

**ADJOURNED SESSION  
COUNTY BOARD MEETING  
TUESDAY, OCTOBER 21, 2003**

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: Sevenich, Barker, Griesbach, Scoville, Maehl, Koziczkowski, Klitzke, Widener, Lauson, Albrecht, Thompson, Steineke, Madison, Radewan, Sundquist, Wingren, Jacobson, Norton, Hert, Nielsen, Robl, Eichman, Kline, Tierney, Kramer, Schaidler, Finch, Farrey, Sievert, Arne, Diakoff, Brennand, Egan, Rankin, Rengstorf and O'Brien. Excused: Hotynski and Pech.

Motion by Supervisor Robl and seconded to vote on Resolution No. 278-102003 following the Public Hearing and to approve the agenda as amended. CARRIED BY VOICE VOTE.

**COMMUNICATIONS, PETITIONS, ETC.**

A Notice of Claim was received from Rob Grosvenor for damage to his truck caused by an automatic gate at Wittman Airport was referred to the Personnel & Finance Committee.

The following conference/seminar Information was shared:

- U.S. Environmental Protection Agency & U.S. Department of Justice – Public Meeting to discuss the Consent Decree for the cleanup of the Upper Section of the Lower Fox River; Wednesday, October 29 @ 7:00 p.m. at the Neenah Public Library
- “East Central Wisconsin in 2050: The Future...Ours to Envision, Ours to Create”, Friday, October 31 @ 8:30 a.m., College of Menominee Nation, Keshena, Wisconsin
- WCA Education Seminar – “Protective Services Issues Following the *Judy K.* Decision”, Monday, November 17 @ 9:30 a.m., Park Inn International, Wausau, Wisconsin

The following resolutions were received from various Wisconsin counties and forwarded to the appropriate committees:

- Brown County – “Support of Senate Bill 15 (SB 15) Which Creates a Joint Survey Committee on State Mandates and Funding” – forwarded to Legislative Committee
- Brown County – “Resolution in Support of Federal Legislation to Change Medicare Inequities Between States” – forwarded to the Human Services Board
- Lafayette County – Resolution 35 – 03, “Opposing Section 1632MB of 2003 Senate Bill 44 Which Proposes to Authorize Counties to Sell Tax Certificates on Tax Delinquent Real Estate Properties to Third Parties” – forwarded to the Legislative and Judiciary & Public Safety Committees
- Waupaca County – Resolution No. 28 (03-04), “Supporting the Legalization of Video Lottery machines in Restaurants and Taverns Licensed to Sell Alcoholic Beverages on Premises” – forwarded to the Judiciary & Public Safety Committee

Petition for Zoning Amendment from Michael I Haase, Town of Clayton, for zoning change from A-2 to M-2 for manufacturing of wood products was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Roger Seelow, Town of Clayton, for zoning change from A-2 to R-2 for single family home was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Abe and Theda Eckstein, Town of Clayton, for zoning change from A-1 to P-1/A-2 for farming and an airport campground was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Paul Howman, Town of Clayton, for zoning change from A-1 to A-2 for a residential parcel of more than five acres was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Donald G. Seibold and Judith A. Seibold, Town of Algoma, for zoning change from P-1 to A-2 for construction of a single-family residence and garage was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Richard Moder, Town of Clayton, for zoning change from A-2 to R-1 for a single family resident was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Mary Ellen Gerlach and Quentin Gerlach, Town of Nekimi, for zoning change from A-1 to R-1 for a single family dwelling was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Ron Leichtfuss, Town of Nekimi, for zoning change from A-1 to A-2 for six residential lots was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Lavern Silverthorn, Town of Omro, for zoning change from R-1/A-2/B-2 to A-2 for agriculture and single family residences was referred to the Planning & Zoning Committee.

Petition for Zoning Amendment from Gerald Kalbus, Town of Black Wolf, for zoning change from A-2 to P-1 for campground use was referred to the Planning & Zoning Committee.

### **REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS**

Supervisor Rengstorf asked that the Board bring their copy of the WCA's Legislative Update to the Legislative Committee meeting so they can review it.

Supervisor Finch reported that the Scholarship Committee is working to put the scholarship application on the county's website. The application has been reviewed and some changes have been made to it. The Scholarship Committee will also be sending out letters about the scholarship program to parents, as well as, putting up posters in the schools and libraries.

