

**ADJOURNED SESSION
COUNTY BOARD MEETING
TUESDAY, OCTOBER 18, 2005**

Chairman David Albrecht 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 Lennon.

The following Supervisors were present: Weber, Barker, Griesbach, Hotynski, Scoville, Maehl, Koziczowski, Widener, Lauson, Albrecht, Steineke, Lennon, Sundquist, Wingren, Jacobson, Norton, Warnke, Tower, Robl, Schmuhl, Kline, Schaidler, Farrey, Sievert, Arne, Diakoff, Brennand, Egan, Rengstorf, Sim, Thompson, Kramer, Finch and O'Brien. Excused: Pech.

Motion by Supervisor Robl and seconded to approve the agenda. CARRIED BY VOICE VOTE.

COMMUNICATIONS, PETITIONS, ETC.

A "Notice of Claim" received from Ashley Kempf for damage to her vehicle caused by action of the Winnebago County Sheriff's Department was forwarded to the Personnel & Finance Committee for review.

A "Notice of Claim" received from Benjamin Prevost for damage to his vehicle resulting from the gates on the Oshkosh Avenue Bridge coming down on his car was forwarded to the Personnel & Finance Committee.

The following resolutions were received and forwarded to various committees:

- Columbia County, Resolution No. 17-05, "Oppose downsizing of intermediate care facilities for the mentally retarded (ICF-MR)" was referred to the Human Services Board.
- Juneau County, Resolution No. 05-49, 2005, "Oppose 2005 Assembly Bill 412, LRB 2357/1 and any other proposed legislation allowing condemnation of public land" was referred to the Legislative Committee.
- Oconto County, Resolution No. 92-2005, "Requesting a change in the laws governing use value assessments for agricultural land by the State of Wisconsin" was referred to the Legislative Committee.
- Vilas County, Resolution No. 2005-98, regarding support of "AB675 relating to just compensation" was referred to the Legislative Committee.
- Waushara County, Resolution 35-10-05, "Supporting Assembly Bill 208 regarding the establishment of rural enterprise zones" was referred to the Legislative Committee.
- Waushara County, Resolution 37-10-05, "Expressing concern over the Help America Vote Act" was referred to the Legislative Committee.
- Waushara County, Resolution 38-10-05, "Supporting Assembly Bill 662 which authorizes the Departments of Administration and Revenue, in consultation with representative from the private and public sector, to conduct a study of the impact of removing large amounts of land from the tax rolls" was referred to the Legislative Committee.

Petition for zoning amendment from the Town of Menasha, George Dearborn, for zoning changes to the Winnebago County Town/County Zoning Ordinance was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Ronald C. Wachholz, Town of Black Wolf, for zoning change for tax parcel nos. 004-0359-03, 004-0359-04 and 004-0359-05 from A-2 to R-1 for residential use was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Brooks Brickham, Town of Winneconne, for zoning change for tax parcel no. 030034001(p) from A-2 to R-5 for Single-family residential homes as a condominium plat/association was referred to the Planning & Zoning Committee.

Petition for zoning amendment from James P. and Pamela J. McLeod, Town of Clayton, for zoning change for tax parcel nos. 006-045801 and 006-045601 from A-1 to A-2 for agriculture was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Brent Gerdt, Town of Neenah, for zoning change for tax parcel nos. 010017709 and 010-0177-10 from A-1 to R-1 for residential purposes was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Kenneth A. Kiesau, Town of Neenah, for zoning change for tax parcel nos. 0100172, 0100177, 010017706, 010017214, 010-0177-08, and 010-0177-07 from A-1 to A-2/R-1 for continued ag/addition to existing residence was referred to the Planning & Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Barker reported there will be a Legislative Committee meeting Monday, October 24 at the J.P. Coughlin Center. Each member should have a packet for the meeting on their desk. She asked everyone to look through the book of resolutions passed at the WCA Convention and bring it along for possible future agenda items.

Supervisor Rengstorf requested written comments for possible rule changes be turned into the County

Clerk's Office no later than November 10.

