

**ADJOURNED SESSION
COUNTY BOARD MEETING
TUESDAY, FEBRUARY 19, 2002**

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, Karras, Maehl, Koziczkowski, Klitzke, Widener, Lauson, Albrecht, Disch, Green, Madison, Zamzow, Sundquist, Wingren, King, Norton, Hert, Eichman, Kline, Kramer, Schaidler, Finch, Spanbauer, Sievert, Arne, Diakoff, Brennand, Egan, Rankin, Rengstorf, Robl, Metzsig, Crowley, Griesbach, Pech and Nielsen (arrived at 6:20 p.m.).

COMMUNICATIONS, PETITIONS, ETC.

A Notice of Claim was received from Jason Blake for lost personal property while incarcerated in the Winnebago County Jail was referred to the Personnel and Finance Committee.

Petition for Zoning Amendment from Randall S. Schmiedel, Bros. LLC, Town of Black Wolf, for zoning change from A-2 to R-1 for a single family residence was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Tim and Judy Klusman, Town of Clayton, for zoning change from A-1 to R-1 for Lot 1 and A-2 for Lots 2, 3 and 4 for residential use was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Tim and Judy Klusman, Town of Clayton, for zoning change from A-1 to A-2 for agricultural use was referred to the Planning & Zoning Committee.

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

COUNTY EXECUTIVE'S REPORT

Executive Van De Hey spent time in the past two weeks talking about Governor McCallum's "Reform Budget". Although many of the legislators are not in favor of the Governor's Budget, at this time there does not seem to be an alternative. The entire matter seems to be up in the air. Executive Van De Hey stated she is evaluating the County budget. A hold has been placed on positions, "big expenditures" and travel until approximately June. She feels it is premature to announce any programs, etc. that would be cut in the event the reduction in Shared Revenue occurs.

A copy of the Moody Report was sent to each Supervisor. The report shows Winnebago County retained its AA2 credit rating.

Executive Van De Hey presented Chuck Orenstein, Finance Director with a plaque for "Excellence in Financial Reporting".

Executive Van De Hey asked for the support of Resolution No. 387-22002: "Oppose Assembly Bill 457 (Prohibit Mandatory Overtime for Health Care Workers)" and Resolution No. 392-22002: "Authorize Total Project Budget of \$5,638,454 for the Winnebago County Public Safety System and Appropriate Funds from the General Fund to be Reimbursed by Subsequent Bond Issues".

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Maehl wanted everyone to know the County Board, by statute must have a public hearing once each year; however, Winnebago County has a public hearing each meeting. He welcomed everyone who came to speak to the Board. He thanked everyone who sent letters and called regarding the ethanol plant.

RED CROSS PROCLAMATION

RESOLUTION NO. 394-22002: Proclaim March, 2002 in Winnebago County as Red Cross Month

WHEREAS, the American Red Cross was founded in 1881 by Clara Barton, a woman selflessly devoted to the needs of humanity; and

WHEREAS, compassion, courage, character civic duty - are inherent in the Red Cross mission to prevent and relieve human suffering, and Oshkosh, Wisconsin shares these grand ideals; and

WHEREAS, the Red Cross, chartered and authorized by Congress to act in times of need, providing compassionate assistance to people afflicted by personal, local or national disasters; and

WHEREAS, the American Red Cross last year served 4213 meals to people during the June 2001 windstorms; and

WHEREAS, Red Cross volunteers from Columbia, Green Lake, Marquette, Waushara and Winnebago Counties responded to more than 35 disasters last year – providing food, clothing, shelter and mental health support and other essential disaster caused needs; and

WHEREAS, people have counted on the Red Cross for the information and skills they need to be safe at home, at work, at school and at play. Last year the American Red Cross locally trained nearly 13,000 people in lifesaving CPR, First Aid, Babysitter's Training, Basic Aid Training, Lifeguard Training, Water Safety Instructor and Community Disaster Education, Disaster Preparedness Courses, Preventing Disease Transmission, HIV/AIDS Presentations; and

WHEREAS, the American Red Cross provides lifesaving blood and blood products whenever and wherever needed – always with the safety of the blood as its number one priority; and

WHEREAS, Red Cross staff deploy with the U.S. military to provide emergency communications and a caring presence to service men and women separated from their families; and

WHEREAS, in 1943, President Franklin Delano Roosevelt called upon the American people with this request "...that during this month our people rededicate themselves to the splendid aims and activities of the Red Cross."

NOW, THEREFORE, BE IT RESOLVED that the Winnebago County Board of Supervisors, by virtue of their authority vested in the Winnebago County Board of Supervisors, do hereby proclaim March, 2002 as American Red Cross Month.

Submitted by:

MIKE HERT, DISTRICT #21

COUNTY BOARD SUPERVISOR

Motion by Supervisor Hert and seconded to adopt. Ayes: 36. Nays: 0. Absent: 1- Nielsen. CARRIED.

