

**ADJOURNED SESSION
COUNTY BOARD MEETING
TUESDAY, AUGUST 16, 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, Koziczowski, Widener, Lauson, Albrecht, Pech, Steineke, Lennon, Sundquist, Wingren, Jacobson, Norton, Warnke, Tower, Robl, Schmuhl, Kline, Schaidler, Farrey, Sievert, Arne, Diakoff, Brennand, Egan, Rankin, Rengstorf and O'Brien. Excused: Sim, Thompson, Kramer and Finch.

Motion by Supervisor Robl and seconded to amend the agenda by acting on Resolution No. 249-82005 before Resolution 240-82005. Vote on agenda as amended CARRIED BY VOICE VOTE.

COMMUNICATIONS, PETITIONS, ETC.

A "Notice of Claim" was received from David G. Cook for damage to his boat that happened during a stop by the Sheriff's water patrol on the Fox River. Mr. Cook's claim was forwarded to the Personnel & Finance Committee for review.

A "Notice of Claim" was received from SBC for damage to a buried cable caused by the county's Highway Department when they were working on a ditch along Banner Hill Road. SBC's claim was forwarded to the Personnel & Finance Committee.

Information was presented to the Board about the WCA's Wisconsin Retirement System Benefits seminar that will be held on August 29 in Wausau. Anyone interested in attending should contact the County Clerk's Office.

A "thank you" note that was received from Michael Groh was read to the Board. Mr. Groh is a 2005 graduate from Menasha High School who received one of the 2005 Winnebago County scholarships.

The following resolutions were received and forwarded to various committees:

- Outagamie County, Resolution No.41-2005-06, regarding the state re-emphasizing the transportation user fee concept was referred to the Highway Committee.
- Outagamie County, Resolution No. 42-2005-06, which calls for the state to completely fund their mandates was referred to the Legislative Committee.
- Outagamie County, Resolution 43-2005-06, which calls for the state to cover the costs for counties to administer the circuit court system and human services and to establish funding mechanisms for state mandates was referred to the Legislative Committee.
- Price County Resolution, "expressing concern over the Help America Vote Act of 2002 (HAVA)" was referred to the Legislative Committee.
- Sauk County Resolution, "expressing concern over the Help America Vote Act of 2002 (HAVA)" was referred to the Legislative Committee.
- Waushara County, Resolution No. 22-08-05, "Resolution Requesting Legislators to Re-emphasize the Transportation User Fee Concept" was referred to the Highway Committee.

Petition for zoning amendment from Vern Kienast, Town of Oshkosh, for zoning change for tax parcel no. 018-0074 from R-1 to M-1 for light industrial warehousing was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Michael J. Horn, Town of Winchester, for zoning change for tax parcel nos. 028-0717-02 and 028-0717-01 from A-2 to R-1 for a single-family dwelling and yard was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Mark E. Luebke, Town of Clayton, for zoning change for tax parcel no. 006-0558 from A-1 to A-2 for agriculture was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Carolyn Zuehls, Town of Clayton, for zoning change for tax parcel no. 006-0662-01 (p) from R-2 to A-2 for general agriculture was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Daniel Liebhauser, Town of Nekimi, for zoning change for tax parcel no. 012-0161 from A-1 to P-1 for a festival/event site was referred to the Planning & Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Barker, Chairman for the Legislative Committee, reported that the agenda and packet for their August 22, 2005 meeting will be sent out this week. She explained that the Legislative Committee is the county's lobbyist and that supervisors, committees and departments need to bring issues of concern to them for discussion and possible action.

Supervisor Norton stated that he will be hosting a town hall meeting on Monday, September 12, from 6:00

p.m. to 8:00 p.m. in Room 60 at the Courthouse. He encouraged the public and county supervisors to attend and discuss county issues of concern.

Supervisor Sundquist, Chairman of the Industrial Development Board, thanked Supervisors Pech and Kline for their work and effort to promote Winnebago County during the EAA Airventure last month.

