

**SINE DIE
COUNTY BOARD MEETING
TUESDAY, MARCH 19, 2002**

Chairman Joseph Maehl called the meeting to order at 5:30 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, Disch, Green, Madison, Zamzow, Sundquist, Wingren, King, Norton, Hert, Nielsen, Robl, Eichman, Kline, Crowley, Kramer, Schaidler, Finch, Spanbauer, Sievert, Arne, Diakoff, Brennand, Egan, Rankin, Rengstorf and Metzsig.

Motion by Supervisor Robl and seconded to approve the agenda with the change of order of the resolutions by acting on Resolution No. 405-32002 before Resolution No. 408-32002. CARRIED BY VOICE VOTE.

COMMUNICATIONS, PETITIONS, ETC.

A letter from the Clayton Town Board supporting the proposed ethanol plant in the Town of Utica was read and placed on file.

Petition for zoning amendment from Carol J. Kaufmann, Town of Oshkosh, for change from A-2 to R-1 for a single-family dwelling was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Dennis G. Wilke, Town of Omro, for change from B-2 to M-1 for mini- warehousing was referred to the Planning & Zoning Committee.

Petition for zoning amendment from William Roeder, Town of Omro, for change from A-2 to R-1 for a single-family residence was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Michael F. Kurtz, Town of Vinland, for change from A-2 to R-1 for a single-family residence was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Dan Welhouse, Town of Menasha, for change from agricultural to R-3 and R-4 for duplex and multi-family residential was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Ron Micke, Town of Clayton, for change from A-1 to R-1 for single-family residential was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Jane Moderson, Town of Clayton, for change from A-2 to R-1 for three residential lots was referred to the Planning & Zoning Committee

Petition for zoning amendment from Ken Tritt, Town of Winchester, for change from A-2 to R-1 for single family residential was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Jeffrey J. Treu, Town of Nekimi, for change from A-1 to A-2 for residential lots was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Alan R. Davey, Town of Clayton, for change from A-1 to A-2 for farmland was referred to the Planning & Zoning Committee

Petition for zoning amendment from Robert Challoner, Town of Omro, for change from R-1/A-2 to R-1/A-2 for single family residential and agriculture was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Ron Tenpas, Town of Algoma, for change from A-2 to R-2 for a single-family subdivision was referred to the Planning & Zoning Committee.

Motion by Supervisor Finch and seconded to approve the proceedings from the February 19, 2002 County Board meeting. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Maehl thanked Supervisor Griesbach for his donation to the Winnebago County scholarship fund.

PRESENTATION OF AWARDS – RETIRING COUNTY BOARD SUPERVISORS

Chairman Maehl presented awards to the following retiring County Board Supervisors:

- ◆ Greg Zamzow
- ◆ David Green
- ◆ Andy King

- ◆ Steve Spanbauer
- ◆ Julie Pung-Leschke
- ◆ David Metzig
- ◆ Helen Savas – received posthumously
- ◆ Muriel Crowley
- ◆ David Kollath

COUNTY EXECUTIVE’S REPORT

Executive Van De Hey explained to the Board and the public that errors were made in an article that appeared in the March 18th edition of the Oshkosh Northwestern. The article stated that large pay-for-performance raises were being given to several county department heads. Executive Van De Hey explained that two of the people mentioned in the article are not even eligible for these types of pay increase.

Commenting on Resolution No. 413-32002, “Accept Bid of Oshkosh Northwestern Company – Publish County Board Proceedings” and the expenses incurred because of the county’s statutory requirement to publish various things in the local newspaper, Executive Van De Hey asked that the Board encourage their state legislators to change these laws. She explained that passage of this resolution is necessary to meet the current statutory requirements regarding publishing County Board proceedings.

Executive Van De Hey reported that the jail construction project is going very well. She also reported that because of low interest rates, cost projections show that it should be completed as budgeted, or slightly under budget.

Executive Van De Hey also asked for the Board’s approval of these two resolutions:

- No. 412-32002, “Authorize Execution of Expo Center Rental Agreement Between Winnebago County and Wisconsin Motorsports, Inc.”
- No. 398-32002, “Approve Tri-County Ice Arena Agreement with Tri-County Recreation Association”

PUBLIC HEARING (Non-ethanol issues)

Bill Ernst, 1289 Larson Road, Neenah, asked that the Board delay voting on Resolution No. 398-22002, “Approve Tri-County Ice Arena Agreement with Tri-County Recreation Association”, for two months. Mr. Ernst feels that the delay would allow him more time to gather information regarding this issue that may affect the Board’s decision on this resolution.

The following people spoke in opposition to, or asked for a delay of, Resolution No. 398-32002, “Approve Tri-County Ice Arena Agreement with Tri-County Recreation Association”:

- Chuck Kaufman, 2992 Fairwinds Drive, Neenah
- Joanna Thoms, 728 1st Street, Menasha
- Mike Curran, Hortonville, Wisconsin
- Kitty Richter, 1406 Whittier Drive, Neenah

The following people spoke in support of Resolution No. 398-32002, “Approve Tri-County Ice Arena Agreement with Tri-County Recreation Association”:

- Dan Goggin, Jr., attorney for the Tri-County Recreation Association, 137 Poplar Court, Neenah
- Gordon Eckrich, member of the Tri-County Recreation Association Board of Directors, 383 Naymut Street, Menasha
- Ted Galloway, Past President of the Tri-County Recreation Association Board of Directors, 744 South Park Avenue, Neenah

The following people spoke in support of Resolution No. 412-32002, “Authorize Execution of Expo Center Rental Agreement between Winnebago County and Wisconsin Motorsports, Inc.”:

- Richard Salzieder, 1818 Michigan Street, Oshkosh
- Scott Schneider, 820 Grove Street, Oshkosh
- Patty Fisher, 4905 Highway 110, Oshkosh

PUBLIC HEARING – ETHANOL PLANT

Ed Garvey, attorney for Stop the Ethanol Plant Now (STEP Now), addressed the Board on STEP Now’s request that the Board not approve Amendatory Ordinance No. 5, dated February 19, 2002. Mr.

