

**ADJOURNED SESSION  
COUNTY BOARD MEETING  
TUESDAY, DECEMBER 18, 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, Barker, Griesbach, Karras, Maehl, Koziczowski, Klitzke, Widener, Lauson, Albrecht, Pech, Madison, Zamzow, Sundquist, Norton, Hert, Nielsen, Robl, Eichman, Kline, Kramer, Schaidler, Finch, Spanbauer, Sievert, Arne, Diakoff, Brennand, Rankin, Rengstorf and Metzsig. Absent: Crowley, Wingren and Egan. Excused: Leschke, Savas, Green, King.

Motion by Supervisor Robl and seconded to adopt the agenda. Chairman Maehl asked that the order of the resolutions be changed as follows: Nos. 333-122001, 341-122001, 345-122001, 350-122001, 334-122001, 335-122001, 336-122001, 337-122001, 338-122001, 339-122001, 340-122001, 342-122001, 343-122001, 344-122001, 346-122001, 347-122001, 348-122001, 349-122001, 351-122001, 357-122001, 352-122001, 353-122001, 354-122001, 355-122001, 356-122001, 358-122001, 359-122001, 360-122001 and 361-122001. CARRIED BY VOICE VOTE.

**COMMUNICATIONS, PETITIONS, ETC.**

A note from Supervisor Schaidler was read thanking the Board for the flowers he received while he was recuperating.

A letter was received from Sen. Michael Ellis thanking the Board for sending him a copy of Resolution No. 330-112001, "Oppose Senate Bill 248 and Assembly Bill 518: Prohibition of Municipal Ownership of Telecommunications Network." He will keep the Board's position in mind if this legislation comes before the Senate.

The following resolutions were received and forwarded to the Legislative Committee and other pertinent committees:

- Chippewa County – No. 77-01: "Supporting Federal Legislation to Prevent Increased Importation of Milk Protein Concentrate in the U.S. and Use of Milk Protein Concentrates in Real Dairy Products in the State of Wisconsin"
- Chippewa County – No. 78-01, "Supporting Federal Legislation to Require Importers of Foreign Dairy Product to Contribute to the Costs of U.S. Dairy Promotions"
- Chippewa County – "Opposing Senate Bill 232 and Assembly Bill 294 Which Would Allow the Awarding of Compensatory and Punitive Damages Under the Wisconsin Fair Employment Act"
- St. Croix County – No. 35(2001): "Resolution Requesting the Wisconsin Counties Association to Implement a Strategic Planning Process"
- Trempealeau County – "Attack on America"

Petition for Zoning Amendment from Pat Gambsky, Town of Menasha, for zoning change from R-2 to R-3 for a residential duplex was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Mary Ann Kubiak, Town of Clayton, for zoning change from A-2 to R-1 for a yard for an existing property was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Kenneth & Mary Ann Walter, Town of Oshkosh, for zoning change from A-2/R-2 to R-2 to add to an existing residential lot was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Mike Allen of Baylake Bank, Town of Wolf River, for zoning change from R-1 to B-2 for a tavern, supper club, motel and cottages was referred to the Planning & Zoning Committee.

Motion by Supervisor Pech and seconded to wait and approve the proceedings from the November County Board meetings until the January 8, 2002 meeting. CARRIED BY VOICE VOTE.

## **COUNTY EXECUTIVE'S APPOINTMENTS**

### **Corporation Council**

Executive Van De Hey asked for the Board's approval of her re-appointment of John Bodnar as Winnebago County Corporation Counsel. This is a two-year appointment that will expire on December 31, 2003.

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

### **Grievance Review Board**

Executive Van De Hey asked for the Board's approval of Brenda Keller, 5708 Elderberry Lane, Oshkosh, to the Grievance Review Board. This is a five-year appointment that will expire on December 31, 2006

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

### **Human Services Board**

Executive Van De Hey asked for the Board's approval of the following re-appointments to the Human Services Board:

- Sam Barnard, 530 North Main Street, Oshkosh
- Sharon Fiedler, 503 East Cecil Street, Neenah
- Ronald Kuehl, 5776 St. Ives Road, Oshkosh

These are three-year appointments that will expire on December 31, 2004.

