosh, spoke in support of Resolution No. 213-42001, "Authorize Winnebago County Planning Department to Develop Supervisory Districts from 2000 U.S. Census Data."

Roger Westphal, 1025 Merritt Avenue, Oshkosh, spoke in opposition of Resolution No. 213-42001, "Authorize Winnebago County Planning Department to Develop Supervisory Districts from 2000 U.S. Census Data." He recommends a reduction in the size of the Winnebago County Board of Supervisors.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Davel Engineering LLC and property owner Mary Somers POA for Morgan Jorgenson, Town of Menasha, for zoning change to R-5 (Planned Residential District). Motion by Supervisor Schaidler and seconded to accept recommendation to DENY. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 04-01-01. A request for zoning change from B-3 (General Business) to R-5 (Planned Residential District). Motion by Supervisor Schaidler and seconded to DENY. CARRIED BY VOICE VOTE.

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant DeKeyser Properties LLC and property owner Carl Borchert, Town of Clayton, for zoning change to B-3 (General Business). Motion by Supervisor Schaidler and seconded to accept recommendation to DENY. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 04-02-01. A request for zoning change from R-3 (Two-family residential) to B-3 (General Business). Motion by Supervisor Schaidler and seconded to DENY. CARRIED BY VOICE VOTE.

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Carl Borchert, Town of Winchester, for zoning change to R-1 (Single family non-subdivided). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 04-03-01. A request for zoning change from A-1 (Farmland Preservation) to R-1 (Single family non-subdivided). Motion by Supervisor Schaidler and seconded to ADOPT. CARRIED BY VOICE VOTE. (Effective date – April 24, 2001)

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

AMENDATORY ORDINANCE NO. 04-04-01. A request for zoning change from A-1 (Farmland Preservation) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to ADOPT. CARRIED BY VOICE VOTE. (Effective date – April 24, 2001)

REPORT NO. 005. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Nancy Maas, Town of Wolf River, for zoning change to R-1 (Single family non-subdivided). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 04-05-01. A request for zoning change from B-2 (Community Business) to R-1 (Single family non-subdivided). Motion by Supervisor Schaidler and seconded to ADOPT. CARRIED BY VOICE VOTE. (Effective date – April 24, 2001)

AMENDATORY ORDINANCE NO. 6. A request from the Town of Vinland on behalf of John Kunde et al. for zoning change from A-1 to A-2. Motion by Supervisor Spanbauer and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – April 24, 2001)

AMENDATORY ORDINANCE NO. 7. A request from the Town of Utica on behalf of Clifford & Lori Carrell for zoning change from A-1 to A-3. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – April 24, 2001)

AMENDATORY ORDINANCE NO. 8. A request from the Town of Rushford on behalf of Bohn Farms for zoning change from A-1 to A-2. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – April 24, 2001)

AMENDATORY ORDINANCE NO. 9. A request from the Town of Rushford on behalf of Bohn Farms for zoning change from A-1 to A-3 (Lot 1). Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – April 24, 2001)

AMENDATORY ORDINANCE NO. 10. A request from the Town of Rushford on behalf of Lee Traxler for zoning change from A-2 to A-3. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – April 24, 2001)

AMENDATORY ORDINANCE NO. 11. A request from the Town of Utica on behalf of Gregory Kargus, et al. for zoning change from A-1 to A-3. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – April 24, 2001)

AMENDATORY ORDINANCE NO. 12. A request from the Town of Wolf River on behalf of Ronald Utecht for zoning change from A-1 to A-2. Motion by Supervisor Metzsig and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – April 24, 2001)

RESOLUTIONS & ORDINANCES

RESOLUTION NO. 202-42001:

Resolution Awarding the Sale of \$965,000 General Obligation Refunding Bonds; Providing the Form of the Bonds; and Levying a Tax in Connection Therewith

WHEREAS, pursuant to a resolution adopted on March 20, 2001 (the "Initial Resolution"), the County Board of Supervisors of Winnebago County, Wisconsin (the "County") authorized the issuance of not to exceed \$965,000 General Obligation Refunding Bonds for the public purpose of refunding obligations of the County, including interest on them, to wit: refunding the County's outstanding General Obligation Solid Waste Bonds, Series 1992A, dated November 1, 1992 (the "1992 Bonds") maturing in the years 2001 through 2006 (hereinafter the refunding of the County's outstanding obligations shall be referred to as the "Refunding");

WHEREAS, the 1992 Bonds were issued for the purpose of paying the cost of planning, design, engineering and construction of a structure to be utilized by the Winnebago County Solid Waste Management Board as a material recovery facility and solid waste disposal landfill cell construction (the "1992 Project")

WHEREAS, the County Board of Supervisors deems it to be necessary, desirable and in the best interest of the County to refund the 1992 Bonds maturing in the years 2001 through 2006 for the purpose of achieving debt service cost savings and restructuring the County's debt;

WHEREAS, counties are authorized by the provisions of Chapter 67 of the Wisconsin Statutes to borrow money and to issue general obligation refunding bonds for the purpose of refinancing their outstanding obligations; and

WHEREAS, the County Board has directed its financial advisor, Robert W. Baird & Co. Incorporated, Milwaukee, Wisconsin, to take the necessary steps to sell its General Obligation Refunding Bonds in an amount not to exceed \$965,000 (the "Bonds") for the purpose set forth above;

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

WHEREAS, the following bid proposals were received:

BIDDER NET INTEREST COST TRUE INTEREST RATE

(SEE BID TABULATION ATTACHED AS EXHIBIT B)

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

WHEREAS, it has been determined that the Bonds shall be issued in the aggregate principal amount of \$965,000.

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

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

Section 2. Award of the Bonds. The bid proposal of Robert W. Baird & Co. Incorporated, Milwaukee, Wisconsin (the "Purchaser") is hereby accepted, said proposal offering to purchase the Bonds for the sum of NINE HUNDRED EIGHTY THOUSAND THREE HUNDRED FIFTY-ONE AND 50/100 DOLLARS (\$980,351.50), plus accrued interest to the date of delivery. The Bonds bear interest as follows:

<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2002	\$180,000	4.25%
2003	185,000	4.50
2004	190,000	4.50
2005	200,000	5.00
2006	210,000	5.00

Section 3. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds"; shall be in the aggregate principal amount of \$965,000; shall be dated May 1, 2001; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered 1 and upward; and shall mature serially on November 1 of each year, in the years and principal amounts as set forth above. Interest is payable semi-annually on May 1 and November 1 of each year commencing on November 1, 2001.

Section 4. Redemption Provisions. The Bonds shall be non-callable.

