

**ADJOURNED SESSION
COUNTY BOARD MEETING
TUESDAY, JUNE 20, 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, Spanbauer, Kline, Locke, Eisen, Schaidler, Finch, Farrey, Sievert, Arne, Diakoff, Brennand, Egan, Ellis, Rengstorf and O'Brien.

Motion by Supervisor Robl and seconded to approve the agenda with the change that Resolution No. 54-62006 be acted on immediately following Resolution No. 40-62006.

Supervisor Hall objected to the agenda, stating that he felt that Resolution 29-52006 and Amended Resolution No. 29-52006 were out of order and in violation of County Board Rule 12.7. After consulting with John Bodnar, Winnebago County Corporation Counsel, Chairman Albrecht ruled that these two resolutions were in order and that the agenda does not violate County Board's rule 12.7. Chairman Albrecht called for a vote on the agenda as amended by Supervisor Robl.

Motion by Supervisor Hall and seconded to challenge the Chairman's ruling on the agenda. Chairman Albrecht called for a vote on his ruling that the agenda was not in violation of County Board rules 12.7. Corporation Counsel Bodnar explained that an "aye" vote would be in favor of upholding Chairman Albrecht's ruling on the agenda, and a "nay" vote would be a vote against his ruling on the agenda. Ayes: 33. Nays: 3 – Lohry, Hall and Wingren. Abstain: 2 – Ramos and Farrell. CARRIED.

Vote on agenda as amended: CARRIED BY VOICE VOTE.

COMMUNICATIONS, PETITIONS, ETC.

A "Notice of Claim" received from Rory J. Belling for personal items lost while he was incarcerated at the Winnebago County Jail, was referred to the Personnel & Finance Committee.

Information was given to the board on the International Trade, Business and Economic Development Council (ITBEC) Conference that will be held on August 1 & 2 in Lac Du Flambeau, Wisconsin. Anyone interested in attending should contact the County Clerk's Office to register for the conference.

A "thank you" note was received from Dorothy & Carl Eilertson for the Board's recognition of Mr. Eilertson's retirement from the county as a bridge tender.

Resolutions from the following counties were included in the Board's packet: Brown, Dodge, Door, Ozaukee, Polk, Washburn and Waushara.

Petition for zoning amendment from the Town of Clayton for a zoning change from R-1/R-2 to R-2 for OL2 & OL3 and R-3 for Lots 28-36 of tax parcel nos. 006-0502-05(p) and 006-0502-13 for single family and duplex was referred to the Planning & Zoning Committee.

Petition for zoning amendment from the Town of Rushford for a zoning change from A-2 to R-1/R-2 for tax parcel no. 022090303 for single family residence was referred to the Planning & Zoning Committee

Petition for zoning amendment from the Town of Algoma for a zoning change from A-2 to R-1 for tax parcel number 002-0028(p) for residential purposes was referred to the Planning & Zoning Committee.

Petition for zoning amendment from the Town of Oshkosh for a zoning change from A-2 to R-1 for tax parcel no. 018-0307-01 for residential purposes was referred to the Planning & Zoning Committee.

Petition for zoning amendment from the Town of Neenah for a zoning change from A-2/M-1 to R-1 for Lot 1, M-1 for Lot 2 and A-2 for Lot 3 of tax parcel numbers 010-0214-01 and 010-0214-02 for residential, light industrial and farmland purposes was referred to the Planning & Zoning Committee.

Petition for zoning amendment from the Town of Menasha for a zoning change from R-2 to B-3 for tax parcel no. 008-3256 for commercial development was referred to the Planning & Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Koziczowski reported that public hearings on the Human Services Department's 2007 budget will be held on June 28 from 6:00 p.m. until 7:00 p.m. at the Neenah Human Services Building and on June 29 from 8:30 a.m. until 9:30 a.m. at the Oshkosh Human Services Building. Everyone is invited to attend.

Supervisor Eisen gave a report on the County Officials Workshop that he attended on May 17 in Kimberly. He stated that at the workshop they discussed open meeting law, running effective meetings, county budgets, ethics and conflicts of interest and county board size. He stated that he learned the importance of knowing and understanding the rules set by the county board and encouraged all the members to do the same.

Supervisor Barker reported that she placed on everyone's desk a copy of the Farm Fresh Atlas of Eastern Wisconsin and explained that it is a, "guide to finding and buying farm fresh, sustainably raised food" in northeast Wisconsin. Supervisor Barker also reported that there will not be a Legislative Committee meeting in June. She encouraged the members to look over the resolutions that were included in their packets from other counties to see if they pertain to any issues that Winnebago County needs to address.