Supervisor Egan reported the department heads are meeting with Horty-Elving & Associates, architectural engineers for Park View Health Center, to share their needs. Six people applied for construction manager. Myron Construction from Winnebago County was chosen. The committee is revisiting some of the nursing homes that had been visited earlier to see what mistakes were made and learn from them.

Supervisor Finch said he had been questioned as to why the Scholarship Committee has not met. He indicated no meeting will be scheduled until after the Budget Session to see if funds will remain in the budget.

Motion by Supervisor O'Brien and seconded to adopt the September 6 and 20 County Board proceedings.
CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT 2006 BUDGET MATERIALS

Chairman Albrecht stated Executive Harris will be explaining the "2006 Budget Materials". There will be no discussion on the budget.

Executive Harris spoke on the "2006 Executive Budget Message" which had been included in each packet. He explained although the 2006 Executive Budget Book had been placed on their desk, the "Message" was to assist them in understanding the budget.

Executive Harris stated he had prepared a budget using the maximum allowed property tax levy under the tax limitation rules. The rate is \$5.59, which is a \$.09 reduction of equalized tax rate from last year. Executive Harris explained if the Board wants to add something to the budget, an explanation would be needed to show where the money would come from.

Executive Harris wanted the supervisors to note that although the total for the table is \$6,073,018, this does not represent the total amounts cut from the budget. He explained the table starting on page 13 of the "Message" represents what he feels should be in the budget, but can only be added by finding another income source such as a sales tax.

Executive Harris explained if the sales tax were approved, but none of the positions he was recommending were added back, the property tax rate would be reduced by \$.691. This would be a 12% reduction in property taxes and presumably an additional reduction the following year with a full year of sales tax. Any position added would reduce the \$.691.

Executive Harris closed by saying forms would be available for changes in the budget and a place to indicate a funding source.

COUNTY BOARD CHAIRMAN'S APPOINTMENT

Chairman Albrecht asked for the Board's approval of Supervisor Arlene Schmuhl to the University of Wisconsin Education, Extension and Agriculture Committee and the Land Conservation Committee. Supervisor Schmuhl will replace Steve Rankin who has resigned from the board. Motion by Supervisor Maehl and seconded to adopt. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht read Supervisor Rankin's resignation letter. His resignation was effective October 1, 2005. He also read a post card sent by Supervisor Rankin. Chairman Albrecht announced there will be a resolution regarding Supervisor Rankin at the next County Board meeting.

Chairman Albrecht read a letter sent from the Wisconsin County Veterans Office, regarding a resolution passed honoring Larry Smerling, Winnebago County Veterans Office Director.

Chairman Albrecht stated an additional form was placed in each of the budget books. This is an evaluation form, which will be given to Executive Harris to forward to each of the Departments as a means of evaluating budget decisions.

PUBLIC HEARING

Lawrence Papenfuss, 1970 Clay Road, Oshkosh, had a letter read from his son in opposition to Zoning Report No. 003 and Amendatory Ordinance No. 10/03/05 relating to rezoning of property in the Town of Nekimi for Country USA.

Chuck Taylor, Appleton, spoke in favor of Zoning Report No. 003 and Amendatory Ordinance No. 10/03/05.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Martenson & Eisele, Dan Hoel; and property owners Mark Luebke and Rosanne Keller, Town of Clayton, for zoning change to A-2 for Tax Parcel No. 006-0558. Motion by Supervisor Schaidler and seconded to

accept. CARRIED BY VOICE VOTE. Supervisor Brennand abstained.

AMENDATORY ORDINANCE NO. 10-01-05. A request for zoning change from A-1 (Exclusive Ag) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. Supervisor Brennand abstained. (Effective date: October 21, 2005).

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Vern Kienast and property owner Paul Gereau, Town of Oshkosh, for zoning change to M-1 for Tax Parcel No. 018-0074 Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE. Supervisor Lennon abstained.

