

**ADJOURNED SESSION
COUNTY BOARD MEETING
TUESDAY, JUNE 21, 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, led by Lisa Pieper and Emily Treu, 4-H members and an invocation by Supervisor Rankin.

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

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

COMMUNICATIONS, PETITIONS, ETC.

A WCA Education Seminar entitled "Annual Update on Collective Bargaining and Interest-Arbitration Decision" will be held July 25 at the Sheraton Madison Hotel. Anyone interested in attending should contact the County Clerk's Office.

The Annual Conference of the Wisconsin Association of Resource Conservation & Development Councils entitled, "Renewable Energy: A Look into the Future" will be held October 19-21 at the Osthoff Resort & Conference Center in Elkhart Lake. Anyone interested in attending should contact the County Clerk's Office.

A letter from the Oshkosh Youth Soccer Club Board of Directors thanking the Board for their recent decision to defeat the soccer fee ordinance was received.

A thank you letter was received from Elizabeth Koeck, a 2005 scholarship recipient from Winneconne High School.

A thank you note was received from Supervisor Kramer thanking the Board for the plant and many cards and visits he received during his rehab. He expects to be back for the July County Board meeting.

A Notice of Claim from Michelle Warzynski for damage to her vehicle's windshield caused by gravel on a county road was referred to the Personnel & Finance Committee.

A Notice of Claim from SBC for damage to a buried cable done when the county's Highway Department was replacing a culvert on CTH K and Morrow was referred to the Personnel & Finance Committee.

The following resolutions were received and forwarded to various committees:

- A sample resolution from WCA to follow-up the referenda questions that were placed on the April 5, 2005 ballot was referred to the Legislative Committee.
- Town of Winneconne Board, "Resolution Requesting that the Wisconsin Department of Transportation Fund the Construction of Frontage Roads Serving USH 45 from CTH G to CTH II in Winnebago County" was referred to the Highway Committee.
- Bayfield County, Resolution No. 2005-026, "Supporting State Efforts to Address the Non-native Aquatic Invasive Species Problem" was referred to the Legislative Committee.
- 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.
- Douglas County, Resolution #52-05, "Oppose Assembly Bill 412" which proposes to subject lands of counties, cities, villages and towns to condemnation under Chapter 32 of the Wisconsin Statutes for the purpose of locating electric transmission lines was referred to the Legislative Committee.
- Florence County, Resolution No. 05-30, "Supporting State Efforts to Address the Non-Native Aquatic Invasive Species Problem" was referred to the Legislative Committee.
- La Crosse County, Resolution No. 19-5/05, "Opposition to Senate Bill 114 and Assembly Bill 225" which would specifically classify county jailers as protective occupation participants was referred to the Judiciary & Public Safety Committee.
- Marinette County, Resolution No. 187, "Opposing 2005 Senate Bill 114 and Assembly Bill 225 Classifying County Jailers as Protective Occupation Participants" was referred to the Judiciary & Public Safety Committee.
- Racine County, Resolution No. 2005-21, "Resolution Supporting State Efforts to Address the Non-Native Aquatic Invasive Species Problem" was referred to the Legislative Committee.
- Waupaca County, Resolution No. 5 (2005-2006), "Opposition to the Department of Natural Resources Use of Wildlife Damage Funds for Chronic Wasting Disease" was referred to the Land Conservation Committee.
- Wood County, Resolution No. 05-5-5, "To Fully Restore the Fuel Tax User Fee Concept by Retaining Fuel Tax Revenues and Vehicles Registration Fees Within the Wisconsin Transportation Budget and to Stop the Practice of Diverting Transportation Fund Revenues to Support Non-Transportation General Fund

Expenditures" was referred to the Legislative Committee.

Petition for zoning amendment from William John Thiel, Town of Winchester, for zoning change from P-1 to R-1 for residential use was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Christopher and Kathryn Pfaendtner, Town of Winchester, for zoning change from A-1 to A-2 for personal property single family farmette was referred to the Planning & Zoning Committee.

Petition for zoning amendment from ZAC Investment Corporation, Town of Menasha, for zoning change from A-2 to B-5 for office buildings was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Dennis J. Lamers, Norwegian Bay Properties, LLC, Town of Wolf River, for zoning change from A-2 to R-1 for a single family residence was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Charles Thompson, Thompson & Associates Land Development, LLC, Town of Neenah, for zoning change from surface water drainage zoning district to platted easements zoning district for drainage was referred to the Planning & Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Koziczkowski reported the Department of Human Services will be having public hearings on their 2006 Budget. The meetings will be held Wednesday, June 22 at 6:00 p.m. at the Oshkosh Public Library, Room B-Lower Level, 106 Washington Avenue, Oshkosh and June 23, 8:30 a.m. at the Human Services Building, Room 008 (basement), 211 N. Commercial Street, Neenah.

Supervisor Barker announced there would not be a Legislative Committee meeting this month. All legislators are busy with the Budget. The next meeting is scheduled for Monday, July 25. Anyone with agenda items should get them to Supervisor Barker as soon as possible.

Supervisor Rengstorf encouraged all supervisors to read an article in The Northwestern regarding LaCrosse County Drug Court. This is one of the samples Winnebago County is using to form their Drug Court.

Supervisor Thompson invited all supervisors to attend a public hearing on Wednesday, June 29, 5:30 p.m. at the James P. Coughlin Center. They will be hearing public input regarding the Smart Growth Plan.

Supervisor Brennand reported Wisconsin County Mutual Insurance Company will again be paying a dividend on it's liability insurance of \$1 million dollars.

Motion by Supervisor Lauson and seconded to approve the May 3 and 17, 2005 proceedings. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris spoke in favor of Resolution No. 209-62005: "Authorize the Highway Commission to Secure \$1,300,000 of Funding for the Proposed CTH AP Project Between USH 10 (Oneida Street) and CTH P (Racine Street)" and discussed and explained Resolution No. 225-62005: "Initial Resolution Authorizing the Borrowing of Not to Exceed \$14,250,000; Providing for the Issuance and Sale of General Obligation Securities Therefor; and Levying A Tax in Connection Therewith."