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

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

<u>Levy Year</u>	<u>Amount</u>
2001	\$225,025
2002	222,375
2003	219,050
2004	220,500
2005	220,500

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

The County has heretofore levied a direct annual irrepealable ad valorem debt service tax with respect to the 1992 Bonds. Said sum is on deposit in the debt service fund account for the 1992 Bonds. Upon the refunding of the 1992 Bonds, \$22,512.50 of said sum shall be transferred from said account and irrevocably deposited into the segregated Debt Service Fund Account for the Bonds created below and used to pay the interest on the Bonds coming due on November 1, 2001.

Section 7. Segregated Debt Service Fund Account. There is hereby established in the County treasury a fund account separate and distinct from all other funds or accounts of the County designated "Debt Service Fund Account for \$965,000 Winnebago County General Obligation Refunding Bonds dated May 1, 2001", which fund account shall be used solely for the purpose of paying the principal of and interest on the Bonds. There shall be deposited in said fund account all accrued interest paid on the Bonds at the time the Bonds are delivered to the Purchaser, any premium, all money raised by taxation pursuant to Section 6 hereof, any amounts transferred from the debt service fund account for the 1992 Bonds as set forth above and all other sums as may be necessary to pay principal of and interest on the Bonds as the same become due. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Bonds, shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished, and shall at all times be invested in a manner that conforms with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any applicable income tax regulations (the "Regulations").

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

Section 9. Arbitrage Covenant. The County shall not take any action with respect to the Bond Proceeds which, if said action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of delivery of and payment for the Bonds (the "Closing") would have caused the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

The Bond Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Bonds remain outstanding, moneys on deposit in any fund or account created or maintained in connection with the Bonds, whether such moneys were derived from Bond Proceeds or from any other source, will not be used or invested in a manner which would cause the Bonds to be "arbitrage bonds" within the meaning of the Code or Regulations. The County covenants that it will not invest in any obligation if such investment would violate the "prohibited payment" requirement of Section 148 of the Code.

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

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

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

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

In accordance with Section 148(f)(4)(B) of the Code, the County covenants that ninety-five percent (95%) or more of the net proceeds of the Bonds are to be used for local governmental activities of the County and that 100% of the proceeds of the Bonds will be expended for the governmental purposes of the issue within six months of the Closing. If for any reason the County did not qualify for the six month exemption from the rebate requirements of the Code, the County covenants that it would take all necessary steps to comply with such requirements.

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

Section 11. Execution of the Bonds. The Bonds shall be prepared in typewritten or printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated by its fiscal agent, if any, sealed with its official or corporate seal, if any, or a facsimile thereof and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery. In the event that either of the officers whose

signatures appear on the Bonds shall cease to be such officers before the delivery of the Bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute all documents as may be necessary and convenient for effectuating the Closing.

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

Section 13. Persons Treated as Owners; Transfer of Bonds. The County shall keep books for the registration and for the transfer of the Bonds. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

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

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

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

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

Section 15. Redemption of the 1992 Bonds. Pursuant to the Initial Resolution, the County has called the 1992 Bonds maturing in the years 2001 through 2006 for redemption on May 1, 2001.

Section 16. Bond Insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as any municipal bond insurer which makes a commitment accepted by the County to insure the Bonds may reasonably request and which are acceptable to the Chairperson and County Clerk, including provisions regarding restrictions on investment of Bond Proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, appropriate reference to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 17. Continuing Disclosure. The continuing disclosure requirements of SEC Rule 15c2-12, as amended, are not applicable to the Bonds because the Bonds are a primary offering of less than \$1,000,000.

Section 18. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Supervisor Albrecht introduced Bradley Viegut, Vice President of Robert W. Baird & Co., Milwaukee, Wisconsin, who presented Winnebago County's Final Pricing Summary for the \$965,000 General Obligation Refunding Bonds.

Motion by Supervisor Albrecht and seconded to adopt the resolution. Ayes: 32. Nays: 0. Excused: 6 - Barker, Pech, Reilly, King, Hert and Crowley. CARRIED.

RESOLUTION NO. 191-42001: Authorize the Transfer of the CTH CB trail to the Town of Menasha from CTH II to CTH BB.

WHEREAS, the Winnebago County Board of Supervisors supports the transfer of the CTH CB trail from CTH II northward to CTH BB and,

WHEREAS, the Town of Menasha and Winnebago County have both entered into an agreement dated 03/28/96, which is attached hereto, which includes all of the requirements that must be met before allowing for the transfer of the trail from the county to the town and,

WHEREAS, all of the requirements of the agreement have now been met,

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of the CTH CB trail system to the Town of Menasha from CTH II northward to CTH BB. A legal description of that property to be transferred is attached hereto and made a part of this resolution by reference.

Submitted by:
HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Supervisor Robl asked that Lines 5, 10 & 18 of the resolution be corrected by changing "CTH BB" to "Shady Lane. Vote on resolution as corrected – Ayes: 32. Nays: 0. Excused: 6 – Barker, Pech, Reilly, King, Hert and Crowley. CARRIED.

RESOLUTION NO. 192-42001: Abandon Portion of County Highway "D", Town of Poygan

WHEREAS, due to road improvements, your undersigned Committee has determined that a portion of County Highway "D" in the Town of Poygan is no longer necessary and may be abandoned.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the discontinuance of a portion of County Highway "D" , pursuant to Section 80.39, Wisconsin Statutes, as described as follows:

Being a part of the Southeast ¼ and Southwest ¼ of the Southeast ¼ of Section 20, Township 19 North, Range 14 East, Town of Poygan, Winnebago County, Wisconsin containing 61,046 square feet (1,401 acres) of land and described as follows:

Commencing at the Southeast corner of said Section 20, Thence N00°34'09"W, 262.59 feet along the East line of said Southeast ¼ to the North right-of-way line of C.T.H. "D"; thence S81°18'28"W, 1018.00 feet along said North right-of-way line to the Point of Beginning; thence continue S81°18'28"W, 376.79 feet along said North right-of-way line, thence N60°21'44"E,

945.60 feet to the Westerly right-of-way line of Town Hall Road; thence S28°00'32"W, 18.35 feet along said Westerly right-of-way line to the start of a 553.33 foot radius curve to the left; thence 93.09 feet along the arc of said curve with a chord distance of 92.98 feet which bears S23°11'21"W; thence S60°21'44"W; 465.93 feet to a point on "line A" as described in Vol. 667 Deeds Pg. 473; thence S00°34'09"E, 78.60 feet along said "line A" to the Point of Beginning.

Submitted by:
HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 32. Nays: 0. Excused: 6 – Barker, Pech, Reilly, King, Hert and Crowley. CARRIED.

