

**ADJOURNED SESSION
COUNTY BOARD MEETING
TUESDAY, NOVEMBER 14, 2006**

Chairman David Albrecht called the meeting to order at 6:00 p.m. in the County Board Room, Fourth Floor, Courthouse, 415 Jackson Street, Oshkosh, Wisconsin.

The meeting was opened with the Pledge of Allegiance and an invocation by Supervisor Lennon.

The following Supervisors were present: Weber, Barker, Griesbach, Hotynski, Ramos, Maehl, Koziczowski, Pollnow, Widener, Lauson, Albrecht, Anderson, Thompson, Lohry, Lennon, Farrell, Hall, Wingren, Jacobson, Norton, Warnke, Robl, Schmuhl, Kline, Locke, Eisen, Schaidler, Finch, Farrey, Sievert, Diakoff, Brennand, Egan, Ellis, Rengstorf and O'Brien. Excused: Drexler. Absent: Arne.

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

COMMUNICATIONS, PETITIONS, ETC.

A letter was received from the University of Pittsburgh thanking the Board for the donation they made to their Alzheimer Research Center as a memorial for the mother of John Bodnar, Winnebago County Corporation Counsel.

Petition for zoning amendment from Jeanette Schaumann, Town of Wolf River, for zoning change for tax parcel -nos. 032-0730, 032-0730-02-03, 032-0730-03, 032-0730-05, 032-0730-06, 032-0730-07, 032-0730-07-01, 032-0730-07-02, 032-0730-08, 032-0730-14, 032-0730-15, 032-0730-19, 032-0730-20, 032-0730-21, 032-0730-22, 032-0730-23, 032-0730-24, 032-0730-25, 032-0804-01(p), 032-0805-01(p) from B-2 to R-1 for residential purposes was referred to the Planning & Zoning Committee.

Petition for zoning amendment from James R. Larsen, Town of Winchester, for zoning change for tax parcel no. 028-0620 from A-1 to A-2 for agriculture and potential building site was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Allen E. Grasley, Town of Winchester, for zoning change for tax parcel no. 028-0892(p) from A-2 to R-1 for a single family residence was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Albert Bleser, Town of Winchester, for zoning change for tax parcel no. 028-0734-03 from A-2 to R-1 for single family residential was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Richard Christiansen, Town of Winchester, for zoning change for tax parcel no. 028-0651 from B-2/A-2 to R-1 for single family residences was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Cindie A. Piehl, Town of Neenah, for zoning change for tax parcel no. 010-0325 from A-2 to B-3 for retail shop and offices was referred to the Planning & Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Koziczowski reported that he and other supervisors attended the WCA's seminar on Long-Term Support Family Care at the Wisconsin Dells. He explained that Governor Doyle is looking at what the State of Wisconsin can do to eliminate the waiting list in the COP Program and is using pilot counties of this program to study the situation. Supervisor Koziczowski reported that Winnebago County received \$100,000 from the state last spring to do this study. The county will be facing some tough decisions in this area, so he encouraged the board to learn as much as they can about long-term care so they are prepared to make decisions on this program when the time comes.

Supervisor Rengstorf invited the Board to attend the Tuesday, November 28, Judiciary & Public Safety Committee meeting. The committee will be reviewing and discussing the new supervisory district maps.

Supervisor Barker reported that the Legislative Committee will meet on Monday, November 27. She will be accepting agenda items until this Friday, November 17. There will not be a meeting in December.

Supervisor Jacobson reported that Park View Health Center is planning their Christmas events. They will be having Christmas tree decoration parties on each of the floors. The Christmas lights will be lit in the courtyard at Pleasant Acres on Monday, December 4 and at the Rehabilitation Pavilion on Tuesday, December 5. On December 6, the residents will be given the opportunity to pick out Christmas gifts to give to their friends and families. Park View is looking for people to donate "gently used" or new items for the residents to use for their gifts to loved ones. These items need to be dropped off at Park View by Friday, December 1. Park View is also looking for people to donate money to buy gifts or actual gifts for the residents.

Supervisor O'Brien asked the Board to read the article placed on their desks about the successful medication disposal program that was held at the Solid Waste Department. He explained that it has been discovered that the habit of flushing away old medications is causing environmental problems, so the county is hoping to sponsor annual medication disposal programs.

Supervisor Widener apologized for not being at the Thursday afternoon session of the Board's budget meeting, but he was involved in preparing for the November 7 election. He thanked Supervisor Kline for handling his amendment regarding airport fund balance.

Motion by Supervisor Lauson and seconded to approve the October 17, 2006 County Board proceedings.
CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris explained that the Board's potential vote on his veto of a portion of the 2007 budget ends the 2007 budget process. He stated that the "good news" that came out of the 2007 budget process, is that over the past two years, the employment level has been reduced by approximately 5%, which reduces salary and benefit costs by over \$3 Million.