Garvey made the following points:

- This is considered “spot zoning”, which means it can only be approved if it is in the interest of the entire community, not just the property owner requesting the zoning change.
- No engineering study has been done by the developers or the Town of Utica
- No hydrologist has testified about the possibility of increased arsenic in area wells. And if arsenic levels do rise, there are no guarantees that the plant will shut down.
- No expert has testified about the possibility of wells in the area going dry.
- No supporters of the ethanol plant have been willing to discuss the ethanol plant with STEP Now.
- The supporters of the ethanol plant are not offering “any guarantees” to the communities that will be affected by this plant.
- No information on the ethanol plant’s investors.
- The ethanol plant will produce an odor and air pollution.
- A cattle feed lot may be added at some point.
- Should the county board not approve this zoning change, Mr. Garvey does not feel that Algoma Ethanol has a basis for a lawsuit.
- Mr. Garvey does feel, however, that local residents who would see their property values decrease because of an ethanol plant, would have the basis for a lawsuit should the county approve this zoning change.
- No business prospectus for the ethanol plant has been filed.
- If the ethanol plant is built, fewer homes will be built in the area causing a reduction in property tax revenue for Winnebago County.
- The Town of Utica is not an appropriate place for an ethanol plant.

Atty. Garvey introduced three citizens who spoke in opposition to the ethanol plant:

- Susan Rosenmeier, 1770 Crown Drive, Oshkosh
- Gregory Armstrong, 2159 Knott Road, Oshkosh
- Kelly Schutzbank, 4523 State Road 91, Oshkosh

Atty. Steve Sorenson, the attorney for the Town of Utica, addressed the Board. He assured the Board that since he became involved with the Town of Utica Board in November, proper procedures have been followed in noticing and conducting the public hearings regarding the ethanol plant. He also pointed out that these meetings were “legislative in nature” and not quasi-judicial or judicial. He also explained that proper procedures were followed when discussing and voting on the zoning change.

Atty. Sorenson explained that spot zoning is not, as such, illegal if the zoning is determined to be in the best interest of the public. He further explained that finding something to be in the public interest is a political question that is to be resolved by the local governing board.

Atty. Sorenson also stated that he has investigated and found that there was no conflict of interest by members of the Utica Town Board in deciding this issue.

Additional information on operations, site plan and ground water, as well as a video of a visit to the ethanol plant in Benson, Minnesota, were presented by Mary Clare Lanser, Steve Kohler of R.A. Smith and Associates, and Gary Graham, a registered geologist with Environmental Consulting and Management, Inc.

Information they presented included:

- The ethanol plant would occupy approximately 24 acres and be located ¼ mile west of James Road on State Road 91. Entrance to the plant will be from State Road 91, so bypass lanes and acceleration lanes will be added to help the flow of traffic.
- Carl Traeger School is approximately 2.35 miles away from the site, and the YMCA is approximately 2 miles from the site.
- The areas surrounding the proposed site are zoned for commercial or industrial use.
- Odor from this ethanol plant will be minimal because there will not be a dryer for the wet cake.
- A high capacity production well and two water level observation wells were installed on this property in early March. The high capacity production well is 8 inches in diameter and 510 feet deep. One of the two water level observation wells goes as far as the “deep sandstone” and measures the draw down of the water in the aquifer that the high capacity production well is located. The other water level observation well is 101 to 131 feet deep, which is the usual depth of a residential well in this area. The two water level observation wells measure the draw down in the groundwater level

by the high capacity production well.

- The ethanol plant will use an aquifer that is beneath the aquifer that is used by most of the residential wells in this area. Because of this, the ethanol plant's well should not cause enough water draw down to expose the arsenic zone to oxygen.
- Development of a pumping program (multiple wells) could manage the maximum draw down in the lower aquifer, which is where the high capacity production well is located.

Throughout the presentations, various members of the public addressed the board giving their opinions on the proposed ethanol plant.

AMENDATORY ORDINANCE NO. 5 (ethanol plant) (dated February 19, 2002). A request from the Town of Utica on behalf of Robert J. Potratz et al & Marilyn K. Arndt Potratz for zoning change from A-1 to I-1. Motion by Supervisor Egan and seconded to adopt. Supervisor Egan presented a packet of information to the Board and asked that it be included in the record of the meeting. Included in this packet was information from the State of Wisconsin, UW-Extension, Winnebago County Highway Department and Land & Water Conservation Department, as well as, correspondence from various people. Also presented to the Board, was a letter from Paul E. Olsen of Algoma Ethanol, LLC and a copy of their "Replacement Water Supply Agreement" form.

Supervisor Schaidler announced that, because of professional reasons, he would not be voting on this Amendatory Ordinance.

Vote on amendment - Ayes: 20. Nays: 16 – Maehl, Albrecht, Pech, Green, Zamzow, Sundquist, Wingren, King, Norton, Hert, Nielsen, Robl, Eichman, Kline, Crowley and Diakoff. CARRIED.