Executive Harris presented Chuck Orenstein, Finance Director with a Certificate of Achievement in Excellence in Financial Reporting and a plaque from the Government Finance Officers of the United States and Canada. Mr. Orenstein acknowledged employees Teri Hills and Doug Petraszak for their help.

COUNTY EXECUTIVE'S APPOINTMENTS

Board of Adjustment

Executive Harris asked for the Board's approval of his appointment of Dan Mingus, 870 Honey Creek Road, Oshkosh to the Board of Adjustment. Mr. Mingus replaces Tom Pupeter whose term has expired. This is a three-year term that will expire on June 30, 2008.

Motion by Supervisor O'Brien and seconded to approve. CARRIED BY VOICE VOTE.

Neenah Public Library Board of Trustees

Executive Harris asked for the Board's approval of his re-appointment of Tom Widener, 129 Richard Avenue, Neenah to the Neenah Public Library Board of Trustees. This is a three-year term that will expire June 30, 2008.

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

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported David Machotka, supervisor for District 16, had resigned from the Board. He will

be going to school in Madison. Chairman Albrecht also reported he is still looking for someone for District 26. He stated he had interviewed a few candidates, but each decided they were not interested. He hopes to have someone for these positions soon.

Chairman Albrecht thanked Supervisor Lauson for his contribution to the Scholarship Fund.

LEARNING ABOUT LOCAL GOVERNMENT 4-H PROJECT Rene Mehlberg, Winnebago County 4-H Youth Development Educator

Rene Mehlberg, the 4-H Youth Development Educator for Winnebago County, has been employed by UW Extension since February, 2004. Ms. Mehlberg introduced Lisa Pieper and Emily Treu, two young ladies who participate in 4-H older youth programs.

Ms. Treu said she has been in 4-H for about 8 years and lives on a farm in District 35. Ms. Pieper has been in 4-H for about 11 years and lives in the Town of Clayton, District 31. They spoke regarding knowing more about government through the "Learning About Local Government 4-H Project". This project is designed to educate youth about government and the roll they can play as well as educate the County Board about 4-H. Youth will be contacting supervisors for face-to-face interviews before August 1. Poster boards will be displayed at the Winnebago County Fair showing what each youth has learned, an overview of what supervisors do and what was learned about government from each supervisor. Letters will also be written for the 4-H News Letter. They are hoping to come back in the fall to make another presentation on what was learned from this project. A letter was passed out to each supervisor explaining the program. All supervisors not able to participate in this program should contact Rene Mehlberg before June 30.

Supervisor Maehl congratulated Ms. Mehlberg on receiving an Achievement in Service award from Wisconsin Association Extension of 4-H Youth Development Professionals. In October she will also receive this award from the National Association in Seattle.

PRESENTATION OF COUNTY SCHOLARSHIPS

The following students were presented with 2005 County Scholarships:

Mike Heinen –Valley Christian High School
James Barker – Neenah High School
Michael Groh – Menasha High School
Elizabeth Koeck – Winneconne High School
John Bodnar – Oshkosh North High School
Sara Garvin – Omro High School
Robbie Hinz – Oshkosh West High School

Each student was presented with a \$500 check, a certificate and a Winnebago County History Book. Emily Sweet, St. Mary Central High School and Meredith Petek, Lourdes High School were not able to attend.

AREA TOURISM PRESENTATION

Supervisor Paul Sundquist and Secretary Jim Holperin, Wisconsin Department of Tourism

Supervisor Sundquist stated Winnebago County ranks 13th in the state in tourism. Tourism is supported by the Oshkosh Convention and Visitors Bureau and ITBEC. Although it is called Oshkosh Convention and Visitors Bureau, it represents and markets all of Winnebago County. ITBEC is a joint effort of Winnebago, Calumet, Fond du Lac and Kewaunee Counties to market Lake Winnebago through promotions such as "Road Trip" and "Cruising the Waters".

Supervisor Sundquist introduced Jim Holperin. Mr. Holperin was appointed Secretary of Tourism by Governor Doyle in May, 2003. The Department of Tourism is charged by the Governor and Legislature to promote tourism in Wisconsin. It has 50 employees with an annual budget of \$13 million of which \$9 million is spent marketing in such places as the Twin Cities and Chicago. Mr. Holperin served previously as the Director of Trees for Tomorrow for 9 years.

The Department of Tourism offers help to both travelers and those working in the travel industry. Travelers are helped by the State website, 10 Travel Information Centers located at border points and millions of publications. The Travel Industry is helped through the Professional Development Seminar in March, Governor's Conference on Tourism, Co-op Advertising Program and Tourism Development Specialists. Tourism in Wisconsin is an \$11.8 billion dollar industry. \$9.5 million is generated in tax revenue in Winnebago County.

In closing, Supervisor Sundquist introduced Wendy Hielsberg, Executive Director of the Oshkosh Convention and Visitors Bureau. She shared that the Oshkosh Convention and Visitors Bureau knew the smaller communities in Winnebago County did not have the resources for marketing. They contacted the Winnebago County Industrial Development Board to help include all of Winnebago County in marketing. She announced there is Country U.S.A.,

the Miss Wisconsin Pageant, the Cabella Master Walleye Fishing Tournament and State of Wisconsin All Star Baseball game in Oshkosh this week.

ADVOCAP PRESENTATION

Supervisor Phillips Scoville and Mike Bonertz, Executive Director of Advocap

Supervisor Phillips Scoville said Winnebago has had a 30-year relationship with Advocap. Advocap administers programs in the areas of nutrition, community development and housing for persons with disabilities. Six Winnebago County Board Supervisor's serve on the Board of Directors for Advocap.