Executive Harris stated that the "bad news" is that the sales tax was not passed, so taxes were raised \$7.5 Million over his proposed budget. He also stated that \$840,000 of reserve funds was applied to ongoing expenses causing a structural deficit. An additional \$100,000 over his requested amount was also spent.

Executive Harris stated that even though many constituents may be happy that a county sales tax was not passed, there will be a substantial increase in their property taxes.

Executive Harris then discussed the issue of downsizing the county board and the "race to the courthouse" by people on both sides of the issue--the county board and "Citizens United to Transform the Winnebago County Board (C.U.T.)", the group circulating the petition to downsize the board. Even though the county board feels they won that race because they voted to reduce their size by two supervisors before C.U.T. could file their petitions, there is a legislative attorney who feels that the board's action was not sufficient to stop the petition. This issue is now in the courts and will be decided there.

Executive Harris explained that he had spoken with Sue Ertmer, Winnebago County Clerk, about the petitions and the decision not to accept them based on the opinion that because the county board had acted and reduced their membership the filing deadline had passed. He explained that it is "standard procedure" for a clerk to deny a petition that is brought in past the filing deadline. However, in this case the "deadline" is in question, which makes this a unique situation and one that needs to be addressed by the courts.

Executive Harris stated that he realizes that this situation has put the County Clerk in a difficult position, but that she was following "standard procedure" and was acting on the advice of counsel pertaining to a law that is new to all of us.

COUNTY EXECUTIVE'S APPOINTMENTS

W-2 Steering Committee

Executive Harris asked for the Board's approval of his appointment of Margaret Winn, Director of Lakeside Packaging Plus, 100 West Fernau Avenue, Oshkosh, to the W-2 Steering Committee.

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

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported the following:

- County Board Christmas party will be held on Thursday, December 14 at the Sky Club East Supper Club in Neenah.
- Supervisor Weber has made a donation to the county's scholarship fund.
- The county has received a dividend check from Wisconsin County Mutual Insurance Corporation in the amount of \$60,740. Supervisor Brennand serves on this committee.
- Supervisor Drexler asked that she be excused from tonight's meeting.
- The County Clerk did get an opinion from the Corporation Counsel on how she was to handle the petitions from C.U.T.
- The Temporary Committee on County Board Size will be meeting on Wednesday, December 13 to continue their work on studying board size following the 2010 census.

PUBLIC HEARING

The following people spoke in support of Resolution No. 112-112006: "Support Repeal of Recent

Amendments to Section 59.10(2) and (3), Wisconsin Statutes (County Board Redistricting)" and opposing downsizing the county board:

- Ann Frisch, 3565 Bambi Lane, Oshkosh
- Jerry Schuster, 8454 Schuster Road, Berlin
- Rob Stone, 2139 Morrissey Road, Ripon
- Jim Erdman, Town of Oshkosh Supervisor, 2492 Hickory Lane, Oshkosh

Susan Vette, 5050 Lake Road, Oshkosh opposes Resolution No. 112-112006: "Support Repeal of Recent Amendments to Section 59.10(2) and (3), Wisconsin Statutes (County Board Redistricting)" and supports reducing the size of the county board. Mrs. Vette presented a letter expressing her views to the Board. A copy of her letter is on file in the County Clerk's Office.

Jeremy Monnett, 2426 Bowen Street, Oshkosh, a member of Citizens United to Transform the Winnebago County Board (C.U.T.) and representing the 5700+ people who signed their petition to reduce the size of the county board to 19 members, expressed his concerns that his constitutional rights were violated when the County Clerk would not accept their petitions. He asked that the county board allow a referendum question be placed on the April 2007 ballot reducing their membership to 19 members so the citizens of Winnebago County can decide this issue. Mr. Monnett also asks that the County Clerk accept their petitions.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Vern Kienast, Town of Oshkosh, for zoning change to M-2 for tax parcel nos. 018-0067 and 018-0067-02. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11-01-06. A requested zoning change from M-1/R-1 (Light Industrial/Single Family non-subdivided) to M-1 (Light Industrial). Supervisor Schaidler wanted supervisors to note that the zoning approved (M-1) differs from the requested zoning (M-2). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: November 20, 2006)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Jay Jones, Town of Algoma, for zoning change to B-3 for tax parcel nos. 002-0144-03-01 and 002-0144-03(p). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11-02-06. A requested zoning change from R-3 (Two Family residential) to B-3 (General Business). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: November 20, 2006)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Chris Ruedinger and property owner, Mark Ruedinger, Town of Nekimi, for zoning change to B-3 for tax parcel no. 012-0412(p). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11-03-06. A requested zoning change from A-1 (Exclusive Ag) to B-3 (General Business). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

Approval effective date of zoning change shall be date Declaration of Restriction is recorded not to exceed 30 days from date of County Board Action.