At approximately 8:50 p.m., Chairman Maehl called a recess of the Board.

At approximately 9:05 p.m., the meeting was reconvened.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Bros LLC, Town of Black Wolf, for zoning change to R-1. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 03-01-02. A request for zoning change from A-2 to R-1. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 20, 2002)

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

AMENDATORY ORDINANCE NO. 03-02-02. A request for zoning change from A-1 to A-2. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 20, 2002)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Martenson & Eisele and property owner Tim & Judy Klusman, Eugene & Elizabeth Anderson, Wayne Pellett & Gary Gardner, Town of Clayton, for zoning change to A-2 & R-1. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 03-03-02. A request for zoning change from A-1 to A-2 & R-1. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 20, 2002)

AMENDATORY ORDINANCE NO. 4. A request from the Town of Black Wolf on behalf of Michael Duehring and Barb Tuchscherer for zoning change from A-2 to R-1. Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 20, 2002)

AMENDATORY ORDINANCE NO. 5. A request from the Town of Vinland on behalf of Grover C. Cowling, Jr. for zoning change from A-2 to B-3. Motion by Supervisor Spanbauer and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 20, 2002)

AMENDATORY ORDINANCE NO. 6. A request from the Town of Poygan on behalf of Francis Crowley for zoning change from A-2 to R-1. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 20, 2002)

AMENDATORY ORDINANCE NO. 7. A request from the Town of Wolf River on behalf of Geraldine Potratz for zoning change from A-2 to A-3. Motion by Supervisor Metzger and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – March 20, 2002)

RESOLUTIONS & ORDINANCES

RESOLUTION NO. 405-32002: Authorize the project expenditures for the 2002 phase of construction for the CTH K project.

WHEREAS, the Winnebago County Board of Supervisors supports the reconstruction of CTH K from Clairville Road in the Town of Algoma to just west of the Carl Traeger School in the City of Oshkosh and,

WHEREAS, the design phase of the project has been completed previously and,

WHEREAS, the total cost to reconstruct the current roadway from a two lane rural section of highway to a four lane urban section is estimated to be \$900,000 and,

WHEREAS, there is \$348,000 of Federal and State funding available at the present time to offset the cost of the project,

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$900,000 from the General Fund of Winnebago County for the construction of the CTH K project and related 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 to be reimbursed from federal and state funding in the amount of \$348,000 and a subsequent bond issue in the amount of \$552,000.

Submitted by:
HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 36. Nays: 1 – Widener. CARRIED.

RESOLUTION NO. 408-32002: Resolution Authorizing the Borrowing of Not To Exceed \$26,875,000; and Providing for the Issuance and Sale of General Obligation Promissory Notes 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 purpose of paying the cost of acquiring rights-of-way; constructing a new Law Enforcement Center; constructing, improving and extending roads, bridges and highways; public safety and nurse call system improvements; roof repair and replacements; improving and upgrading various County buildings and sites; extending fiber optic systems; and acquiring furnishings, fixtures and equipment (the "Project"), and there are insufficient funds on hand to pay said costs;

WHEREAS, the County Board of Supervisors hereby finds and determines that the Project is within the County's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes;

WHEREAS, counties are authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and to issue general obligation promissory notes for such public purposes; and,

WHEREAS, the County Board of Supervisors of the County hereby finds and determines that general obligation promissory notes in the aggregate amount of not to exceed \$26,875,000 should be issued, and it is now necessary and desirable to authorize their issuance and sale.

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

Section 1. Authorization of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, a principal sum not to exceed TWENTY-SIX MILLION EIGHT HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$26,875,000) from a purchaser or purchasers to be determined by competitive sale (the "Purchaser").

Section 2. Sale of the Notes. 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 promissory notes aggregating a principal amount not to exceed TWENTY-SIX MILLION EIGHT HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$26,875,000) (the "Notes"). 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 Notes.

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 Notes 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 Notes. Following receipt of bids for the Notes, the County Board of Supervisors shall consider taking further action to provide the details of the Notes and to award the Notes 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 March, 2002.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Supervisor Albrecht introduced Bradley Viegut of Robert W. Baird & Co., who explained the re-payment schedule of the notes.

Vote on resolution – Ayes: 37. Nays: 0. CARRIED.

RESOLUTION NO. 420-32002: Resolution Awarding the Sale of \$3,830,000 General Obligation Refunding Bonds; Providing the Form of the Bonds; and Levying a Tax in Connection Therewith

WHEREAS, pursuant to a resolution adopted on February 19, 2002 (the "Initial Resolution"), the County Board of Supervisors of Winnebago County, Wisconsin (the "County") authorized the issuance of not to exceed \$3,830,000 General Obligation Refunding Bonds for the public purpose of refunding obligations of the County, including interest on them, to wit: refunding the County's outstanding General Obligation Promissory Notes dated November 1, 1995 (the "1995 Notes") maturing in the years 2003 through 2005 (hereinafter the refunding of the County's outstanding obligations shall be referred to as the "Refunding");

WHEREAS, the 1995 Notes were issued for the purpose of paying the cost of remodeling and renovating the Winnebago County Social Services Building for use as an administrative facility; remodeling and renovating the Oshkosh Human Services Building; constructing new Highway Department facilities; constructing a hangar; improving roads; acquiring equipment and furnishings; and acquiring land and constructing an arterial roadway (the "1995 Project")

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 and restructuring the County's debt;

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

WHEREAS, the County Board has directed its financial advisor, Robert W. Baird & Co. Incorporated, Milwaukee, Wisconsin, to take the necessary steps to sell its General Obligation Refunding Bonds in an amount not to exceed \$3,830,000 (the "Bonds") for the purpose set forth above;

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

WHEREAS, the following bids were received:

BIDDER

NET INTEREST COST

TRUE INTEREST RATE

(SEE BID TABULATION ATTACHED AS EXHIBIT B)

WHEREAS, it has been determined that the bid (the "Bid") submitted by the institution listed first on the attached Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the County. A copy of said Bid submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference;

WHEREAS, it has been determined that the Bonds shall be issued in the aggregate principal amount of \$3,830,000.