**RESOLUTION NO. 193-42201 WAS REMOVED BECAUSE IT WAS A DUPLICATION OF
RESOLUTION NO. 203-42001**

RESOLUTION NO. 194-42001: Authorize transfer of \$78,000 from the General Fund to the General Construction Fund-Wittman Airport for the purchase of three (3) individual, portable aircraft storage hangars

WHEREAS, the major source of revenue for Wittman Airport is the rental of hangars and buildings, and

WHEREAS, there is currently a waiting list for aircraft storage hangars at Wittman Airport, and

WHEREAS, many of the existing aircraft storage hangars at Wittman Airport are nearing the end of their useful life, and

WHEREAS, ten existing aircraft storage hangars at Wittman Airport are too small to accommodate the majority of single engine, general aviation aircraft.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$78,000 from the Winnebago County General Fund to the General Construction Fund of Wittman Regional Airport for the purchase of three (3) individual, portable, aircraft storage hangars for single engine general aviation aircraft.

BE IF FURTHER RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes the General Fund of Winnebago County to be reimbursed for said purchases from the issuance of subsequent bond issue in relationship to this matter.

Submitted by:
AVIATION COMMITTEE
AND
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 27. Nays: 5 – Klitzke, Wingren, Eichman, Kramer and Finch. Excused: 6 – Barker, Pech, Reilly, King, Hert and Crowley. LOST. (3/4 VOTE REQUIRED.)

RESOLUTION NO. 195-42001: Authorize Transfer of \$8,000 from Contingency Fund to Capital Equipment Fund - Maintenance Department (Purchase Motorized Wire/Cable Puller)

WHEREAS, a motorized wench wire/cable puller is necessary for the installation of kitchen equipment at Park View Health Center in order to pull electrical cable through the walls and other structures at that facility; and

WHEREAS, your undersigned Committees have approved the purchase of said equipment.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$8,000 from the Contingency Fund to the Capital Equipment Fund of the Maintenance Department for the purpose of purchasing a motorized wench wire/cable puller for the purpose of installing kitchen equipment at Park View Health Center.

Submitted by:
PERSONNEL & FINANCE COMMITTEE
AND
FACILITIES & PROPERTY COMMITTEE

Motion by Supervisor Egan and seconded to adopt. Supervisor Egan asked that the Facilities & Property Management Committee's vote of 5-0 be added to the resolution. Vote on resolution – Ayes: 30. Nays: 2 – Nielsen and Kramer. Excused: 6 – Barker, Pech, Reilly, King, Hert and Crowley. CARRIED.

RESOLUTION NO. 196-42001: Support UW Extension "Best Practices Partnership for Children, Youth & Families" Budget Initiative

WHEREAS, Wisconsin counties devote considerable financial and human resources to programs serving children, youth and families ; and

WHEREAS, addressing the needs of these constituents is increasingly complex and expensive; and

WHEREAS, education on state of the art research on program design, implementation and evaluation can better inform decision makers, thus resulting in improved outcomes and better use of scarce budget dollars.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby supports the University of Wisconsin Extension "Best Practices Partnership for Children, Youth and Families" budget initiative, which will bring the resources of the University of Wisconsin and other experts in the community to develop and strengthen coalitions; assist with the identification and prioritization of issues; identify and disseminate research-based programs; and implement evaluation tools to determine program efficiency so as to guide funding decisions.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to transmit a copy of this resolution to all Legislators representing constituents within Winnebago County; to the Wisconsin Counties Association and to the Office of Governor Scott McCallum.

Submitted by:
UNIVERSITY OF WISCONSIN EDUCATION, EXTENSION
AND AGRICULTURE COMMITTEE

Motion by Supervisor Maehl and seconded to adopt. Ayes: 31. Nays: 0. Absent: 1 – Lauson. Excused: 6 – Barker, Pech, Reilly, King, Hert and Crowley. CARRIED.

ORDINANCE NO. 197-42001: Amend Section 11.11 of the General Code of Winnebago County and Winnebago County Health Department Permit Fee Schedule

WHEREAS, the State of Wisconsin has recently made changes in Wisconsin Administrative Code Chapter HFS 196 - Restaurant Code, and Wisconsin Administrative Code Chapter ATCP 75 - Retail Food Establishment Code which, as a consequence, have required that changes be made in Section 11.11 (Licensure and Regulation of Retail Food Establishments, Taverns, Hotels, Restaurants, Tourist Rooming Houses and Other Establishments by Winnebago County Health Department) of the General Code of Winnebago County and the Permit Fee Schedule which is an Appendix to Chapter 11 of the General Code of Winnebago County ; and

WHEREAS, your undersigned Board has reviewed these suggested amendments to Section 11.11 of the General Code of Winnebago County and the Winnebago County Health Department Permit Fee Schedule and recommends adoption of said amendments.

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

That Section 11.11 of the General Code of Winnebago County and the Winnebago County Health Department Permit Fee Schedule which is an Appendix to Chapter 11 of the General Code of Winnebago County be amended to read as follows:

(Requested amendments are attached hereto)

BE IT FURTHER RESOLVED by the County Board of Supervisors of the County of Winnebago that said amendments shall be effective on the date following the date of their publication.

Submitted by:
BOARD OF HEALTH

Motion by Supervisor Rankin and seconded to adopt. Ayes: 31. Nays: 0. Absent: 1 – Lauson. Excused: 6 – Barker, Pech, Reilly, King, Hert and Crowley. CARRIED.

11.11 LICENSURE AND REGULATION OF RETAIL FOOD ESTABLISHMENTS, TAVERNS, HOTELS, RESTAURANTS, TOURIST ROOMING HOUSES AND OTHER ESTABLISHMENTS BY WINNEBAGO COUNTY HEALTH DEPARTMENT

(1) AUTHORITY AND PURPOSE. (A) This ordinance is adopted pursuant to that authority provided by Section 97.41, Wisconsin Statutes, Section 125.68(5), Wisconsin Statutes, Section 251.04(3), Wisconsin Statutes, Section 254.47, Wisconsin Statutes, and Section 254.69(2), Wisconsin Statutes; and by Wisconsin Administrative Chapters ADM 65, ATCP 74 and 75, HFS 172, 175, 178, 192, 195, 196, 197 and 198, and ILHR 90. The purpose of this ordinance is to protect and improve the public health and to authorize the Winnebago County Health Department to become the designated agent of the State Department of Health and Family Services for the purpose of establishing permit fees; issuing permits; and making investigations or inspections of hotels, motels, tourist rooming houses, restaurants, bed and breakfast establishments, campgrounds and camping resorts, recreational and educational camps, public swimming pools and establishments possessing permanent Class B and Class C alcoholic beverage licenses with the exception of those licenses serving beverages solely, directly from cans or bottles and those licenses selling beverages at a retail level, and in making investigations and inspections of food vending machines, their operators and vending machine commissaries; and authorizing the Winnebago County Health Department to become the designated agent of the State Department of Agriculture, Trade, and Consumer Protection, for the purpose of establishing permit fees; issuing permits and making investigations or inspections of retail food establishments; and for the purpose of enacting local regulations governing these establishments which may be more strict than state law.