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Martenson & Eisele-Warren Utecht and property owner, KK&H LLP, Town of Clayton, for zoning change to B-3 for tax parcel nos. 006-0354-01 and 006-0354-04. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11-04-06. A requested zoning change from R-1 (Single Family non-subdivided) to B-3 (General Business). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: November 20, 2006).

REPORT NO. 005. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Joseph McClone and property owner, Roland Hansen, Town of Winchester, for zoning change to R-1 for tax parcel no. 028-0438(p). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11-05-06. A requested 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: November 20, 2006)

REPORT NO. 006. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Barbara Kaspar, Town of Black Wolf, for zoning change to R-1 for tax parcel no. 004-0373-01. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11-06-06. A requested 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: November 20, 2006)

REPORT NO. 007. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Chuck Krier and property owner, Gerald Kalbus, Town of Black Wolf, for zoning change to R-1 for tax parcel no. 004-0258-02(p). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11-07-06. A requested 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: November 20, 2006)

AMENDATORY ORDINANCE 8. A requested zoning change from Town of Winneconne on behalf of Lake Breeze LLC for tax parcel no. 030-0137(P) for zoning change to C-1. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: November 20, 2006)

RESOLUTIONS & ORDINANCES

RESOLUTION No. 106-102006: Reconsideration by Winnebago County Board of Supervisors of Those Portions of the Adopted 2007 Winnebago County General Budget Resolution Vetoed by Winnebago County Executive: Amendment #22 – Add \$13,000 of Additional Expenditures for Enhancement of Programs

The Winnebago County Board of Supervisors, at this point in the agenda, shall reconsider a Motion from any County Board Supervisor who voted in support of Amendment #22 to Resolution #106-102006 to reconsider said Motion. The vote required for passing said Motion shall be a majority of those present. Should said Motion pass, the Board shall then consider a Motion to override the veto of the County Executive as to Amendment #22. A two-thirds vote of membership shall be required to override said veto. A copy of the veto of the Winnebago County Executive is herewith attached to this Resolution.

Motion to reconsider by Supervisor Kline and seconded. Ayes: 28. Nays: 8 - Widener, Thompson, Lohry, Wingren, Kline, Eisen, Brennand and Rengstorf. Excused: 1 - Drexler. Absent: 1 - Arne. CARRIED.

Motion by Supervisor Wingren and seconded to table. Ayes: 34. Nays: 2 - Maehl and Robl. Excused: 1 - Drexler. Absent: 1 - Arne. CARRIED.

RESOLUTION NO. 108-112006: Authorize Reconstruction of Runway 9/27 at Wittman Regional Airport and Accept State and Federal Funding of \$9,750,000 and Appropriate County Share of \$250,000.

WHEREAS, Runway 9/27 at Wittman Regional Airport has deteriorated to the point where it is no longer effective to do repairs; and

WHEREAS, Runway 9/27 is critical to the safe and effective operation of the airport; and

WHEREAS, State and Federal airport funding is available to cover 97.5% of the project cost; and

WHEREAS, Wittman Regional Airport has roughly \$125,000 of funds available from prior airport improvement projects that can be applied to this project; and

WHEREAS, the remaining sponsor share (County) needed for the project is \$125,000.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the reconstruction of Runway 9/27 and appropriates \$10 million to the project.

BE IT FURTHER RESOLVED that Federal and State airport improvements funds are accepted in the amount of \$9,750,000 to cover the majority of the cost of the project.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that project construction shall be contingent upon receipt of said grant funds.

BE IT FURTHER RESOLVED that \$125,000 of remaining funds from other completed airport improvements projects be applied to cover part of the County share.

BE IT FURTHER RESOLVED that the remaining \$125,000 of funds be advanced from the General Fund of Winnebago County with that fund being reimbursed from a subsequent bond issue.

Submitted by:
AVIATION COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Lennon and seconded to adopt. Ayes: 33. Nays: 3 - Pollnow, Widener and Wingren. Excused: 1 - Drexler. Absent: 1 - Arne. CARRIED.

RESOLUTION NO. 109-112006: Approve Three Year Lease With Oshkosh Truck Corporation (Vehicle Testing)

WHEREAS, Oshkosh Truck Corporation desires to lease certain taxiways at Wittman Regional Airport for purpose of motor vehicle testing; and
WHEREAS, pursuant to this lease agreement, Oshkosh Truck Corporation would pay Winnebago County the rate of \$125.00 per hour for use of the runways at Wittman Regional Airport for said purpose; and
WHEREAS, Oshkosh Truck Corporation has previously entered into said leases with Wittman Regional Airport; and
WHEREAS, your undersigned Committee believes that said lease is in the best interest of Wittman Regional Airport and the citizens of Winnebago County.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the three-year agreement with Oshkosh Truck Corporation whereby said company would be permitted to lease certain taxiways at Wittman Regional Airport on an hourly basis at a rate of \$125.00 per hour for the purpose of motor vehicle testing. A copy of said lease agreement may be obtained from the office of the Airport Director or the Corporation Counsel and is made part of this resolution by reference.