AMENDATORY ORDINANCE NO. 10-02-05. A request for zoning change from R-1 (Single Family non-subdivided) to M-1 (Light Industrial). Motion by Supervisor Schaidler and seconded to deny. CARRIED BY VOICE VOTE. Supervisor Lennon abstained. DENIED. (Effective date: October 21, 2005).

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Country USA, Dan Liebhauser and property owner Shirley Miller et al, Town of Nekimi, for zoning change to P-1 for Tax Parcel No. 012-0161. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 10-03-05. A request for zoning change from A-1 (Exclusive Ag) to P-1 (Institutional & Recreational Park District). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. Supervisor Diakoff voted nay. (Effective date: October 21, 2005).

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners Robert and Jean Roe, Town of Black Wolf, for zoning change to R-2 for Tax Parcel Nos. 004-0236-08 and 004-0236-09. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 10-04-05. A request for zoning change from R-1 (Single Family non-subdivided) to R-2 (Single Family subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: October 21, 2005).

REPORT NO. 005. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Barbara Dougherty, Town of Black Wolf, for zoning change to R-1 for Tax Parcel No. 004-0205 Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE. Supervisor Brennand abstained.

AMENDATORY ORDINANCE NO. 10-05-05. A request for zoning change from A-2 (General Farming) to R-1 (Single Family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. Supervisor Brennand abstained. (Effective date: October 21, 2005)

REPORT NO. 006. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners Jay and Melanie Meidl, Fox Cities Construction-Keith Decker and James Kinderman, Town of Omro, for zoning change to R-2 for Tax Parcel Nos. 016-0317-01, 016-0822, 016-0823, 016-0322, 016-0320, 016-0323, 016-0318-02 and 016-0828. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 10-06-05. A request for zoning change from R-1 (Single family non-subdivided) to R-2 (Single family subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: October 21, 2005)

REPORT NO. 007. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Dixon Jacobson, Town of Winneconne, for zoning change to R-1 for Tax Parcel No. 030-0059. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 10-07-05. A request for zoning change from A-2 (General Farming) to R-1 (Single family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: October 21, 2005)

REPORT NO. 008. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners Dennis and Carol Gehrt, Town of Clayton, for zoning change to R-1 for Tax Parcel No. 006-0901-04(p). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 10-08-05. A request for zoning change from A-2 (General Farming) to R-1 (Single Family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: October 21, 2005)

REPORT NO. 009. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Aaron Thums, Towns of Clayton and Winchester, for zoning change to A-2 for Tax Parcel Nos. 006-0781, 028-0937, 028-0939 and 028-0942. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 10-09-05. A request for zoning change from A-1 (Exclusive Ag) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: October 21, 2005)

REPORT NO. 010. A report from the Planning & Zoning Committee regarding a requested zoning change

from applicants and property owners John and Ann Fickau, Town of Vinland, for zoning change to A-2 for Tax Parcel Nos. 026-0661-02 and 026-0661-07. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. Supervisor Farrey voted nay.

AMENDATORY ORDINANCE NO. 10-10-05. A request for zoning change from R-1 (Single Family non-subdivided/floodplain and wetlands) to A-2 (General Farming/floodplain and wetlands revised). Motion by Supervisor Schaidler and seconded to amend changing zoning from R-1 (Single Family non-subdivided)/floodplain and wetlands) to R-1 (Single Family non-subdivided)/floodplain and wetlands revised). CARRIED BY VOICE VOTE. Motion by Supervisor Schaidler and seconded to adopt as amended to approve revision of wetlands, but deny the request to rezone to A-2. CARRIED BY VOICE VOTE. Supervisor Farrey voted nay. (Effective date: October 21, 2005)

AMENDATORY ORDINANCE NO. 11. A request from the Town of Vinland on behalf of J. Fred and Anne G. Boss for zoning change from A-2 to R-1 for Tax Parcel No. 026-0463-01. Motion by Supervisor Arne and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: October 21, 2005)