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

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

Section 2. Award of the Bonds. The Bid of the Purchaser offering to purchase the Bonds for the sum set forth on the Bid plus accrued interest to the date of delivery is hereby accepted. The Bonds bear interest at the rates set forth on the Bid.

Section 3. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds"; shall be in the aggregate principal amount of \$3,830,000; shall be dated April 15, 2002; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered 1 and upward; and shall mature serially on April 1 of each year, in the years and principal amounts set forth on the schedule attached hereto as Exhibit D (the "Schedule"). Interest is payable semi-annually on April 1 and October 1 of each year commencing on October 1, 2002.

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

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

Section 6. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2002 through 2004 for the payments due in the years 2003 through 2005 in the amounts set forth in the Schedule. The direct annual irrepealable tax hereby levied shall be carried onto the tax roll and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected. So long as any part of the principal of or interest on the Bonds remains unpaid, the tax hereinabove levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account for the Bonds created below.

The County has heretofore levied a direct annual irrepealable ad valorem debt service tax with respect to the 1995 Notes. Said sum is on deposit in the debt service fund account for the 1995 Notes. Upon the refunding of the 1995 Notes, an amount equal to the October 1, 2002 interest payment shown on the Schedule shall be transferred from said account and irrevocably deposited into the segregated Debt Service Fund Account for the Bonds created below and used to pay the interest on the Bonds coming due on October 1, 2002.

Section 7. Segregated Debt Service Fund Account. There is hereby established in the County treasury a fund account separate and distinct from all other funds or accounts of the County designated "Debt Service Fund Account for \$3,830,000 Winnebago County General Obligation Refunding Bonds dated April 15, 2002", which fund account shall be used solely for the purpose of paying the principal of and interest on the Bonds. There shall be deposited in said fund account all accrued interest paid on the Bonds at the time the Bonds are delivered to the Purchaser, any premium, all money raised by taxation pursuant to Section 6 hereof, any amounts transferred from the debt service fund account for the 1995 Notes as set forth above and all other sums as may be necessary to pay principal of and interest on the Bonds as the same become due. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Bonds, shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished, and shall at all times be invested in a manner that conforms with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any applicable income tax regulations (the "Regulations").

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

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

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

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

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

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

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

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

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

Section 11. Execution of the Bonds. The Bonds shall be prepared in typewritten or printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated by its fiscal agent, if any, sealed with its official or corporate seal, if any, or a facsimile thereof and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the delivery of the Bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The

aforesaid officers are hereby authorized to do all acts and execute all documents as may be necessary and convenient for effectuating the Closing.

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

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

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

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

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

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

Section 15. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the holders of the Bonds, to enter into a written undertaking (the "Undertaking") required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the holders of the Bonds or by the Purchaser on behalf of such holders (provided that the rights of the holders and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 16. Redemption of the 1995 Notes. The County Board of Supervisors hereby calls the 1995 Notes due on and after April 1, 2003 for redemption on April 19, 2002. The County Clerk hereby directs its financial advisor, Robert W. Baird & Co. Incorporated, to cause a notice of redemption, in substantially the form attached hereto as Exhibit F to be provided at the times, to the parties and in the manner provided thereon.

Section 17. Bond Insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as any municipal bond insurer which makes a commitment accepted by the County to insure the Bonds may reasonably request and which are acceptable to the Chairperson and County Clerk, including provisions regarding restrictions on investment of Bond Proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, appropriate reference to the municipal bond insurance policy shall be made in the form of Bond provided herein.

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

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

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Bradley Viegut of Robert W. Baird & Co., presented information on interest rates, bid results and the re-payment schedule pertaining to these bonds. Vote on resolution - Ayes: 37. Nays: 0. CARRIED.

RESOLUTION NO. 412-32002: Authorize Execution of Expo Center Rental Agreement Between Winnebago County and Wisconsin Motorsports, Inc.

WHEREAS, Winnebago County recognizes that Wisconsin Motorsports, Inc. wishes to rent the Sunnyview Exposition Center racetrack facility in order to hold motorsports related events on a seasonal basis over a period of ten (10) consecutive years; and

WHEREAS, it is in the best interest of Winnebago County to permit such use of the racetrack facility in order to maximize its use and ensure generation of revenue.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes that the County Executive and County Clerk be and they hereby are authorized to execute the rental agreement between Winnebago County and Wisconsin Motorsports, Inc. for a term beginning March 19, 2002 and ending December 31, 2012. A complete copy of the agreement may be viewed on the County's website.