(2) APPLICABILITY. (A) The provisions of this ordinance shall apply to the owner and operator of any retail food establishment, hotel, motel, tourist rooming house, restaurant, bed and breakfast establishment, campground and camping resort, recreational and educational camp, public swimming pool, establishments possessing Class B or Class C alcoholic beverage licenses, vending machine commissary or vending machine in all unincorporated areas of Winnebago County and the City of Omro and Village of Winneconne.

(3) DEFINITIONS. (A) All definitions as set forth in Chapters 97, 125, 251 and 254, Wisconsin

Statutes and Wisconsin Administrative Code Chapters ADM 65, ATCP 74 and 75, HFS 172, 175, 178, 192, 195, 196, 197 and 198, and ILHR 90 are incorporated in this ordinance by reference and they shall be construed, read and interpreted as fully set forth herein until amended and then shall apply as amended.

(B) "Duplicate Permit Fee" shall mean a fee for the replacement of an original permit.

(C) "Health Department" shall mean the Winnebago County Health Department.

(D) "Inspection Fee" shall mean a fee for on-site visits, limited to two (2), to determine that establishments identified in the ordinance are compliant with the statutes and administrative codes that govern their operation.

(E) "Late Fee" shall mean a fee for failure to pay established fees in a timely manner.

(F) "Limited Food Service" shall mean the serving of food which is prepared and packaged off the premises with preparation on the premises limited to heating and serving with single-service articles, i.e. hermetically wrapped sandwiches or frozen pizza.

(G) "Mobile Restaurant" shall mean a restaurant operating from a movable vehicle, pushcart, trailer or boat which periodically or continuously changes location and wherein meals or lunches are prepared or served or sold to the general public, excepting those vehicles used in delivery of pre-ordered meals or lunches prepared in a licensed restaurant.

(H) "Operator" shall mean the owner or person responsible to the owner for the operations of the hotel, motel, bed and breakfast establishment, food service establishment or beverage establishment, vending machine commissary and/or vending machine, campground, camping resort, recreational/educational camps, or public swimming pools.

(I) (a) "Potentially Hazardous Food" shall mean a FOOD that is natural or synthetic and that requires temperature control because it is in a form capable of supporting:

(i) The rapid and progressive growth of infectious or toxigenic microorganisms;

(ii) The growth and toxin production of Clostridium botulinum; or

(iii) In raw shell eggs, the growth of Salmonella enteritidis.

(b) "Potentially hazardous food" includes an animal FOOD (a FOOD of animal origin) that is raw or heat-treated; a FOOD of plant origin that is heat-treated or consists of raw seed sprouts; cut melons, and garlic and oil mixtures that are not acidified or otherwise modified at a FOOD PROCESSING PLANT in a way that results in mixtures that do not support growth as specified under Subparagraph (a) of this definition.

(c) "Potentially hazardous food" does not include:

(i) An air-cooled hard-boiled egg with shell intact;

(ii) A FOOD with an a/w value of 0.85 or less;

(iii) A FOOD with a pH level of 4.6 or below when measured at 24C (75F);

(iv) A FOOD in an unopened HERMETICALLY SEALED CONTAINER, that is

commercially processed to achieve and maintain commercial sterility under conditions of nonrefrigerated storage and distribution; and

- (v) A FOOD for which laboratory evidence demonstrates that the rapid and progressive growth of infectious or toxigenic microorganisms or growth of S. enteritidis in eggs or C. botulinum can not occur, such as a FOOD that has an a/w and a pH that are above the levels specified under Subparagraphs (c)(ii) and (iii) of this definition and that may contain a preservative, other barrier to growth of microorganisms, or a combination of barriers that inhibit the growth of microorganisms.
- (vi) A FOOD that may contain an infectious or toxigenic microorganism or chemical or physical contaminant at a level sufficient to cause illness, but that does not support the growth of microorganisms as specified under Subparagraph (a) of this definition.

(J) "Pre-Inspection Fee" shall mean a fee for consultative services offered within a six (6) - month period from the date of permit application to persons intending to operate a new hotel, tourist rooming house, bed and breakfast establishment, restaurant, vending machine commissary or retail food establishment, or to a person intending to be the new operator of an existing hotel, tourist rooming house, bed and breakfast establishment, restaurant, vending machine commissary or retail food establishment.

(K) "Re-Inspection Fee" shall mean a fee for the third (3rd) and subsequent inspections needed to address compliance issues with the statutes and administrative codes that govern their operation.

(L) "Restaurant" shall mean any building, room or place where meals are prepared, served or sold to transients or the general public, and all places used in connection with the building, room or place and includes any public or private school lunchroom for which food service is provided by contract. "Restaurant" does not include

- (a) Taverns that serve free lunches consisting of popcorn, cheese, crackers, pretzels, cold sausage, cured fish or bread and butter;
- (b) Churches, religious, fraternal, youth or patriotic organization, service clubs and civic organizations which occasionally prepare, serve or sell meals to the general public;
- (c) Any public or private school lunchroom for which food service is directly provided by the school;
- (d) Any food service provided solely for needy persons;
- (e) Bed and breakfast establishments; or
- (f) A private individual selling food from a movable or temporary stand at a public farm sale.

(M) "Retail Food Establishment" shall mean any of the following, but does not include a restaurant or other establishment holding a permit to the extent that the activities of the establishment are covered by that permit:

- (a) A permanent or mobile food processing facility where food is processed primarily for direct retail sale to consumers at the facility.
- (b) A mobile facility from which potentially hazardous food is sold to customers at retail.

(c) A permanent facility from which food is sold to consumers at retail, whether or not that facility sells potentially hazardous food or is engaged in food processing.

(N) "Temporary Restaurant" or "Temporary Retail Food Establishment" shall mean a restaurant or temporary retail food establishment that operates at a fixed location in conjunction with a single event such as a fair, carnival, circus, public exhibition, anniversary sale, or occasional sales promotion for a period of no more than fourteen consecutive days or less.

(O) "Vending Machine" shall mean any self-service device offered for public use which, upon insertion of a coin or token, or by other means, dispenses unit servings of food or beverage either in bulk or in package, without the necessity of replenishing the device between each vending operation. "Vending machine" does not include a device which dispenses only bottled, prepackaged or canned soft drinks, a one cent vending device, a vending machine dispensing only candy, gum, nuts, nut meats, cookies or crackers, or a vending machine dispensing only prepackaged grade A pasteurized milk or milk products.