Supervisor Rengstorf, Chairman of the Judiciary & Public Safety Committee, reported that his committee reviewed and discussed SB114 & AB225 regarding jail operators and determined that this was not pertinent, so no action was taken. They also discussed County Board Rule 24.5 regarding the Legislative Committee and the appointment of an Advocap member to that committee. Supervisor Rengstorf stated that they voted 4-0 to take no action on that issue.

Supervisor Kline extended his thanks to the following organizations and individuals for their efforts in promoting Winnebago County and the City of Oshkosh during the EAA Airventure in July: Team Oshkosh, which is made up of the Oshkosh Chamber of Commerce, Oshkosh Commercial Development Corporation, Chamco, the Industrial Development Board, Forward Wisconsin, Wisconsin Public Service and Wittman Regional Airport; Supervisors Scoville, Steineke, Tower and Widener; Oshkosh Council Members Shirley Mattox and Burk Tower; County Executive Mark Harris; City Manager Richard Wollangk; and former County Board Supervisor Mark Nielsen.

COUNTY EXECUTIVE'S REPORT

Executive Harris spoke to the Board about the 2006 budget situation and his concern about a potential \$3 Million shortage and our levy limitations. He stated that he will be making a detailed report to the Board at their September 6 Special Orders Session on the 2006 budget, pending layoffs and the affects a ½% county sales tax would have on these issues.

COUNTY EXECUTIVE'S APPOINTMENTS

Board of Health

Executive Harris asked for the Board's approval of his reappointment of Tom LaFuze, H.B. Patch School, 607 Tyler Avenue, Omro and Dr. Joseph Bachman, 629 Wheeler Street, Neenah, to the Board of Health. These are two-year terms that will expire on July 31, 2007.

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

Winnebago County Housing Authority

Executive Harris asked for the Board's approval of his appointment of Karen Keller to the Winnebago County Housing Authority. Ms. Keller will replace Helen Patton Gray whose term has expired. Ms. Keller's term will be for five years expiring on April 20, 2010.

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

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported that two Winnebago County resolutions will be presented to the Wisconsin Counties Association at their convention in September. The two resolutions are: Resolution 2, "Requesting that the Wisconsin Legislature Amend Section 59.13(2) Wisconsin Statutes" (regarding excess committee days) and Resolution 18, "Requesting the State Legislature to Amend State Statutes with Regard to Operating While Intoxicated Laws".

CRAIG THOMPSON, WISCONSIN COUNTIES ASSOCIATION: REPORT ON STATE OF WISCONSIN'S BUDGET

Supervisor Maehl introduced Craig Thompson, Wisconsin Counties Association Legislative Director, who presented information to the Board about the impact that the recently passed state's budget will have on Winnebago County. Mr. Thompson made the following points:

- Shared revenue remains constant
- Community aids—which is a larger funding source for counties than shared revenue—remains constant
- Youth and family aids remains constant
- Transportation—2% increase in both the local road improvement and the general transportation aids programs; \$18.5 Million increase to the fund that pays for county-provided maintenance to state highways—not all of this money will go to counties. The Joint Committee on Finance has approved the Department of Transportation's request for an additional \$15.5 Million to cover the 2-year deficit that counties have had to cover.