Submitted by,
PARKS & RECREATION COMMITTEE

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

RESOLUTION NO. 421-32002: Authorize the Filing of a Claim Against State of Wisconsin and the Wisconsin Department of Corrections for \$23,933.90 (Unpaid Jail Fees: State Prisoners)

WHEREAS, between July 1, 2000 and June 31, 2001, at the request of the Department of Corrections, the Winnebago County Sheriff housed in its jail, probationers and parolees who were being detained by the Department of Corrections solely because their conduct had violated the rules of supervision. Winnebago County provided 3,494 days of such detention during this period at the statutory rate of \$40.00 per person per day; and

WHEREAS, on November 6, 2001, the Department of Corrections notified the County that it would only be reimbursed at the rate of \$33.15 per day, which is \$6.85 less than the statutory authorized rate.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Sheriff to file a claim against the State of Wisconsin and against the Wisconsin Department of Corrections for \$23,933.90 in relationship to the circumstances described above. A copy of the proposed claim is herewith attached and is made a part of this Resolution by reference.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of this Resolution be transmitted to all State legislators representing constituents within Winnebago County and to the Wisconsin Counties Association.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE
LEGISLATIVE COMMITTEE

Motion by Supervisor Rengstorf and seconded to approve. Ayes: 36. Nays: 0. Absent: 1 – Lauson.
CARRIED.

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. Motion by Supervisor Karras and seconded to layover until the May 2002 meeting. No second to this motion. Motion by Supervisor Pech and seconded to amend Line 30 as follows: "Winnebago County will endeavor to see to the proper execution of the lease and the filing of all the appropriate documents in a timely manner." CARRIED BY VOICE VOTE.

Vote on resolution as amended – Ayes: 37. Nays: 0. CARRIED.

RESOLUTION NO. 400-32002: Explore Cooperative Health Insurance

WHEREAS, the County continues to face rising health care costs; and

WHEREAS, a small part of the costs of health care are untraditionally now being passed on to the employee; and

WHEREAS, the cost of health care insurance will continue to increase; and

WHEREAS, the rate of health care increase surpasses the rate of employee pay increases; and

WHEREAS, Winnebago County has already entered into cooperative agreements with other counties; and

WHEREAS, State leadership has encouraged cooperative local government approaches; and

WHEREAS, the potential for lower health care insurance may be obtained via a cooperative county approach.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the County Executive to investigate whether other counties would be interested in pursuing a cooperative approach to health care insurance.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the County Executive explore with insurance providers the possibility of lower health insurance rates for a cooperative county contract.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the County Executive report back to the full County Board of Supervisors at the May, 2002 meeting as to results of said effort.

Submitted by:

MARK MADISON, DISTRICT #15
ROBERT KLITZKE, DISTRICT #8
COUNTY BOARD SUPERVISORS

Motion by Supervisor Madison and seconded to adopt. Supervisor Madison asked that Lines 29, 34 and 38 be corrected by changing "County Executive" to "Personnel & Finance Committee."

Supervisor Spanbauer asked for the following friendly amendment to Line 10: "a small part of" be added before the word "the". Supervisor Madison agreed to this amendment.

Vote on resolution as corrected & amended – Ayes: 36. Nays: 0. Abstain: 1 – Hert. CARRIED.

RESOLUTION NO. 401-32002: Disallow Claim of Jason Blake

WHEREAS, your Personnel and Finance Committee has had the claim of Jason Blake 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 Jason Blake dated February 19, 2002, 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. 402-32002: Disallow Claim of George Wysocki

WHEREAS, your Personnel and Finance Committee has had the claim of George Wysocki 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 George Wysocki dated February 7, 2002, 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. 403-32002: Accept anti-terrorism grant of \$35,200 and authorized disbursement of funds to local law enforcement, fire departments and Emergency Management Service Agencies for qualified expenditures.

WHEREAS, the Federal Government, Office of Justice Programs (OJP) has established a Federal Grant Program to assist States and Local Governments in increasing their capability in responding to Terrorism Incidents by providing planning, training and equipment grants and

WHEREAS, the Terrorist Attack to the United States on September 11, 2001 heightened the need to escalate response capability on the State and Local level and

WHEREAS, the State of Wisconsin and counties statewide aggressively developed a statewide Domestic Preparedness Plan and County Terrorism Plan and

WHEREAS, the Winnebago County Emergency Management Terrorism Plan together with a "Risk and Needs Assessment" have identified training and equipment needs countywide with it's sub-divisions and

WHEREAS, the Federal Government (OJP) has awarded \$35,200 to Winnebago County that is non-matching to purchase Domestic Preparedness Equipment for Winnebago County and it's sub-divisions for Law

Enforcement, Fire, EMS, Highway and Health Services.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Emergency Management Department to accept the \$35,200 grant from the Office of Justice Programs and disburse those funds to local law enforcement, fire department and other Emergency Management Service agencies for the purchase of qualified equipment.

Submitted by:
EMERGENCY MANAGEMENT COMMITTEE

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

RESOLUTION NO. 404-32002: Authorize the Emergency Management Department to accept a Wisconsin Emergency Management – Domestic Preparedness Equipment Grant of \$20,000 and disburse funds to the County Hazardous Materials Response Team for qualified equipment purchases.

WHEREAS, the Federal Government, Office of Justice Programs (OJP) has established a Federal Grant Program to assist States and Local Governments in increasing their capability in responding to Terrorism Incidents by providing planning, training and equipment grants and

WHEREAS, the Terrorist Attack to the United States on September 11, 2001 heightened the need to escalate response capability on the State and Local level and

WHEREAS, the State of Wisconsin and counties statewide aggressively developed a statewide Domestic Preparedness Plan and County Terrorism Plan and

WHEREAS, the Winnebago County Emergency Management Terrorism Plan together with a “Risk and Needs Assessment” have identified training and equipment needs countywide with it’s sub-divisions and

WHEREAS, the Federal Government (OJP) has awarded \$20,000 to Winnebago County that is non-matching to purchase Domestic Preparedness Equipment for Winnebago County’s countywide “Level B” Hazardous Materials Response Team.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Emergency Management Department to accept a \$20,000 grant from the Wisconsin Emergency Management agency and disburse the funds to the County Hazardous Materials Response Team for qualified equipment purchases.