COUNTY HIGHWAY K CAPITAL PROJECT

John Haese, Highway Commissioner made a presentation on the County Trunk K Capital Project. The project, an extension of 20th Avenue, City of Oshkosh, is approximately 1/2 mile in length to convert two lanes to four lanes. The project will begin at Carl Traeger School and end at Claireville Road. The biggest question had been sidewalks. The project is in the Town of Algoma, who would be responsible for sidewalks. They are not able to fund them at this time; therefore, sidewalks will not be included in this project. The project will begin at the end of the school year and be completed by the beginning of the 2002-2003 school year. The total estimated cost of the project should be \$900,000, with \$348,000 being federally funded.

RELOCATION OF SECURITY STATION TO COURTHOUSE 2ND FLOOR

Mike Elder, Director of Facilities and Property Management Department, was asked to put a cost on relocating the security station from the first floor to the lobby of the second floor of the Courthouse. The following would need to be completed to make the second floor security system functional:

- Build and install half wall barrier;
- Modify electric system;
- Reconfigure elevator controls;
- Modify fire stairway doors to be exit only;
- Replace Courtroom security system;
- Replace duress buttons in Courtrooms and install new buttons in other Departments;
- I.D. Card System

The total cost for this project would be \$298,830.00. Supervisor Egan stated this concept was looked at by both the Judiciary & Public Safety and Facilities & Property Management Committees. Both committees said they do not recommend the changes. Much discussion ensued on other options available. Sheriff Brooks indicated he had made a recommendation to Executive Van De Hey, based on the County's financial constraints, to remove the security at the front door and add an additional roving police officer. The staff of two police officers, including overtime on County Board nights, has cost approximately \$55,000 in the past four months.

COMMITTEE REPORTS

Supervisor Widener reported an employee of Park View Health Center, Rosaline Rowl, was recommended and a commendation was given for her to receive an employee service award from the Wisconsin Association of Homes and Aging. It will be several months before a decision will be reached on this award.

Supervisor Barker reminded all Legislative Committee members of the Monday, February 25th 9:00 a.m. meeting. Each member will be receiving an agenda in the mail.

Supervisor Finch stated applications for the essay contest for the Scholarship Program are now available at all nine high schools. Any senior interested in applying can pick up an application from their guidance counselor.

Supervisor Egan addressed the Board regarding the Ethanol Plant. He shared concerns relating to the ethanol plant received from citizens regarding those who were either in favor or against the plant. He, along with those on both sides, is concerned about air and water. He shared his visit to Benson, Minnesota to visit the plant. He feels there is more information that needs to be shared with the Board before there can be an educated vote. He is attempting to set up a round table for the Chamber, Farm Bureau, Town of Utica, Winnebago County, STEP Now (Stop The Ethanol Plant Now) and Mr. Olsen to see if there is any common ground. At this point he has not had any success. He will try again. Supervisor Egan requested that Chairman Maehl schedule a Special Order of Business meeting to bring specialist in to get the facts. Supervisor Egan withdrew Ammendatory Ordinance 5, "Town of Utica on behalf of Robert J. Portratz, et al and Marilyn K. Arndt Potratz".

PUBLIC HEARING

Bill Ernst, 1289 Larsen Road, Neenah, requested Resolution No. 398-22002: "Approve Tri-County Ice Arena Agreement with Tri-County Recreation Association" be postponed for three months.

The following citizens spoke against Ammendatory Ordinance 5: "Town of Utica on behalf of

Robert J. Potratz, et al and Marilyn K. Arndt Potratz": Ed Garvey, attorney for STEP Now; Elaine Josephson, 5143 W. Ripple Avenue; Allison Pontynen, Town of Utica resident; Gary Yakes, attorney for Midwest Real Estate Development Company; Burt Werch, Town of Algoma attorney; Kurt Sorenson, 4996 W. Ripple Road; John Franzen, Town of Utica resident; Carla Craig, 2825 Prairiewood Drive, resident Town of Algoma; Gary Eake, 2135 Carlton Road, Town of Algoma resident; Mike Beaman, Town of Utica resident; Bonita Graff, Town of Utica resident; and Greg Armstrong, Town of Utica resident.

The following citizens spoke in favor of Amendatory Ordinance 5: "Town of Utica on behalf of Robert J. Potratz, et al and Marilyn K. Arndt Potratz": Walter Whiting, Town of Utica resident; Shirley Gallert, 5239 Fisk Avenue, Town of Utica zoning committee member; Terry Slover, 6282 Bradley Avenue; Paul Olsen, investor in Algoma Ethanol LLC; Lawrence Bradley, 6559 Bradley Avenue; and Pete Knigge, 8097 State Road 21.

At 9:05 p.m., Chairman Maehl called for a recess.

At 9:15 the meeting was reconvened.

ZONING REPORTS & ORDINANCES

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

AMENDATORY ORDINANCE NO. 02-01-02. A request for zoning change from B-2/A-2 (Community Business/General Farming) to B-3 (HB) (General Business - Highway Business Overlay). Motion by Supervisor Schaidler and seconded to deny. Supervisor Schaidler made an amendment to the ordinance specifying the denial was without prejudice allowing the zoning request to be resubmitted with a M-1 change. CARRIED BY VOICE VOTE.