Submitted by:
AVIATION COMMITTEE

Motion by Supervisor Lennon and seconded to adopt. Ayes: 35. Nays: 1 - Farrell. Excused: 1 - Drexler. Absent: 1 - Arne. CARRIED.

RESOLUTION NO. 110-112006: Authorize Execution of Three-Year Lease Agreement Between Winnebago County and the Hertz Corporation (Wittman Regional Airport)

WHEREAS, the Hertz Corporation has operated a rental car concession at Wittman Regional Airport for a significant period of time; and
WHEREAS, Hertz Corporation's written lease with Winnebago County for its concession at Wittman Regional Airport expired several years ago and Hertz Corporation has continued to operate there on a month-to-month lease agreement since that time; and
WHEREAS, Hertz Corporation desires to rent additional space at Wittman Regional Airport at the present time and enter into a three-year lease agreement for said space; and
WHEREAS, pursuant to said proposed lease agreement, Hertz would pay Winnebago County the sum of \$337.33 per month for 368.5 square feet of space within the Terminal Building and 10 spaces for automobile parking. In addition, Hertz would pay Winnebago County a monthly rental of \$10.00 per stall for 10 additional parking spaces at Wittman Regional Airport; and
WHEREAS, pursuant to said lease agreement, Hertz would pay Winnebago County 10% of concession revenue on all cars rented at or from Hertz's facility; and
WHEREAS, said lease would commence on December 1, 2006 and run for a three-year period thereafter; and
WHEREAS, your undersigned Committee believes that the execution of said lease is in the best interest of Winnebago County.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves and authorizes the execution of a three-year lease between Winnebago County and the Hertz Corporation for a rental car concessionaire space at Wittman Regional Airport. Said lease would commence on December 1, 2006 and would be pursuant to those terms recited about. A full copy of said lease agreement may be obtained from the Airport Director or the Corporation Counsel and is incorporated by reference as a part of this resolution.

Submitted by:
AVIATION COMMITTEE

Motion by Supervisor Lennon and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 - Drexler. Absent: 2 - Finch and Arne. CARRIED.

ORDINANCE NO. 111-112006: Amend 15.06, Winnebago County General Code

WHEREAS, Section 15.06 of General Code of Winnebago County requires that the Solid Waste Management Board shall make an annual report to the County Board and it shall make such other reports as may be required from time to time by the County Executive and the County Board; and

WHEREAS, Section 15.05(2) of the General Code requires that the Solid Waste Management Board submit a proposed budget for the subsequent calendar year to the County Executive by August 15 of each year; and

WHEREAS, your undersigned County Board members are of the opinion that an annual report should be made to the County Board by the Solid Waste Management Board in synchronization with the County Budget and that Section 15.06 of General Code should be more specific so as to require that the Solid Waste Management Board's Budget be provided essentially in the same form as the Winnebago County Budget.

NOW, THEREFORE, the County Board of Supervisors of the County of Winnebago does ordain as follows: That Section 15.06 of the General Code of Winnebago County be amended to read as follows:

15.06 REPORTS. The Solid Waste Management Board shall make an annual report to the County Board during the Board's regular October session or during the Board's annual budget session, unless otherwise provided by the County Board of Supervisors. Said reports shall contain a financial budget for the Solid Waste Management Board for the subsequent year. The Solid Waste Management Board Budget shall be composed in substantially the same form as that of Winnebago County Departments and shall conform to standards established by the Winnebago County Finance Director.

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

Submitted by:
PAUL EISEN, DIST. 27
W. THOMAS ELLIS, DIST. 36
WINNEBAGO COUNTY SUPERVISORS

Motion by Supervisor Eisen and seconded to adopt.

Motion by Supervisor Lauson and seconded to refer to the Solid Waste Management Board.

Motion by Supervisor Wingren and seconded to table. Ayes: 22. Nays: 14 - Weber, Ramos, Maehl, Pollnow, Lohry, Farrell, Hall, Norton, Eisen, Finch, Farrey, Ellis, Rengstorf and O'Brien. Excused: 1 - Drexler. Absent: 1 - Arne. CARRIED.

Chairman Albrecht called for a recess @ 7:40 p.m. The Board reconvened at 7:50 p.m.

