

**SPECIAL ORDERS SESSION  
COUNTY BOARD MEETING  
TUESDAY, MAY 3, 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 Rankin.

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

Motion by Supervisor Robl and seconded to amend the agenda so that Resolution Nos. 197-52005 and 198-52005 are acted on before the Solid Waste Management report. CARRIED BY VOICE VOTE.

**APPOINTMENT TO SUPERVISOR DISTRICT NOS. 8 & 24**

Chairman Albrecht asked for the Board's approval of his appointment of Arlene Schmuhl, 2230D Brookview Drive, Oshkosh, to Supervisor District No. 24; and Grant Sim, 220 State Street, Neenah, to Supervisor District No. 8. Ms. Schmuhl will complete the term of Mark Harris, who was elected County Executive and resigned from the Board; and Mr. Sim will replace Robert Klitzke, who passed away.

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

Chairman Albrecht administered the Oath of Office to Ms. Schmuhl and Mr. Sim.

**APPOINTMENT TO THE SCHOLARSHIP COMMITTEE**

Chairman Albrecht asked for the Board's approval of his appointments of Supervisors O'Brien and Schmuhl to the Scholarship Committee. Supervisor O'Brien will replace Robert Klitzke, who passed away, and Supervisor Schmuhl will replace Chad Lorenz, who resigned from the Board.

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

**COMMUNICATIONS, PETITIONS, ETC.**

Information on the WCA's "The Challenge of an Aging Society" statewide summit was presented to the Board. The summit will be held at the Hotel Mead in Wisconsin Rapids on June 27 & 28. Anyone interested in attending should contact the County Clerk's Office.

A letter was received Mr. Dan Pagel expressing his concerns about the courts and sentencing practices. Mr. Pagel's letter was forwarded to the Judiciary & Public Safety Committee for review.

A resolution was received from the Juneau County Board entitled, "Opposition to Department of Natural Resources Use of Wildlife Damage Funds for Chronic Wasting Disease", and forwarded to the Legislative Committee.

A claim was received from General Casualty Insurance on behalf of Frederick M. Rudy for damage to his vehicle caused by a Winnebago County snowplow. Mr. Rudy's claim was forwarded to the Personnel & Finance Committee.

Sue Ertmer thanked the Board for the flowers that they sent for her brother's funeral.

**REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS**

Supervisor Barker announced that there will be a Legislative Committee meeting on Monday, May 23. Items for the agenda should be given to her by Friday, May 13.

Supervisor Barker announced that she will be selling poppies for the Women's Legion Auxiliary on Thursday, May 5 in Menasha. Supervisor Barker also had a supply of poppies with her for those who wanted to make a donation after the meeting.

Supervisor Lauson asked that the Board note the invitation that was placed on their desks for the re-dedication of the Sunnyview Cemetery. It will be held on Friday, May 27 @ 2:30 p.m. at the Sunnyview cemetery. He encouraged everyone to attend.

Supervisor Widener reported on his attendance at the WCA Organization Committee meeting. Items discussed at this meeting included legislation that would require special elections to fill vacancies on county boards and legislation regarding the number of deputies a coroner can appoint. Supervisor Widener will be passing this information on to the county's Legislative Committee.

Supervisor Sundquist commended Chairman Albrecht on the presentation he gave to Governor Doyle when the governor visited the Fox Valley last week about the issues and concerns facing counties.

Supervisor Barker reported that during the Governor's visit, the state's Secretary of Agriculture and Secretary of Natural Resources visited the Sunnyview Expo Center, a 1,000 cow dairy farm and various conservation projects.

### CHAIRMAN'S REPORT

Chairman Albrecht reminded the Board that the annual County Board tour will be held on Monday, May 16. This year they will tour the Highway Department, the Recycling Center, the Work Release Center and the James Coughlin Center. The tour will leave from the courthouse at 8:30 a.m. Lunch will be served at the Coughlin Center. Chairman Albrecht congratulated Joe Hotynski on his retirement from the Neenah-Menasha Fire Department.

### PUBLIC HEARING

No one addressed the Board.

### COUNTY EXECUTIVE REPORT

Executive Harris recommended that the Board approve Resolution No. 197-52005, "Authorize Amendment to One-Year Lease Agreement with the Oshkosh Area School District for the Operation of the Community Park". Executive Harris went on to explain that the fee structure in the county's lease agreement with the Oshkosh Area School District for operation of the Community Park Beach does not allow the school district to charge a higher admission fee to users that are non-Oshkosh Area School District residents. However, the amendment proposed in Resolution No. 197-52005 authorizes that a lump sum payment be made to the Oshkosh Area School District based on the number of admissions paid by non-Oshkosh Area School District residents at the end of the beach season. This amount will be the greater of either the number of admissions of non-Oshkosh Area School District residents multiplied by \$.50 or \$500.