- Smart Growth statutory requirement and funding was removed by the Legislature, but put back in by the Governor.
- Governor proposed a 1.4% increase in bed assessment rate for nursing homes. The legislature removed this bed assessment but funded a 1.4% rate increase in general purpose revenues. The governor vetoed this amount out of the general purpose revenue, so right now there is no rate increase for nursing homes. However, the Governor has said that he is still open to the bed assessment rate increase. The WCA's opinion is that all money raised by this bed assessment must go back to the nursing homes. The Governor's original proposal was not set up that way, but he now is implying that if the bed assessment rate is put back into the budget, it would all go for funding nursing homes. It is not clear whether the legislature will be bringing any legislation to put this back into the budget. There maybe enough votes to bring this issue before the legislature for discussion, but whether or not there are enough votes to actually override the veto has not been determined.
- Governor has changed the reimbursement formula for nursing homes in the second year of the budget. Reimbursements will be determined on an acuity-based system, rather than a cost-based system. Because county nursing homes usually care for people with more costly special needs, this reimbursement formula change, if figured and implemented properly, could be a significant benefit to county nursing homes. The WCA will be monitoring the development of this issue.
- Also in regards to county nursing homes: During the last legislative session, a bill was passed that stated that any county that had Title 19 loses above the amount the state budgeted, those loses would be reimbursed by the state. Because of that law, an additional \$17 Million was distributed to county nursing homes last year. However, because that was a "session law", it was only in affect for two years. They will be pursuing the enactment of this same law for this budget.
- A levy limit has been imposed by the state. Counties can only increase their property tax levy from year to year by the amount of increase in equalized value resulting from new construction. This limit has been set for a two-year period. If equalized value resulting from new construction is less than 2%, local units of government will be allowed a 2% increase. Bridge aids and library districts may or may not be held to these limits.
- If you don't factor in inflation, Counties are receiving less from the State of Wisconsin for community aids than they did 20 years ago. For the past 15 years, the state has not paid for any of the increases in these or youth aids programs. These increases have been completely funded by county property taxes.
- The state has ignored the fact that over 80% of the people who voted in the referendum election last April voted that the state should be responsible for funding human services and the circuit court system.

As the county debates their 2006 budget, Mr. Thompson encouraged the Board to take into consideration the fact that for years the county has had to subsidize state programs and mandates on the county's tax levy at the expense of county programs and functions because the State of Wisconsin has failed to do so. He further stated that if the state is going to ignore the results of the April referendum question regarding the state funding human service and circuit court costs, then maybe it's time the county takes a hard look at these areas when they are looking at cutting their costs. The levy limit increase that the state is imposing on counties might finally force counties to look at these two areas.

Mr. Thompson took questions from the board.

**ERIC FOWLE, EXECUTIVE DIRECTOR
EAST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION**

Eric Fowle, Executive Director of East Central Wisconsin Regional Planning Commission (ECWRPC), and Walt Raith, Principal Transportation Planner, ECWRPC, presented information about the past, present and future of their organization.

Mr. Fowle stated that ECWRPC was created by an order of the Governor in 1972. It encompasses the ten counties of Calumet, Outagamie, Winnebago, Shawano, Waushara, Waupaca, Menominee, Fond du Lac, Green Lake and Marquette and 256 municipal districts.

ECWRPC is governed by a 28-member commission with representation coming from each of the counties. ECWRPC has a full-time staff of 24 people—13 professional planners, 8 technical/Geographical Information System (GIS) and 3 administrative.

Mr. Fowle explained their 2005 budget shows their funding as follows:

County tax levy	\$740,209 (Winnebago County = \$212,680)	46.7%
State	\$133,893	8.4%
Federal	\$521,919	32.9%
Local Contracts/Programs	\$185,677	11.7%
Sales/Other	\$ 4,976	0.3%

Mr. Fowle explained that their maximum county levy impact is .00003% of equalized property values. And,

for the past 14 years, it has been .000024617%

Mr. Fowle explained that the various statutory functions of ECWRPC, which include:

- Preparation of the regional comprehensive plan
- Collection & distribution of land information – GIS
- Special planning functions
- Technical planning assistance
- Contract for planning assistance
- Facilitate intergovernmental cooperation & coordination

They are also involved in special planning functions, such as the Metropolitan Planning Organization for the Fox Cities, Oshkosh and Fond du Lac; the Regional Economic Development District; and Sec. 208 Water Quality Management Agency. They also act as a clearinghouse for federal grants.

ECWRPC also publishes a newsletter and conducts mini-conferences, public presentations and regional & statewide conferences.