RESOLUTION NO. 112-112006: Support Repeal of Recent Amendments to Section 59.10(2) and (3), Wisconsin Statutes (County Board Redistricting)

WHEREAS, the Wisconsin Legislature recently amended Section 59.10(2) and (3), Wisconsin Statutes so as to allow the reduction in the number of county board supervisory districts between each decennial census; and

WHEREAS, your undersigned County Board members believe that said statute is poorly written and illogical for the following reasons:

- (A) It allows the County Board of Supervisors and/or the voters through a referendum to select an arbitrary number for the size of the County Board;
- (B) That selection of such an arbitrary number must be balanced with the constitutional requirements of the one-man one-vote requirement as interpreted by the U.S. Supreme Court;
- (C) That it is difficult to meet such a constitutional requirement and comply with the statutory scheme set forth in Section 59.10(3)(cm)(1), which recognizes that the new supervisory districts consist of "continuous whole wards in existence at the time at which the redistricting plan is adopted".
- (D) That said legislation is another unfunded mandate placed upon counties by the Wisconsin Legislature and that such legislation ignores the costs of redistricting, which are estimated, minimally at approximately one month's salary for a cartographer within the Winnebago County Planning Department, as well as other costs which will likely be incurred by the County Clerk's office in relationship to the enactment of such a plan;

- (E) That such statute completely neglects the fact that said redistricting will once again occur subsequent to the 2010 decennial census and if this Act is still in effect at that time additional redistricting could occur as early as two years subsequent to the enactment of such a plan;
- (F) That the likely effect of said statute if a significant reduction in the size of the County Board occurs pursuant to the enactment of a referendum or County Board resolution reducing the size of the County Board, shall be the folding of rural town districts into districts populated by city residents, thus minimizing town input in county government, despite the fact that the county government provides many services to town residents which are traditionally provided to city residents by city governments, such as zoning, public health, police protection and land and water services.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby expresses its support for the introduction of legislation within the Wisconsin State Legislature to repeal certain recent amendments to Section 59.10(2) and (3), Wisconsin Statutes allowing county board redistricting between decennial census.

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

Submitted by:
 DONNA LOHRY, DIST. 14
 PATRICK O'BRIEN, DIST. 38
 CHUCK FARREY, DIST. 30
 JOSEPH HOTYNSKI, DIST. 4
 BERNARD EGAN, DIST. 35
 COUNTY BOARD SUPERVISORS

Motion by Supervisor Barker and seconded to adopt. Supervisor Barker reported that this resolution came from the Legislative Committee and the vote was 6-5.

Motion by Supervisor Thompson and seconded to amend Line 57 by adding "together with the votes for and against in the Legislative Committee and in the County Board" after "sent by the Winnebago County Clerk". Ayes: 13 - Weber, Albrecht, Thompson, Lohry, Farrell, Hall, Wingren, Jacobson, Norton, Kline, Schaidler, Brennand and Ellis. Nays: 23. Excused: 1 - Drexler. Absent: 1 - Arne. LOST.

Vote on resolution as presented: Ayes: 24. Nays: 12 - Ramos, Pollnow, Thompson, Lennon, Wingren, Jacobson, Norton, Robl, Schmuhl, Kline, Eisen and Brennand. Excused: 1 - Drexler. Absent: 1 - Arne. CARRIED.

RESOLUTION NO. 113-112006: Disallow Claim of Christopher Plier

WHEREAS, your Personnel and Finance Committee has had the claim of Christopher Plier 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 Christopher Plier dated October 3, 2006, 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. 114-112006: Authorize Use of Park View Health Center Fund Balance of \$225,000 to Cover Revenue Shortfall and Transfer Funds Between Expense Categories Within the Park View Health Center 2006 Budget to Cover Shifting of Costs From Labor to Other Operating Expense Categories.

WHEREAS, as a result of starting the downsizing process to move into a new facility, Park View will experience a revenue shortfall of roughly \$425,000 for 2006; and

WHEREAS, because of the downsizing, efforts have been made to leave positions vacant during 2006 to

minimize the number of layoffs when Park View moves into the new facility; and

WHEREAS, it has been necessary to use additional contracted help to maintain adequate levels of care at the facility which had been necessary because of leaving positions vacant; and

WHEREAS, as a result of these shifts in labor costs, there are surpluses in the labor expense category and projected overages in the other expense category (where contracted help is budgeted); and

WHEREAS, as a result of these revenue shortfalls and cost shifts, there will be an overall shortfall in the department of roughly \$225,000.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$225,000 from Park View Health Center's fund balance to cover the overall shortage in the department.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$500,000 of projected savings in the labor accounts as follows: \$300,000 to the contracted services account to cover overages in contracted labor, and applies the remaining labor reduction of \$200,000 to offset the rest of the revenue shortfall in the department.

Submitted by:

PARK VIEW HEALTH CENTER COMMITTEE

PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Supervisor Kline noted that the Personnel & Finance Committee's vote on this resolution was 5-0. Ayes: 36. Nays: 0. Excused: 1 - Drexler. Absent: 1 - Arne. CARRIED.

RESOLUTION NO. 115-112006: Authorize Park View Health Center to Accept a \$12,328 Grant and Apply to a "Safe Lifting Initiative" Training Program.