**RESOLUTION NO. 197-52005:                    Authorize Amendment to One-Year Lease Agreement with the Oshkosh Area School District for Operation of the Community Park Beach**

WHEREAS, Winnebago County and the Oshkosh Area School District are interested in arranging to have the Oshkosh Area School District Department of Recreation manage the summer operations of the Community Park Beach; and

WHEREAS, it is in the best interest of Winnebago County for it to work with the Oshkosh Area School District in efforts to broaden the overall appeal of the property to both the teenage youth and family sectors of Winnebago County; and

WHEREAS, during its March 15, 2005 meeting, the Winnebago County Board of Supervisors did approve the establishment of a lease that would provide for operation of the Winnebago County Community Park Beach by the Oshkosh Area School District's Recreation Department; and

WHEREAS, it was determined during the April 27, 2005 meeting of the Oshkosh Area School District's Board of Education that it would be favorable for an amendment to be made to the lease that would require Winnebago County to provide an off-set for disallowing the Oshkosh Area School District from being able to differentiate between the prices charged Oshkosh Area School District residents and Winnebago County residents; and

WHEREAS, the Oshkosh Area School District has proposed that the following Paragraph 16 of the lease be modified to read:

16. Beach Operations Pricing Structures. The following conditions shall apply regarding development and implementation of pricing structures within LESSEE'S beach operations:
- a. Exclusive of pricing structures set according to age variations, LESSEE shall be restricted from instituting within its beach operations any policies which serve to differentiate between monetary amounts paid by residents of Winnebago County for any services or materials rendered.
  - b. Within thirty (30) days following September 13<sup>th</sup> of the current lease term, LESSEE shall issue LESSOR an invoice requesting payment of the greater amount of the following:
    - Payment of a dollar amount equal to the total number of non-Oshkosh Area School District residents charged admission to the beach times a multiple of fifty cents (.50);or,

- Payment of a flat fee of five hundred dollars (\$500.00).
- c. It shall be incumbent upon LESSOR to provide full payment to LESSEE within thirty (30) days of receipt of LESSEE'S invoice.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it authorizes the acceptance of the aforementioned amendment and does hereby ordain that said amendment be incorporated into and made a part of the one-year lease agreement with the Oshkosh Area School District for operation of the Community Park Beach.

Submitted by,  
PARKS & RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Vote on Resolution No. 197-52005 - Ayes: 35. Nays: 1 – Finch. Excused: 1 – Tower. CARRIED.

**RESOLUTION NO. 198-52005:                    General Fund Transfer of \$60,000 to the Parks Department to Provide for the Staffing of Lifeguards at the Community Park Beach for the Summer of `05**

WHEREAS, the funding required to staff the Winnebago County Community Park Beach with lifeguards was removed from the `05 Budget as a cost savings measure; and

WHEREAS, it was anticipated that both the City of Oshkosh as well as the Oshkosh Area School District would provide either monetary or labor support to help keep beach operations going in the future; and

WHEREAS, as of the past month it has become clear that neither government agency will be providing the support necessary to operate the beach for the foreseeable future; and

WHEREAS, your undersigned Committee recommends that Winnebago County transfer \$60,000 from the County's General Salary Contingency Fund in order to provide funding support that will allow the Parks Department to maintain a lifeguard staff to facilitate beach operations for the summer of `05.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes that \$60,000 be transferred from the County's General Salary Contingency Fund and be provided to the Parks Department for maintaining a lifeguard staff to operate the Winnebago County Community Park Beach for the summer of `05.

Submitted by,  
PARKS AND RECREATION COMMITTEE

WITHDRAWN by Supervisor Lauson.

**WINNEBAGO COUNTY SOLID WASTE MANAGEMENT BOARD – 2004 ANNUAL REPORT**

Supervisor Patrick O'Brien and Len Leverage, Solid Waste Management Director, presented the Solid Waste Management Board's 2004 Annual Report. In his presentation, Mr. Leverage shared the following information with the Board:

**Solid Waste Services:**

- 1) Recycling—accepts recyclables from businesses and residences
- 2) Container rental & lease—6, 8, 20 and 30 yard waste containers are available for rent or lease to residential and commercial customers
- 3) Household Hazardous Waste—disposes of county residents' unwanted household chemicals, pesticides and oil/lead based paints
- 4) Landfill—provides for waste disposal
- 5) Landfill Gas Collection—generates electricity from methane gas, which is sold to the local utility company.