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

### **Local Emergency Planning Committee**

Executive Van De Hey asked for the Board's approval of the following re-appointments to the Local Emergency Planning Committee:

- Chief Tim Franz, Oshkosh Fire Department, 101 Court Street, Oshkosh
- Kathy Biggar, Winnebago County Sheriff's Department – E911, 420 Jackson Street, Oshkosh
- Kelly Butzlaff, American Red Cross, 36 Broad Street, Suite 150, Oshkosh
- Wayne Mauser, WPKR Radio, P.O. Box 3450, Oshkosh
- Corrina Peterson, J.J. Keller & Associates, 3003 West Breezewood Lane, Neenah
- Barti Omarou, DNR, 625 County Road Y, Suite 700, Oshkosh

These are three-year terms which will expire on December 31, 2004

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

### **Long Term Support Advisory Committee**

Executive Van De Hey asked for the Board's approval of the following correction to the appointment of David Green to the Long Term Support Advisory Committee:

David Green, Evergreen Retirement Community, P.O. Box 1720, Oshkosh (Mr. Green's address had been listed incorrectly when he was first appointed.) This is a three-year appointment that will expire on April 18, 2004.

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

### **Veterans Service Commission**

Executive Van De Hey asked for the Board's approval of her re-appointment of Phillip Bird, 3037 Bellaire Lane, Oshkosh, to the Veterans Service Commission. This is a three-year term that will expire on December 31, 2004.

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

## **Winnefox Library System Board**

Executive Van De Hey asked for the Board's approval of the following re-appointments to the Winnefox Library System Board:

- Judy Malueg, 420 Kraft Street, Neenah
- Jo Dell'Antonia, 1768 River Mill Road, Oshkosh
- Connie Mitchler, 1112 Lawndale Court, Menasha

These are three-year terms that will expire on December 31, 2004.

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

## **CHAIRMAN'S REPORT & APPOINTMENT**

### **Information Systems Committee**

Chairman Maehl asked for the Board's approval of his appointment of Ian C. Dodge, 1821 Oregon Street, Oshkosh, to the Information Systems Committee. Mr. Dodge's term will begin immediately.

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

Chairman Maehl, speaking about the letter that each of them received from Darrel Honnold of the Wisconsin Paint Horse Club, reported that the issues Mr. Honnold raises in his letter are administrative matters and that they are being addressed by the Corporation Counsel.

Chairman Maehl thanked all the members who attended the County Board Christmas Party on December 17. He stated that it was a lovely party and everyone was in a festive mood.

Chairman Maehl extended "happy birthday" wishes to Supervisors Koziczkowski, Brennand, Hert and Wingren. He also thanked Supervisors Brennand, Hert and Koziczkowski for their donations to the county's scholarship fund.

Chairman Maehl reported that Tom Brown, a citizen member on the county's Exploration Committee, has made a \$400 donation to the scholarship fund. Chairman Maehl extended his thanks to Mr. Brown for his generosity.

## **PUBLIC HEARING**

No one addressed the Board.

## **ZONING REPORTS & ORDINANCES**

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Warren Utecht, Martenson & Eisele, and property owner Richard Metzger, Town of Clayton, for zoning change to R-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-01-01. A request for zoning change from A-2 (General Farming) to R-2 (Single family subdivided). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE. (Effective date – December 21, 2001)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Carl Borchert, Town of Clayton, for zoning change to A-2. Motion by Supervisor Sievert and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-02-01. A request for zoning change from R-3/A-1 (Two Family Residential/Exclusive Ag) to A-2 General Farming. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – December 21, 2001)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Dan Wood and property owner Russel & Ruth Leitz, Town of Oshkosh, for zoning change to B-3. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-03-01. A request for zoning change from A-2 (General Farming) to B-3 (General Business – Highway Business). Motion by Supervisor Schaidler and seconded

to adopt. CARRIED BY VOICE VOTE. (Effective date – December 21, 2001)

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner HW Skip and Ellen Pipkorn, Town of Oshkosh, for zoning change to R-1. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-04-01. A request for zoning change from A-2 (General Farming) to R-1 (Single family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – December 21, 2001)