WHEREAS, Park View Health Center has been awarded a grant of \$12,328 for the purpose of instituting a training program for safe lifting of residents; and

WHEREAS, it would be in the facilities best interest to accept this grant and institute the training program; and

WHEREAS, training employees on proper lifting of residents would help reduce or alleviate back problems associated with this type of activity.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes Park View Health Center to accept a \$12,328 "Safe Lifting Initiative Demonstration and Training" Grant and appropriates the funds to the education and training expense line items in Park View Health Center's 2006 budget.

Submitted by:

PARK VIEW HEALTH CENTER COMMITTEE

PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Wingren and seconded to adopt. Ayes: 35. Nays: 1 - Pollnow. Excused: 1 - Drexler. Absent: 1 - Arne. CARRIED.

RESOLUTION NO. 116-112006: Transfer \$6,000 from the Salary Contingency Fund to the Regular Pay Account of the Corporation Counsel's 2006 Budget to Cover a Projected Labor Overage.

WHEREAS, Corporation Counsel's office is projected to exceed its labor cost budget by \$6,000 for 2006; and

WHEREAS, reasons for the department exceeding budget include some unused vacation payout from 2005 and labor budget estimating procedures that determine pay for the subsequent year using some averaging methodologies for budgeting step and other increases; and

WHEREAS, there are insufficient funds in other areas of Corporation Counsel's 2006 budget to cover the overage.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$6,000 from the general salary contingency fund of the Winnebago County 2006 budget to the "Regular Pay" account within Corporation Counsel's 2006 budget to cover the projected overage.

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

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 36. Nays: 0. Excused: 1 - Drexler. Absent: 1 - Arne. CARRIED.

RESOLUTION NO. 117-112006: Transfer \$8,000 from the Other Operating Expense Category to the Travel Expense Category (Auto Allowance) within the Department of Human Services 2006 Budget.

WHEREAS, as a result of a budgeting oversight in the Access Teams 2006 budget there will be insufficient funds in the Auto Allowance expense line within the travel expense category to cover mileage reimbursements to employees through the end of 2006; and

WHEREAS, there will be a surplus within the Detox – Behavioral Health Division contracted services account sufficient to cover the overage described above.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$8,000 from the Detox Behavioral Health contracted service account to the Auto Allowance account within the travel category of the Human Services 2006 budget to cover the projected auto allowance overage.

Submitted by:
HUMAN SERVICES BOARD
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Koziczkowski and seconded to adopt. Ayes: 36. Nays: 0. Excused: 1 - Drexler. Absent: 1 - Arne. CARRIED.

RESOLUTION NO. 118-112006: Accept OJA Grant of \$11,400 and Apply the Costs of Digital Recording Equipment for Recording of Custodial Interrogations

WHEREAS, the Sheriff's Department has been awarded a grant of \$11,400 for the purchase of equipment and costs associated with a program to digitally record custodial interrogations; and

WHEREAS, there is a state mandate that the department must record and store custodial interrogations, and this function is presently performed using video taping equipment which is becoming obsolete; and

WHEREAS, the County would eventually be required to purchase the digital equipment on its own; and

WHEREAS, it would be in Winnebago County's best interest to accept the grant and use it for its intended purpose.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Sheriff's Department to accept an OJA grant of \$11,400 as described above and appropriates the funds to the small equipment and other operating expense accounts of the Sheriff Department's 2006 budget for the purpose of carrying out the objectives of the grant.

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

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 36. Nays: 0. Excused: 1 - Drexler. Absent: 1 - Arne. CARRIED.

RESOLUTION NO. 119-112006: Cancel Tax Assessment - Town of Menasha, Winnebago County, Wisconsin

WHEREAS, the parcel described below is owned by Winnebago County for state right-of-way purposes and is exempt from special assessments pursuant to Section 70.74(2) of the Wisconsin Statutes.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that pursuant to Section 74.33 (1)(c), Wisconsin Statutes, it hereby cancels the tax assessment for the year 2005 in the amount of \$484.27 and charges the same back to the respective taxing district for the following parcel of real estate:

Parcel No. 008-0453-01, Town of Menasha
S16 T20 R17
PT NW NE FOR HWY EXC D536182
6.61 Acres

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 36. Nays: 0. Excused: 1 - Drexler. Absent: 1 - Arne. CARRIED.

RESOLUTION NO. 120-112006: Authorize Execution of a Memorandum of Agreement with the Town of Clayton Concerning the Installation and Longer-Term Maintenance of Amenities Along the WIOUWASH State Recreation Trail

Whereas, the Town of Clayton has approached the County and indicated its desire to establish several amenities on a 20' wide X 25' long section of County owned property at the intersection of the Friendship and WIOUWASH State Recreation Trails; and,

Whereas, the Town of Clayton wishes to place a kiosk, park benches and some decorative landscaping in an area on the southwest corner of the intersection of the trails and,

Whereas, both the Town and the County agree that the presence of these amenities will enhance the services along the two trails; and,

Whereas, the Town of Clayton will be responsible for all activities, including costs, associated with the placement and long-term maintenance of said amenities; and,

Whereas, the Town of Clayton will provide Winnebago County access to a designated section of the kiosk bulletin board for posting of trail information and other County news.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors that it hereby authorizes that the County Executive and County Clerk be and they hereby are authorized to execute the Memorandum of Agreement between Winnebago County and the Town of Clayton a copy of which is attached hereto and incorporated herein for reference.