AMENDATORY ORDINANCE NO. 12. A request from the Town of Utica to repeal an existing zoning ordinance and adopt a new ordinance which had been adopted by the Town of Utica on December 13, 2004. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: October 21, 2005)

RESOLUTIONS & ORDINANCES

RESOLUTION NO. 269-102005: Authorize Execution of a Nonexclusive Easement to the City of Omro for Accessing and Maintaining a Dry Hydrant Adjoining the Waukau Creek Dam

WHEREAS, the City of Omro desires commencement of an easement that addresses the city's need to access and maintain a dry hydrant facility adjoining the Waukau Creek Dam; and
WHEREAS, use of the dry hydrant facility will allow the Omro/Rushford Volunteer Fire Department to utilize the holding pond to fill tankers subsequently used in fire department related activities; and
WHEREAS, your undersigned Committee believes that it would be in the best interest of Winnebago County to grant said easement to the City of Omro.
NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes execution of a nonexclusive easement to the City of Omro for accessing and maintaining a dry hydrant facility at the Waukau Creek Dam up until January 1, 2011.

Submitted by,
PARKS AND RECREATION COMMITTEE

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

RESOLUTION NO. 270-102005: Authorize Execution of Four-Year Expo Rental Agreement with Oshkosh Kennel Club Inc.

WHEREAS, Winnebago County has been approached by the Oshkosh Kennel Club Incorporated to enter into a four (4) year contract for use of the Sunnyview Exposition Center facilities for an annual AKC dog show; and
WHEREAS, the Oshkosh Kennel Club Incorporated has been a tenant in good standing of the Sunnyview Exposition Center facilities for approximately twelve (12) years while presenting an annual AKC dog show; and
WHEREAS, the AKC dog show presented by Oshkosh Kennel Club Incorporated is open to the public and is an event of merit for the Sunnyview Exposition Center facilities.
WHEREAS, it is in the best interest of Winnebago County to permit the long range scheduling of said event to allow the promoter to secure necessary agreements with subcontractors and vendors; and
WHEREAS, the long range scheduling of events at the Sunnyview Exposition Center allows County staff to efficiently program the facilities so as to maximize their use and ensure generation of revenues.
NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Parks Department to enter into a four (4) year lease agreement with Oshkosh Kennel Club Incorporated for presentation of an AKC dog show to be held annually for two days during the month of May.

Submitted by,
PARKS & RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Ayes: 34. Nays: 0. Excused: 1 – Pech. CARRIED.

RESOLUTION NO. 271-102005: Transfer Funds from Within Human Services Department to Cover Projected Labor Cost Overrun of \$165,000.

WHEREAS, the Human Services Department has projected it will exceed their budget for labor up to \$165,000 during 2005; and

WHEREAS, the projected overruns are a result of an under-estimation of pay benefits and overtime costs associated with the child welfare division in the 2005 budget; and

WHEREAS, additional, non-utilized funds are available within the Human Services budget from net savings in child welfare placement costs and unanticipated state funding related to adult ICF-MR community placements to cover said overruns; and

WHEREAS, the Human Services Department will make every effort to eliminate future overruns by holding vacant positions open longer and reducing overtime costs as much as possible.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of funds from child welfare and adult placement accounts to various labor accounts within the Department of Human Services in an amount up to \$165,000 to cover projected labor cost overruns.

Submitted by:
HUMAN SERVICES BOARD
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Koziczowski and seconded to adopt. Ayes: 34. Nays: 0. Excused: 1 – Pech. CARRIED.

RESOLUTION NO. 272-102005: Disallow Claim of David Weber

WHEREAS, your Personnel and Finance Committee has had the claim of David Weber 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 David Weber dated August 30, 2005, 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 Kline and seconded to adopt. CARRIED BY VOICE VOTE.