**Regional Planning:**

- 1) In 2001, Brown, Outagamie and Winnebago Counties entered into the Tri-County Regional Agreement.
- 2) This 25-year agreement regionalizes solid waste disposal and recycling services for 73 municipalities in these 3 counties.
- 3) \$51 Million will be saved in solid waste disposal and recycling costs over the 25-year period of the agreement.

- 4) Savings are realized using existing landfill space in all three counties and combining recycling facility processes and equipment.
- 5) The agreement will also, "maximize existing assets, increase economies of scale and obtain operational savings;" "eliminates duplication of service, equipment and labor;" and, "maintains competition and reduces tipping fees for all users."

**Tonnage Reports:**

- 1) 2004 Trash Tons: Brown—112,476; Outagamie—165,244; Winnebago—184,574
- 2) 2004 Commingled Recycled Tons: Brown—6,086; Outagamie—5,219; Winnebago—3,387
- 3) 2004 Paper Recycled Tons: Brown—14,646; Outagamie—12,762; Winnebago—7,373

Mr. Leverence also presented landfill fee comparisons for eastern and southeastern Wisconsin. In Winnebago, Brown and Outagamie Counties the fees per ton are \$18.20, \$19.00 and \$19.50 respectively. These rates are significantly lower than the rates of private landfills in other parts of the state. Those rates range from \$27.78 per ton at a private landfill in Manitowoc County to \$46.75 per ton at a private landfill in Milwaukee County.

**Financial Report:**

Mr. Leverence presented the various financial reports for the Solid Waste Management Fund. He explained that loss of Net Income on the "Statement of Revenues, Expenses & Charges in Retained Earnings, Year Ended December 31, 2004" came about because Winnebago County had to ship all solid waste to Outagamie County, so there were transfer and hauling fees. Starting in 2005, Winnebago County will be the receiving landfill and will not have these expenses.

Balance Sheet:

- Total Current Assets, Restricted Assets and Property & Equipment \$42,581,373
- Total Liabilities and Fund Equity \$42,581,373

Retained Earnings Reservation:

- Total - Reserved \$15,649,000
- Cash Balance (12/31/04) 13,910,516
- Currently Underfunded (\$ 1,738,484)

Mr. Leverence told the Board that in 2004, the cooperative recycling programs of Brown, Outagamie and Winnebago County recycled 49,473 tons of material; 14,692 tons of steel/tin, aluminum, plastic and glass; and 34,781 tons of paper. To indicate the volume of these collections, Mr. Leverence explained that the 808 tons of aluminum that was collected would make enough cans to stretch from Green Bay, Wisconsin to San Francisco, California and back. The 34,781 tons of paper that was recycled is equivalent to 591,277 trees.

Mr. Leverence and Mr. O'Brien took questions from the Board.

A copy of the "Winnebago County Solid Waste Management Board 2004 Annual Report" is on file in the County Clerk's Office.

**WINNEBAGO COUNTY CHILD SUPPORT AGENCY REPORT –  
MARY KOOLS, CHILD SUPPORT DIRECTOR/ATTORNEY**

Mary Kools, Winnebago County Child Support Director/Attorney, explained that child support agencies are considered "4D" programs, because they are authorized under Title 4, Part D of the Social Security Act. Economic support agencies, such as Temporary Assistance for Needy Families, are authorized under Title 4, Part A of the Social Security Act and are classified as "4A" programs.

The federal government's Office of Child Support Enforcement is primarily responsible for overseeing the child support program and sets the program's policy and standards that the states must follow.

Every state operates a child support program and is required to designate a, "single and separate organizational unit to administer the state's program." Wisconsin's Department of Workforce Development has been designated as this agency. The Bureau of Child Support, which is part of the Department of Workforce Development, oversees the administration of the child support program. The Department of Workforce Development then contracts with each county to provide child support services.

Ms. Kools explained that there are five main things that the child support program is designed to do:

- 1) Establish paternity for children born out of wedlock
- 2) Establish court orders requiring a parent to pay child support and to provide health care
- 3) Collect child support payments and child support/family support payments
- 4) Take necessary administrative and legal actions to enforce child support orders
- 5) Uses available services to find parents that are not paying their child support and locate their

income and assets

The number of "4D" child support cases in Winnebago County is approximately 7200. To qualify for 4D services, the custodial parent must have received public assistance at some time, or the parent can apply for these services and pay a \$20 fee.