Submitted by,
PARKS AND RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Ayes: 36. Nays: 0. Excused: 1 - Drexler. Absent: 1 - Arne. CARRIED.

RESOLUTION NO. 121-112006: Authorize Sponsorship Agreement Between Winnebago County and Route 41 Pizza LLC Doing Business as Domino's Pizza Incorporated

WHEREAS, Route 41 Pizza LLC d/b/a Domino's Pizza Incorporated (hereinafter referred to as "Domino's") desires to enter into a sponsorship agreement with Winnebago County whereby Domino's would become the official pizza of the Winnebago County Community Park and facilities operated by the Parks Department; and

WHEREAS, pursuant to this agreement, Lessees of Park venues would agree to sell exclusively Domino's pizza at events which they sponsor; and

WHEREAS, pursuant to this agreement, Domino's would pay Winnebago County the sum of \$10,000 annually plus 20% of gross sales over and above the \$10,000 annual payment for fresh pizza and pizza products at the Winnebago County Community Park and related facilities; and

WHEREAS, said agreement shall run through December 31, 2009 with Domino's being provided the first right to renegotiate said agreement for an additional term. A copy of said agreement may be obtained from the Winnebago County Parks Director or Winnebago County Corporation Counsel and is incorporated by reference as a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and Winnebago County Clerk to enter into an agreement with Domino's for sponsorship of events at the Winnebago County Community Park and at Parks facilities which shall run through December 31, 2009 and shall contain those major terms described above.

Submitted by:
PARKS & RECREATION COMMITTEE

Motion by Supervisor Lauson and seconded to adopt. Ayes: 34. Nays: 2 - Thompson and Jacobson.
Excused: 1 - Drexler. Absent: 1 - Arne. CARRIED.

RESOLUTION NO. 122-112006: Create Section 24.20 of the Rules of the Winnebago County Board of Supervisors: Personnel Function Review Committee

WHEREAS, your undersigned Supervisors believe that it would be in the best interest of Winnebago County for the County Board to form a temporary committee to review the functions of all Winnebago County personnel and departments and to make a recommendation as to whether there might be a combination or merging of any personnel functions or departments in order to make the County more economically efficient; and

WHEREAS, your undersigned Supervisors believe that said Committee should be temporary in nature and should make a report and recommendation to the County Board within approximately one year of the formation of said Committee.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby creates Section 24.20 of the Rules of the Winnebago County Board which shall read as follows:

24.20 PERSONNEL FUNCTION COMMITTEE. This Committee shall be composed of five (5) County Board members, one of whom shall be the County Board Chair. The Personnel Function Committee shall review the functions of all personnel and departments within Winnebago County and shall make a recommendation to the full County Board as to the possible merger or reorganization of County personnel and/or departments in order to allow Winnebago County to operate in a more economic and efficient manner. The Committee shall request the assistance of the County Executive and the Human Resources Director in relationship to the fulfillment of its duties.

The existence of this Committee shall terminate on December 31, 2007 unless its term is extended prior thereto by the Winnebago County Board of Supervisors.

Submitted by:
BERNARD EGAN, DIST. 35
DAVID ALBRECHT, DIST. 11
ROBERT WARNKE, DIST. 21
JOANNE SIEVERT, DIST. 31
KEN ROBL, DIST. 23
DONALD GRIESBACH, DIST. 3
HARVEY RENGSTORF, DIST. 37
KATHLEEN LENNON, DIST. 15
BILL WINGREN, DIST. 18
THOMAS ELLIS, DIST. 36
CHUCK FARREY, DIST. 30
DONNA LOHRY, DIST. 14
COUNTY BOARD SUPERVISORS

Motion by Supervisor Egan and seconded to adopt.

Motion by Supervisor Ramos and seconded to amend Line 17 by deleting "a" and inserting, "an interim report and recommendation within six months and a final" after the word "make". Ayes: 31. Nays: 4 - Koziczkowski, Widener, Kline and Eisen. Excused: 1 - Drexler. Absent: 1 - Arne. CARRIED. (Supervisor Finch's vote did not register.)

Motion by Supervisor O'Brien and seconded to amend Line 25 by increasing the membership of this committee from "five (5)" to "seven (7)". CARRIED BY VOICE VOTE.