Mike Bonertz, Executive Director of Advocap explained Advocap is a community action agency. The concept of community action began in the 1960's. Advocap is a community based, locally controlled, private not-for-profit corporation. Many people think Advocap is a government organization. Although a large portion of their funding comes from the federal and state government, another large portion comes from contracts to operate a variety of programs.

Advocap was founded in 1966 by the Fond du Lac County Board. In 1972 Winnebago County joined with Green Lake County joining in 1996. Advocap is about looking at the root causes of poverty, to solve poverty and overcome poverty.

Mr. Bonertz handed out the 2004 Annual Report to each Board member. The report showed the following programs operated in an effort to overcome poverty:

- Community Services Department – There are 2 departments, one serving Fond du Lac County and the other serves Winnebago and Green Lake Counties. This department deals with homelessness. Their roll is not to provide shelter, but help people find another place to live and get a job.
- Senior Nutrition – Advocap has operated this program in Winnebago County since 1972. It has 11 or 12 meal sites and delivers meals to homebound persons.
- Community Employment – This program, pioneered by Winnebago County in the late 1980's, helps persons with disabilities get "real jobs" rather than jobs in Sheltered Workshops. With this program, a new collaboration has been started with the Christine Ann Center called "Project Power". "Project Power" focuses on people in the shelter getting necessary jobs skills to be self sufficient.
- Weatherization & Rehab – Advocap has been involved in this program since the early 1970's. This program helps people save energy through making modifications to their home.
- Affordable Housing – This program began in 1991 and helps low-income people to become homeowners and build an asset for themselves. Over 400 low income families in three counties have become homeowners.
- Business Development – Rather than helping people to simply gets jobs, this program helps people start their own businesses.
- Literacy Services, Heads Start and Foster Grandparents are services provided by Advocap, but not in Winnebago County. These programs are already being provided by other organizations.

Winnebago County's annual "investment" is \$28,000 out of Advocap's \$10 million budget. Mr. Bonertz introduced LuAnn Bird as the newest person to join the Advocap staff. She will be working on their fund drive.

PUBLIC HEARING

Paul Eisen, 1807 Brighton Beach Road, Town of Menasha, spoke regarding Resolution No. 221-62005: "Authorize Appropriation of \$292,000 to Replace the Roof at the Winnebago County Human Services Building in Oshkosh". Mr. Eisen wanted to know if bids have been secured and is \$292,000 the lowest bid. Chairman Albrecht responded this is a first reading of this and no bids have been secured at this time.

ZONING REPORTS & ORDINANCES

Amendatory Ordinance 7. A request from the Town of Vinland on behalf of Michael C. Neuman for zoning change from A-2 to B-2 for Tax Parcel No. 026-0050-01. Motion by Supervisor Farrey and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 28, 2005)

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Kelly J. Claffin and property owner F & B Valley Development LLC, Town of Menasha, for zoning change to M-2. Motion by Supervisor Thompson and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 06-01-05. A request for zoning change from M-1 (Light Industrial) to M-2 (Heavy Industrial) for Tax Parcel No. 008-4812. Motion by Supervisor Thompson and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 28, 2005).

AMENDATORY ORDINANCE NO. 2. A request from the Town of Utica on behalf of Lynn Morgan for zoning change from A-3/A-1 to RR/R for Tax Parcel No. 024-0559. Motion by Supervisor Egan and seconded to adopt.

CARRIED BY VOICE VOTE. (Effective date – June 28, 2005).

AMENDATORY ORDINANCE NO. 3. A request from the Town of Vinland on behalf of Glenn Armstrong for zoning change from A-2 to R-1 for Tax Parcel No. 026-0023-02. Motion by Supervisor Farrey and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date – June 28, 2005)

RESOLUTIONS & ORDINANCES

RESOLUTION NO. 208-62005: Authorize County Aid for Culvert Replacement (Town of Neenah)

WHEREAS, Section 83.14, Wisconsin Statutes, allows a town to petition the County for funds to offset the costs of constructing or repairing culverts or bridges within the town; and

WHEREAS, pursuant to Section 83.14, Statutes, the County shall pay the cost of such repair or construction in excess of \$750 up to \$1500 and the town and county shall each pay 1/2 of the cost of construction or repair above \$1500 ; and

WHEREAS, the Town of Neenah has petitioned the Winnebago County Highway Committee for emergency replacement of culverts or bridges pursuant to Section 83.14, Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes County aid to the following Town for the following projects the total amount of said projects not to exceed that amount listed with the amount contributed by the County to be controlled pursuant to Section 83.14, Statutes:

<u>TOWN</u>	<u>LOCATION</u>	<u>TOTAL AMOUNT OF PROJECT</u>
Town of Neenah	Woodside Court	\$5500

Submitted by:
HIGHWAY COMMITTEE

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

RESOLUTION NO. 209-62005: Authorize the Highway Commission to Secure \$1,300,000 of Funding for the Proposed CTH AP Project Between USH 10 (Oneida Street) and CTH P (Racine Street).

WHEREAS, the Winnebago County Highway Commission and the Winnebago County Board of Supervisors support the reconstruction of CTH AP (Midway Road);and

WHEREAS, the Wisconsin Department of Transportation and the East Central Wisconsin Regional Planning Commission also support the reconstruction of CTH AP; and

WHEREAS, the project has been included in the Five Year Capital Improvement Plan and could be reconstructed in 2007; and

WHEREAS, a study has been completed indicating that the cost to reconstruct CTH AP from USH 10 to CTH P is estimated to cost \$2,300,000; and

WHEREAS, \$1,306,000 of Federal and State funds can be allocated to Winnebago County for the CTH AP project to offset the total estimated project cost of \$2,300,000,

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Highway Commission to secure the sum of \$1,306,000 from the Wisconsin Department of Transportation in order to offset the cost of construction of CTH AP (Midway Road) in 2007.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 33. Nays: 0. Excused: 3 – Kramer, Schaidler and Sim. CARRIED.