REPORT NO. 005. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant George Dearborn and property owner Town of Menasha, in the Town of Menasha, for zoning change to P-1. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-05-01. A request for zoning change from R-2 (Single family subdivided) to P-1 (Institutional & Recreational Park). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – December 21, 2001)

REPORT NO. 006. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Gerald Mathusek, Town of Algoma, for zoning change to R-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 12-06-01. A request for zoning change from A-2 (General Farming) to R-2 (Single family subdivision). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – December 21, 2001)

AMENDATORY ORDINANCE NO. 7. A request from the Town of Wolf River on behalf of Jerome Wohlt for zoning change from A-2 to R-1. Motion by Supervisor Metzиг and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – December 21, 2001)

### **RESOLUTIONS & ORDINANCES**

#### **RESOLUTION NO. 333-122001: Commendation for Richard Neebel**

WHEREAS, Richard Neebel has been employed with the District Attorney's Office of Winnebago County, for the past twenty years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Richard Neebel has now retired from those duties, and it is appropriate for the Winnebago County Board of Supervisors to acknowledge his 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 Richard Neebel for the fine services he has rendered to Winnebago County.

BE IT FURTHER RESOLVED, that the County Clerk send a copy of this Resolution to Richard Neebel.

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

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

#### **RESOLUTION NO. 341-122001: Disallow Claim of Stephen D. Krell**

WHEREAS, your Personnel and Finance Committee has had the claim of Stephen D. Krell 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 Stephen D. Krell dated October 30, 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. 345-122001: Disallow Claim of Carlos Molina**

WHEREAS, your Personnel and Finance Committee has had the claim of Carlos Molina 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 Carlos Molina dated November 12, 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. 350-122001: Disallow Claim of Margaret M. Wilson**

WHEREAS, your Personnel and Finance Committee has had the claim of Margaret M. Wilson 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 Margaret M. Wilson dated November 6, 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. 334-122001: Disallow Claim of Jeffrey A. Amundson**

WHEREAS, your Personnel and Finance Committee has had the claim of Jeffrey A. Amundson 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 Jeffrey A. Amundson dated October 31, 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. 335-122001: Disallow Claim of Jamie L. Braasch**

WHEREAS, your Personnel and Finance Committee has had the claim of Jamie L. Braasch

referred to it for attention; and

WHEREAS, your Committee has investigated the claim and recommends disallowance of same by Winnebago County.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the claim of Jamie L. Braasch dated October 31, 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. 336-122001: Disallow Claim of Dwayne Cospers**

WHEREAS, your Personnel and Finance Committee has had the claim of Dwayne Cospers 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 Dwayne Cospers dated October 31, 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. 337-122001: Disallow Claim of Daniel F. Dunlop**

WHEREAS, your Personnel and Finance Committee has had the claim of Daniel F. Dunlop 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 Daniel F. Dunlop dated October 31, 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. 338-122001: Disallow Claim of Daniel Kevin Dannells**

WHEREAS, your Personnel and Finance Committee has had the claim of Daniel Kevin Dannells 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 Daniel Kevin Dannells dated October 15, 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. 339-122001: Disallow Claim of Scott Ebben**

WHEREAS, your Personnel and Finance Committee has had the claim of Scott Ebben 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 Scott Ebben dated November 6, 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. 340-122001: Disallow Claim of Kevin Koeller**

WHEREAS, your Personnel and Finance Committee has had the claim of Kevin Koeller 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 Kevin Koeller dated October 31, 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. 342-122001: Disallow Claim of Charles McCulloch**

WHEREAS, your Personnel and Finance Committee has had the claim of Charles McCulloch 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 Charles McCulloch dated October 31, 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. 343-122001: Disallow Claim of LeRoy J. Mentzel**

WHEREAS, your Personnel and Finance Committee has had the claim of LeRoy J. Mentzel 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 LeRoy J. Mentzel dated October 31, 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. 344-122001: Disallow Claim of Thomas Micholichek**