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Richard Halbrook and property owner Halbrook Builders, Town of Menasha, for zoning change to R-2 (single family subdivided) with no wetland. Motion by Supervisor Schaidler and seconded to accept. Motion to deny CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 02-02-02. A request for zoning change from R-2 (Single Family Subdivided) to R-2 no wetland (Single Family Subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date - February 25, 2002)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant James Hebert - Hebert Associates and property owner Richard and Rose Monroe, Town of Oshkosh, for zoning change to M-2 (Heavy Industrial). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 02-03-02. A request for zoning change from B-3 (General Business) to M-2 (Heavy Industrial). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date - February 25, 2002)

AMENDATORY ORDINANCE NO. 4. A request from Town of Black Wolf on behalf of the Town Board to amend changes to Section 2.7 Site Restrictions, 2.13 Penalties and 7 Sign Regulations of the Zoning Ordinance for the Town of Black Wolf. Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date - February 25, 2002)

AMENDATORY ORDINANCE NO. 5. A request from the Town of Utica on behalf of Robert J. Potratz et al and Marilyn K. Arndt Potratz to change the zoning from A-1 (Agriculture 1/Farmland Preservation) to I-1 (Industrial District). Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. Supervisor Egan withdrew this amendatory ordinance.

RESOLUTIONS & ORDINANCES

RESOLUTION NO.393-22002: RESOLUTION AUTHORIZING THE BORROWING OF NOT TO EXCEED \$3,830,000; AND PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION REFUNDING BONDS THEREFOR

WHEREAS, the County Board of Supervisors of Winnebago County, Wisconsin (the "County") hereby finds and determines that it is necessary, desirable and in the best interest of the County to raise funds for the public purpose of refunding obligations of the County, including interest on them, to wit: refunding the County's outstanding General Obligation Promissory Notes dated November 1, 1995 (the "1995 Notes") maturing in the years 2003 through 2005 (the "Refunding"), and there are insufficient funds on hand for said purpose;

WHEREAS, the County Board of Supervisors deems it to be necessary, desirable and in the best interest of the County to refund the 1995 Notes maturing in the years 2003 through 2005 for the purpose of achieving debt service cost savings;

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;

WHEREAS, the County Board of Supervisors of the County hereby finds and determines that general obligation refunding bonds in an amount not to exceed \$3,830,000 should be issued, and it is now necessary and desirable to authorize their issuance and sale; and

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

Section 1. Authorization of the Bonds. For the purpose of paying the cost of the Refunding, there shall be borrowed pursuant to Chapter 67 of the Wisconsin Statutes, a principal amount not to exceed THREE MILLION EIGHT HUNDRED THIRTY THOUSAND DOLLARS (\$3,830,000) from a purchaser or purchasers to be determined by competitive sale (the "Purchaser").

Section 2. Sale of the Bonds. To evidence such indebtedness, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, general obligation refunding bonds in a principal amount not to exceed THREE MILLION EIGHT HUNDRED THIRTY THOUSAND DOLLARS (\$3,830,000) (the "Bonds"). There be and there hereby is levied on all the taxable property in the County a direct, annual tax in such years and in such amounts as are sufficient to pay when due the principal and interest on the Bonds.

Section 3. Notice of Sale. The County Finance Director (in consultation with the County's financial advisor, Robert W. Baird & Co. Incorporated) is hereby authorized and directed to cause notice of the sale of the Bonds to appear in such newspapers and at such times as the Finance Director may determine.

Section 4. Official Notice of Sale. The County Finance Director (in consultation with the County's financial advisor, Robert W. Baird & Co. Incorporated) shall also cause an Official Notice of Sale to be prepared and distributed and may prepare or cause to be prepared and distributed an Official Statement or other form of offering circular.

Section 5. Award of the Bonds. The Bonds shall be offered for public sale on March 19, 2002. Following receipt of bids for the Bonds, the County Board of Supervisors shall consider taking further action to provide the details of the Bonds and to award the Bonds to the lowest responsible bidder or bidders therefor.

Section 6. 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.

Adopted and recorded this 19th day of February, 2002.

Submitted by

PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Bradley Viegut, Vice President, Robert W. Baird & Co. explained the "Summary of Refinancing" attached to the resolution. Vote on resolution: Ayes: 37. Nays: 0. CARRIED.

Supervisor Finch left at approximately 9:30 p.m.

RESOLUTION No. 380-22002: Encourage Enactment of Legislation to Allow Additional Court Costs for Use to Establish Court Security Fund Statewide

WHEREAS, court security issues are now more important than ever; and

WHEREAS, Winnebago County is seeking ways to fund new security measures in Winnebago County to assist in compliance with Supreme Court Rule 70.39; and

WHEREAS, the states of Texas, Illinois and Iowa have implemented or are in the process of implementing a procedure that establishes a security fee as a court cost for individuals who have committed crimes for the purpose of assisting and paying for courthouse security; and

WHEREAS, Texas Code of Criminal Procedure Article 102.017 provides that a defendant convicted of a felony offense pay a \$5.00 security fee as a court cost and that a misdemeanor offender pay a \$3.00 fee, with such fees being deposited in a security fund which is used for the purpose of providing security services for court buildings including x-ray machines, metal detectors, electronic locking systems, security personnel, alarms, bullet-proof glass, etc.; and

WHEREAS, the state of Illinois has established a \$15.00 security fee per action with the funds to be collected from that fee to be used for similar purposes; and

WHEREAS, Wisconsin Statutes do not presently allow for counties to charge such a security fee; and