RESOLUTION NO. 210-62005: Requesting that the Wisconsin Department of Transportation Fund the Construction of Frontage Roads Serving USH 45 from CTH G to CTH II in Winnebago County.

WHEREAS, the Wisconsin Department of Transportation will be reconstructing USH 45 from STH 116 in the

Town of Winneconne to CTH II in the Town of Winchester in 2007 and 2008 as an expressway; and
WHEREAS, the expressway will have at grade intersections in order to allow local traffic to ingress and egress USH 45; and
WHEREAS, the at grade intersections will be located within a 65 mph speed zone; and
WHEREAS, the location of the at grade intersections and the high rate of speed of the vehicles on USH 45 may contribute to an unsafe condition in which accidents could occur that may result in injuries or fatalities involving the traveling public; and
WHEREAS, if frontage roads were constructed in conjunction with or immediately following the building of the mainline of USH 45, the probability of accidental death or injury could be reduced or eliminated completely; and
WHEREAS, the cost to construct the frontage roads on USH 45 is estimated to be \$9,000,000 and the Wisconsin Department of Transportation has not allocated any additional funding at this time in order to construct the frontage roads in conjunction with or immediately following the 2007-2008 project; and
WHEREAS, the Town of Winneconne and the Winnebago County Highway Commission have unanimously passed resolutions supporting the effort to have the frontage roads constructed as soon as funding is made available.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby requests the Wisconsin Department of Transportation to fund and construct frontage roads on that segment of USH 45 from CTH G to CTH II in Winnebago County as soon as funding is made available in order to protect the safety and well being of the traveling public.
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 Governor James Doyle, to all legislators representing Winnebago County constituents; and to the Wisconsin Counties Association.

Submitted by:
HIGHWAY COMMITTEE
LEGISLATIVE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 33. Nays: 0. Excused: 3 – Kramer, Schaidler and Sim. CARRIED.

RESOLUTION NO. 211-62005: Amend Section 24.5 of the Rules of the Winnebago County Board of Supervisors (Legislative Committee Membership)

WHEREAS, due to the sale of the Public Safety Building to the City of Oshkosh, the Public Safety Building Board was abolished; and
WHEREAS, Section 24.5 of the Rules of the Winnebago County Board of Supervisors provides that the Chair of the Public Safety Building Board shall be a member of the Legislative Committee; and
WHEREAS, the Winnebago County Legislative Committee has recommended that Section 24.5 of the Rules of the Winnebago County Board of Supervisors be amended so as to eliminate membership on the Committee by the Chair of the Public Safety Building Board and so as to add the County Board Chairman and the Chair of the Industrial Development Board as members of the Legislative Committee.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that Section 24.5 of the Rules of the Winnebago County Board of Supervisors is hereby amended to read as follows:

24.5 LEGISLATIVE COMMITTEE

The Committee shall be composed of the chair of the following committees and boards as well as the County Board Chairman:

Those committees listed in Sections 24.1 through 24.4 and 24.6 through 24.12 of these Rules; the Human Services Board; the Health Board; the Industrial Development Board and the Solid Waste Management Board. The Legislative Committee shall review proposed federal and state legislation and administrative regulations impacting upon the County and shall provide and inform area legislators and Wisconsin Legislative Committees of the recommendations of the County Board. The Committee shall report its actions to the County Board as well as any pertinent information relating to legislation.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

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

RESOLUTION NO. 212-62005: Create Position of Solid Waste Mechanic in the Winnebago County Solid

Waste--Landfill Department

WHEREAS, a new position of Mechanic/Parts Foreman (Class 5) was authorized in the 2005 Winnebago County Solid Waste-Landfill Department's budget, but has never been filled; and

WHEREAS, adjustments in administrative personnel responsibilities have been made to no longer necessitate a Parts Foreman level position within the Department, but the Mechanic duties and responsibilities still exist; and

WHEREAS, creating a full-time Mechanic (Class 4) position and eliminating the Mechanic/Parts Foreman position will reduce labor and fringe benefit costs by \$943.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that a Mechanic (Class 4) position be, and hereby is created and a position of Mechanic/Parts Foreman is eliminated within the Winnebago County Solid Waste-Landfill Department; and

BE IT FURTHER RESOLVED, that funds to cover the cost of this new position are included in the 2005 Solid Waste-Landfill Department budget.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 31. Nays: 2 – Albrecht and Sievert. Excused: 3 – Kramer, Schaidler and Sim. CARRIED.

RESOLUTION NO. 213-62005: Support Reduction in Youth Smoking In Wisconsin

WHEREAS, over 16,400 children within the State of Wisconsin become addicted to tobacco on an annual basis, of whom more than one-third will die prematurely because of this addiction; and

WHEREAS, increasing Wisconsin's excise tax on cigarettes by \$1.00 per pack would significantly reduce the number the children who become addicted to tobacco, thus saving over a billion dollars in health care costs and providing hundreds of millions of dollars per year in additional state revenues.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it endorses any action by the Wisconsin Legislature which would increase the Wisconsin excise tax on cigarettes by \$1.00 per pack.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it would further support legislation by the Wisconsin Legislature to use such money to assure that Wisconsin has a comprehensive program to reduce tobacco use that follows and is funded according to the best practice guidelines of the Center for Disease Control, and to fund the Medical Assistance Program and other state programs that will advance the health, education and general welfare of Wisconsin citizens.

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 Governor James Doyle, to members of the Wisconsin Legislature representing constituents within Winnebago County, and to the Wisconsin Counties Association.