RESOLUTION NO. 273-102005: Authorize Application for Site Assessment Grant, Wisconsin Department of Natural Resources (204 Railroad Street, Menasha, Remediation Project)

WHEREAS, in 1996 Winnebago County acquired the former American Quality Fibers Site at 204 Railroad Street in the City of Menasha, as tax delinquent property; and

WHEREAS, shortly thereafter, it was discovered that such site was severely contaminated as a result of the property having been once utilized as an industrial barrel recycling plant; and

WHEREAS, Winnebago County has applied for and received various grants from the Wisconsin Department of Natural Resources over the last 9 years for the purpose of remediating the contamination on said site; and

WHEREAS, during the past year, the Winnebago County Treasurer, in partnership with the Winnebago County Highway Department, the City of Menasha and the Wisconsin Department of Natural Resources has made considerable progress with regard to cleaning up said site, in that it has razed the warehouse building on said site and has planted an experimental group of trees upon said site with the hope that said trees can withstand the contamination beneath the soil and naturally remediate said site; and

WHEREAS, the Wisconsin Department of Natural Resources is offering another round of grants with regard to remediation of contaminated properties; and

WHEREAS, the Winnebago County Treasurer desires to apply for a grant in the amount of \$15,000, which funds shall be used for the purpose of testing the soil underneath the footprint of the razed building for contamination; and

WHEREAS, there is a 20% match in relationship to said grant; and

WHEREAS, in the past, the City of Menasha has agreed to split matches with regard to said property with

Winnebago County and it is hoped that such practice shall continue in the future; and

WHEREAS, your undersigned Committee believes that it is in the best interest of the citizens of Winnebago County, and particularly the citizens of the City of Menasha, that said property be remediated.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Treasurer to apply for a \$15,000 Site Assessment Grant from the Wisconsin Department of Natural Resources.

BE IT FURTHER RESOLVED that acceptance and appropriation of said grant is authorized contingent upon the City of Menasha contributing half the cost of any matching funds in relationship to said grant.

Submitted by:

PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 34. Nays: 0. Excused: 1 – Pech. CARRIED.

RESOLUTION NO. 274-102005: Authorize Application and Acceptance of \$11,200 Urban Forestry Grant from the Wisconsin Department of Natural Resources (Remediation of 204 Railroad Street, City of Menasha)

WHEREAS, in 1996 Winnebago County acquired the former American Quality Fibers Site at 204 Railroad Street in the City of Menasha, as tax delinquent property; and

WHEREAS, shortly thereafter, it was discovered that such site was severely contaminated as a result of the property having been once utilized as an industrial barrel recycling plant; and

WHEREAS, Winnebago County has applied for and received various grants from the Wisconsin Department of Natural Resources over the last 9 years for the purpose of remediating the contamination on said site; and

WHEREAS, during the past year, the Winnebago County Treasurer, in partnership with the Winnebago County Highway Department, the City of Menasha and the Wisconsin Department of Natural Resources has made considerable progress with regard to cleaning up said site, in that it has razed the warehouse building on said site and has planted an experimental group of trees upon said site with the hope that said trees can withstand the contamination beneath the soil and naturally remediate said site; and

WHEREAS, the Wisconsin Department of Natural Resources is offering another round of grants with regard to remediation of contaminated properties; and

WHEREAS, the Winnebago County Treasurer desires to apply for an \$11,200 Urban Forestry Grant from the Wisconsin Department of Natural Resources for the purpose of acquiring more trees to plant on the remediation site for the purpose of naturally remediating the soil underneath the property; and

WHEREAS, there is a 50% match with regard of said grant; and

WHEREAS, in the past, the City of Menasha has contributed ½ the matching funds of any grant with regard to the site and it is anticipated that the City will do so in the future; and

WHEREAS, your undersigned Committee believes that it is in the best interest of the citizens of Winnebago County, and particularly the citizens of the City of Menasha, to apply for said grant for the purpose of remediating said site.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Treasurer to apply for an \$11,200 Urban Forestry Grant from the Wisconsin Department of Natural Resources for the purpose of remediating the soil at the property located at 204 Railroad Street in the City of Menasha.