Supervisor Barker reported that the Legislative Committee will be meeting on Monday, October 27. Rep. Dean Kaufert will be at the meeting to give an update on what is going on in Madison. DNR representatives will also be present to discuss Manitowoc County's ordinance that prohibits the feeding of deer.

Supervisor Robl reported that Highway 110 from Oshkosh to Winchester will be opening sometime around October 30 and Highway 10 will be opening in November.

Supervisor Schaidler reported that the Planning & Zoning Department is working with the Information Systems Department to get colored zoning maps on the county's website. They are hoping to have this up and running by next month.

Motion by Supervisor Lauson and seconded to approve the September 2 and 23, 2003 County Board proceedings. CARRIED BY VOICE VOTE.

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

Executive Van De Hey reported that she will begin presenting the 2004 Budget to the Board at their meeting on Monday, November 3. Student Government Day, which is sponsored by the American Legion, will be Tuesday, November 4. There will be a luncheon at the American Legion Post in Oshkosh on that day—she encouraged everyone to attend.

Executive Van De Hey reported that she attended a "town hall meeting" with the Town of Vinland, where they discussed the groundwater/PCB issue that has them all very concerned. She is hopeful that tonight's presentation by the Minergy Corporation regarding PCB vitrification will help answer questions and concerns about the contaminated sediment that is being taken from the Fox River and Little Lake Butte des Morts.

### **CHAIRMAN'S REPORT**

Chairman Maehl read a "thank you" note sent from Jean Mahy, County Clerk's Office, to the Board acknowledging the lovely flowers they sent for her mother's funeral.

Chairman Maehl extended "happy birthday" wishes to Supervisors Hotynski, Rengstorf, Pech, Egan and Kline.

Chairman Maehl reported that East Central Wisconsin Regional Planning Commission will soon be putting out their annual "Comprehensive Economic Development Strategy Report." This annual report contains ten years of comparative data on population, jobs, farmland, housing, etc in Winnebago County and east central Wisconsin. Chairman Maehl encouraged the Board to review this report and use the information as they conduct county business.

Chairman Maehl announced that Wisconsin Workforce Development has completed their audit of Winnebago County and found everything to be in order.

Chairman Maehl announced that Winnebago County received a dividend check from the Wisconsin County Mutual Insurance Corporation in the amount of \$88,598.00.

Chairman Maehl thanked Supervisors Egan and Rengstorf for their donations to the scholarship fund.

**MINERGY CORPORATION PRESENTATION – TERRY CARROLL, REGIONAL MANAGER  
VITRIFICATION TECHNOLOGY FOR REMEDIATION OF FOX RIVER SEDIMENT**

Terry Carroll, Regional Manager for Minergy Corporation gave a Power Point presentation to the Board on the vitrification process of PCB-contaminated Fox River sediment. Mr. Carroll explained that vitrification, or Glass Furnace Technology, is a simple process that melts minerals into glass. The glass, or glass aggregate, that it produces can then be used for asphalt road making, building foundation filler, ceramic floor tiles, sand-blasting grit or roofing shingle granules.

Mr. Carroll explained that the vitrification process and the glass aggregate has been tested by both the Wisconsin Department of Natural Resources and the U.S. Environmental Protection Agency and has met their “six nines criterion for stack basis Destruction Removal Efficiency” requirement. Simply put, this means that test samples are shown to be 99.999488% PCB-free. These tests also show that the samples are 99.9% free of dioxins/furans and mercury. As an example, Mr. Carroll explained that the cheese you eat has more PCBs in it than the aggregate glass sample.

Mr. Carroll explained that because at the time Minergy Corporation was studying the costs associated with this project they weren't sure what the scope of the project was or how much sediment they would be processing, they needed to base their production and cost figures on a “base case design”. The figures Mr. Carroll presented were based on a facility that would process between 500-600 wet tons of sediment per day and produce 250 tons of glass aggregate per day. The facility would cost \$32 million to build and would employ 25 people year round. Annual operating costs for the facility, including wages, would be approximately \$6.2 million. With the life of this facility estimated at 15 years, the total estimated cost for the facility and operations is \$97 million. Based on these costs estimates, after 15 years this facility will have processed 2.6 million tons of sediment at a cost of \$37 per ton.