(P) "Vending Machine Commissary" shall mean any building, room or place in the state at which foods, containers, transport equipment or supplies for vending machines are kept, handled, prepared or stored by a vending machine operator, except a place at which the operator is licensed to manufacture, distribute or sell food products under Ch. 97, Stats.

(4) ENFORCEMENT. (A) The provisions of this ordinance shall be administered by or under the direction of the Health Officer of the Health Department, who in person or by duly authorized representatives shall have the right to enter, at reasonable hours, upon premises affected by this regulation to inspect the premises, secure samples or specimens, examine and copy relevant documents and records or obtain photographic or other evidence needed to enforce this ordinance.

(5) LICENSE AND PERMIT. (A) No person shall operate a retail food establishment, bed and breakfast establishment, hotel, motel, tourist rooming house, restaurant, campground and camping resort, recreational and educational camp, public swimming pool, or a Class B or Class C alcoholic beverage licensure establishment without first obtaining a non-prorated permit from the Health Department. Such permits shall expire on June 30 of each year following their issuance except that permits initially issued during the period beginning on April 1 and ending June 30 shall expire June 30 of the following year. The issuance of a permit may be conditioned upon the Permittee correcting a violation of this ordinance within a specified period of time. If the condition is not met within the specified period of time, the permit shall be voided. The permit shall not be transferable to a location other than the one for which it was issued, nor shall a permit be transferred from one operator to another subject to the express exception of: (1) As to location, temporary permits may be transferred; (2) As to operator, a permit of a non-retail food establishment operator may be transferred to an individual who is an immediate family member of the operator if the operator is transferring operation of the establishment or vending machine to that immediate family member. A parent, child, step-child, grandchild, sibling or step-sibling shall be considered an immediate family member for purposes of this ordinance.

(B) Operators or permittees of temporary restaurants whom the Health Department has found to be uncooperative or habitual violators of this Ordinance may be denied a permit to operate. Temporary permits may be transferred to a premises other than that for which it was issued, provided that the approval of the new premises is secured from the Health Department prior to operating at the new premises.

(C) With the exception of those establishments defined herein as "temporary" no permits shall be granted to any person under this Ordinance without a pre-inspection by the Health Department of the premises for which the permit shall be granted.

(D) No permit shall be issued until all application fees have been paid.

(6) APPLICATION. (A) Application for permits shall be made in writing to the Health Department on forms developed and provided by the Health Department, stating the name and address of the proposed applicant and operator, and the address and location of the proposed establishment, together with any such other information as may be required. The Health Department shall either approve the application or deny the permit within thirty (30) days after receipt of a complete application.

(7) FEES. (A) Fees for the issuance of permits, the making of investigations, inspections, providing education, training and technical assistance to all establishments covered pursuant to this Ordinance, plus the costs required to be paid to the state for each permit issued, are herewith established pursuant to this Ordinance and may be amended from time to time upon the approval of the Winnebago County Board of Supervisors and the Winnebago County Executive. In addition, separate pre-inspection fees are hereby established with regard to new establishments or existing establishments which have been transferred to a new operator. Said fee schedule is also set forth in Appendix "A" and may be amended from time to time by the Winnebago County Board of Supervisors upon the approval of the Winnebago County Executive.

(8) PERMIT PUBLIC DISPLAY. (A) Every establishment required to obtain a permit pursuant to this Ordinance shall display said permit, at all times, in a conspicuous public place.

(9) PERMIT SUSPENSION AND REVOCATION. (A) Any permit issued by the Health Department pursuant to this Ordinance may be temporarily suspended for a violation of any provision of this Ordinance or rules adopted by reference by this Ordinance, if the department determines that an immediate danger to health exists. Such permits may be permanently revoked after repeated violations.

(10) REGULATIONS, RULES AND LAWS ADOPTED BY REFERENCE. (A) The applicable laws, rules and regulations as set forth in Chapters 97, 125, 251, 254, Statutes, Wisconsin Administrative Code Chapters ADM 65, ATCP 74 and 75, and HFS 172, 175, 178, 192, 195, 196, 197 and 198, and ILHR 90 are incorporated in this regulation by reference and they shall be construed, read and interpreted as fully set forth herein until amended and then shall apply as amended. The expressed provisions of this Ordinance shall control where more restrictive.

(11) VIOLATION-PENALTIES. (A) Any person who violates or refuses to comply with any provisions of this ordinance shall be subject to a forfeiture of \$250.00 for each offense and/or revocation or amendment of their applicable permit. Each day a violation exists or continues shall be considered a separate offense. Where appropriate, injunctive relief may be sought by the Health Department against continuing violations. In the alternative, the Health Department may pursue enforcement of such section of these regulations as are prosecutable.

(12) EFFECTIVE DATE. (A) This Ordinance shall be effective as of June 1, 1998.

**WINNEBAGO COUNTY HEALTH DEPARTMENT
2001-2002 PERMIT FEE SCHEDULE**

*

<i>FOOD SERVICE:</i>	CODE	LOCAL FEE	STATE FEE
Limited Food Service Restaurant	01	\$90.00	
Full Service Restaurant	02		
Simple A		\$198.00	
Medium B		\$210.00	
Complex C		\$225.00	

Temporary Restaurant	29	\$97.00
Mobile Restaurant	13	
Simple A		\$198.00
Medium B		\$210.00
Complex C		\$225.00
Additional Restaurant Unit	02A	\$47.00
Beverage Only / No Food	100	\$61.00
Add'l Beverage Only/No Food	100A	\$16.50
LODGING:		
Tourist Rooming House (1-4 rooms)	07	\$78.00
Bed & Breakfast (8 rooms or less)	34	\$140.00
Hotel / Motel (5-30 rooms)	03/05	\$170.00
Hotel / Motel (31-99 rooms)	04/06	\$220.00
Hotel / Motel (100 or more rooms)	32/33	\$286.00
CAMPGROUNDS:		
Campground (1-25 sites)	60	\$140.00
Campground (26-50 sites)	61	\$174.00
Campground (51-100 sites)	62	\$202.00
Campground (101 or more sites)	63	\$225.00
Special Event Campground (1-25)	64	\$104.00
Special Event Campground (26-50)	65	\$132.00
Special Event Campground (51-100)	66	\$147.00
Special Event Campground (>100)	67	\$171.00
OTHER:		
Recreational / Educational Camp	53	\$99.00
Swimming Pool	50	\$173.00
Additional Swimming Pool	50A	\$120.00
RETAIL FOOD SERVICE:		
Sales > \$25,000 <\$1,000,000 and processes potentially hazardous food	78-22	\$169.00
Sales >\$1,000,000 and processes potentially hazardous food	78-11	\$633.00
Sales \$25,000 or more but does not process potentially hazardous food	78-33	\$121.00
Sales <\$25,000 and engaged in food processing	78-44	\$58.00
Not engaged in food processing	78-55	\$28.00
Temporary Retail	105	\$35.00
MISCELLANEOUS FEES:		

Pre-Inspection	101	\$212.00	
Re-Inspection	102	\$60.00	
Late Fee	103	\$90.00	
Duplicate Permit	104	\$15.00	

* The fee collected for reimbursement to the State will equal 10% of the fees adopted by the State. As of this date, fees for 2001-2002 have not yet been adopted.