ECWRPC area-wide regional activities that affect Winnebago County include:

- Regional Smart Growth Plan
- NEW Opportunity Study & Follow Up
- NR-135 Mining Reclamation Program
- Transportation Planning for USH 41,45 and 10; STH 21; CTH A
- Urbanized Area Long-range Transportation Planning
- Fox River Corridor

ECWRPC Winnebago County activities include:

- Subdivision plat reviews
- Winnebago County Smart Growth Plan
- Winnebago County Housing Authority Planning Committee
- Lake Winnebago Boat Launch Fee Study

In addition, ECWRPC coordinates and shares information on numerous other activities with various groups and organizations such as:

- County municipalities
- Oshkosh and Fox Valley Transit
- Hmong-American Partnership
- Winnebago County Land Records Committee
- Winnebago Lakes Council
- Fox Cities Chamber of Commerce

Mr. Fowle explained that their 2006 work schedule includes continuing involvement in transportation planning for various highway projects, economic development, sanitary sewer system planning and the non-metallic mining reclamation program.

In regards to their 2006 budget, they are looking at a slight increase caused by low cash reserves, new office space and relocation costs, salaries and the 2010 Aerial Photography Program. To offset some of these increases, they are re-evaluating staff and salaries, reducing overhead costs and reviewing their health insurance. Estimates indicate a 2.16% increase in cost to Winnebago County in 2006.

Mr. Fowle explained that their short-term goals include:

- Re-establishing a regional focus
- Simplifying their various programs and staff activities
- Look for alternate funding sources/methods
- Improve communication and accessibility to information; increase commissioner involvement; be more accountable to member counties and seek the membership of other counties
- Educate communities and citizens on the benefits of planning.

Mr. Fowle took questions from the Board. A copy of Mr. Fowle's PowerPoint presentation is on file in the County Clerk's Office.

PUBLIC HEARING

Donna Lohry, 511 West Bent Avenue, Oshkosh, spoke in support of Resolution No. 244-82005, "Authorize the Hiring of Horty-Elving & Associates to Perform the Architectural Engineering Work for a New Park View Health Center and Appropriate \$1.566 Million to the Project for Architectural and Other Project Start-up Costs". She also invited the Board to attend Eau Claire County Board Supervisor Colleen Bates' presentation on September 8 at the Oshkosh Public Library. Ms. Bates' topic will be, "The Case for Maintaining County Supported Nursing Homes in Wisconsin."

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant SWS Investments, Steven Stock; and property owner Award Communication, Town of Winneconne, for zoning change to R-2/R-5 for Tax Parcel Nos. 030-0054-02, 030-0086 & 030-0086-13. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-01-05. A request for zoning change from A-2 (General Farming) to R-2/R-5 (Single Family subdivided/Planned Residential). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 25, 2005).

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners Danny & Deborah Matulle, Town of Omro, for zoning change to A-2 for Tax Parcel No. 016-0786-01. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-02-05. A request for zoning change from A-2/R-1 (General Farming/Single Family non-subdivided) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 25, 2005).

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant JE Arthur & Associates, Inc.; and property owner Valores Last Trust—Peter Last, Town of Omro, for zoning change to R-2 for Tax Parcel No. 016-0349. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-03-05. 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: August 25, 2005).

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant McMahon Associates Inc., David Schmalz; and property owner Mary Doverspike Living Trust, Town of Neenah, for zoning change to R-2 for Tax Parcel No. 010-0342-08. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-04-05. 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: August 25, 2005).

REPORT NO. 005. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Michael Ellis, Town of Vinland, for zoning change to R-1 for Tax Parcel No. 026-0622-02(p). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-05-05. 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. (Effective date: August 25, 2005).

AMENDATORY ORDINANCE NO. 6. A request from the Town of Utica on behalf of Donna Raatz for zoning change from A-1 to RR for Tax Parcel Nos. 024-0671-02 and 024-0671. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 25, 2005).

AMENDATORY ORDINANCE NO. 7. A request from the Town of Utica on behalf of Donna Raatz for zoning change from R-1 to RR for Tax Parcel Nos. 024-0671-01 & 024-0671. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 25, 2005)

AMENDATORY ORDINANCE NO. 8. A request from the Town of Utica on behalf of Kim Cory for zoning change from A-1 to RRR for Tax Parcel Nos. 024-0659, 024-0660, 024-0661 and 024-0604. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 25, 2005)

AMENDATORY ORDINANCE NO. 9. A request from the Town of Winneconne on behalf of John Welbes for zoning change from A-2 to R1-A for Tax Parcel No. 030-0168-01. Motion by Supervisor O'Brien and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 25, 2005).