Mr. Carroll told the Board that Minergy Corporation's \$37 per ton thermal processing cost for sediment is the lowest cost anyone has ever been able to offer. In the past, this price has been 10 to 30 times the cost. Minergy Corporation also changed the variables to see if this per ton processing cost would raise significantly if the length and scope of the project changed. Mr. Carroll reported that the processing cost per ton only fluctuated between \$25 to \$55 per ton.

Mr. Carroll explained to the Board that Minergy Corporation's vitrification system, “is a proven and very simple process” that can be very cost effective and beneficial in cleaning up the Fox River and Little Lake Butte des Morts.

Mr. Carroll then took questions from the Board.

**PUBLIC HEARING**

The following people spoke in support of Minergy Corporation's report and Resolution No. 278-102003, “Support Vitrification of PCB Waste from Operating Unit #1”:

Nancy Zimmerman, 1467 Cowling Bay Road, Neenah; Margaret Potratz, Town of Vinland; and Leonard Leverage, Winnebago County Solid Waste Manager.

One woman, who did not give her name, addressed the Board and spoke in opposition to Minergy Corporation's report and Resolution No. 278-102003, “Support Vitrification of PCB Waste from Operating Unit #1.”

**RESOLUTION NO. 278-102003: Support Vitrification of PCB Waste from Operating Unit #1**

WHEREAS, it is presently proposed by the Department of Natural Resources that PCB-laden sediments are proposed for deposit in the Georgia Pacific Landfill Site located in the Town of Vinland; and

WHEREAS, on September 24, 2003, the Department of Natural Resources indicated that vitrification (gas furnace technology) was considered as a part of the record of decision for disposal of sediments from operable Units #3 and #4 but not from operable Unit # 1 located in Little Lake Butte des Morts; and

WHEREAS, the landfilling of toxic PCB sediments will allow such sediments to lay in a landfill for hundreds of years and will require monitoring for centuries. The cost of landfilling such sediments is estimated at \$66,000,000.00; and

WHEREAS, vitrification would neutralize entirely the toxicity of PCB's and would take 7 years at a cost of \$80,000,000 to \$100,000,000 for operable Unit #1; and

WHEREAS, the Town of Vinland and the Winnebago County Solid Waste Management Board have passed resolutions calling for the vitrification, as opposed to the landfilling, of PCB-laden waste from operable Unit #1.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby

indicates its support for the vitrification of PCB-laden waste from operable Unit #1 in Little Lake Butte des Morts as opposed to the landfilling of said substances.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby urges the Winnebago County Solid Waste Management Board to formally petition the Wisconsin Department of Natural Resources for reconsideration of their decision with regard to this matter.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of this resolution be transmitted by the Winnebago County Clerk to the office of the Secretary of the Wisconsin Department of Natural Resources; to all State Legislators representing constituents within Winnebago County; to the Wisconsin Counties Association and to the Office of Governor James Doyle.

Submitted by:  
CHUCK FARREY, DIST. #30  
PATRICK O'BRIEN, DIST. #38  
COUNTY BOARD SUPERVISORS

Motion by Supervisor Farrey and seconded to approve. Supervisor Sevenich asked that a friendly amendment be made to Line 40 so that it reads, "to all Federal and State Legislators..."

Vote on Resolution as amended: Ayes: 36. Nays: 0. Excused: 2 – Hotynski and Pech. CARRIED.

### ZONING REPORTS & ORDINANCES

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

AMENDATORY ORDINANCE NO. 10-01-03. A request for zoning change from A-2/R-1/B-2 (General Farming/Single family non sub-divided/Community Business) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – October 30, 2003)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Timothy Cook, and property owners Timothy & Catherine Cook, Town of Winneconne, for zoning change to R-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 10-02-03. A request for zoning change from R-2/B-2 (Single family non subdivided/Community Business) to R-2 (Single Family subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – October 30, 2003)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant George Kessler and property owners Arthur Kessler Revocable Trust-Jean Kessler & George Kessler, Town of Neenah, for zoning change to R-2. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 10-03-03. A request for zoning change from R-1/R-2(Single family non-subdivided/Single family subdivided) to R-2 (Single family subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – October 30, 2003)

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Houlihan Construction – John Houlihan, and property owner David Voss, Jr., Town of Wolf River, for zoning change to R-1. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 10-04-03. A request for zoning change from A-2/P-1/MH-1/B-2 (General Farming/Institutional & Recreational Park District/Mobile Home District/Community Business) to R-1 (Single family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – **August 1, 2004**)