RESOLUTION NO. 198-42001: Authorize Transfer of \$156,000 from Debt Proceeds Fund to General Construction Fund, Winnebago County Highway Department (County Trunk Highway "A" Project)

WHEREAS, the cost of purchasing right-of-way from County Road "Y" to Indian Point Road with regard to the County Trunk Highway "A" Project has resulted in \$156,000 in expenditures by the Winnebago County Highway Department; and

WHEREAS, it is necessary that that amount be transferred to the General Construction Fund of the Winnebago County Highway Department to pay for said right-of-way acquisitions.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$156,000 from the Debt Proceeds Fund of the 2001 Winnebago County Budget to the General Construction Fund of the Winnebago County Highway Department Account for the purpose of paying for the acquisition of right-of-way from County Trunk Highway "Y" to Indian Point Road with regard to the County Trunk Highway "A" Improvement Project..

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the General Fund of Winnebago County shall be subsequently reimbursed for this expenditure through subsequent bonds issued by Winnebago County to pay for said project..

Submitted by:
HIGHWAY COMMITTEE
AND
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 31. Nays: 1 – Rengstorf. Excused: 6 – Barker, Pech, Reilly, King, Hert and Crowley. CARRIED.

RESOLUTION NO. 199-42001: Authorize Transfer Between Budget Categories, 2000 Budget, Winnebago County District Attorney's Office

WHEREAS, Budget over runs in the labor expense Budget of the Winnebago County District attorney's Office during the 2000 Budget year have required a transfer of funds from other accounts within the Winnebago County District Attorney's Budget which were over-budgeted to pay for said labor expenses; and

WHEREAS, your undersigned Committees have approved said budget transfers.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$8,000 from the Operating Expense Account and \$1,900 from the Travel Expense Account to the Labor Expense Account of the Winnebago County District Attorney's 2000 Budget for the purpose of paying for labor expense over runs in that category..

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

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 32. Nays: 0. Excused: 6 – Barker, Pech, Reilly, King, Hert and Crowley. CARRIED.

RESOLUTION NO. 200-42001: Authorize Transfer of \$184,316 from Highway Maintenance - State Highway Fund to Labor Expense Fund - Winnebago County Highway Department (Snow and Ice Removal)

WHEREAS, Winnebago County has received money from the State of Wisconsin for the purpose of providing highway maintenance, specifically ice and snow removal, in relationship to roads within Winnebago County; and

WHEREAS, it is necessary to transfer the monies received from the State of Wisconsin to the Labor Expense Fund of the Winnebago County Highway Department to pay for increased labor costs in relationship to snow and ice removal services.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$184,316 from the Highway Maintenance - State Highway Fund to the Labor Expense Fund of the Winnebago County Highway Department to pay for increased additional labor costs with regard to snow and ice control on Winnebago County Highways..

Submitted by:
HIGHWAY COMMITTEE
AND
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 32. Nays: 0. Excused: 6 – Barker, Pech, Reilly, King, Hert and Crowley. CARRIED.

RESOLUTION NO. 201-42001: Authorize Transfer of \$14,500 from Operating Expense Account to Labor Expense Account - Winnebago County Corporation Counsel's Office - 2000 Budget

WHEREAS, the Winnebago County Corporation Counsel's Office experienced a labor expense over run in the amount of \$14,500 in its 2000 Budget; and

WHEREAS, it is necessary that money be transferred from the Operating Expense Account of the Winnebago County 2000 Budget to cover said cost over run.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$14,500 from the Operating Expense Account to the Labor Expense Account of the 2000 Winnebago County Corporation Counsel's Budget..

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

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 32. Nays: 0. Excused: 6 – Barker, Pech, Reilly, King, Hert and Crowley. CARRIED.

RESOLUTION 203-42001: Authorize Transfer of \$35,000 from Winnebago County Contingency Fund to Building Improvements Fund - Winnebago County Department of Human Services

WHEREAS, deterioration of carpeting, flooring and paint in the common areas of the Winnebago County Human Services Building in Oshkosh presently require repair of those areas; and

WHEREAS, the cost of repairing carpentering in common areas at the Winnebago County Human Services Department Building, repairing acoustical tile within the facility; wallpapering and painting some walls and replacing the vinyl non-skid surfaces on step and landing areas will cost approximately \$35,000; and

WHEREAS, your undersigned Committees believe that the performance of said repair work is reasonable and necessary at the present time.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$35,000 from the Contingency Fund of the 2001 Winnebago County Budget to the Building Improvements Fund of the Winnebago County Department of Human Services Budget for needed repairs at the Oshkosh Winnebago County Human Services Department Office at 220 Washington Avenue, City of Oshkosh.

Submitted by:
HUMAN SERVICES BOARD
AND
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Koziczkowski and seconded to adopt. Ayes: 31. Nays: 1 – Nielsen. Excused: 6 – Barker, Pech, Reilly, King, Hert and Crowley. CARRIED.

RESOLUTION NO. 204-42001: Proclaim May as Community Action Month In Winnebago County

WHEREAS, ADVOCAP, Inc. is working;and collaborating with Winnebago County and its local communities to alleviate the circumstances of poverty and helping people achieve self-sufficiency; and

WHEREAS, ADVOCAP, Inc. has for 35 years, developed innovative pilot and major programming in the areas of affordable housing and homeownership, weatherization and rehabilitation of homes, employment and micro-enterprise business development, Head Start, food and nutrition, community based economic development, transportation, health and education and many other such helping programs; and

WHEREAS, ADVOCAP, Inc., includes low income people in their policy development in full partnership with local government and the private sector; and

WHEREAS, ADVOCAP, Inc., and the Wisconsin Community Action Program Association and its member agencies and volunteers celebrate their achievements and acknowledge the contributions of others during the month of May; and

WHEREAS, the Wisconsin Legislature has established statutory definition of Community Action Agencies and their mission; and

WHEREAS, the Winnebago County Board has statutorily recognized ADVOCAP, Inc. as its local Community Action Agency.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby salutes ADVOCAP, Inc.and the Wisconsin Community Action Program Association for their dedicated and effective service to the citizens of Winnebago County and the state of Wisconsin and do hereby proclaim the month of May Community Action Month in Winnebago County.