WHEREAS, if legislation were enacted similar to that in Texas or Illinois, counties could establish a set fee to be paid directly to the County as a court cost to create courthouse security funds, the proceeds of which could be used for courthouse security.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby goes on record as encouraging the State Legislature and Governor to enact legislation that would allow an additional court cost for all cases filed in the Clerk of Courts Office to be used to establish a local county security fund for the purpose of increasing courthouse security.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to transmit this resolution to all legislators representing Winnebago County constituents, to Governor Scott McCallum, to the Wisconsin Counties Association, to the Wisconsin Sheriff's Association, the Wisconsin Clerk of Courts Association and the Winnebago County Clerk's Association.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

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

ORDINANCE No. 381-22002: Amend Section 5.01 of the General Code of Winnebago County (Huber Law Prisoner Fees)

WHEREAS, Section 303.08(4), Wisconsin Statutes, allows counties to establish a daily charge for maintenance and costs of a prisoner's board in the County Jail; and

WHEREAS, Section 303.08, Wisconsin Statutes allows prisoners to be assessed a charge for the cost of incarceration; and

WHEREAS, it is reasonable and necessary that the per capita daily cost charged to the Huber

Law prisoners for their board be amended from time to time to reflect the actual cost of food and labor in relationship to the feeding of prisoners; and

WHEREAS, in lieu of incarceration, some prisoners are sentenced to home detention and required to wear a tracking bracelet; and

WHEREAS, it is reasonable that said prisoners be assessed a rental cost for said bracelet as well as a cost for monitoring said persons.

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

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

5.01 HUBER LAW PRISONERS.

- (2) Per Capita Daily Costs. (a) the per capita daily charge for maintenance and cost of a prisoner's board in the County Jail is hereby established as \$16.00 per day for all Huber Law prisoners. Each prisoner shall be charged for all meals served during each day incarcerated, regardless of the prisoner actually consuming each meal.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that said amendment shall take effect on March 1, 2002.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that Section 5.01(2)(a) of the General Code of Winnebago County with regard to the per day charge for all Huber Law prisoners be amended to the following amounts on the following dates:

July 1, 2002	\$16.50
October 1, 2002	\$17.00
June 1, 2003	\$18.00

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that Section 5.01(4) of the General Code of Winnebago County is created to read as follows:

- (3) Electronic Monitoring Fee. All prisoners who are assigned an electronic monitoring device shall be assessed a fee of \$6.00 per day plus any actual costs in relationship to the use of the global positioning system with regard to the use of said device and the tracking of said prisoner.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that Section 5.01(4) of the General Code of Winnebago County shall go into effect as of the date following the date of publication.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 37. Nays: 0. CARRIED.

RESOLUTION NO 382-22002: Commendation for James Goggins

WHEREAS, James Goggins has been employed with the Sheriff's Department of Winnebago County for the past thirty years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, James Goggins 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 James Goggins for the fine services he has rendered to Winnebago County.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the County Clerk send a copy of this Resolution to James Goggins.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 383-22002: Declare April, 2002 Child Abuse Prevention Month in Winnebago County

WHEREAS, the incidence and prevalence of child abuse and neglect have reached alarming proportions in the United States and Wisconsin; and

WHEREAS, Wisconsin and Winnebago County face a continuing need to support innovative programs to prevent child abuse and assist parents and family members when child abuse occurs; and

WHEREAS, in Wisconsin and Winnebago County we have dedicated individuals and organizations who work daily to counter the problem of child abuse and neglect and to help parents obtain the assistance they need; and

WHEREAS, all children deserve freedom from verbal abuse, sexual abuse, emotional and physical abuse and neglect; and

WHEREAS, we believe all children have an inalienable right to a safe and nurturing childhood; and

WHEREAS, it is indeed appropriate and fitting to focus attention upon the problem of child abuse and neglect in Wisconsin and Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby declares the month of April, 2002 as Child Abuse Prevention Month in Winnebago County.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it calls upon its citizens to observe the month with appropriate programs, presentations and other activities.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby commends the late Helen Savas for her work and attention to the problem of child abuse within Winnebago County during her term on the Winnebago County Board of Supervisors.

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

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

RESOLUTION NO. 384-22002: Authorize Acceptance of \$20,000 Donation by Park View Health Center from the Community Foundation

WHEREAS, the Community Foundation has offered to donate \$20,000 to Park View Health Center for the purpose of remodeling Park View Health Center's Beauty/Barber Shop; and

WHEREAS, your undersigned Committee recommends that said donation be accepted and that

said funds be appropriated to the Donated Goods and Services Account at Park View Health Center.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes Park View Health Center to accept a \$20,000 donation from the Community Foundation for the purpose of using said funds for the remodeling of its Beauty/Barber Shop.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said funds donated be appropriated to the Donated Goods and Services Account of the Park View Health Center Budget.

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

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

RESOLUTION NO. 385-22002: Authorize Acceptance of Gift of \$3,800 from Shelley Rivera to Park View Health Center

WHEREAS, Shelley Rivera has offered to donate to Park View Health Center the amount of \$3,800 in memory of her mother and has requested that said funds be used to purchase a Dinavap Vital Sign Monitor for Pleasant Acres; and

WHEREAS, your undersigned Committees recommend acceptance of said gift and appropriation of said funds to the Donated Goods and Services Account of Park View Health Center.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes Park View Health Center to accept a donation of \$3,800 from Shelley Rivera in memory of her mother for the purpose of purchasing a Dinamap Vital Sign Monitor for Pleasant Acres..