AMENDATORY ORDINANCE NO. 10. A request from the Town of Winneconne on behalf of Gary Tritt for zoning change from A-2 to R1-A for Tax Parcel No. 030-0168-02. Motion by Supervisor O'Brien and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 25, 2005)

AMENDATORY ORDINANCE NO. 11. A request from the Town of Rushford on behalf of Dean Rogers for zoning change from AG-1 to AG-2 for Tax Parcel Nos. 022-0069-02, 022-0074, 022-0071, 022-0162, 022-0154 and 022-0163. Motion by Supervisor Rengstorf and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 25, 2005)

AMENDATORY ORDINANCE NO. 12. A request from the Town of Rushford on behalf of Nancy L. Lemke for zoning change from AG-1 to AG-2 for Tax Parcel Nos. 022-0675, 022-0676 and 022-0677. Motion by Supervisor Egan and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 25, 2005)

RESOLUTIONS & ORDINANCES

ORDINANCE NO. 249-82005: Amend Section 21.05 of the General Code of Winnebago County (Airport Fees)

WHEREAS, the Winnebago County Aviation Committee of the Winnebago County Board of Supervisors has unanimously recommended an increase in T-Hangar rates and fuel flowage fees at the Winnebago County Airport, effective January 1, 2006; and

WHEREAS, the increase in these rates will parallel current costs at Wittman Regional Airport as well as be reflective of those rates charged at surrounding area airports.

NOW, THEREFORE, the County Board of Supervisors of the County of Winnebago does ordain as follows:

That Section 21.05 (4) of the General Code of Winnebago County be amended to read as follows:

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

(a)	T-Hangar Buildings A,B,C	\$140.00 per month
(b)	T-Hangar Buildings D	\$180.00 per month
(c)	T-Hangar Buildings E	\$105.00 per month
(d)	T-Hangar Buildings F-1	\$143.00 per month
(e)	T-Hangar Building F-3, G & H	\$125.00 per month
(f)	East Strongbox	\$285.00 per month
(g)	North Strongbox	\$295.00 per month
(h)	M T-Hangars	\$165.00 per month
(i)	420 Aviation Road (F-2)	\$143.00 per month
(k)	424 Aviation Road	\$115.00 per month
(l)	428 Aviation Road	\$115.00 per month

As the purpose of T-hangars is the storage of aircraft owned by the LESSEE of the hangar, persons who have signed t-hangar leases, and do not have an aircraft registered to them, shall pay a monthly surcharge of \$100.00 in addition to the monthly hangar rental rate. Any LESSEE of a hangar who stores an aircraft not registered to them in a hangar for which they have a signed lease, shall first obtain written permission from the Airport Director.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that Section 21.05(7)(a) of the General Code of Winnebago County shall be amended to read as follows:

(7) FUEL FLOWAGE FEES. All commercial operators authorized to dispense aviation fuels at Wittman Regional Airport will collect and remit to the County the following fuel flowage fees:

- (a) A fee of \$0.085 per gallon of aviation fuels dispensed (AVGAS, Jet, 80 and Autogas) to users at Wittman Regional Airport. ...

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

Submitted by:
AVIATION COMMITTEE

Motion by Supervisor Pech and seconded to adopt. Ayes: 32. Nays: 0. Excused: 4 - Sim, Thompson, Kramer and Finch. CARRIED.

RESOLUTION NO. 240-82005: Application For Aids From Wisconsin Department of Natural Resources To Assist in Efforts to Extend the Boat Ramps at Boom Bay Boat Landing

WHEREAS, Winnebago County is responsible for maintaining seven launch facilities that enable citizens to launch boats onto area lakes and rivers; and

WHEREAS, Winnebago County recognizes that properly maintained launch facilities are necessary for safe recreational boating; and

WHEREAS, it has recently been revealed that a problem exists at the County's Boom Bay Boat Landing whereby persons in the process of launching their boats have backed their trailers off the end of the cement ramps that extend 20 – 30 feet out into the water; and

WHEREAS, in order to correct the ramp problem at the Boom Bay Boat Landing it is recommended that the County implement a project aimed at extending the ramp surface an additional 15' further into the lake; and

WHEREAS, financial assistance, often in the form of matching grant funds, is available from the Wisconsin Department of Natural Resources for help in improving and maintaining the County's launch facilities.