Submitted by:
MICHAEL J. NORTON, DIST. #20
DAVID KOLLATH, DIST. #1

HELEN SAVAS, DIST. #5
RONALD EICHMAN, DIST. #24
COUNTY BOARD SUPERVISORS

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

Chairman Maehl called for a recess at 7:50 p.m. The Board reconvened at 8:05 p.m.

Motion by Supervisor Finch and seconded to reconsideration Resolution No. 194-42001, "Authorize Transfer of \$78,000 from the General Fund to the General Construction Fund—Wittman Airport for the Purchase of Three (3) Individual, Portable Aircraft Storage Hangars."

Vote on motion – Ayes: 26. Nays: 6 – Klitzke, Green, Wingren, Eichman, Sievert and Rankin. Excused: 6 – Barker, Pech, Reilly, King, Hert and Crowley. CARRIED.

Motion by Supervisor Albrecht and seconded to table Resolution No. 194-42001 until the May 15 meeting. CARRIED BY VOICE VOTE.

RESOLUTION NO. 205-42001: Disallow Claim of Aurelio Bernal

WHEREAS, your Personnel and Finance Committee has had the claim of Aurelio Bernal 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 Aurelio Bernal dated January 26, 2001, 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. 206-42001: Disallow Claim of Lucas Cappert

WHEREAS, your Personnel and Finance Committee has had the claim of Lucas Cappert 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 Lucas Cappert dated March 14, 2001, 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. 207-42001: Disallow Claim of Kay Wisnefske and Donald Wisnefske

WHEREAS, your Personnel and Finance Committee has had the claim of Kay Wisnefske and Donald Wisnefske 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 Kay Wisnefske and Donald Wisnefske dated July 4, 2000 and filed with County Clerk on

October 24, 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. 208-42001: Authorize Transfer Between Budget Categories, 2000 Budget, Airport Fund

WHEREAS, Budget over runs in the labor expense Budget of the Wittman Airport Fund during the 2000 Budget year have required a transfer of funds from other accounts within the Airport Budget which were over-budgeted to pay for said labor expenses; and

WHEREAS, your undersigned Committees have approved said budget transfers.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$4,790 from the Operating Expense Account to the Labor Expense Account on the Wittman Airport 2000 Budget for the purpose of paying for labor expense over runs in that category.

Submitted by:
AVIATION COMMITTEE
AND
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 32. Nays: 0. Excused: 6 – Barker, Pech, Reilly, King, Hert and Crowley. CARRIED.

RESOLUTION NO. 209-42001: Replace One Part-Time (80%) Position of Nutritionist and One Temporary Position of Nutritionist with One Full-Time Position of Nutritionist in the WIC Program of the Health Department

WHEREAS, the replacement of a regular part-time and a temporary part-time position of Nutritionist in the WIC program with a regular full-time position of Nutritionist will allow for greater consistency of client services and greater ease of scheduling; and

WHEREAS, an upcoming vacancy in the regular part-time (80%) position of Nutritionist will allow for recruitment of a full-time replacement with a minimum of disruption and enhanced recruitment opportunities; and

WHEREAS, current funding to cover the cost for this staffing modification already exists within the WIC budget for Nutritionist service.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that a new full-time position of Nutritionist be created as a replacement for one regular (80%) part-time position of Nutritionist and one temporary part-time position of Nutritionist within the WIC program of the Winnebago County Public Health Department; and

BE IT FURTHER RESOLVED, that this position continue to exist for only so long as grant funding remains available to cover the full cost of this position.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 32. Nays: 0. Excused: 6 – Barker, Pech, Reilly, King, Hert and Crowley. CARRIED.

RESOLUTION NO. 210-42001

Authority to Execute the 2001-2003 Labor Agreement with the Winnebago County Bridgetenders' Union, Local 1280 Unit, AFSCME, AFL-CIO

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the County Executive and the County Clerk be, and they hereby are authorized to execute a three-year Agreement on behalf of Winnebago County and the Winnebago County Bridgetenders' Union, Local 1280 Unit, AFSCME, AFL-CIO, 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
2.75% across-the-board, effective January 1, 2001
3.0% across-the-board, effective January 1, 2002
3.0% across-the-board, effective January 1, 2003

- 2) ARTICLE 17 – INSURANCE

Effective January 1, 2001, the County will provide one additional month of contributions toward the health insurance premium, increasing the total to eleven months' premiums.

Effective January 1, 2002, the County will provide one additional month of contributions toward the health insurance premium, increasing the total to twelve months' premiums.

Effective with the premium for the month of October and thereafter, provide for an employee contribution rate of 5% toward the monthly premium of all plans.

In addition to the foregoing, the new agreement contains minor changes to the section entitled "Agreement" and to the articles covering funeral leave and duration.

Submitted by,
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 32. Nays: 0. Excused: 6 – Barker, Pech, Reilly, King, Hert and Crowley. CARRIED.

RESOLUTION NO. 211-42001:

Authority to Execute 2001-2003 Labor Agreement with the Winnebago County Highway Department Employees' Union, Local 1903, AFSCME

BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the County Executive and the County Clerk be, and they hereby are authorized to execute a three-year Agreement on behalf of Winnebago County and the Winnebago County Highway Department Employees' Union, Local 1903, AFSCME for the years 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
3.25% across-the-board effective January 1, 2003

- 2) ARTICLE 15 – FUNERAL LEAVE

Add aunt, uncle, niece and nephew to one-day funeral leave eligibility and provide for three day funeral leave use within one week of the day of the funeral.

3) ARTICLE 18 - GROUP HEALTH INSURANCE PROGRAM

Effective with the premium for the month of October and thereafter, provide for an employee contribution rate of 5% toward the monthly premium of all plans.

4) ARTICLE 21 – HOURS OF WORK

Redefine the work schedule of the Recycling Center as follows:

First shift: 7:00 A.M. to 3:00 P.M. Monday through Friday

Second shift: 3:00 P.M. to 11:00 P.M. Monday through Friday

Both shifts are to be eight hours in length including a twenty minute paid lunch period.

Add a second shift position of Night Mechanic in the Parks Department with a daily work schedule of eight hours containing a twenty minute paid lunch period Monday through Friday, commencing at 3:00 P.M. and ending at 11:00 P.M.

Redefine the work schedule of the Night Mechanic in the Highway Department as 2:30 P.M. to 10:30 P.M., Monday through Friday.

Modify language in this article to allow for temporary changes in hours for up to thirty days in the Recycling Center when second shift vacancies occur.