WHEREAS, your Personnel and Finance Committee has had the claim of Thomas Micholichek 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 thomas Micholichek dated November 6, 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. 347-122001: Disallow Claim of Louis D. Ranieri**

WHEREAS, your Personnel and Finance Committee has had the claim of Louis D. Ranieri 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 Louis D. Ranieri dated October 31, 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. 348-122001: Disallow Claim of Steven M. Rupinski**

WHEREAS, your Personnel and Finance Committee has had the claim of Steven M. Rupinski 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 Steven M. Rupinski dated October 31, 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. 349-122001: Disallow Claim of Michael D. Thomas**

WHEREAS, your Personnel and Finance Committee has had the claim of Michael D. Thomas 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 Michael D. Thomas dated October 31, 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. 346-122001: Disallow Claim of Jerry Powers, Linda Powers and Christopher Powers**

WHEREAS, your Personnel and Finance Committee has had the claim of Jerry Powers, Linda Powers and Christopher Powers 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 Jerry Powers, Linda Powers and Christopher Powers dated October 29, 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. 351-122001: Amend Resolution 156-297 (Establish Revised Appointment Procedures for the Position of Chief Deputy Sheriff**

WHEREAS, with the upcoming retirement of the Chief Deputy Sheriff and the appointment of a replacement from within the management ranks of the Sheriff's Department, it is appropriate that the tenure in the position of the next incumbent be subject to the pleasure of the Sheriff so that in the event of turnover of the incumbent in the position of Sheriff, the replacement Sheriff would have the right to replace the Chief Deputy with another person from within the management ranks of the Sheriff's Department and the Chief Deputy would have the opportunity to continue his/her employment within the management ranks of the Sheriff's Department.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that item #5 of Resolution 156-297 be, and hereby is amended to read as follows:

5. Following the successful completion of a one-year probationary period, the person appointed to the position of Chief Deputy Sheriff shall enjoy tenure in the position at the pleasure of the Sheriff and, upon removal from such position for reasons other than misconduct, shall be eligible to be immediately placed in a vacant subordinate management position within the Sheriff's Department.

Submitted by,

JUDICIARY AND PUBLIC SAFETY COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 30. Nays: 0. Excused: 4 - Leschke, Savas, Green, King. Absent: 4 - Kollath, Crowley, Wingren and Egan. CARRIED.

**RESOLUTION NO. 357-122001: Establish County Policy So As to Allow County Employees Access to Courthouse and Tunnels Between the Courthouse and the Public Safety Building and Orrin H. King Building Without Passing Through Security Check Points**

WHEREAS, employees of Winnebago County, and specifically those assigned to offices within the Courthouse, the Orrin H. King Building, the Public Safety Building and the District Attorney's Office, ingress and egress the Courthouse on numerous occasions each day; and

WHEREAS, those employees, as well as all Winnebago County employees, have been subject to a criminal background check by the Winnebago County Human Resources Office prior to employment; and

WHEREAS, most of these employees are charged with the duty of running the courts, court-related offices, and important County offices and the utmost trust of the community is placed in said employees; and

WHEREAS, to the best of your undersigned Supervisor's knowledge, no Winnebago County employee has ever made a threat upon the Court or anybody within the Winnebago County Courthouse with a weapon; and

WHEREAS, it is your undersigned Supervisor's belief that any risks with regard to employees harming fellow employees or assisting others so as to breach court security are infinitesimal, at best; and

WHEREAS, the continued practice of subjecting County and court-related employees to continued search upon entering the Winnebago County Courthouse is time consuming and costly and results in inconvenience to the public and to employees and hinders them from accomplishing their jobs; and

WHEREAS, the current practice of closing the tunnels to the Courthouse to Winnebago County employees adds nothing with to promoting court security and results in a major inconvenience to County employees and physically exposes equipment, such as computer equipment, to the elements, which now must be transported outside in order to move such equipment between buildings; and

WHEREAS, a security system presently exists so as to only allow employees possessing computer program cards to enter the tunnels, thus alleviating security concerns.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby establishes the following policy with regard to admission to the Winnebago County Courthouse:

- (1) All Winnebago County employees, elected officials, court officials and District Attorneys, employees of the District Attorney's Office and State Public Defenders shall be issued an identification card by Winnebago County with their photographs upon said card.
- (2) Upon presenting said picture identification card to the security guard within the Courthouse, and the employee being positively identified by the security guard, all employees and officials listed in the preceding paragraph shall be allowed entry to the Winnebago County Courthouse without being subject to a search.
- (3) Those employees and officers described in Paragraph (1) above shall be allowed access and use of the tunnels between the Courthouse and the Winnebago County Public Safety Building and the Orrin King Building through the use of a computer program magnetic card which is issued to that employee. The doors to the tunnel shall remain locked to those not provided such a card.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said policy shall take effect immediately.

Submitted by:  
MARK MADISON, DISTRICT #15  
ROBERT KLITZKE, DISTRICT #8  
COUNTY BOARD SUPERVISOR

Motion by Supervisor Madison and seconded to adopt. Motion by Supervisor Schaidler and seconded to postpone until further consideration is give to the county's security plan. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 352-122001: Oppose Reduction of and/or Limitation on County Shares of Fines and Forfeitures Imposed by the Courts Under Chapters 341 Through 347, 349 and 351 of the Wisconsin Statutes**

WHEREAS, County dollars, supplies and resources, including law enforcement personnel, court personnel and prosecutorial support staff, are utilized in the enforcement of traffic laws, as well as the prosecution of citations issued for violations of traffic laws, the housing of inmates sentenced to jail for violations of said traffic laws, and the collection of fines and forfeitures imposed by the courts for violations of said traffic laws; and

WHEREAS, despite the foregoing, each county is permitted to retain only a small portion of each fine and forfeiture imposed by the courts and collected by the county for violations of traffic laws, and is required to remand the major share of each fine and forfeiture to the State of Wisconsin; and

WHEREAS, the Joint Finance Committee of the Wisconsin Senate and Assembly recently passed Motion #1058, a proposal which would set a permanent cap on that portion of dollars currently retained by counties for fines and forfeitures imposed by the courts under Chapters 341 through 347, 349 and 351; and

WHEREAS, according to the provisions of Motion #1058, each county would be required to remand to the state Treasurer 100% of any fine and forfeiture funds collected by it after the cap was met, and the monies collected in excess of their respective caps would be utilized, in part, to fund Assistant District Attorney positions in fourteen counties; and

WHEREAS, fines and forfeitures represent a legitimate funding source which assists county efforts to control tax levies and benefits county taxpayers; and

WHEREAS, Motion #1058 seeks to place a cap on a source of county revenue while county expenditures continue to grow; and

WHEREAS, the funding mechanism proposed in Motion #1058 is inherently unfair to the 58 counties which will be required to contribute county monies to fund the Assistant District Attorney positions awarded to the remaining fourteen counties in the State, and because it represents a significant policy change in that it initiates the return of the cost for District Attorneys and Assistant District Attorneys, now a state funded program, back to the counties, to be funded with dollars collected at the local level.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby goes on record opposing Motion #1058 and any and all substantially similar proposals, and requests that the Legislature and Governor of the State of Wisconsin not accept or pass said motion, or any substantially similar proposal of legislation; and

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Clerk is hereby directed to forward a copy of this resolution to the Governor of the State of Wisconsin, all legislators representing constituents within Winnebago County and the Wisconsin Counties Association.

Submitted by:  
LEGISLATIVE COMMITTEE  
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Ayes: 29. Nays: 0. Excused: Leschke, Savas, Green, King. Absent: Kollath, Crowley, Nielsen, Wingren and Egan. CARRIED.

**RESOLUTION NO. 353-122001: Authorize Acceptance and Appropriation of DNR Targeted Runoff Management Grant**

WHEREAS, pursuant to s.281.65, Wis. Stats, and Chapter NR120, Wis. Administrative Code, the Wisconsin Department of Natural Resources is authorized to allocate Targeted Runoff Management Program grants to counties for the purpose of implementing pollution prevention practices that help to improve and protect water quality in lake and rivers; and

WHEREAS, your Land & Water Conservation Department has submitted a Nonpoint Pollution Abatement-Targeted Runoff Management Program Grant Application to DNR for shoreline/streambank protection and natural shoreline restoration adjacent to the lakes and rivers in Winnebago County; and

WHEREAS, DNR has approved the Winnebago County application, including a grant allocation in the amount of \$150,000, to provide cost sharing to riparian landowners who install pollution prevention practices in 2002 and 2003.