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the amount of \$3,800 be appropriated to the Donated Goods and Services Account of Park View Health Center for said purpose.

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

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

RESOLUTION NO. 386-22002: Authorize Transfer of \$10,000 from Contingency Fund to Capital Equipment Fund - Facilities and Property Management Department (Purchase Identification Card Imaging System)

WHEREAS, a request has been made to purchase an identification card imaging system to provide consistent uniform County identification cards; and

WHEREAS, such a system consists of a computer and software and digital cameras which will take pictures and print them on security card access system proximity cards; and

WHEREAS, the purchase of said equipment was originally part of a larger courthouse security project which has been deferred indefinitely; and

WHEREAS, the provision of uniform identification cards to staff and visitors at County facilities

which can be readily identified will allow unauthorized individuals within an area to be identified more readily and directed out of those areas.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$10,000 from the Winnebago County General Contingency Fund to the Capital Equipment Fund of the Facilities and Property Management Department budget for the purpose of purchasing an identification card imaging system.

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

Motion by Supervisor Rengstorf and seconded to adopt. Several Supervisors had a concern over passing this resolution without a policy. Motion by Supervisor Pech to lay resolution on the table until policy can be brought forward. Vote on tabling: Ayes: 11 - Albrecht, Pech, Zamzow, Sundquist, Wingren, King, Norton, Nielsen, Eichman, Crowley and Metzsig. Nays: 25. Absent: 1 - Finch. LOST. Vote on resolution: Ayes: 30. Nays: 6 - Albrecht, Pech, Wingren, King, Norton and Eichman. Absent: 1 - Finch. CARRIED.

RESOLUTION NO. 387-22002: Oppose Assembly Bill 457 (Prohibit Mandatory Overtime for Health Care Workers)

WHEREAS, Assembly Bill 457, which is herewith attached to this Resolution, would prohibit requiring health care workers employed by health care facilities to work mandatory overtime hours; and

WHEREAS, Park View Health Center is a health care facility that would be affected by this bill, if adopted by the State Legislature; and

WHEREAS, without a mandatory overtime provision for nursing employees, Park View Health Center would not be able to guarantee a safe staffing level for the care of its residents at all times; and

WHEREAS, Park View Health Center currently has a collectively bargained mandatory overtime policy that is designed to fairly distribute overtime among health care workers while providing a safe level of nursing care for Park View residents; and

WHEREAS, the enactment of Assembly Bill 457 would make the collectively bargained mandatory overtime policy for Park View Health Center illegal and would create the basis for considerable and continuous litigation for Park View Health Center regarding overtime assignments and would ultimately add considerable cost to the operation of Park View Health Center.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that it hereby expresses its opposition to passage of Assembly Bill 457; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted by the Winnebago County Clerk 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. Ayes: 36. Nays: 0. Absent: 1 - Finch. CARRIED.

RESOLUTION NO. 388-22002: Authorize Transfers within Coroner's 2001 Budget to Cover Overage in Labor Category.

WHEREAS, the Coroner's office exceeded budget in the Labor expense category during 2001

because of additional deputy and secretarial coverage needed in the amount of \$10,300, and
WHEREAS, the Coroner's office realized revenue in the "reimbursed costs" revenue account in excess of that budgeted by \$9,356, and

WHEREAS, the Coroner's office also had funds available at year end of \$944 in the "travel expense" category.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorized the Coroner to apply the \$9,356 of excess revenue to cover part of the Labor overage and apply the \$944 of funds remaining at year end in the travel category to cover the balance of the labor overage in his 2001 budget.

SUBMITTED BY
JUDICIARY & PUBLIC SAFETY COMMITTEE
AND
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 35. Nays: 0. Absent: 2 - Widener and Finch. CARRIED.

RESOLUTION NO. 389-22002 : Transfer Funds within Public Health Department 2001 Budget to Cover Labor Overage and Apply Public Health Department Fund Reserves of \$63,000 to Cover the Balance of the 2001 Labor Overage

WHEREAS, the Public Health Department nursing staff was granted a significant wage increase in December 2000 due to labor market conditions and the necessity of retaining staff; and

WHEREAS, because this wage increase was granted after the 2001 budget was complete there were insufficient funds within the 2001 labor budget to cover the additional costs; and

WHEREAS, other areas within the Public Health Department did have savings during 2001 that can be used to cover part of the overage.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the transfers between categories of the Public Health Department 2001 budget to cover the overage as outlined on the attached budget transfer form.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the overall shortage within the Public Health Department 2001 budget be covered by \$63,000 of the Public Health Department Reserved Fund Balance.

Submitted by:
BOARD OF HEALTH
AND
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Rankin and seconded to adopt. Ayes: 36. Nays: 0. Absent: 1- Finch.

RESOLUTION NO. 390-22002: Transfer funds within the Sheriff's Department 2001 budget and transfer balance from General Fund Balance to cover overage in Boarding of Prisoners account within Sheriff's Department 2001 budget.