Supervisor Rengstorf explained that all six of the county's courtrooms will be setup for video conferencing by the end of this week. This will enable someone being held in jails across the state to make their initial appearance by video instead of having to be transported. Supervisor Rengstorf stated that this system will help reduce costs for Winnebago County.

Supervisor Finch reported that the Scholarship Committee has met and decided not to solicit for funds for the county's scholarship program, but they will still accept donations for the fund. Supervisor Finch explained that John Bodnar, Corporation Counsel, has drawn up a donation agreement that directs any donation to the appropriate fund. Supervisor Finch also shared the committee's "Statement of Purpose" that was written by Supervisor Eisen. Supervisor Finch reported that Neenah High School has sent a note thanking the Scholarship Committee and the County Board for the scholarship. He also expressed his hope that at budget time the Board will continue to fund this program.

Supervisor O'Brien thanked Chuck Orenstein, Finance Director, for the "June 2006 County Board Resolution and Fiscal Analysis" report that he provided to the Board. Mr. Orenstein explained that this will be a monthly report that he will provide to the Board. Supervisor O'Brien encouraged the Board members to keep these monthly reports because they will be a good reference tool.

Motion by Supervisor Lauson and seconded to approve the May 2 & May 16, 2006 County Board proceedings. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris commented on Resolution No. 29-52006, "Authorize Acceptance of a Grant of up to \$294,000 for the Purchase of 49 New Voting Machines for County and Municipal Use and Appropriate Funds to Capital Outlay Account in the County Clerk's 2006 Budget for that Purpose." He pointed out that with this resolution the board is only authorizing the acceptance of the grant money for voting equipment, not determining what equipment will be purchased.

Executive Harris recommended approval of the following resolutions: No. 38-62006, "Authorize Creation of Park View Health Center Construction Project Fund with Oshkosh Area Community Foundation"; No. 39-62006, "Authorize Creation of Park View Health Center Endowment Fund"; No. 41-62006, "Amend the Circuit Courts' Table of Organization"; No. 53-62006, "Approve Industrial Development Board Loan – Village of Winneconne"; and No. 51-62006, "Authorize a Transfer of \$72,000 from the Highway Department Fund and \$8,000 from the Planning Department Professional Services Fund to the County Road Maintenance Cost Center for an Interchange Study".

COUNTY EXECUTIVE'S APPOINTMENTS

HUMAN SERVICES BOARD

Executive Harris asked for the Board's approval of his appointment of Supervisor Norton to the Human Services Board. Supervisor Norton will replace Phillips L. Scoville who is no longer on the Board. This is a three-year term that will expire December 31, 2008. Motion by Supervisor Finch and seconded to adopt. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht corrected the attachment to Resolution No. 43-62006, "Authorize Payment for Excess Committee Days (April 1, 2005 thru April 17, 2006) by changing Supervisor Widener's number of "Seminars/Conventions" from "49" to "13".

Chairman Albrecht reported that Helene Nelson of the Wisconsin Department of Health & Family Services presented Mark Harris and Mark Quam, Winnebago County Human Services Director, with a check for \$100,000 to help the county create a plan for family care services.

2006 SCHOLARSHIP PRESENTATION

Chairman Albrecht and Supervisor Finch, Chairman of Scholarship Committee, presented the 2006 Scholarship checks, a certificate and a copy of the county's history book, "In this Century" to the following graduated high school seniors:

Sarah Dexter, Neenah High School
Lindsey Walsh, Oshkosh West High School
Steven Bloede, Winneconne High School
Rachel Schultz, Valley Christian High School, Oshkosh
Amanda Skalmoski, St. Mary Central High School, Menasha

The other three students who received scholarships this year, but who could not be present at the Board's meeting were: Melanie Stepanek from Lourdes High School, Oshkosh; Ellen Bares, Omro High School; and Cassandra Soda, Oshkosh North High School.

PUBLIC HEARING

Ronald Brueckner, 735 East River Drive, Omro, spoke in opposition to Resolution No. 53-62006, "Approve Industrial Development Board Loan – Village of Winneconne".

The following people spoke in favor of Resolution No. 53-62006, "Approve Industrial Development Board Loan – Village of Winneconne": Doug Pearson, of Chamco, Inc. and a member of the Winnebago County Industrial Development Board; Tami Pierce, Executive Director of the Village of Winneconne Chamber of Commerce, 125 Washington Street, Winneconne; Doug Nelson, 214 North 6th Avenue, Winneconne.