NOW, THEREFORE, BE IT RESOLVED: by the Winnebago County Board of Supervisors that the Land Conservation Committee Chairman is hereby authorized, on behalf of Winnebago County, to accept the aforementioned grant in or near the amount of \$150,000.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said grant shall be appropriated to the Operating Grants account of the Winnebago County Land and Water Conservation Department 2002 budget for the purpose of providing cost share payments to riparian landowners as previously stated.

Submitted by:  
LAND CONSERVATION COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Ayes: 30. Nays: 0. Excused: 4 - Leschke, Savas, Green, King. Absent: 4 – Kollath, Crowley, Wingren and Egan.

**RESOLUTION NO. 354-122001: Authorize Acceptance of Donation of \$5,000 from the Community Foundation of the Fox Valley by Park View Health Center**

WHEREAS, the Community Foundation for the Fox Valley has offered a donation of \$5,000 to Park View Health Center for the purpose of helping meet the personal needs of residents within that facility; and

WHEREAS, the Community Foundation of the Fox Valley has pledged to make a similar donation in 2001 and for the next four years; and

WHEREAS, your undersigned Committee believes that it would be appropriate to accept said donation presently and to approve acceptance of all future donations.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the acceptance of a donation of \$5,000 from the Community Foundation of the Fox Valley to Park View Health Center for the purpose of using those funds to meet the personal needs of residents at Park View Health Center.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes Park View Health Center to accept future donations from the Community Foundation of the Fox Valley for similar purposes through the year 2005..

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes appropriation of said donation to the Donated Goods and Services Fund of Park View Health Center and further authorizes that all said accepted donations be appropriated to said fund in the future.

Submitted by:  
PARK VIEW HEALTH CENTER COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

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

**RESOLUTION NO. 355-122001: Authorize Appropriation of \$228,840 to Pleasant Acres Roof Replacement Fund**

WHEREAS, the Pleasant Acres Building at Park View Health Center is presently required in that the roof has reached the end of its life and requires total replacement; and

WHEREAS, failure to replace said roof at the present time will allow the roof to further deteriorate and leak adversely, thus affecting the health and welfare of the residents at that facility; and

WHEREAS, monies are presently available in the bond proceeds fund to assist in paying for said roof replacement.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$228,840 from the Bond Proceeds Fund of Winnebago County to the Pleasant Acres Roof Replacement Fund for the purpose of replacing the roof at the Pleasant Acres Building of Park View Health Center..

Submitted by:  
FACILITIES AND PROPERTY MANAGEMENT COMMITTEE  
PERSONNEL & FINANCE COMMITTEE  
PARK VIEW HEALTH CENTER COMMITTEE

Motion by Supervisor Widener and seconded to adopt. Ayes: 30. Nays: 0. Absent: 4 – Kollath, Crowley, Wingren and Egan. Excused: 4 - Leschke, Savas, Green, King. CARRIED.

**RESOLUTION NO. 356-122001: Authorize Transfer of \$16,265 from General Fund to District Attorney's Budget (Remodel District Attorney's Office and Purchase Workstations)**

WHEREAS, the Winnebago County District Attorney's Office recently experienced an increase in its staff; and

WHEREAS, a training room presently exists within the office space leased by Winnebago County for the Winnebago County District Attorney's Office; and

WHEREAS, the training room presently existing within the Winnebago County District Attorney's Office could be remodeled to provide additional office space for new staff within that office; and

WHEREAS, the landlord of the office presently leased to the Winnebago County District Attorney is willing and able to remodel said training facility for the purpose of utilizing that space for office space at an additional cost of \$10,265; and

WHEREAS, the landlord has also indicated that said remodeling would be contingent upon the lease being amended to provide that Winnebago County would pay the landlord a lump sum payment of \$16,950 at the end of the lease term for the purpose of restoring the office space to a training room; and

WHEREAS, it is also necessary, at the present time, to purchase workstations for said new employees at a cost of \$6,000.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Clerk and the Winnebago County Executive to enter into an agreement to amend Winnebago County's lease for the office space presently rented for the Winnebago County District Attorney so as to pay an additional \$10,265 for the remodeling of a training facility into office space within that leasehold and to authorize a payment of \$16,950 to the landlord at the end of said lease term for the purpose of restoring said training facility to its original condition..