WHEREAS, Winnebago County has \$44,000 in assets available in its Boat Trailer Parking Permit Program intended to function as the funding source in meeting the County's obligation for providing matching grant funds.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that the County Executive be and he hereby is authorized to submit an application, on behalf of Winnebago County to the Wisconsin Department of Natural Resources for such funding aids as may be available to improve the boat launch at Boom Bay.

Submitted by,
PARKS & RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Ayes: 32. Nays: 0. Excused: 4 - Sim, Thompson, Kramer and Finch. CARRIED.

RESOLUTION NO. 241-82005: Application for Aids From United States Tennis Association to Assist in Efforts To Repair Tennis Court Facilities at the Community Park

WHEREAS, Winnebago County is responsible for maintaining six tennis courts at facilities located in the Community Park; and

WHEREAS, Winnebago County recognizes that properly maintained tennis facilities are necessary for safe enjoyment by the general public; and

WHEREAS, due to budget constraints, for some time the Community Park tennis courts have been in a substandard state that detracts from the safe enjoyment of tennis activities by the general public; and

WHEREAS, it is proposed that Winnebago County seek the maximum allowed amount of \$25,000 in funding assistance from the United States Tennis Association in order to help restore the tennis courts at the Community Park.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that the County Executive be and he hereby is authorized to submit an application, on behalf of Winnebago County to the United States Tennis Association for such funding aids as may be available for the improvement of the tennis courts at the Winnebago County Park.

Submitted by,
PARKS & RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Ayes: 32. Nays: 0. Excused: 4 - Sim, Thompson, Kramer and Finch. CARRIED.

RESOLUTION NO. 242-82005: RESOLUTION AUTHORIZING THE BORROWING OF NOT TO EXCEED \$2,390,000; AND PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION PROMISSORY NOTES THEREFOR

WHEREAS, the County Board of Supervisors of Winnebago County, Wisconsin (the "County") hereby finds and determines that it is necessary, desirable and in the best interest of the County to raise funds for the purpose of paying the cost of constructing, extending and improving roads and highways; public safety system improvements and upgrades; constructing, improving, adding to and renovating various County buildings and sites; and acquiring furnishings, fixtures and equipment (the "Project"), and there are insufficient funds on hand to pay said costs;

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

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

WHEREAS, the County Board of Supervisors of the County hereby finds and determines that general obligation promissory notes in the aggregate amount of not to exceed \$2,390,000 should be issued, and it is now necessary and desirable to authorize their issuance and sale.

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

Section 1. Authorization of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, a principal sum not to exceed TWO MILLION THREE HUNDRED NINETY THOUSAND DOLLARS (\$2,390,000) from a purchaser or purchasers to be determined by competitive sale (the "Purchaser").

Section 2. Sale of the Notes. To evidence such indebtedness, the Chairperson and County Clerk are hereby

authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, general obligation promissory notes aggregating a principal amount not to exceed TWO MILLION THREE HUNDRED NINETY THOUSAND DOLLARS (\$2,390,000) (the "Notes"). There be and there hereby is levied on all the taxable property in the County a direct, annual tax in such years and in such amounts as are sufficient to pay when due the principal and interest on the Notes.

Section 3. Notice of Sale. The County Finance Director (in consultation with the County's financial advisor, Robert W. Baird & Co. Incorporated) is hereby authorized and directed to cause notice of the sale of the Notes to be disseminated at such times and in such manner as the Finance Director may determine.

Section 4. Official Notice of Sale. The County Finance Director (in consultation with the County's financial advisor, Robert W. Baird & Co. Incorporated) shall also cause an Official Notice of Sale to be prepared and distributed and may prepare or cause to be prepared and distributed an Official Statement or other form of offering circular.