AMENDATORY ORDINANCE NO. 5. A request from the Town of Poygan on behalf of Lawrence Leader for zoning change from A-2 to R-1. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – October 30, 2003)

AMENDATORY ORDINANCE NO. 6. A request from the Town of Rushford on behalf of Donald Wagner for zoning change from A-2 to A-3. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – October 30, 2003)

AMENDATORY ORDINANCE NO. 7. A request from the Town of Utica on behalf of Lynn Morgan for zoning change from A-1 to A-3. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – October 30, 2003)

AMENDATORY ORDINANCE NO. 8. A request from the Town of Vinland on behalf of Constance and James Keller for zoning change from A-2 to R-1. Motion by Supervisor Farrey and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – October 30, 2003)

**RESOLUTIONS & ORDINANCES**

**RESOLUTION NO. 267-102003: Authorize Segregation of Community Park Annual Autumn Festival Net Income**

WHEREAS, Winnebago County is interested in establishing an annual revenue generating program within the Community Park based on the running of a two day Autumn Festival open to the general public; and

WHEREAS, the program will utilize the Community Park and Expo facilities to attract all types of sponsors and vendors to perform any number of activities including the sale of goods, marketing of organizations, and the hosting of a special events; and

WHEREAS, Winnebago County is further interested in gaining revenue from this program through sponsorship and vendor fees that will not only cover the costs of the program, but will also contribute towards funding of a variety of future grounds improvement projects needed in the Community Park; and

WHEREAS, in order to facilitate the link between said contributions and grounds improvements, it is necessary that the County Board authorize the segregation of the net income from the event and ordain that such funds be designated for maintaining and improving the Community Park facilities and that unspent funds at year end shall roll forward from year-to-year; and

WHEREAS, the County Board would be kept apprised of the status of the fund balance and would approve actual use of the funds through the annual County Budget.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the establishment of an annual Autumn Festival within the Community Park and mandates that the net income generated from the event be segregated and designated for use in making improvements to Community Park facilities.

Submitted by:  
PARKS & RECREATION COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 – Hotynski and Pech. CARRIED.

**RESOLUTION NO. 268-102003: RESOLUTION AUTHORIZING THE BORROWING OF NOT TO EXCEED \$3,200,000; 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 constructing, extending and improving roads, bridges and highways; public safety system improvements and upgrades; improving, adding to and renovating various County buildings and sites; 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 \$3,200,000 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 THREE MILLION TWO HUNDRED THOUSAND DOLLARS (\$3,200,000) 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 THREE MILLION TWO HUNDRED THOUSAND DOLLARS (\$3,200,000) (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 be disseminated at such times and in such manner 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.

Submitted by:  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 35. Nays: 1 – Rengstorf. Excused: 2 – Hotynski and Pech. CARRIED.

**RESOLUTION NO. 269-102003: Commendation for Leonard V Lee**

WHEREAS, Leonard Lee has been employed with the Winnebago County Department of Facilities and Property Management, for the past twenty years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Leonard Lee 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 Leonard Lee for the fine services he has rendered to Winnebago County.

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

Submitted by:  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 270-102003: Commendation for Robert A Meyer**

WHEREAS, Robert Meyer has been employed with the Winnebago County Highway Department, for the past thirty years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Robert Meyer 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 Robert Meyer for the fine services he has rendered to Winnebago County.

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

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 271-102003: Commendation for David S. Zimmerman**

WHEREAS, David Zimmerman has been employed with the Winnebago County Highway Department, for the past thirty-six years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, David Zimmerman 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 David Zimmerman for the fine services he has rendered to Winnebago County.

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

Submitted by,  
PERSONNEL AND FINANCE COMMITTEE

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

**RESOLUTION NO. 272-102003: Support Federal Legislation to Strengthen the Buy American Act**

WHEREAS, legislation has recently been introduced in the United States Senate the purpose of which is to strengthen the 1933 Buy American Act; and

WHEREAS, said Bill would strengthen the Buy American Act by making it harder to waive the Act's requirements that the Federal Government buy American-made goods. It would also require that information be provided to Congress and to the American people as to how often the Act is waived by federal departments and agencies; and

WHEREAS, said legislation would act to prevent the erosion of this Country's manufacturing base and to prevent the continuing loss of jobs to overseas manufacturers; and