WHEREAS, the year 2001 saw a very large increase in people being incarcerated in Winnebago County, and

WHEREAS, Winnebago County had to board out an unexpected large number of prisoners due to this additional population being incarcerated and the fact that our current jail lacked the capacity to house the prisoners, and

WHEREAS, this additional boarding out of prisoners caused the Sheriff 's Department to exceed budget in this area by \$526,806, and

WHEREAS, the Sheriff's Department had funds remaining in the following areas within the budget at year-end that could be transferred to cover some of the overage:

Labor - \$276,195, Travel - \$12,671, Capital - \$27,640, and

WHEREAS, the balance needed to cover the overage is \$210,300 and would need to be transferred from the Undesignated Fund Balance of Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the transfers from Labor, Travel and Capital as described above to cover part of the overage.

BE IT FURTHER RESOLVED that funds to cover the remaining overage of \$210,300 be transferred from the Undesignated Fund Balance of Winnebago County.

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

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 36. Nays: 0. Absent: 1 - Finch. CARRIED.

RESOLUTION NO. 391-22002: Authorize the project expenditures for the 2002 phase of construction for the CTH D (Pumpkinseed Creek) and CTH E (Rush Creek) bridges.

WHEREAS, the Winnebago County Board of Supervisors supports the reconstruction of the bridges on CTH D over the Pumpkinseed Creek and the CTH E bridge over Rush Creek and,

WHEREAS, the design phase of these projects has been completed and,

WHEREAS, the cost to construct the structures will be funded 80% Federal and State and 20% by Winnebago County and,

WHEREAS, the Federal and State portions of funding are available at this time and,

WHEREAS, the construction phase of the bridge projects will begin in May of 2002 and consist of removing the present structures and replacing them with new bridge spans, and,

WHEREAS, the total estimated cost of the CTH D bridge is estimated to be \$341,000 and the total estimated cost of the CTH E bridge is estimated to be \$223,00 for a total cost of \$564,000 and,

WHEREAS, State transportation aides are available to cover \$398,000 of said projects with the balance of \$166,000 coming from County Funds.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$564,000 from the General Fund of Winnebago County for the construction of the CTH D and E bridges for the purpose of paying said costs.

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 State Transportation Aides and a subsequent bond issue of \$166,000.

Submitted by:
HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 35. Nays: 1 - Widener. Absent: 1 - Finch. CARRIED.

RESOLUTION NO. 392-22002: Authorize total project budget of \$5,638,454 for the Winnebago County Public Safety System and appropriate funds from the General Fund to be reimbursed by subsequent bond issues.

WHEREAS, the installation of a new public safety system is presently a part of the County's five-year Capital Improvements Plan; and

WHEREAS, the system is composed of the following components; Enhanced 911, Dispatch Center and Transmitters, Computer Aided Dispatch, Records Management System and Jail Management system; and

WHEREAS, replacement of said system is necessary in that the components are outdated and in that parts and service upon said equipment is no longer guaranteed; and

WHEREAS, The Winnebago County Board approved the first phase of this project in 2001.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves a total project budget of \$5,638,454 for the Winnebago County Public Safety System.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for said project be advanced to the Public Safety System Capital Project Fund as needed and that the General Fund of Winnebago County shall be reimbursed from subsequent bond issues.

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

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 35. Nays: 1 - Crowley. Absent: 1 - Finch. CARRIED.

RESOLUTION NO. 395-22002: Vacate Drainage Easement Upon Property Owned By Leo Galica

WHEREAS, Winnebago County presently possesses a drainage easement granted in 1950 upon property presently located at 2732 Jackson Drive Road which is owned by Mr. and Mrs. Leo Galica; and

WHEREAS, said drainage easement is no longer needed for the purpose of maintaining Jackson Street nor any other highway within the vicinity; and

WHEREAS, Mr. and Mrs. Galica have requested that the County vacate said easement and your undersigned Highway Committee believes that vacation of said easement will not negatively impact Winnebago County or its Highway Department.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Highway Commissioner to vacate a limited highway easement for drainage ditch purposes lying on property owned by Mr. and Mrs. Leo Galica at 2732 Jackson Drive Road in the City of Oshkosh which is more specifically described as follows:

An existing drainage ditch which runs easterly from a point approximately 148 feet south of the northwest corner of said E ½-S ½-NW ¼-NW ¼ through the east line thereof. The above described strip lies within Section 12, T18N, R16E.