Submitted by:
LEGISLATIVE COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Motion by Supervisor O'Brien and seconded to delete the following: line 12: delete "by \$1.00 per pack"; Line 13: delete "over a billion dollars in"; and line 19: delete "by \$1.00 per pack". Vote on amendment: Ayes: 27. Nays: 5 – Barker, Maehl, Thompson, Warnke and Kline. Excused: 3 – Kramer, Schaidler and Sim. CARRIED. Vote on resolution as amended: Ayes: 25. Nays: 5 – Maehl, Lauson, Thompson, Warnke and Kline. Abstained: 2 – Norton and Koziczowski. Excused: 3 – Kramer, Schaidler and Sim. Absent: 1 – Rengstorf. CARRIED. After the vote, Supervisor Koziczowski stated he had intended on voting aye. Vote after correction: Ayes: 26. Nays: 5 – Maehl, Lauson, Thompson, Warnke and Kline. Abstained: 1 – Norton. Excused: 3 – Kramer, Schaidler and Sim. Absent: 1 – Rengstorf. CARRIED.

RESOLUTION NO. 214-62005: Disallow Claim of AFNI Insurance Services for Frederick Rudy

WHEREAS, your Personnel and Finance Committee has had the claim of AFNI Insurance Services for Frederick Rudy 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 AFNI Insurance Services for Frederick Rudy dated April 22, 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. 215-62005: Support Memoranda of Understanding Between the County of Winnebago and Any Winnebago County Municipality requesting a Resource Sharing Relationship for Use of the Statewide Voter Registration System (SVRS)

WHEREAS, Congress passed the Help America Vote Act of 2002 (HAVA) to create a more uniform voter registration and voting system in the United States; and

WHEREAS, the Wisconsin State Elections Board (SEB) is charged with implementing a Statewide Voter Registration System (SVRS) that complies with HAVA; and

WHEREAS, local units of government understand their obligations and commitments as mandated by HAVA and state statutes to administer, implement and maintain local voter registration information within a centralized SVRS; and

WHEREAS, the State Legislature has enacted legislation which allows local units of government to share technology and resources with the County or other municipalities to maintain the local voter registration information within the centralized SVRS.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the County Executive and County Clerk, upon the request of a municipality, to enter into a Memorandum of Understanding with a municipality that will comply with the requirements of HAVA and provide a more efficient and cost effective implementation of SVRS through the sharing of technology and resources.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the County Clerk to follow the technology, security, maintenance, support, and process guidelines developed by the State Elections Board relating to use of the Statewide Voter Registration System (SVRS).

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that a copy of this Resolution and copies of the Memorandums of Understanding be sent to the State Elections Board.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 33. Nays: 0. Excused: 3 – Kramer, Schaidler and Sim. CARRIED.

At approximately 8:00 p.m., Chairman Albrecht called for a brief recess. At approximately 8:15 p.m. the Board was reconvened.

RESOLUTION NO. 216-62005: Authorize a Budget Transfer of \$10,000 For WisDoT Review of Design Plans for the CTH M Bridge Project Over the Arrowhead River.

WHEREAS, the Winnebago County Board of Supervisors supports the design and reconstruction of the current bridge on CTH M, which is situated over the Arrowhead River in the Town of Winneconne; and

WHEREAS, the design process must proceed in 2005 in order to meet a construction schedule of 2006; and

WHEREAS, the estimated cost to review the bridge design by the Wisconsin Department of Transportation is estimated to cost \$10,000.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$10,000 from the Contingency Fund of Winnebago County for the purpose of paying for costs related to the review of a design of a proposed Arrowhead River bridge on CTH M by the Wisconsin Department of Transportation.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 31. Nays: 0. Excused: 3 – Kramer, Schaidler and Sim. Absent: 2 – Lauson and Lennon. CARRIED.

RESOLUTION NO. 217-62005: Authorize a Transfer of \$10,000 For WisDoT Review of Design Plans For the

CTH M Bridge Project Over the Rat River.

WHEREAS, the Winnebago County Board of Supervisors supports the design and reconstruction of the current bridge on CTH M, which is situated over the Rat River in the Town of Winchester; and

WHEREAS, the design process must proceed in 2005 in order to meet a construction schedule of 2006; and

WHEREAS, the estimated cost to review the bridge design by the Wisconsin Department of Transportation is estimated to cost \$10,000.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$10,000 from the Contingency Fund of Winnebago County for the purpose of paying for costs related to the review of a design of a proposed Rat River bridge on CTH M by the Wisconsin Department of Transportation.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 32. Nays: 0. Excused: 3 – Kramer, Schaidler and Sim. Absent: 1 – Lennon. CARRIED.

RESOLUTION NO. 218-62005: Authorize Transfer of \$22,500 from Designated Land Records Fund to Small Equipment Fund, Winnebago County Register of Deeds Office (Allow Purchase of New Desk Top Computers)

WHEREAS, the Winnebago County Register of Deeds contracts with the Fidlar Software to provide land record access software; and

WHEREAS, a number of offices, including the Treasurer's office, Zoning office, etc. depend on said software in the Winnebago County Register of Deeds Office for land records access; and

WHEREAS, the Winnebago County Register of Deeds Office has been unable to utilize upgraded software offered in March, 2005 in that said software requires the installation of Windows 2000; and

WHEREAS, current Winnebago County Register of Deeds' computers are currently downloaded with Windows NT, which is no longer supported by the vendor; and

WHEREAS, software which is utilized for the GIS system is no longer supporting the Windows NT operating system also; and

WHEREAS, it has been determined that between 28 and 30 workstations are affected as a result of these changes; and

WHEREAS, the Register of Deeds estimates that \$22,500 will be needed to update its workstations to Windows 2000; and

WHEREAS, Winnebago County will be required to purchase new desktop computers to accommodate the new Windows 2000 operating system in that the current machines cannot be physically upgraded.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes a transfer of \$22,500 from the Designated Land Records Fund of the Winnebago County Register of Deeds Office to the Small Equipment Fund of that office for the purpose of purchasing between 28-30 workstations to be equipped with the Windows 2000 operating system.