WHEREAS, the Wisconsin Department of Workforce Development has indicated that the State of Wisconsin has lost more than 77,000 manufacturing jobs within the last 30 months; and

WHEREAS, the pending legislation would insure that American manufacturers are not shut out of the bidding process by loopholes in the current law and should stem the flow of manufacturing jobs to overseas manufacturers.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby supports pending federal legislation to strengthen the 1933 Buy American Act.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of this resolution be transmitted by the Winnebago County Clerk to all United States Senators and Congressmen representing Wisconsin constituents; to all Wisconsin State Legislators and Senators, to all Chairs of Wisconsin County Boards; to the Wisconsin County Association Executive Committee, the Wisconsin Towns and Cities Association and to the Office of Governor James Doyle.

Submitted by:  
JOSEPH N. MAEHL, DIST. #6  
COUNTY BOARD SUPERVISOR

Motion by Supervisor Maehl and seconded to adopt. Supervisor Maehl proposed the following amendment to this Resolution: Line 27 – add “, and encourages all Wisconsin counties’ purchasing departments to institute immediate specifications of all purchased items to be of American manufacture.”

Motion by Supervisor Madison and seconded to refer this resolution to the Legislative Committee.

Motion by Supervisor Lauson and seconded to vote on Supervisor Maehl's amendment - Ayes: 30. Nays: 6 – Widener, Thompson, Madison, Jacobson, Eichman and Schaidler. Excused: 2 – Hotynski and Pech. CARRIED.

Vote on Supervisor Madison's motion to refer to Legislative Committee - Ayes: 7 – Klitzke, Thompson, Madison, Jacobson, Eichman, Kramer and Rankin. Nays: 29. Excused: 2 – Hotynski and Pech. LOST.

Vote on Resolution as amended: Ayes: 29. Nays: 4 – Widener, Thompson, Madison and Jacobson. Abstain: 3 – Klitzke, Eichman and Kramer. Excused: 2 – Hotynski and Pech. CARRIED.

**RESOLUTION NO. 273-102003: Authorize Support of Assembly Bill 390 (Housing of County Prisoners from Border States)**

WHEREAS, present State law prevents Wisconsin counties from housing prisoners from border states in county jails; and

WHEREAS, Sheriffs serving in border counties in the State of Wisconsin believe that it would be in the best interest of Wisconsin taxpayers to allow Wisconsin county jails to be utilized for the housing of prisoners from neighboring states within Wisconsin county jails, within the discretion of the Sheriff of each county; and

WHEREAS, the Legislative Committee of the Winnebago County Board is supportive of said legislation.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes its support for Assembly Bill 390 relating to the housing of county prisoners from border states in Wisconsin county jails.

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

Submitted by:  
LEGISLATIVE COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Ayes: 32. Nays: 4 – Wingren, Jacobson, Norton and Schaidler. Excused: 2 – Hotynski and Pech. CARRIED.

**RESOLUTION NO. 274-102003: Support Assembly Bill 324: Classification of Jail Prisoners**

WHEREAS, Assembly Bill 324 has been introduced in the State Legislature which would allow an objective computerized classification system to be used with regard to the housing of prisoners in county jails and would allow the past conviction record of prisoners to be considered with regard to housing assignments within county jails, regardless of the offense for which a person is presently incarcerated; and

WHEREAS, your undersigned Legislative Committee and the Winnebago County Sheriff support said Bill in that it would allow the Sheriff to house prisoners who have histories of violent crimes in a more guarded placement within the county jail, regardless of the offense for which they are presently charged.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby indicates its support for Assembly Bill 324 relating to the classification of county jail prisoners.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of this resolution be transmitted by the Winnebago County Clerk to all State Legislators and Senators representing constituents in Winnebago County; to the Wisconsin Counties Association; and to the Office of Governor James Doyle.

Submitted by:  
LEGISLATIVE COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Ayes: 35. Nays: 1 – Jacobson. Excused: 2 – Hotynski and Pech. CARRIED.