Submitted by:
HIGHWAY COMMITTEE

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

RESOLUTION NO. 396-22002: Authorize Sale of Property at Old Highway Department

Complex to Tom Rusch

WHEREAS, Winnebago County presently owns property along Osborn Avenue in the old Highway Department Complex that is not presently used for County operations; and

WHEREAS, your Facilities and Property Management Committee has recommended the sale of said property and said property has been listed for sale for a substantial period of time; and

WHEREAS, Winnebago County has received an offer from Tom Rusch of Oshkosh to purchase two parcels of property at the old Highway Department Complex consisting of approximately 9.643 acres of land; and

WHEREAS, Mr. Rusch has made an offer for the purchase of Parcel #1 of said property at a price of \$110,000 or \$24,670 per acre, with the closing to occur no later than April 30, 2002; and

WHEREAS, Mr. Rusch has made an offer to purchase Parcel #2 of said property at a price of \$118,000 or \$23,728 per acre with said property to be purchased no later than October 1, 2002; and

WHEREAS, your Facilities and Property Management Committee recommends that said Offers to Purchase said vacant land be accepted.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes acceptance of an offer from Tom Rusch of Oshkosh to purchase vacant land at the old Highway Department Complex along Osborn Avenue in the City of Oshkosh at a price of \$110,000 with the closing upon said property to occur on or before April 30, 2002 and said parcel of property being more specifically described as follows:

Commencing at the north $\frac{1}{4}$ corner of said Section; thence South $00^{\circ}30'19''$ West along the West line of said $\frac{1}{4}$ Section, 1145.37 ft. to the Southwest corner of Lot 52 in Huntington Downs, thence South $89^{\circ}27'08''$ East along the South line of Huntington Downs 486.38 ft. to the Point of Beginning of the parcel of land to be described:

Thence continuing South $89^{\circ}27'08''$ East, 314.04 ft. to a point on the West right-of-way line of Mason St.; thence South $00^{\circ}32'52''$ West, 230.00 ft. to a point of curve, thence Southeasterly, 145.62 ft. along the Arc of a curve whose center lies Northeasterly, having a radius of 245.00 ft. and a chord which bears South $16^{\circ}28'48''$ East, 143.49 ft.; thence South $33^{\circ}30'27''$ East, 87.48 ft.; thence South $1^{\circ}29'33''$ West, 7.07 ft. to the North right-of-way line of Osborn Street; thence South $56^{\circ}29'33''$ West along said North right-of-way line, 486.62 ft.; thence North $00^{\circ}30'19''$ East, 719.12 ft. to the point of beginning. The above describe parcel contains 4.6473 acres and is subject to all existing easements and restrictions of record.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes acceptance of an offer by Tom Rusch of Oshkosh to purchase Parcel #2 of vacant land at the old Highway Department Complex along Osborn Avenue in the City of Oshkosh at a price of \$118,000, with the closing upon the property to occur on or before October 1, 2002, and said parcel being described more specifically as follows:

Commencing at the North $\frac{1}{4}$ corner of said Section, thence South $00^{\circ}30'19''$ West along the West line of said $\frac{1}{4}$ Section, 1145.37 ft. to the Southwest corner of Lot 52 in Huntington Downs; thence South $89^{\circ}27'08''$ East along the South line of Huntington Downs 850.42 ft. to a point on the east right-of-way line of Mason St. and the point of beginning of the parcel of land to be described:

Thence North $00^{\circ}38'32''$ East along said East right-of-way line, 31.90 ft. to the South right-of-way line of West 12th Avenue; thence South $89^{\circ}24'25''$ East along said South right-of-way line 563.69 ft. to a point on the West right-of-way line of South Sawyer Street; thence South $00^{\circ}38'32''$ West along said West right-of-way line, 16.68 ft.; thence South $89^{\circ}09'49''$ East, 157.44 ft., thence South $00^{\circ}30'19''$ West, 229.39 ft. to the North right-of-way line of Osborn Street, thence North $89^{\circ}09'49''$ West along said North right-of-way line, 116.71 ft. to a point of curve; thence Southwesterly, 427.38 ft. along the arc of a curve and said North right-of-way line, whose center lies Southeasterly, having a radius of 713.00 ft. and

whose chord bears South 73°39'52" West, 421.01 ft.; thence South 56°29'33" West along said North right-of-way line, 125.58 ft.; thence 78°30'27" West, 7.07 ft.; thence North 33°30'27" West, 87.48 ft. to a point of curve; thence Northwesterly, 109.96 ft. along the arc of a curve whose center lies Northeasterly, having a radius of 185.00 ft. and a chord which bears North 16°28'48" West; thence North 00°32'52" east, 230.00 ft.; thence North 89°27'08" West, 10.00 ft. to the point of beginning. The above-described parcel contains 4.9730 acres and is subject to all existing easements and restrictions of record.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that upon approval of this Resolution by the Winnebago County Executive, it hereby authorizes the Winnebago County Executive and Winnebago County Clerk to execute a Warranty Deed transferring title to both parcels of property to the Buyer upon compliance with those conditions as set forth in the Buyer's Offer to Purchase said property.

Submitted by:
FACILITIES & PROPERTY MANAGEMENT COMMITTEE

Motion by Supervisor Egan and seconded to adopt. Ayes: 36. Nays: 0. Absent: 1 - Finch. CARRIED.

Supervisor Sundquist left at 10:05 p.m.

RESOLUTION NO. 397-22002: Authorize Jurisdictional Transfer of Portion of County Trunk Highway "A" (from Castle Oak Drive north to Stanley Street to the City of Neenah)

WHEREAS, the City of Neenah, on January 16, 2002, passed a Resolution to accept a jurisdictional transfer of the maintenance and care of that part of County Trunk Highway "A" commencing at the intersection of Highway "A" and Castle Oak Drive north to the intersection of Stanley Street; and

WHEREAS, your undersigned Highway Committee believes it to be in the best interest of Winnebago County to transfer jurisdiction for the care and maintenance of said highway to the City of Neenah.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Highway Commissioner to enter into an agreement transferring jurisdiction of that portion of County Trunk Highway "A" from its intersection with Castle Oak Drive northerly to its intersection with Stanley Street to the City of Neenah.