Submitted by:
EMERGENCY MANAGEMENT COMMITTEE

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

RESOLUTION NO. 406-32002: Authorize transfers within Park View Health Centers 2001 budget categories to cover overage in “Other Operating Expense” category of 2001 budget

WHEREAS, Park View Health Center had a budget overage in the “other operating expense” category of their 2001 budget, and

WHEREAS, the overage occurred because of the need to hire temporary help because of a lack of available nursing positions within the community, and

WHEREAS, Park View had funds remaining in the regular “Labor” category due to vacancies in positions, and

WHEREAS, Park View also received “Other Revenue” in excess of the amount budgeted that can also be used to cover the overrun, and

WHEREAS, no outside funding is being requested to cover the “other operating expense” overage.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$411,978 from the “labor “ category to the “Other operating expense” category and the use of excess “non-operating revenues” to cover the remainder of the overage in the “other operating expense” category of its 2001 budget.

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

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

RESOLUTION NO. 407-32002: Authorize transfer from “other expense” category to “travel expense” category of Veterans Department 2001 budget to cover overruns in “travel” category

WHEREAS, the Veterans Department had a budget overrun in the “travel expense” category of its 2001 budget, and

WHEREAS, there were sufficient excess funds available within the “other expense” category of the Veterans 2001 budget to cover the overage, and

WHEREAS, no additional outside funding is being requested.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$3,257 from the “other expense” category of the Veterans 2001 budget to the “travel expense” category of the Veterans 2001 budget.

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

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

RESOLUTION NO. 409-32002: Appoint Mr. Rob Kleman, Oshkosh Commercial Development Corporation, as County Representative on the Northeast Wisconsin Technology Zone Committee.

WHEREAS, on January 15, 2002, the County Board adopted Resolution 373-12002, which supports Winnebago County’s participation in a multi-county application for the Wisconsin Department of Commerce’s Technology Zone Program; and,

WHEREAS, an economic development representative from each County has been requested to be appointed by each County to serve on the Technology Zone Committee to oversee the Technology Zone Program for the region; and,

WHEREAS, The Winnebago County Industrial Development Board has unanimously recommended Mr. Rob Kleman from the Oshkosh Commercial Development Corporation to serve as Winnebago County’s representative on the Technology Zone Committee. This is due to Mr. Kleman’s extensive participation in the process thus far and his willingness to continue to represent Winnebago County on this Committee.

NOW, THEREFORE, BE IT RESOLVED that the Winnebago County Board of Supervisors hereby appoints Mr. Rob Kleman as Winnebago County’s representative on the Northeast Wisconsin Technology Zone Committee.

BE IT FURTHER RESOLVED that Mr. Kleman has agreed to pay any and all expenses related to his participation on this committee, and such expenses are not reimbursable by Winnebago County. In addition, Mr. Kleman has the responsibility to provide periodic updates on the activities of the Technology Zone Committee and Technology Zone Program as it directly relates to Winnebago County.

Submitted by:
INDUSTRIAL DEVELOPMENT BOARD

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

RESOLUTION NO. 410-32002: Request Authority to Apply For Funds For Maintenance Of County-

Owned Snowmobile Trails

WHEREAS, Winnebago County is interested in maintaining County owned and leased lands for public snowmobile trail use; and

WHEREAS, funds are available for snowmobile trail maintenance and snowmobile trail bridge maintenance through the Department of Natural Resources pursuant to Sec. 23.09(26), Wisconsin Statutes; and

WHEREAS, in order to participate in this project it is necessary that the County Board authorize submittal of an application for said funds.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the County Executive and the County Clerk are hereby authorized to make application on behalf of Winnebago County with the Department of Natural Resources, pursuant to Sec. 23.09(26), Wisconsin Statutes, for any financial aid that may be available for public snowmobile trail use and maintenance in Winnebago County.

Submitted by,
PARKS AND RECREATION COMMITTEE

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

RESOLUTION NO. 411-32002: Appropriate Donations for Installation of Inground Water Line and Drainageway Improvements at the Sunnyview Exposition Center

WHEREAS, a donation has been pledged in the amount of \$2,509.00 by Starshow Presents, Inc. for the purpose of purchasing necessary services and materials needed to install a 600 foot long by two-inch wide inground water line at the Sunnyview Exposition Center; and

WHEREAS, the installation of this water line is primarily intended to help support the food vending surfaces located to the west of the main entranceway during the annual Country USA Music Festival; and

WHEREAS, the addition of this water line will also benefit operations at the Sunnyview Exposition Center by extending water service into a remote portion of the Expo and making the area more suitable for supporting other types of large scale events; and

WHEREAS, an additional donation of \$2,491.00 has been pledged by Starshow Presents, Inc. for the purpose of making improvements to the storm water drainageway which bisects the music festival's main spectator area; and

WHEREAS, this drainageway improvement will be of significant benefit in helping to channel storm water run-off away from the music festival's main spectator area; and

WHEREAS, the improvement will also provide a means for helping to alleviate turf damage caused by the pooling of water at various sites in the southwest section of the Expo grounds; and

WHEREAS, your undersigned Committee recommends that said donations be accepted and that said donations be appropriated for the purpose described above.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Parks Department to accept donations of \$2,509.00 and \$2,491.00 from Starshow Presents, Inc.

BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors that said donations be appropriated to the Capital Improvements Account of the Winnebago County Parks Department for the purpose of making the aforementioned improvements at the Sunnyview Expo Center.

Submitted by,
PARKS AND RECREATION COMMITTEE

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

RESOLUTION NO. 413-32002: Accept Bid of Oshkosh Northwestern Company - Publish County Board Proceedings

BE IT RESOLVED by the Winnebago County Board of Supervisors that the following bid be accepted and contract executed:

Bid of Oshkosh Northwestern Company, Oshkosh, Wisconsin, to publish the proceedings of the Winnebago County Board shortly after each session in the Oshkosh Northwestern in accordance with Chapter 985, Wisconsin Statutes, and as certified by the Wisconsin Department of Administration, the same to be for the period of April 1, 2002 through March 31, 2003.

STRAIGHT MATTER

\$1.20 per line

\$1.07 second insertion

\$1.03 third insertion

\$2.3788 per line Double Column

DISPLAY OR BLOCK

\$17.20 per column inch daily

\$18.93 per column inch Sundays

(this is the rate they use when they do display ads)

Submitted by:

JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 32. Nays: 5 – Kollath, Maehl, Lauson, Finch and Rankin. CARRIED.

RESOLUTION NO. 414-32002: Authorize Acceptance of Grant of \$4,010 from the Oshkosh Area Community Foundation/Alice Guenther Motz Fund: Park View Health Center

WHEREAS, the Oshkosh Area Community Foundation/Alice Guenther Motz Fund has offered a \$4,010 grant to Park View Health Center for the purpose of purchasing a Therapeutic Somotron Recliner Cushion, Clinical Chair and Stereo to assist residents at Park View Health Center ; and

WHEREAS, your undersigned Committees recommends that said grant be accepted and that the funds from the grant be appropriated for the above-stated purpose.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes acceptance of a \$4,010 grant by Park View Health Center from the Oshkosh Area Community Foundation/Alice Guenther Motz Fund for the purpose of purchasing a Therapeutic Somotron Recliner Cushion, a Clinical Chair and Stereo to meet the needs of residents.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said funds be appropriated to the Donated Goods and Services Fund of Park View Health Center for the purpose of facilitating the purchase of the above-stated items.

Submitted by:

PARK VIEW HEALTH CENTER COMMITTEE

PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 415-32002: Authorize Acceptance of \$6,240 Grant from Oshkosh Area United Way: Park View Health Center

WHEREAS, the Oshkosh Area United Way has offered a grant to Park View Health Center in the amount of \$6,240 for the purpose of purchasing twenty-four (24) Roho Cushions for residents needs; and

WHEREAS, your undersigned Committees recommend that said donation be accepted and appropriated to the Small Equipment Fund at Park View Health Center to facilitate said purchase.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes Park View Health Center to accept a grant of \$6,240 from the Oshkosh Area United Way..

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the appropriation of those funds received from said Oshkosh Area United Way Grant to the Small Equipment

Fund of Park View Health Center so as to facilitate the purchase of twenty-four (24) Roho Cushions for residents needs at Park View Health Center.

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

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

RESOLUTION NO. 416-32002: Support Continued Utility Aid Payments to Municipalities and Counties Hosting Utility Plants

WHEREAS, property upon which utility plants are located is presently tax-exempt under Wisconsin Law; and

WHEREAS, municipalities which host utility plants are obligated to provide services in the form of police protection, fire protection, etc. to said plants, despite the fact that said plants are tax-exempt; and

WHEREAS, Wisconsin's utility plant owners make a payment to the State of Wisconsin each year in relationship to utility plants property, part of which is distributed to the counties and municipalities hosting utility plants; and

WHEREAS, Winnebago County received a payment of \$600,000 in the last year and the Town of Neenah received a payment of \$300,000 in the last year from the State of Wisconsin in relationship to the location of a southern utility power plant in the Town of Neenah; and

WHEREAS, under Governor's proposed Budget Reform Bill calling for the phasing out of shared revenues, utility aid payments would be limited to Wisconsin municipalities; and

WHEREAS, the Governor has called for doubling Wisconsin's energy resources by 2010 and has called for the enhancement and protection of the State's electric generation infrastructure in order to ensure a reliable energy supply to our citizens; and

WHEREAS, the elimination of utility aid payments would serve as a disincentive to local governments with regard to the location of utility plants in their municipalities.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby expresses its objection to the elimination to utility aid payments to Winnebago County, the Town of Neenah and to other municipalities hosting utility plants within the State of Wisconsin.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby urges the Wisconsin Legislature to delete the Governor's recommendation regarding utility aid distribution from his Budget Reform Bill; to reinstate the utility aid distribution for 2002; to create a separate utility aid appropriation for the purpose of distributing utility aid payments to Wisconsin municipalities in the future; and to modify the utility aid distribution formula to reflect the formula which was specified in Assembly Bill 584.