Submitted by:
PERSONNEL & FINANCE COMMITTEE
INFORMATIONS SYSTEMS COMMITTEE

Motion by Supervisor Brennand and seconded to adopt. Ayes: 33. Nays: 0. Excused: 3 – Kramer, Schaidler and Sim. CARRIED.

RESOLUTION NO. 219-62005: Authorize Transfer of \$2,800 from Contingency Salary Fund to Sheriff's Department Budget (Reserve Officers' Salaries)

WHEREAS, an inadvertent error was made in the 2005 budget so as to fail to take into consideration within that budget an increase in Reserve Officers' salaries; and

WHEREAS, a need presently exists to transfer funds from the Winnebago County Contingency Salary Fund to cover said error within the Winnebago County Budget.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes a transfer of \$2,800 from the Contingency Salary Fund of the Winnebago County Budget with \$2,600 to be transferred to the Regular Pay fund of the Winnebago County Sheriff's Department Budget and \$200 to be transferred

to the Fringe Benefits Fund of the Winnebago County Sheriff's Department Budget for the purpose of covering pay increases provided to Winnebago County Sheriff's Department Reserve Officers during 2005..

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

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 32. Nays: 1 – Widener. Excused: 3 – Kramer, Schaider and Sim. CARRIED.

RESOLUTION NO. 220-62005: Authorize Appropriation of \$280,000 for Air Conditioning Repairs at the Winnebago County Department of Human Services Building

WHEREAS, Winnebago County's 5-Year Capital Plan identifies a need to replace the air conditioning chillers in the Winnebago County Human Services Building in Oshkosh; and

WHEREAS, one of the chillers experienced a failure in the summer of 2002 resulting in a reduction of air conditioning capacity within said building; and

WHEREAS, the entire building cooling system is now operating at 80% of its design capacity; and

WHEREAS, the chillers on the air conditioning unit are nearly 20 years old; and

WHEREAS, one stage of the chiller heat exchanger has rusted completely through; and

WHEREAS, attempts have been made to find replacement heat exchangers, but the County has had no success in finding said part; and

WHEREAS, the heat exchanger cannot be patched.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes an appropriation of \$280,000 for the purpose of making necessary repairs to the air conditioning system at the Oshkosh Human Services Building.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said appropriation shall be derived from the proceeds of a future bond to be issued by Winnebago County for capital improvements, the issuance of which is authorized pursuant to this resolution.

Submitted by:
PERSONNEL & FINANCE COMMITTEE
FACILITIES & PROPERTY MANAGEMENT COMMITTEE

Motion by Supervisor Egan and seconded to adopt. This was the first reading of this resolution. There was no vote on this resolution. By County Board Rule 8.11, "Any capital expenditure (improvement project) to be considered by the County Board at any session other than at the budget session, the estimated cost of which is in excess of \$50,000.00, shall require presentation by the committee or the supervisor(s) sponsoring the resolution on behalf of said expenditure at a prior meeting of the County Board before consideration of any appropriation resolution by the County Board."

RESOLUTION NO. 221-62005: Authorize Appropriation of \$292,000 to Replace the Roof at the Winnebago County Human Services Building in Oshkosh

WHEREAS, the roof of the Oshkosh Human Services Building is a single ply Firestone mechanically attached membrane which was installed in 1985; and

WHEREAS, a roofing consultant who inspected the roof in 1999 at that time estimated the remaining life on the roof to be 6 to 9 years in length; and

WHEREAS, the roof is presently deteriorating and allowing water to infiltrate the building envelope; and

WHEREAS, if the roof on the Human Services Building is not replaced, further deterioration will continue allowing more moisture into the building envelope, which will cause deterioration in the underlying structure, some of which is wood, to the point that additional and more expensive repairs will be needed in the future.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$292,000 to replace the roof at the Winnebago County Human Services Building in Oshkosh.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said roof shall be paid for from the proceeds of the issuance of a future bond which shall be issued for capital improvements by Winnebago County, which is hereby authorized pursuant to this resolution.

Submitted by:

PERSONNEL & FINANCE COMMITTEE
FACILITIES & PROPERTY MANAGEMENT COMMITTEE

Motion by Supervisor Egan and seconded to adopt. This was the first reading of this resolution. There was no vote on this resolution. By County Board Rule 8.11, "Any capital expenditure (improvement project) to be considered by the County Board at any session other than at the budget session, the estimated cost of which is in excess of \$50,000.00, shall require presentation by the committee or the supervisor(s) sponsoring the resolution on behalf of said expenditure at a prior meeting of the County Board before consideration of any appropriation resolution by the County Board."

ORDINANCE NO. 222-62005: Amend Section 19.24(3)(a) and 19.25, of the General Code of Winnebago County: Ordinances Governing Community Park Swimming Lake Fees and Operating Rules

WHEREAS, during the May, 2005 meeting of the Winnebago County Board of Supervisors action was taken approving the establishment of a lease agreement between the Oshkosh Area School District and Winnebago County thereby allowing the School District's Recreation Department to take over management of Community Park Swimming Lake operations; and

WHEREAS, in order to accommodate the change in management, it becomes necessary to adjust many of the Community Park Swimming Lake regulations contained in Chapter 19.25 of the General Code so that they closely match to the regulatory system the School District has in place at its other swimming facilities; and,

WHEREAS, after conducting a market survey of public swimming venues in the northeast region of the state, the School District's administration believes that it would be appropriate to introduce modest changes into General Code Chapter 19.24 governing the Community Park Swimming Lake fee structure so that it more closely reflects the fee schedules of like facilities.