**RESOLUTION NO. 275-102003: Approve Lease Between U.S. Department of Agriculture and Winnebago County**

WHEREAS, the U.S. Department of Agriculture desires to extend its lease for an additional five (5) year period with Winnebago County at the Coughlin Center at an annual rental rate of \$32,250, which averages to \$12.90 per square foot; and

WHEREAS, your undersigned Committee is desirous of continuing to rent said space to the U.S. Department of Agriculture for its farm service agency and recommends that the extension of said lease be approved.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby



authorizes the Winnebago County Executive and Winnebago County Clerk to execute a lease between the U.S. Department of Agriculture and Winnebago County for approximately 2500 net useable square feet of space at the James Coughlin Center, located at 625 E. County Road Y, Oshkosh, Wisconsin at a price of \$12.90 per square foot or \$32,250 per year for the period from October 1, 2003 through September 30, 2008. (A copy of the proposed lease may be obtained from the Office of Corporation Counsel and is incorporated by reference as a part of this resolution).

Submitted by:  
FACILITIES AND PROPERTY MANAGEMENT COMMITTEE

Motion by Supervisor Egan and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 – Hotynski and Pech. CARRIED.

**RESOLUTION NO. 276-102003: Authorize Acceptance and Appropriation of \$4,200 Grant from Knights of Columbus for Purchase of Resident Lift at Park View Health Center**

WHEREAS, the Knights of Columbus have offered to provide a grant to Park View Health Center in the amount of \$4,200 for the purpose of purchasing a resident lift for the ICF/MR Unit; and

WHEREAS, the Park View Health Center Committee has recommended that said grant be accepted and appropriated for said purpose.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes Park View Health Center to accept a grant in the amount of \$4,200 from the Knights of Columbus for the purpose of purchasing a resident lift for the ICF/MR Unit.

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

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

Motion by Supervisor Albrecht and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 – Hotynski and Pech. CARRIED.

**RESOLUTION NO. 277-102003: Approve County Industrial Development Project - Provide Loan to City of Menasha**

WHEREAS, the City of Menasha has made a loan request to the Winnebago County Industrial Development Board for the purpose of assisting an existing business, Wisconsin Prosthetics and Orthotics LLC, in the expansion of its manufacturing facility; and

WHEREAS, Winnebago County and its Industrial Development Board are empowered to make such loans pursuant to the authority vested by Section 59.57(2)(f), Wisconsin Statutes; and

WHEREAS, the City of Menasha projects that assisting such expansion will generate new jobs and create additional new tax base within that community and Winnebago County; and

WHEREAS, your Industrial Development Board has approved said loan request and is requesting that the County Board of Supervisors of the County of Winnebago approve this project for funding at this time.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the aforementioned Winnebago County Industrial Development Project is hereby approved.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds in the amount of \$450,000 shall be made available to loan to the City of Menasha, with such loan agreement to be for a period of five (5) years and at an interest rate of ½ of the prime rate on the date that the loan is made, with interest due yearly upon said loan and the principal of said loan to be due to the Winnebago County Industrial Development Board on the 5<sup>th</sup> year anniversary date of said loan.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Industrial Development Board and any necessary Winnebago County officers are authorized to execute an

agreement between Winnebago County's Industrial Development Board and the City of Menasha for the project and for said loan.

Submitted by:  
INDUSTRIAL DEVELOPMENT BOARD

Motion by Supervisor Maehl and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 – Hotynski and Pech.  
CARRIED.

**ORDINANCE NO. 279-102003: Amend Portions of Chapter 21, General Code of Winnebago County ( Wittman Regional Airport)**

WHEREAS, the Director of Wittman Regional Airport has recommended and the Aviation Committee has approved amendments to the land rental rates, T-Hangar rates and Off-site rental car operation rates contained within Chapter 21 of the Winnebago County General Code; and

WHEREAS, the Aviation Committee recommends that Chapter 21 of the Winnebago County General Code be amended so as to implement said proposed rate changes.

NOW, THEREFORE, BE IT ORDAINED by the County Board of Supervisors of the County of Winnebago that the following sections of Chapter 21 of the General Code of Winnebago County be amended to read as follows:

That Section 21.05(3) of the General Code of Winnebago County be amended to read:

21.05(3) Land Rental Rates. Land on the premises of Wittman Regional Airport, subject to approved developmental and use criteria, shall be rented at the following rates:

	<u>Current Rate</u>	<u>Proposed Rate</u>
(a) Land for hangars, aprons, taxiways, tie down areas (less than 100,000 sq. ft.)	\$.11/sq.ft/yr annual min. \$550.00	\$.13/sq.ft/yr annual min. \$550.00
(b) Bare land for aeronautical purposes (unimproved land) (less than 100,000 sq. ft.)	\$.11/sq.ft/yr annual min. \$550.00	\$.13/sq.ft/yr annual min. \$550.00
(c) Bare land for non-aeronautical purposes	\$.33/sq.ft/yr annual min. \$700.00	\$.35/sq.ft/yr annual min. \$700.00
(d) Paved ramps or parking lots (improved land)	\$.15/sq.ft/yr annual min. \$700.00	\$.20/sq.ft/yr annual min. \$700.00
(e) Land for unrestricted agricultural cultivation purposes	\$45.00/acre/yr	\$47.00/acre/yr
(f) Land for restricted agricultural (cultivation purposes)	\$34.00/acre/yr	\$36.00/acre/yr
(g) Land restricted to the cultivation of hay only	\$23.00/acre/yr	\$25.00/acre/yr

That Section 21.05(4) of the General Code of Winnebago County, T-Hangar Rates, be amended to read as follows:

21.05(4) T-Hangar Rates. Rates for T-hangar buildings will be assessed as follows:

	<u>Current Rate</u>	<u>Proposed Rate</u>
(a) T-hangar buildings A,B,C	\$120.00/month	\$135.00/month
(b) T-hangar building D	\$160.00/month	\$175.00/month
(c) T-hangar building E	\$ 90.00/month	\$100.00/month
(d) T-hangar building F-1 & F-2	\$137.87/month	\$137.87/month

(e)	T-hangar buildings G,H,F3	\$110.00/month	\$120.00/month
(f)	North Strong Box	\$280.00/month	\$290.00/month
(g)	East Strong Box	\$280.00/month	\$280.00/month

NOTE: NO INCREASE IN F-1,F-2,EAST STRONG BOX BECAUSE TENANT IS RESPONSIBLE FOR ELECTRIC UTILITY.

That Section 21.08(c) of the General Code of Winnebago County be amended to read as follows:

21.08(c) Off-site Rental Car Operations

**Current**

Written agreements between Winnebago County and off-premises rental car companies shall specify that the airport will receive 2% of the first \$100,000 of gross revenues derived by the company annually from the rental of automobiles from passengers picked up at the airport, plus 6% of all such gross revenues over \$100,000. Those companies whose agreements with the airport allow a courtesy phone in the Terminal Building shall pay an additional fee of 2% which will change the fee structure to 4% on the first \$100,000 of gross revenues and 8% on gross revenues in excess of \$100,000.

**Proposed**

Written agreements between Winnebago County and off-premises rental car companies shall specify that the Airport receive 10% of gross revenues derived by the company annually from the rental of automobiles at the Airport.

**BE IT FURTHER ORDAINED** by the County Board of Supervisors of the County of Winnebago that said rate amendment shall be effective as of November 1, 2003.

Submitted by:  
**AVIATION COMMITTEE**

Motion by Supervisor Nielsen and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 – Hotynski and Pech. Carried.

**RESOLUTION NO. 280-102003: Authorize Execution of Agreement Between Winnebago County and U.S. Cellular (Wireless Service)**

WHEREAS, your undersigned Committees have approved a 19-month coterminous agreement between Winnebago County and U.S. Cellular Wire Service for a term that shall continue through April 30, 2005; and  
 WHEREAS, said contract will establish a monthly service rate at a fee of \$6.75 per phone and shall include features such as Call Waiting, Call Forwarding, three-way Calling, Voice Mail and Caller ID service; and  
 WHEREAS, Winnebago County will benefit from this contract by receiving an update to all County wireless phones to the new digital CDMA technology at a cost of \$.01 per phone; and  
 WHEREAS, it is hoped that at the time that this agreement would expire, Winnebago County would become part of a state-wide wireless contract for pricing and wireless equipment.  
 NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and Winnebago County Clerk to enter into an agreement with U.S. Cellular for wireless phone service for a period to expire on April 30, 2005 at a rate of \$6.75 per phone. ( A copy of the complete proposed contract may be obtained from the Winnebago County Information Systems Department).

Submitted by:  
**INFORMATION SYSTEMS COMMITTEE  
 PERSONNEL & FINANCE COMMITTEE**

Motion by Supervisor Brennand and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 – Hotynski and Pech. CARRIED.