Submitted by:
HIGHWAY COMMITTEE

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

RESOLUTION NO. 398-22002: Approve Tri-County Ice Arena Agreement with Tri-County Recreation Association

WHEREAS, Winnebago County and Outagamie County are presently engaged in a lease with the Tri-County Recreation Association whereby the Tri-County Recreational Association leases the Ice Arena for the sum of \$1.00 and in return the Tri-County Recreational Association maintains and operates the Ice Arena and Exhibition Convention Center within that building; and

WHEREAS, your undersigned Supervisor is a member of the Tri-County Recreational Board and believes that the Tri-County Recreation Association has done a good job of managing the Ice Arena during the previous years and in making the Ice Arena a benefit to residents of Winnebago and

Outagamie County as well as to those persons who use it; and

WHEREAS, your undersigned Supervisor recommends that the lease agreement between Winnebago County and the Tri-County Recreation Association be extended for an additional five (5) year term, commencing on July 1, 2002.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the proposed Tri-County Recreation Association lease agreement extension, a copy of which may be obtained from Office of Corporation Counsel, for an additional five (5) year term commencing on July 1, 2002 at a rental rate of \$1.00.

Submitted by:
JOHN SCHAIDLER, DIST. #28
COUNTY BOARD SUPERVISOR

Motion by Supervisor Schaidler and seconded to adopt. After much discussion, there was a general consensus to delay the vote on this resolution. Motion by Supervisor Karras and seconded to postpone for 30 days. CARRIED BY VOICE VOTE. Nays: 1 - Madison.

AMENDED RESOLUTION NO. 399-22002: Authorize Execution of Quit Claim Deed to Wisconsin Department of Natural Resources

WHEREAS, the Wisconsin Department of Natural Resources desires to construct a dam upon property in the Town of Nepeuskun which is presently a part of the Ripon to Berlin Winnebago County Recreational Trail; and

WHEREAS, your undersigned Parks Committee, for liability purposes, believes that it is in the best interest of Winnebago County to transfer ownership of that part of the Trail to the Department of Natural Resources, for a fee of \$1.00, which the Department desires to construct a dam upon, with the County restricting said Deed so as to retain an easement over and across said property for the purpose of operating and maintaining the Recreational Trail upon said property.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and the Winnebago County Clerk to Quit Claim to the State of Wisconsin (Department of Natural Resources), for a fee of \$1.00, the following piece of property located in the Town of Nepeuskun:

The SW1/4 of the SE1/4 of Section 17, the NW1/4 of the NE1/4 and the NE1/4 of the NE1/4 of Section 20 and the NW1/4 of the NW1/4 of Section 21, T17N, R14E, Town of Nepeuskun, Winnebago County, Wisconsin being more particularly described as follows:

Commencing at the North Quarter Corner of said Section 20; thence N52°37'24"E 394.98 feet to a point of the East line of Meadowbrook Road being the point of beginning; thence along a curve to the right having a radius of 634.5 feet and a chord being 108.67 feet long bears N64°53'35"E for an arc distance of 108.80 feet; thence S65°43'00"E along the North line of the Winnebago Trail being old Chicago, Milwaukee-St. Paul and Pacific Railroad Right of Way, 2505.27 feet; thence continue along said North line being a curve to the right having a radius 3841.25 feet and chord 811.44 feet long bears S59°39'13"E, for an arc distance of 812.96 feet; thence S30°00'00"E along the West line of County Trunk "E", 221.05 feet; thence along the South line of said Winnebago County Trail being a curve to the left having a radius of 3758.25 feet and a chord 995.20 feet long bears N58°04'49"W, for an arc distance of 998.13 feet; hence continue along said South line N65°43'00"W, 2576.01 feet to the point of beginning. Said parcel contains 284,489 square feet or 6.531 acres. All bearings referenced to the South line of the NW1/4 of Section 21 recorded as S88°52'57"E on Section Summary.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said Deed shall be restricted to the extent that Winnebago County shall remain an easement on and across said

property for the purpose of operating and maintaining the Recreational Trail upon said property and shall be granted ingress and egress upon said property for said purpose.

Submitted by:
PARKS & RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Supervisor Lauson directed the supervisors to lines 18, where "\$1.00" had been added and line 57, the word "remain" should be "retain".
CARRIED BY VOICE VOTE.

Chairman Maehl asked Supervisor Egan if he would put together a presentation regarding the ethanol plant for the Tuesday, March 12th special orders meeting. If Supervisor Egan is not ready in time, the meeting may be canceled.

Motion by Supervisor Lauson and seconded to adjourn until Tuesday, March 12, 2002 at 6:00 p.m. The meeting was adjourned at 10:25 p.m.

Respectfully submitted,
Patricia Rabe, Deputy
Winnebago County Clerk

State of Wisconsin)
County of Winnebago) ss

I, Patricia Rabe, 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 February 19, 2002.

Patricia Rabe, Deputy
Winnebago County Clerk