NOW, THEREFORE, BE IT ORDAINED by the County Board of Supervisors of the County of Winnebago that it hereby amends Sections 19.24 (3)(a) and 19.25(1) of the General Code of Winnebago County to read as follows:

19.24 FEES AND CHARGES.

(3)(a) Community Park Swimming Lake

- 1. Daily Pass
 - Age 0-3: Free
 - Age 4-17: \$1.50
 - Age 18-54: \$2.50
 - Age 55+: \$1.50

- 2. Season Pass
 - Child 3 & under: FREE
 - Youth 4-17: \$30
 - Adult 18-54: \$35
 - Senior 55 & up: \$30
 - Family of 2: \$40
 - Family of 3: \$55
 - Family of 4: \$70
 - Family of 5: \$85
 - Family of 6: \$100
 - Family of 7: \$115

(Individual Family Passes apply only to persons residing at the same household);

and,

19.25 BEACHES. (1) No person in a park shall: (a) Swim, bathe or wade in any waters or waterways in any park, except in such waters and at such places in which swimming is specifically permitted and in compliance with such regulations as are herein set forth or may be hereinafter adopted thereafter.

(b) Change into or out of swimming attire on any beach, toilet or other place, except in bathing houses or structures specifically provided for that purpose.

(2) Swimming at all park areas shall be strictly at the swimmer's own risk.

(3) The following regulations shall apply to the operational management of the Community Park Swimming Lake:

(a) Beach Management may close the swimming facilities or any area within the swimming facilities during inclement weather, during the existence of unsanitary conditions, as a result of excess attendance levels or for any other good cause.

(b) No person shall possess or consume any food and/or beverage within any restroom, shower, dressing room, or sand area at the Community Park Swimming Lake. No food or beverage carry-ins shall be allowed in the Swimming Beach or Lake Area.

(c) Alcohol, illicit drugs, or tobacco products are prohibited at the Community Park Swimming Lake.

(d) Use of any soap, detergent or shampoo is prohibited except in the concession area, bathing houses and restrooms.

(e) Persons are permitted to swim or wade only in designated lake areas and only when authorized lifeguards are present.

(f) No domestic animals shall be permitted in the beach area.

(g) No person shall enter the beach area who has a communicable disease or an open cut.

(i) Running, shoving, spitting, dunking, throwing sand or rough play is prohibited in the beach area.

(j) Appropriate swimming attire is required in the swimming area. Persons are prohibited from entering the swimming lake while wearing swimsuits with flotation devices.

(k) Toddlers or infants, while in the Swimming Lake, shall wear swim diapers with a swimsuit or a combination of training pants and a diaper with swimsuit.

(l) No flotation devices shall be permitted in the beach area at any time except on designated float days. On float days, children using water wings, rings, or swimsuit with flotation device must be accompanied by a person age 16 or older at all times. Any devices or other types of equipment must be removed from the beach area at the lifeguard's request.

(m) All children age 6 and under must be accompanied by a person age 16 or older in the water and beach area at all times.

(n) Children age 5 and under may accompany persons age 16 or older of the opposite gender into the locker room area if assistance is needed.

(o) Children who cannot swim must have a person age 16 or older with them while in the water.

(p) The attendance at any one time on the beach and in the water shall not exceed 900 persons. The Beach Management shall have the right to refuse entry to persons when the attendance has reached this level. Persons may be allowed into the lake when the turnover rate has allowed attendance to reach a safe level.

(q) Diving shall only be permitted in designated areas and according to posted rules.

(r) No swimming shall be permitted by the public during a rest break, safety check or search.

(s) Failure to comply with any beach regulation may result in revocation of daily lake use privileges and possible revocation of season pass privileges.

(t) From approximately early June through late August to early September, the Community Park Swimming Lake shall be open for operation to the general public Monday to Friday 1:00 P.M. to 7:00 P.M., Saturday and Sunday 11:00 A.M. to 7:00 P.M. except as designated in Sections 19.08 and 19.25 (3)(a) & (o).

BE IT FURTHER ORDAINED by the Board of Supervisors of the County of Winnebago that this ordinance shall take effect on the date following its publication.

Submitted by,
PARKS & RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Ayes: 33. Nays: 0. Excused: 3 – Kramer, Schaidler and Sim. CARRIED.

RESOLUTION NO. 223-62005: Designate National Incident Management System (NIMS) as the Basis for Incident Management in Winnebago County

WHEREAS, the President of the United States in Homeland Security Directive HSPD-5 directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for federal, state, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic disaster incidents, regardless of costs, size or complexity; and

WHEREAS, the collective input and guidance from all federal, state, local and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive national incident management system; and

WHEREAS, it is necessary and desirable that all federal, state, local and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that federal, state, local and tribal organizations utilize standardized terminology, standardized organizational structures, inter-operable communications, consolidated action plans, united command structures, uniform personnel qualification standards, uniform standards for planning, training and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the State's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the incident command system components of NIMS are already an integral part of various incident management activities throughout the State including current emergency management training programs; and

WHEREAS, the National Commission on Terrorists Attacks (911 Commission) recommended adoption of a standardized incident command system.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby adopts the National Incident Management Standard (NIMS) as the County standard for incident management of disasters and other emergencies within Winnebago County.

Submitted by:
EMERGENCY MANAGEMENT COMMITTEE

Motion by Supervisor Griesbach and seconded to adopt. Ayes: 33. Nays: 0. Excused: 3 – Kramer, Schaidler and Sim. CARRIED.