Section 5. Award of the Notes. Following receipt of bids for the Notes, the County Board of Supervisors shall consider taking further action to provide the details of the Notes and to award the Notes to the lowest responsible bidder or bidders therefor.

Section 6. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Submitted by
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 32. Nays: 0. Excused: 4 - Sim, Thompson, Kramer and Finch. CARRIED.

RESOLUTION NO. 243-82005: Convert One Full-Time Service Coordinator/Social Worker Position to Two Part-Time Positions in the Department of Human Services

WHEREAS, the Department of Human Services has requested that a full-time position of Service Coordinator/Social Worker be converted to two part-time positions in the Long Term Support Division effective November 1, 2005; and

WHEREAS, this conversion would not affect the level of service provided to clients and may enhance the coverage of the client case load; and

WHEREAS, converting the full-time position to two part-time positions will not increase the wage costs to the County and may decrease the fringe benefit costs.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that a full-time position of Service Coordinator/Social Worker be converted to two part-time positions.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 32. Nays: 0. Excused: 4 - Sim, Thompson, Kramer and Finch. CARRIED.

RESOLUTION NO. 244-82005: Authorize the Hiring of Horthy-Elving & Associates to Perform the Architectural Engineering Work For a New Park View Health Center and Appropriate \$1.566 Million to the Project for Architectural and Other Project Start-up Costs.

WHEREAS, the Park View facilities are in need of a significant amount of capital improvements to remain in use; and

WHEREAS, the current facilities are too large and operating out of two buildings is very inefficient; and

WHEREAS, the County Board of Supervisors supports construction of a new downsized facility with cost for the building to be approximately \$18 million and the cost for the total project to be approximately \$20 million. These amounts are to be reviewed after the design phase; and

WHEREAS, several architectural firms have been interviewed through the Request for Proposal process; and

WHEREAS, it is the recommendation of the Park View Health Center Committee, Facilities and Property Management Committee and County Executive Mark Harris that Horthy-Elving and Associates be hired to perform the

architectural engineering work on the new Park View Health Center; and

WHEREAS, Harty-Elving shall be paid a fee not to exceed 5.95% of the total projected cost plus reimbursable items not to exceed \$60,000; and

WHEREAS, additional funds are needed for soil testing and construction management initial costs.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$1.566 million from the General Fund of Winnebago County to the Park View Health Center Capital Project Fund for the purpose of paying said costs.

BE IT FURTHER RESOLVED that the General Fund of Winnebago County shall be reimbursed from a subsequent bond issue.

Submitted by:
FACILITIES & PROPERTY MANAGEMENT COMMITTEE
PARK VIEW HEALTH CENTER COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Egan and seconded to adopt. Ayes: 32. Nays: 0. Excused: 4 - Sim, Thompson, Kramer and Finch. CARRIED.

RESOLUTION NO. 245-82005: Authorize Acceptance of \$25,097 Department of Homeland Security Grant and Appropriate to Sheriff Department's Budget For The Purpose of Implementing a Buffer Zone Protection Plan at the Experimental Aircraft Association Site at Wittman Regional Airport

WHEREAS, The Department of Homeland Security has made a grant of \$25,097 available to Winnebago County to help create a Buffer Zone Protection Plan; and

WHEREAS, Buffer Zone Protection Plans make it more difficult for terrorists to conduct surveillance and or launch attacks from the immediate vicinity of critical infrastructure targets; and

WHEREAS, the site that has been recommended for this zone is the Experimental Aircraft Association site at Wittman Regional Airport; and

WHEREAS, protection of this site is critical during the annual Air-Venture event when the grounds contain upwards of 700,000 people over the weeklong event.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Sheriff's Department to accept the \$25,097 grant and appropriates the funds for the creation of a Buffer Zone at the Experimental Aircraft Association site at Wittman Regional Airport.

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

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 32. Nays: 0. Excused: 4 - Sim, Thompson, Kramer and Finch. CARRIED.