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

Submitted by:
LEGISLATIVE COMMITTEE

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

RESOLUTION NO. 417-32002: Authorize Transfer of \$5,800 from SACWIS Fund and General Contingency Fund to Other Equipment Fund of Department of Human Services Budget (Hardware and Licensing Funds for SACWIS Program)

WHEREAS, SACWIS System is the state tracking system for clients in relationship to child welfare cases throughout the State of Wisconsin; and

WHEREAS, the computerized portion of this program resides on centralized state computers and is

accessed by local counties using only that software supplied to the counties by the State of Wisconsin; and

WHEREAS, in that the Winnebago County Department of Human Services is required to use the SACWIS System, it will not be able to utilize its present TCM System to supply client tracking services without building an interface between the two systems; and

WHEREAS, the State of Wisconsin will reimburse Winnebago County for 50% of the purchased hardware and software necessary and the County's labor to install and integrate the interface between the two systems; and

WHEREAS, the cost of creating said interface is estimated to be in the amount of \$5,800.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the budget transfer of \$2,900 from the General Contingency Fund of Winnebago County and \$2,900 from the SACWIS Fund of the Winnebago County Department of Human Services to the Other Equipment Fund of the Winnebago County Department of Human Services for the purpose of purchasing hardware, software and licenses necessary to interface the SACWIS System with the County's present TCM System.

Submitted by:
HUMAN SERVICES BOARD
PERSONNEL & FINANCE COMMITTEE

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

RESOLUTION NO. 418-32002: Proclaim April 7-13, 2002 as National County Government Week

WHEREAS, there are 3,066 counties in the United States, collectively responsible for the well being of more than 230 million residents; and

WHEREAS, counties have a long history of serving and providing for the American people; and

WHEREAS, county governments are the citizen's local government voice, providing solutions that bring communities together.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby proclaims April 7-13, 2002 as National County Government Week in recognition of the leadership, innovation and valuable service provided by our nation's counties.

Submitted by:
LEGISLATIVE COMMITTEE

Motion by Supervisor Barker and seconded to adopt. CARRIED BY VOICE VOTE. (Nielsen - No.)

RESOLUTION NO. 419-32002: Oppose Governor McCallum's Budget Reform Proposal

WHEREAS, state operating budgets under the Thompson-McCallum Administration have grown annually by 6.9%, more than twice the rate of inflation, according to the Legislative Fiscal Bureau; and,

WHEREAS, since 1986, the number of state employees has grown by 11,750 positions, according to the Legislative Fiscal Bureau; and,

WHEREAS, rapid growth in state spending has exceeded state revenue resulting in a \$1.1 billion budget deficit; and,

WHEREAS, Governor Scott McCallum has proposed a Budget Reform Proposal that eliminates the \$1.1 billion state deficit by eliminating shared revenue, using proceeds from the tobacco lawsuit and modest cuts to the General Fund Budget; and,

WHEREAS, 77.6% of the cuts proposed in the Governor's Budget Reform Proposal come from municipalities; and,

WHEREAS, only 22.4% of the cuts proposed in the Governor's Budget Reform Proposal come from non-shared revenue sources; and,

WHEREAS, contrary to Governor McCallum's public statements, the vast majority of the cuts contained in his Proposal fall on municipalities and taxpayers across Wisconsin; and,

WHEREAS, completely eliminating funding for the \$1 billion Shared Revenue Program would end the goals of the Shared Revenue Program of providing tax relief, equalization of revenue generation, and

compensation for the location of utilities; and,

WHEREAS, the County of Winnebago received notification from the State of Wisconsin and budgeted for the receipt of \$4,189,000 from Shared Revenue for the fiscal year 2002, which represents 3.0% of our total annual budget; and,

WHEREAS, the loss of shared revenue proposed in the Budget Reform Proposal would eliminate \$4,189,000 in 2002 for the County of Winnebago; and,

WHEREAS, Governor McCallum announced the elimination of Shared Revenue after the adoption of the 2002 Winnebago County Annual Budget; and,

WHEREAS, the tax levy freeze would adversely impact Winnebago County's ability to serve its citizens; and,

WHEREAS, the levy freeze would force Winnebago County to reduce services to its citizens; and,

WHEREAS, the loss of Shared Revenue would result in extreme elimination of core County services and would severely undermine the public safety, public health, economy and quality of life for Winnebago County's residents.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the County of Winnebago strongly opposes Governor McCallum's proposal for slashing and eliminating the Shared Revenue Program.

Submitted by:
LEGISLATIVE COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Ayes: 30. Nays: 7 – Karras, Disch, King, Hert, Nielsen, Schaidler and Metzsig. CARRIED.

RESOLUTION NO. 422-32002: Authorize Execution of Airport Hangar Lease Agreement Between Wittman Regional Airport and Robert Mann

WHEREAS, Robert Mann desires to lease Hangar Building K 821 which consists of 2500 square feet of aircraft storage building space at Wittman Regional Airport for a term of three (3) years, commencing April 1, 2002, at a rental price of \$460.00 per month during the first year of the lease; \$474.00 per month during the second year of the lease and \$488.00 per month during the third year of the lease; and

WHEREAS, your undersigned Aviation Committee has reviewed said lease and recommends that it be approved for execution.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the proposed lease agreement between Wittman Regional Airport and Robert Mann for the lease of Hangar Building K 821 at Wittman Regional Airport for a three (3) year period pursuant to those terms described above. (A copy of the complete proposed lease may be obtained from the Airport Director or the Corporation Counsel upon request).

Submitted by:
AVIATION COMMITTEE

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

Motion by Supervisor Robl and seconded to adjourn until Tuesday, April 16, 2002 @ 6:00 p.m. CARRIED BY VOICE VOTE. The meeting was adjourned at 10:20 p.m.

Respectfully submitted,
Susan T. Ertmer
Winnebago County Clerk

I, Susan T. Ertmer, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their adjourned meeting held March 19, 2002.

Susan T. Ertmer
Winnebago County Clerk