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$10,265 from the General Fund of Winnebago County to the Lease/Rent Fund of the Winnebago County District Attorney's Office to pay for the present cost of said remodeling.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$6,000 from the General Fund of Winnebago County to the Small Equipment

Fund of the Winnebago County District Attorney's Office to acquire new workstations for new employees within the Winnebago County District Attorney's Office.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. After an explanation by Supervisor Rengstorf, motion by Supervisor Albrecht and seconded to refer back to committee. CARRIED BY VOICE VOTE.

**RESOLUTION NO. 358-122001: Request Legislation to Exempt Employee Health Care Cost Increases from the Operating Levy Rate Calculation**

WHEREAS, effective October 1, 1994, the State of Wisconsin enacted legislation establishing property tax levy rate limits upon Wisconsin counties; and

WHEREAS, each year the State provides a preprinted worksheet for each county to complete to determine the allowable increase in operating levy rates and debt levy rates; and

WHEREAS, the operating levy is that portion of the County levy which is utilized for operating purposes including salaries, fringe benefits, and other non debt operating costs excluding special purpose levies; and

WHEREAS, the percentage increase in the operating levy rates is limited by the percentage increase in the County's equalized valuation; and

WHEREAS, all Wisconsin counties and private businesses have experienced double digit increases in health care costs over the past several years; and

WHEREAS, Wisconsin Counties have minimal control over the dramatic rise in health care costs for employees; and

WHEREAS, the State of Wisconsin should recognize the problems caused by rising employee health care costs and modify the law to afford counties immunity from employee health care costs increases in computing the operating tax levy rate.

NOW, THEREFORE, BE IT RESOLVED that the Winnebago County Board of Supervisors respectfully requests the State Assembly and Senate to draft and enact legislation to provide for exemption of employee health costs increases from the formula for computing the County operating tax levy rate.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of the resolution be transmitted to Governor Scott McCallum, State Senators and State Assembly Representatives representing Winnebago County constituents and to the Wisconsin Counties Association.

Submitted by:  
LEGISLATIVE COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Supervisor Pech asked that the following "friendly amendment" be made to Line 49: after "McCallum", add "the Majority and Minority leaders of the State Senate and Assembly,". Supervisor Barker concurred with this "friendly amendment". Vote on resolution as amended: Ayes: 20. Nays: 10 – Karras, Klitzke, Madison, Nielsen, Kramer, Schaidler, Spanbauer, Sievert, Arne and Metzsig. Excused: 4 - Leschke, Savas, Green, King. Absent: 3 - Crowley, Wingren and Egan. Abstain: 1 – Hert. CARRIED.

**RESOLUTION NO. 359-122001: Support Assembly Bill 547 and Senate Bill 271 (Resource Protection Bill)**

WHEREAS, under current law, the Department of Natural Resources regulates the mining of metallic minerals. Under those laws, the DNR promulgates rules to regulate metallic mining, the storage and disposal of solid waste and hazardous waste and the granting of exemptions with regard to the above

matters; and

WHEREAS, Assembly 547 and its companion Senate Bill 271 would prohibit the DNR from granting exemptions from its rules regulating the storage and disposal of solid waste and hazardous waste as they relate to mining waste; and

WHEREAS, said Bill would also require the DNR to regulate any waste from the mining, processing and refining of ores and minerals as a hazardous waste if it has the characteristics of a hazardous waste, notwithstanding any federal exclusions; and

WHEREAS, said Bill would also eliminate the exemption of mining activities and facilities, including mining waste sites, from the groundwater quality standards under the groundwater law. Said Bill would also eliminate the separate provision authorizing the DNR to establish groundwater quality standards for mining activities and would also prohibit the DNR from using criteria that provide for a larger design management zones for mining waste facilities than are provided for other solid waste facilities; and

WHEREAS, your undersigned Committee believes that said Bills are an essential step in the delicate balance between a healthy viable economy and the responsible natural resources management plan and that the Bill will provide a reasonable mechanism for all industry in the State of Wisconsin to dispel hazardous waste.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby indicates its support for Assembly Bill 547 and Senate Bill 271.