**RESOLUTION NO. 281-102003: Authorize Termination of Lease Agreement Between Winnebago County and Wasler Aviation Holdings LLC**

WHEREAS, Wasler Aviation Holdings LLC executed a twenty-five (25) year lease on July 1, 2003 with

Winnebago County for 4,900 square feet of property for the purpose of constructing a hangar on the Airport; and WHEREAS, Gary Lerch and Larry Waskow, managing members of Wasler Aviation Holdings LLC communicated with Ruth Elliott on September 25, 2003 a request to be released from said lease because heated hangar space has become available on the Airport that was not previously anticipated.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and Winnebago County Clerk to enter into an agreement terminating the lease between Winnebago County and Wasler Aviation Holdings LLC for 4,900 square feet of hangar space at Wittman Regional Airport executed on July 1, 2003.

Submitted by:  
AVIATION COMMITTEE

Motion by Supervisor Nielsen and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 – Hotynski and Pech. CARRIED.

**RESOLUTION NO. 282-102003:                   Appropriate \$50,000 from the General Fund in Order to Pay for Acquisition of Right-of-Way for the CTH E (Witzel Avenue) Project.**

WHEREAS, the Winnebago County Board of Supervisors previously passed a resolution authorizing the design and reconstruction of CTH E; and WHEREAS, the project will begin at the west limits of USH 41 and terminate at the intersection of CTH E and Oakwood Road in the City of Oshkosh and the Town of Algoma; and

WHEREAS, the project is currently on schedule for a January 2004 bid letting with construction to begin in May of the same year; and

WHEREAS, the right of way that is to be acquired is needed for construction purposes and for future maintenance of drainage structures and

WHEREAS, the estimated cost of acquiring the right of way is \$50,000,

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$50,000 from the General Fund of Winnebago County for the purpose of paying for the acquisition of right-of-way of the reconstruction of a portion of County Highway E.

BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors that funds to pay for said expenditure are hereby appropriated from the General Fund of Winnebago County, to be reimbursed from a subsequent bond issue.

Submitted by:  
HIGHWAY COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 – Hotynski and Pech. CARRIED.

**RESOLUTION NO. 283-102003:                   Authorize a Budget Transfer of \$210,000 in Order to Construct a 3000 Ton Salt Storage Facility in the Town of Winchester**

WHEREAS, the Wisconsin Department of Transportation has allocated \$210,000 for the construction of a 3000 ton salt storage facility in the Town of Winchester in Winnebago County; and

WHEREAS, the Winnebago County Highway Department will use this facility to store and distribute the materials needed for winter maintenance of the state highway system in the surrounding area; and

WHEREAS, all project and site costs are to be funded 100% by the Wisconsin Department of Transportation; and

WHEREAS, the project will be constructed in the spring of 2004.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the budget transfer of \$210,000 in order to fund the construction of the salt storage facility.

Submitted by:  
HIGHWAY COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 – Hotynski and Pech.  
CARRIED.

**RESOLUTION NO. 284-102003: Authorize Acceptance and Appropriation of \$282,872 of State Funds:  
Offset Construction Costs Related to the CTH A Project.**

WHEREAS, the Winnebago County Highway Department has secured \$282,872 of County Highway Improvement Funds (CHIP) from the State of Wisconsin; and

WHEREAS, these funds were secured in order to offset construction costs for that portion of the CTH A project, which begins in the City of Neenah and continues southward for a distance of 4.25 miles to the intersection of Indian Point Road; and

WHEREAS, this project has now been completed in its entirety and paid for from regular County Road Maintenance funds included in the 2003 budget; and

WHEREAS, this CHIP funding would offset the costs for the County Highway A project and would reimburse the County for funding for the project paid from the regular highway maintenance account.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves accepting funds in the amount of \$282,872 from the State of Wisconsin in order to offset the costs related to the CTH A construction project and increasing expenses to match the approved revenues.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said funds are hereby appropriated to the Highway Department’s Maintenance Account.

Submitted by:  
HIGHWAY COMMITTEE  
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 36. Nays: 0. Excused: 2 – Hotynski and Pech.  
CARRIED.

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Monday, November 3, 2003.  
CARRIED BY VOICE VOTE.

The meeting was adjourned at approximately 8:45 p.m.

Respectfully submitted,  
Susan T. Ertmer  
Winnebago County Clerk

State of Wisconsin)  
County of Winnebago) ss

I, Susan T. Ertmer, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their regular meeting held October 21, 2003.

Susan T. Ertmer  
Winnebago County Clerk