RESOLUTION NO. 246-82005: Authorize Acceptance of Office of Justice Assistance Grant of \$143,241 and Appropriate Funds to Sheriff Department Budget for Justice Information Sharing Program Project.

WHEREAS, the Office of Justice Assistance is making a grant of \$143,241 available to Winnebago County for a Law Enforcement Terrorism Prevention Program; and

WHEREAS, this pilot program will provide a single secure access point for justice information sharing between the Counties of Winnebago, Outagamie, Calumet and Brown; and

WHEREAS, this database will be shared among multiple disciplines, including law enforcement, courts, district attorneys, public defenders and probation/parole agents; and

WHEREAS, it would be in our best interest to accept such a grant.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the acceptance of a \$143,241 grant from the office of Justice Assistance and appropriates the funds to the Sheriff's Department for the purpose of instituting a Wisconsin Justice Information Sharing Program.

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

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 32. Nays: 0. Excused: 4 - Sim, Thompson, Kramer and Finch. CARRIED.

RESOLUTION NO. 247-82005: Transfer a Total of \$91,830 from the Contingency Fund to the Finance and Human Resources Departments to Pay License Expansion Fees for the PeopleSoft Financial and Human Resources Software.

WHEREAS, Winnebago County purchased new software for accounting, payroll, and Human Resources applications in 1997; and
WHEREAS, the software agreement included a license expansion clause that required the County pay additional license fees as our total budget grew; and
WHEREAS, the County's budget and workforce have grown beyond the license expansion triggers in the software agreement; and
WHEREAS, the County now owes PeopleSoft / Oracle \$91,830 as a result of growth in our budget and workforce; and
WHEREAS, the County is contractually liable for these fees and if not paid, County will have to discontinue use of the PeopleSoft applications; and
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes transfers of \$81,674 to the Finance Department and \$10,156 to the Human Resources (for a total of \$91,830) from the Contingency Fund for the purpose of paying said PeopleSoft license expansion fees.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 31. Nays: 1 – Albrecht. Excused: 4 - Sim, Thompson, Kramer and Finch. CARRIED.

RESOLUTION NO. 248-82005: Approve the Extension of Purchase Of Services Agreement Between Winnebago County and Virchow Krause & Company for Annual Audit Services

WHEREAS, on November 19, 1996 Winnebago County (hereinafter referred to as "COUNTY") and Virchow Krause & Company (hereinafter referred to as "PROVIDER") entered into a Purchase of Services Agreement for the provision of financial audited services to COUNTY by PROVIDER for the period from November 1, 1996 through December 31, 1999; and
WHEREAS, parties to said agreement mutually extended said agreement through December 31, 2005; and
WHEREAS, the parties to said agreement mutually desire to again extend said agreement through December 31, 2008.
NOW, THEREFORE, in consideration of the above premises and the mutual covenants of the parties herein set forth, the receipt and sufficiency of which is acknowledged by each party for itself, the COUNTY and PROVIDER do agree as follows:
1. That the Purchase of Services Agreement between the parties for financial audit services dated November 19, 1996 shall be extended for the term from January 1, 2006 through December 31, 2008.
2. That the terms of payment under such extension shall be as follows:
 (a) County shall pay Provider for all the aforementioned work the sum of \$66,700 for the 2005 audit payable in 2006; \$68,700 for the 2006 audit payable in 2007; and \$70,800 for the 2007 audit payable in 2008. Payments shall be made as progress billings are received upon satisfactory completion of the work and performance of this agreement.

That all other terms of the original agreement dated November 19, 1996 between the parties shall remain in full force and affect during the term of this extension.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 31. Nays: 1 – Maehl. Excused: 4 - Sim, Thompson, Kramer and Finch. CARRIED.

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

The meeting was adjourned at approximately 8:30 p.m.

Respectfully submitted,
Susan T. Ertmer
Winnebago County Clerk

State of Wisconsin)
County of Winnebago) ss

I, Susan T. Ertmer, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their regular meeting held August 16, 2005.

Susan T. Ertmer
Winnebago County Clerk