Motion by Supervisor Hall and seconded to amend Line 17 by changing the word "should" to "shall", and Line 34 by changing "December 31, 2007" to "October 1, 2007". Supervisor Ramos asked Supervisor Hall to make a friendly amendment by amending Line 18 by changing "one year" to "ten (10) months". Supervisor Hall accepted Supervisor Ramos' friendly amendment. Ayes: 19. Nays: 17 - Weber, Barker, Griesbach, Hotynski, Maehl,

Koziczowski, Widener, Lauson, Norton, Warnke, Robl, Eisen, Finch, Diakoff, Egan, Ellis and Rengstorf. Excused: 1 - Drexler. Absent: 1 - Arne. CARRIED.

Motion by Supervisor Eisen and seconded to amend the resolution as follows:

- Line 15 - add "Whereas, your undersigned Supervisors believe that there is a need for some immediate action for reform."
- Line 26 - after "The Personnel Function Committee" add "shall oversee the County Executive's development of a zero based budget for 2008"
- Line 31 - after "Human Resources Director" add "Finance Director"

Chairman Albrecht ruled Supervisor Eisen's proposed amendments to this resolution out of order.

Vote on resolution as amended - Ayes: 33. Nays: 3 - Griesbach, Widener and Rengstorf. Excused: 1 - Drexler. Absent: 1 - Arne. CARRIED.

RESOLUTION NO. 123-112006: Approve Long Distance Voice Services Agreement with AT & T

WHEREAS, Winnebago County desires to enter into a three-year (3) Agreement with AT & T Global Services for a High Volume Calling Long Distance Services; and

WHEREAS, AT & T and Winnebago County have reached a proposed Agreement for a three-year (3) term a copy of which is herewith attached and made a part of this resolution by reference; and

WHEREAS, the Information Systems Committee believes that said Agreement is in the best interest of Winnebago County.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive and Winnebago County Clerk to enter into a three-year (3) Agreement with AT & T Global Services for high volume domestic calling at the rate and upon those terms as is indicated in the attached Agreement.

Submitted by:
INFORMATION SYSTEMS COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Brennand and seconded to adopt. Supervisor Kline stated that the Personnel & Finance Committee's vote on this resolution was 5-0. Ayes: 34. Nays: 2 - Lohry and Farrey. Excused: 1 - Drexler. Absent: 1 - Arne. CARRIED.

RESOLUTION NO. 124-112006: Designation of Elder Adult-at-Risk and Adult-at-Risk Agencies

WHEREAS, the Winnebago County Board of Supervisors did previously designate the Winnebago County Department of Human Services for the purposes of s. 46.90 Wis. Stats. as the agency to develop and implement the elder abuse reporting system for Winnebago County; and

WHEREAS, 2005 Wisconsin Act 388, enacted May 10, 2006, requires each county board to designate an agency in the county as the elder adult-at-risk agency to serve the population of elder adults-at-risk for the purposes of s. 46.90 Wis. Stats.; and

WHEREAS, the elder-adult-at-risk agency and the adult-at-risk agency shall have the following duties with regard to their respective populations:

1. Develop a policy for notifying other investigative agencies, including law enforcement officials in appropriate cases;
2. Establish an abuse reporting system to carry out the purposes of s. 46.90 Wis. Stats. and s. 55.043 Wis. Stats.;
3. Enter into a memorandum of understanding regarding the operation of the system with the county department under s. 46.215 or 46.22 and with any private or public agency, including a county department under s. 51.42 or 51.437, within the county that is participating in the reporting system. The memorandum of understanding shall, at a minimum, identify the agencies that are responsible for the investigation of reports of abuse, financial exploitation, neglect, or self-neglect, of elder-adults-at-risk and adults-at-risk;
4. Receive reports of abuse, financial exploitation, neglect, or self-neglect of elder-adults-at-risk and adults-at-risk;
5. Publicize the existence of the reporting system in the county and provide a publicized telephone

number that can be used by persons wishing to report suspected cases of abuse, financial exploitation, neglect, or self-neglect. Also, provide a telephone number that can be used to make reports after the agency's regular business hours.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby designates the Winnebago County Department of Human Services as the "Elder Adult-at-Risk Agency" pursuant to Chapter 46 of the Wisconsin Statutes, and the Winnebago County Department of Human Services as the "Adult-at-Risk Agency" pursuant to Chapter 55 of the Wisconsin Statutes.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the duties of the Winnebago County Department of Human Services are as described above.

BE IT FURTHER RESOLVED that this designation shall be effective December 1, 2006.

Submitted by:
HUMAN SERVICES BOARD

Motion by Supervisor Koziczkowski and seconded to adopt. Ayes: 36. Nays: 0. Excused: 1 - Drexler. Absent: 1 - Arne. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, December 19, 2006. CARRIED BY VOICE VOTE.

The meeting was adjourned at approximately 9:15 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 November 14, 2006.

Susan T. Ertmer
Winnebago County Clerk