RESOLUTION NO. 224-62005: Reapprove County Industrial Development Project - Provide Loan to City of Menasha

WHEREAS, on November 20, 2004, Winnebago County approved an Industrial Development Loan to the City of Menasha in the amount of \$1.3 Million Dollars; and

WHEREAS, the City of Menasha failed to close on that loan agreement within the forty-five (45) days after passage of said resolution by the County Board of Supervisors as is required by the rules of the Industrial Development Board; and

WHEREAS, the City of Menasha has made a new loan request to the Winnebago County Industrial Development Board for that same purpose, which is the construction of a new manufacturing facility within their community; 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 Winnebago County Solid Waste Management Board has made funds available to the

Winnebago County Industrial Development Board to make such a loan; and

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

WHEREAS, the Industrial Development Board has approved said loan request and is requesting that the County Board of Supervisors of the County of Winnebago approve the 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 \$1.3 Million Dollars shall be made available to the City of Menasha from the Winnebago County Solid Waste Management Board Fund through the Winnebago County Industrial Development Board, with such loan agreement to be for a period of five (5) years at an interest rate of ½ of the prime rate on the date that the loan made. Interest shall be due annually on said loan and the principal of said loan shall be due to the Winnebago County Industrial Development Board on the 5th 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 the Winnebago County Industrial Development Board and the City of Menasha for the project and for said loan.

Submitted by:

INDUSTRIAL DEVELOPMENT BOARD
SOLID WASTE MANAGEMENT BOARD

Motion by Supervisor Sundquist and seconded to adopt. Ayes: 33. Nays: 0. Excused: 3 – Kramer, Schaidler and Sim. CARRIED.

RESOLUTION NO. 225-62005: INITIAL RESOLUTION AUTHORIZING THE BORROWING OF NOT TO EXCEED \$14,250,000; PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION SECURITIES THEREFOR; AND LEVYING A TAX IN CONNECTION THEREWITH

BE IT RESOLVED by the Winnebago County Board of Supervisors (the "Issuer") that there shall be issued, pursuant to Chapter 67, Wisconsin Statutes, general obligation promissory notes (the "Notes") in an amount not to exceed \$14,250,000 (but only such amount as shall be permitted within the limits provided by Wisconsin law at the time of issuance) for public purposes including paying the cost of constructing buildings and improvements, purchasing equipment and building and improving roads (collectively, the "Projects"); and there shall be levied on all the taxable property of the Issuer a direct, annual, irrevocable tax sufficient to pay the interest on said Securities as it becomes due, and also to pay and discharge the principal thereof within twenty years of the date of issuance of the Securities or such shorter period required by law.

Submitted by:

PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Motion by Supervisor Rengstorf and seconded to change "twenty years" to "ten years". Vote on Amendment: Ayes: 15 – Weber, Griesbach, Maehl, Lauson, Pech, Thompson, Steineke, Lennon, Sundquist, Jacobson, Norton, Tower, Egan, Rengstorf and O'Brien. Nays: 18. Excused: 3 – Kramer, Schaidler and Sim. DEFEATED. Vote on resolution: Ayes: 17. Nays: 16 – Hotynski, Scoville, Albrecht, Pech, Thompson, Sundquist, Wingren, Norton, Tower, Schmuhl, Kline, Farrey, Sievert, Arne, Brennand and Egan. Excused: 3 – Kramer, Schaidler and Sim. DEFEATED. To pass, the resolution required ¾ majority based on members.

RESOLUTION NO. 226-62005: Oppose Use of Segregated Recycling Fund for Non-Recycling Related Uses

WHEREAS, the State of Wisconsin established recycling mandates in 1989 requiring municipalities which had been designated as responsible units for that purpose to provide recycling services to their residents; and

WHEREAS, 93% of Wisconsin residents now participate in recycling programs; and

WHEREAS, the State of Wisconsin created a Segregated Recycling Fund and established a municipal grant program to provide state financial assistance to partially fund municipal recycling programs; and

WHEREAS, the 2001-03 Biennial Budget of the State of Wisconsin increased the landfill tipping fee surcharge from \$.30 per ton to \$3.00 per ton and designated that the additional revenue generated from this increase be placed in the Segregated Recycling Fund; and

WHEREAS, the State of Wisconsin Joint Committee on Finance, on May 24, 2005, approved Governor Doyle's recommendation to transfer \$5,842,100.00 in 2005-2006 and \$5,742,100.00 in 2006-2007 from the Segregated Recycling Fund to the General Fund and recommended a transfer of \$2,900,000.00 from the Segregated Recycling Fund to the Life Damage Account. At that same time, the Joint Committee on Finance recommended an additional transfer of \$11,000,000 in 2005-2006 and \$3,200,000.00 in 2006-2007 from the Segregated Recycling Fund to the State General Fund; and

WHEREAS, the Joint Committee on Finance also recommended decreasing the landfill tipping fee surcharge from \$3.00 per ton to \$2.25 per ton and decreasing the business income tax surcharge to 2% for corporations and 0.133% for sole proprietorships, partnerships, limited liability corporations and S Corporations, effective January 1, 2007; and

WHEREAS, Winnebago County considers the transfers of monies from the Segregated Recycling Fund to the General Fund and Wild Life Damage Account to be a misrepresentation to the public of the purpose of the landfill tipping fee surcharge.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby opposes the transfer of funds from the Segregated Recycling Fund to the General Fund and Wild Life Damage Account of the State of Wisconsin for those reasons herein stated.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby supports a mandatory state recycling program and opposes all non-recycling related uses of the Segregated Recycling Fund, in that such uses are deliberately misleading to the public and irresponsible.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby opposes the reduction of the landfill tipping fee surcharge.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby supports the use of funds in the Segregated Recycling Fund only for recycling related programs.

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 legislators representing constituents within Winnebago County; to the Wisconsin Counties Association and to the Office of Governor James Doyle.

Submitted by:
SOLID WASTE MANAGEMENT BOARD

Motion by Supervisor O'Brien and seconded to adopt. Ayes: 33. Nays: 0. Excused: 3 – Kramer, Schaidler and Sim. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, July 26, 2005. CARRIED BY VOICE VOTE.

The meeting was adjourned at 9:10 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 June 21, 2005.

Patricia Rabe, Deputy
Winnebago County Clerk