5) APPENDIX A – JOB CLASSIFICATION AND HOURLY COMPENSATION PLAN

Reclassify the position of Utility Groundsperson upward from Classification #1 to Classification #3.

In addition to the foregoing, the new agreement provides for minor modifications to the articles covering holiday dates, management rights, recognition and unit of representation, grievance procedure, sick leave with pay, long term disability insurance, vacation scheduling in the Highway Department, general provisions (uniform jackets at the Airport) duration, and a revision to Appendix A (pay schedules).

This agreement provides for no retroactive pay or benefit improvements for employees who terminate their County employment prior to the date of contract signing. Excepted from this provision are terminations resulting from the retirement or death of an employee.

Submitted by,
PERSONNEL & FINANCE COMMITTEE

WITHDRAWN by Supervisor Albrecht.

RESOLUTION NO. 212-42001: Authority to Execute 2001-2003 Collective Bargaining Agreement with the Winnebago County Sheriff's Professional Police 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 Winnebago County Sheriff's Professional Police Association for the years 2001, 2002 and 2003, effective January 1, 2001, which Agreement will provide the following changes

from the previous agreement:

1.) WAGES

Across-the-Board Increases:

- 3.25% effective January 1, 2001
- 3.25% effective January 1, 2002
- 3.25 % effective January 1, 2003

Special Adjustments:

Pay increase of \$0.15 per hour across-the-board in place of eliminated longevity pay, effective 1/1/01

Pay increase of \$0.23 per hour across-the-board in consideration of increase in group health insurance premium cost sharing, effective 10/1/01

Pay equity adjustment of \$0.15 per hour, effective 10/1/02 and 10/1/03 for Police Officer/Corrections; \$0.20 per hour, effective 10/1/02 and 10/1/03 for Detective and Corporal; \$0.25 per hour, effective 10/1/02 and 10/1/03 for Sergeant and Detective Sergeant

2) ARTICLE 13 - INSURANCE

Effective with the premium for the month of October 2001 and thereafter, employees shall be responsible for 5% of the single, double and family premiums not to exceed \$25 per month for single coverage and \$50 per month for double or family coverage.

3) ARTICLE 18 – UNIFORM ALLOWANCE

Effective for the year 2001 and thereafter the annual uniform allowance will be \$375 per year, which is an increase of \$25 per year. Revised contract language will convert the payment system from a direct charge system to a reimbursement system.

4.) ARTICLE 24 – RETIREMENT

An agreed upon language change will limit the County's pension system payment liability toward the employee's share to the maximum amount established by the Wisconsin Retirement System, not to exceed 7%. As part of the settlement, the Association will withdraw all related pending litigation.

In addition to the foregoing, minor modifications were made to the articles relating to recognition and unit of representation, discipline and discharge, work week, sick leave with pay, vacations, negotiations, promotional procedure and the seniority list.

BE IT FURTHER RESOLVED, that the necessary funds to cover the costs resulting from the adoption of this Resolution shall be made available from funds budgeted for this purpose.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 30. Nays: 1 – Spanbauer. Abstain: 1 – Albrecht. Excused: 6 – Barker, Pech, Reilly, King, Hert and Crowley. CARRIED.

RESOLUTION NO. 213-42001: Authorize Winnebago County Planning Department to Develop Supervisory Districts from 2000 U.S. Census Data

WHEREAS, pursuant to state and federal law, Winnebago County is required to amend the size

of County supervisory districts every ten (10) years to comply with the "equal representation" requirements placed upon local governmental units by the United States Supreme Court; and

WHEREAS, the over-riding objective of the equal representation requirement is the creation of substantial equality of the population in each individual district so that the weight given to the vote of any one citizen is approximately equal to the weight of that of any other citizen in any other supervisory district within the county; and

WHEREAS, actual population figures from the 2000 U.S. Census will be provided by the federal government and the State of Wisconsin to Winnebago County in early April, 2001; and

WHEREAS, once census population figures are provided to Winnebago County, Winnebago County has sixty (60) days to forward a preliminary supervisory district plan to cities, villages and towns within Winnebago County; and

WHEREAS, in keeping with the equal representation requirement, it is necessary that the total population of Winnebago County be divided into supervisory districts of approximately equal size; and

WHEREAS, your undersigned Committee believes that no district should exceed the quotient of the total population of Winnebago County divided by the number of supervisory districts by more or less than 5%; and

WHEREAS, your undersigned Committee believes that it is of the utmost importance that the Winnebago County Planning Department be provided direction immediately in order that it may begin work as soon as possible with regard to drawing new supervisory district boundaries.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Planning Department to draft preliminary County Board Supervisory District boundaries as soon as is possible after receipt of actual 2000 U.S. Census Bureau figures of the population of Winnebago County and that the size of said supervisory districts be within 5% of the quotient of the total population of Winnebago County divided by the number of supervisory districts authorized.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that there shall be 38 supervisory districts created within Winnebago County.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that there shall be no splitting of census blocks in preparing said supervisory districts.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that natural boundary lines, such as roads, rivers, streams, and municipal boundaries, shall be used whenever possible in creating supervisory districts.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that all districts shall be composed of naturally contiguous territories and shall be designed in a geographically compact manner.

Submitted by:

JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Motion by Supervisor Wingren and seconded to amend Line 52 by changing "38" to "31". LOST BY VOICE VOTE.

Motion by Supervisor Leschke and seconded to amend Lines 51-53 to read, "there shall be prepared for the May 15 County Board meeting four supervisory district maps showing 38, 35, 31 and 28 districts.

Motion by Supervisor Schaidler and seconded to make a "friendly" amendment to Supervisor Leschke's amendment by having supervisory district maps for 43 and 47 districts prepared as well.

Vote on Supervisors Leschke's and Schaidler's motion – Ayes: 7 – Leschke, Wingren, Norton, Nielsen, Robl, Kline and Metzger. Nays: 25. Excused: 6 – Barker, Pech, Reilly, King, Hert and Crowley. LOST.

Motion by Supervisor O'Brien and seconded to amend the resolution so that municipal boundaries will be used to form supervisor district boundaries whenever possible. John Bodnar, Corporation Counsel, suggested that amending Line 60 by adding, "and municipal boundaries" after the word, "streams" would address this issue. Vote on this amendment – CARRIED BY VOICE VOTE.

Vote on Resolution as amended – Ayes: 26. Nays: 6 – Leschke, Wingren, Norton, Nielsen, Eichman and Kline. Excused: 6 – Barker, Pech, Reilly, King, Hert and Crowley. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until the County Board Tour on Monday, May 14, 2001. The meeting was adjourned at 9:20 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 April 17, 2001.

Susan T. Ertmer
Winnebago County Clerk