BE IT FURTHER RESOLVED that acceptance and appropriation of said grant is contingent upon the City of Menasha contributing half of the matching grant funds required of the Wisconsin Department of Natural Resources.

Submitted by:

PERSONNEL & FINANCE COMMITTEE

Motin by Supervisor Kline and seconded to adopt. Ayes: 34. Nays: 0. Excused: 1 – Pech. CARRIED.

RESOLUTION NO. 275-102005: Authorize Lease Agreement Between Belle Plane Investments, LLP and Winnebago County (Winnebago County Department of Human Services)

WHEREAS, because of changes in State Statutes, the Intermediate Care Facility for the Mentally Retarded Wing at Park View Health Center will be closed in the near future; and

WHEREAS, Winnebago County still remains legally responsible for providing a safe and appropriate place to live for persons who presently reside at such facility; and

WHEREAS, there is a lack of appropriate facilities in Winnebago County for persons suffering from such disabilities; and

WHEREAS, Belle Plane Investments, LLP of DePere, Wisconsin has offered to rent to Winnebago County for a period of ten (10) years a facility which they will construct on West Westfield Street in the City of Oshkosh for the purpose of housing persons presently housed at the Intermediate Care Facility for the Mentally Retarded; and

WHEREAS, Winnebago County would pay rent of \$3,200 per month to Belle Plane Investments, LLP for said property; and

WHEREAS, most of the cost of rental of such property should be covered by Social Security Disability of SSI payments received by those residents who would be placed in said facility; and

WHEREAS, the Winnebago County Department of Human Services and the Winnebago County Human Services Board believes that rental of said facility will meet the needs of many of those residents presently housed at the Intermediate Care Facility for the Mentally Retarded at Park View Health Center.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Clerk and the Winnebago County Executive to enter into a ten (10) year lease with Belle Plane Investments, LLP, 2500 Old Plank Road, De Pere, Wisconsin 54115 for an eight (8) bedroom duplex to be located at Tax Parcel # 061513000, between 141-45 and 191-95 W. Westfield Street, in the City of Oshkosh at a base monthly rental of \$3,200 per month during the initial term of said lease. A copy of said lease agreement is attached hereto and made a part of this resolution by reference.

Submitted by:
HUMAN SERVICES BOARD

Motion by Supervisor Koziczkowski and seconded to adopt. Ayes: 33. Nays: 1 – Norton. Excused: 1 – Pech. CARRIED.

ORDINANCE NO. 276-102005: Amend Section 5.04(2)(a) of the General Code of Winnebago County (Increase Cremation Permit Fees)

WHEREAS, because of continued budgetary shortfalls, your undersigned Committee believes that it would be in the best interest of Winnebago County to increase certain fees within the Winnebago County Coroner's Office; and

WHEREAS, your undersigned Committee believes that it is appropriate to increase the fee for cremations within Winnebago County from \$100 to \$150 in relationship to the actual cost of providing said service.

NOW, THEREFORE, the County Board of Supervisors of the County of Winnebago does ordain as follows: Section 5.04 of the General Code of Winnebago County be amended to read as follows:

5.04 CORONER'S FEES

(2) Cremation Permit Fee.

(a) A fee of \$150 is hereby established for the viewing of the body by the Coroner and the issuance of a permit as a precedence to cremation, pursuant to that procedure outlined by Section 979.10, Wisconsin Statutes. The estate of the deceased shall be liable for payment of said fee, unless another party agrees in advance, in writing, to be responsible for the payment of said fee.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that said Ordinance shall take effect as of January 1, 2006.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 30. Nays: 4 - Albrecht, Farrey, Arne and Brennand. Excused: 1 – Pech. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Monday, October 31, 2005. CARRIED BY VOICE VOTE.

The meeting was adjourned at approximately 7:30 p.m.

Respectfully submitted,
Patricia Rabe, Deputy
Winnebago County Clerk

State of Wisconsin)
County of Winnebago) ss

I, Patricia Rabe, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their regular meeting held October 18, 2005.

Patricia Rabe, Deputy
Winnebago County Clerk