Ms. Kools' staff consists of an Office Supervisor, 8 Child Support Specialists, 1 Paternity Specialist, 1 Substitute Care Specialist, 3 financial workers and 5 support staff. There are three primary funding sources for the Child Support Agency—federal administrative cost reimbursement, child support incentive payments and medical support incentives. The agency's 2005 Budget shows expenses to be \$1,158,041 and projected revenues to be \$1,222,240. Ms. Kools explained that the projected revenues are based on them meeting their performance measures. The state will judge the agency on the following four performance measures:

- support order rate percentage of cases that have a court order—target is 80%, currently at 80.97%
- paternity establishment—target is 90%, currently at 91.13%
- current support collection rate—target is 78%, currently at 76%
- arrears collection rate—target is 75%, currently at 64% (this rate will increase each month as payments are received)

Ms. Kools explained that some of the problems her department faces are making people understand that the role of her department is to represent the State of Wisconsin, not individuals who have disputes with non-paying parents. Another problem is the limited amount of court time that her staff has each month. She explained that each one of her Child Support Specialist has only a ½ day of hearings per month before the court commissioner—that is approximately 9 hearings a month per Child Support Specialist. With each specialist monitoring approximately 800 cases, they are only able to address approximately 1% of their cases each month. This requires them to make some "judgment calls" about which cases they will pursue.

Ms. Kools also explained that an individual acting on their own or with a private attorney can present their case to the courts with as much authority as the Child Support Agency and get immediate action.

Ms. Kools stated she is very proud of her staff and the excellent work they do, as there is very little positive feedback from the people they serve.

Ms. Kools took questions from the Board.

#### **WINNEBAGO COUNTY HOUSING AUTHORITY – BRAD MASTERSON, EXECUTIVE DIRECTOR**

Brad Masterson, Executive Director of the Winnebago County Housing Authority, presented information on the purpose and function of this agency. He explained that the Oshkosh and Winnebago County Housing Authorities have been in business for approximately 30 years and that they are primarily involved in providing affordable housing for people.

Mr. Masterson stated that over the past 30 years, they have assisted over 1,000 people with their family units, over 2,000 people with elder units and over 4,500 families in the voucher program.

Their facilities for the elderly include the 156-unit Court Tower in Oshkosh, the 30-unit Fox View Manor in Omro, the 110-unit Main View Apartments in Oshkosh, the 120-unit Marion Manor in Oshkosh and the 30-unit Riverside Apartments in Winneconne.

Another program Mr. Masterson spoke about was the Housing Choice Voucher Program, which he explained is very unpopular with the U.S. Department of Housing and Urban Development (HUD) because of spiraling cost issues.

The Home Buyer Program is run through the Winnebago County Housing Authority and provides assistance to people by giving them down payments so they can purchase a home. These down payments are primarily grants, so they do not have to be paid back. The Home Buyer Program also provides 0% deferred loans so people can repair and improve their homes. These loans are then paid back when the house is sold. This program has an annual budget of approximately \$400,000, of which approximately \$250,000 is used to help between 18 and 24 buyers purchase homes each year.

Mr. Masterson explained that their programs fill a very important need because over 21% of Winnebago County's renter households are paying over 35% of their annual income just for rent. The congressional standard is that renters should pay up to 30% of their income for rent and utilities.

Mr. Masterson reported that the tax cuts that Washington is proposing will cause a decrease in HUD funding from between 15% and 20%. He thanked those supervisors who spoke in support of the Community Housing Development Block Grant program when they visited legislators in Washington in February. Mr. Masterson explained that the proposed cuts to this program would cause a reduction in the funds that his department receives for the Home Buyers Program.

In the future, the Housing Authority will be required to switch to project based budgeting and project based accounting. Because they have always done their own budgeting and accounting with annual audits, this transition will be easy for them.

Other issues Mr. Masterson discussed were:

- Competition for funds provided by the federal government's Holm funds
- Housing Voucher Program – there have been revisions made by HUD—the Flexibility Act—that make this program even better
- They will be making approximately \$500,000 worth of improvements to 40 of their Menasha duplexes.
- They will be working with the Human Services Department to help develop three new Community-based Residential Facilities
- They will continue to receive new money for the Home Buyer Program—up to approximately \$380,000
- They are hoping to get approval from HUD and the State of Wisconsin to designate Marion Manor, Fox View Manor and Riverside Apartments as elderly-only buildings

Motion by Supervisor Robl and seconded to adjourn. CARRIED BY VOICE VOTE. The meeting was adjourned at approximately 7:50 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 Special Orders Session held on May 3, 2005.

Susan T. Ertmer  
Winnebago County Clerk