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

Submitted by:  
LEGISLATIVE COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Supervisor Pech asked that the following "friendly amendment" be made to Line 45: after "McCallum", add "the Majority and Minority leaders of the State Senate and Assembly,". Supervisor Barker concurred with this "friendly amendment." Vote on resolution as amended: Ayes: 21. Nays: 10 – Klitzke, Widener, Albrecht, Nielsen, Eichman, Kline, Kramer, Schaidler, Arne and Rankin. Excused: 4 - Leschke, Savas, Green, King. Absent: 3 - Crowley, Wingren and Egan. CARRIED.

**RESOLUTION NO. 360-122001: Authorize project expenditures for the purchase of right of way for the CTH JJ project which begins at CTH CB and terminates at Tullar Road.**

WHEREAS, the Winnebago County Board of Supervisors supports the reconstruction of CTH JJ from CTH CB to Tullar Road and,

WHEREAS, additional right of way will need to be purchased in 2002 in order to allow the reconstruction project to proceed in 2003 and,

WHEREAS, the estimated cost of purchasing the additional right of way is approximately \$42,000 and was included in the 5-Year Capital Improvements Plan and,

WHEREAS, the 2002 budget included \$25,000 of this cost as part of the 2002 tax levy, and

WHEREAS, \$17,000 dollars was budgeted in 2001 in the 5-year capital improvements plan to be paid from general fund fund balance and reimbursed from a subsequent bond issue.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$17,000 from the General Fund of Winnebago County in order to have sufficient funds to purchase right of way for the CTH JJ project and,

BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors that funds to pay for said project are hereby appropriated from the General Fund of Winnebago County, with said fund being reimbursed from a subsequent bond issue of \$17,000.

Submitted by:  
HIGHWAY COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 30. Nays: 1 – Pech. Excused: 4 - Leschke, Savas, Green, King. Absent: 3 - Crowley, Wingren and Egan. CARRIED.

**RESOLUTION NO. 361-122001: Authorize Execution of Lease Between Newview Technologies, Inc. and Wittman Regional Airport**

WHEREAS, Newview Technologies, Inc., has approached Winnebago County with regard to its interest in leasing a hangar building of approximately 2,754 square feet at a base rate of \$400 per month through May 30, 2002 with an option to renew the premises for three (3) additional six (6) month periods thereafter; and

WHEREAS, your undersigned Aviation Committee has reviewed said lease for proposal and recommends that said lease be approved by the Winnebago County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes execution of a lease between Newview Technologies, Inc. and Winnebago County for the rental of Hangar No. 7 at Wittman Regional Airport at an initial rate of \$400 per month for a term ending on May 30, 2002, with the Lessee to be provided an option to renew the lease for three (3) additional six (6) month periods thereafter. A copy of the complete Lease Agreement can be obtained upon request from the Airport Director or the Office of Corporation Counsel.

Submitted by:  
AVIATION COMMITTEE

Motion by Supervisor Nielsen and seconded to adopt. Supervisor Diakoff asked that the date on Line 12 be corrected to "May 30, 2002." Vote on resolution as corrected – Ayes: 31. Nays: 0. Excused: 4 - Leschke, Savas, Green, King. Absent: 3 - Crowley, Wingren and Egan. CARRIED

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, January 8, 2002.

The meeting was adjourned at approximately 8:00 p.m.

Respectfully submitted,  
Susan T. Ertmer  
Winnebago County Clerk

State of Wisconsin)  
County of Winnebago) ss

I, Susan T. Ertmer, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their regular meeting held December 18, 2001.

Susan T. Ertmer  
Winnebago County Clerk