The following people spoke in opposition to Resolution 29-52006, "Authorize Acceptance of a Grant of \$294,000 for the Purchase of 49 New Voting Machines for County and Municipal Use and Appropriate Funds to Capital Outlay Account in the County Clerk's 2006 Budget for that Purpose": Tina Haffeman, 907 Washington Avenue, Oshkosh; Ann Frisch, 3565 Bambi Lane, Oshkosh; John Lemberger, 736 Evans Street, Oshkosh; Caroline Blassingame 1926 East Murdock Avenue, Oshkosh; Tony Palmeri, 212 West Parkway Avenue, Oshkosh; Gary Jepson, 25 West South Park Avenue, Oshkosh; Drew Meiske, 320 Rosalia Street, Oshkosh; Ron Hardy, 1437 North Main Street, Oshkosh; Steve Barney, 1260 Elmwood Avenue, Oshkosh; and Jenny Ryan, 320 Rosalia Street, Oshkosh

The following people spoke in support of Resolution 29-52006, "Authorize Acceptance of a Grant of \$294,000 for the Purchase of 49 New Voting Machines for County and Municipal Use and Appropriate Funds to Capital Outlay Account in the County Clerk's 2006 Budget for that Purpose": Steve Johns, 220 Tennessee Avenue, Oshkosh; Leah Kitz, representing ARC Winnebago County Disabilities Association, 1317 Washington Avenue, Oshkosh; Barbara Van Clake, Deputy Omro City Clerk, Omro; and Pam Ubrig, Oshkosh City Clerk, Oshkosh.

The following people spoke in support of Ordinance No. 48-62006, "Create Section 2.04 of the General Code of Winnebago County (County Veteran Service Commission): Phil Bird, 3037 Bellaire Lane, Oshkosh; Dale Witzke, 6072 Harbour South, Winneconne; Roger Jaeger, 214 East River Drive, Omro.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Jessica King and property owner Frank Moore, Town of Black Wolf, for zoning change to R-1 for tax parcel no. 004-0298. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 06-01-06. A requested zoning change from A-2 (General Ag) to R-1 (Single family non-subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: June 26, 2006)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants Jeff Miles and Peter Miles and property owner TC Industrial LLC-James Fletcher, Town of Clayton, for zoning change to B-3/B-3(HB) for tax parcel nos. 006-0335, 006-0343 and 006-0341. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 06-02-06. A requested zoning change from A-1 (Exclusive Ag) to B-3/ B-3(HB) (General Business/General Business – Highway Business overlay). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: June 26, 2006)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners Frederick & Elizabeth Merizon, Town of Neenah, for zoning change to R-1 w/out floodplain for tax parcel no. 010-0463-08-01. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 06-03-06. A requested zoning change from R-1 with floodplain to R-1 without floodplain. Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: June 26, 2006)

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Oshkosh Cold Storage, Town of Oshkosh, for zoning change to M-1 for tax parcel no. 018-0064(p). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 06-04-06. A requested zoning change from R-1 (Single Family non-subdivided) to M-1 (Light Industrial). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: June 26, 2006)

RESOLUTIONS & ORDINANCES

RESOLUTION NO. 29-52006: Authorize Acceptance of a Grant of \$294,000 for the Purchase of 49 New Voting Machines for County and Municipal Use and Appropriate Funds to Capital Outlay Account in the County Clerk's 2006 Budget for that Purpose.

WHEREAS, The Federal Help America Vote Act has mandated that governments purchase new electronic voting machines; and

WHEREAS, the State has made available funds to local governments to purchase such new voting machines; and

WHEREAS, the new machines will be compatible with other hardware and software the County already has for counting and tallying vote totals; and

WHEREAS, the grant funds will pay all costs of acquiring the machines.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the County Clerk to accept the State grant funds of \$294,000, and to appropriate them to the capital outlay account of the County Clerks office for the purpose of purchasing said voting machines and applicable software.

Submitted by:

JUDICIARY & PUBLIC SAFETY COMMITTEE

PERSONNEL & FINANCE COMMITTEE

Supervisor Schaidler explained that at the June 14 County Board meeting a motion to reconsider this resolution was passed. He then immediately made a motion to postpone any further action on this resolution until tonight's meeting. Motion by Supervisor Schaidler and seconded to amend this resolution by substituting the following Amended Resolution No. 29-52006. Supervisor Schaidler explained that the main difference between the two resolutions begins at Line 29, which reads as follows:

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that Winnebago County shall use said grant to buy any brand or model of voting machine which a municipality may request the County to purchase, provided that such a machine has been approved by the Wisconsin Elections Board as meeting the requirements of the State Funding Grant and the requirements of the Help America Vote Act.

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

WHEREAS, The Federal Help America Vote Act requires that each polling place provide at least one voting method that allows disabled individuals to vote in privacy

WHEREAS, Wisconsin Election Board has approved new electronic voting machines which allow impaired persons to vote without assistance as the method that allows disabled individuals to vote in privacy in Winnebago County

WHEREAS, the State has made available funds to local governments to purchase such new voting

machines; and

WHEREAS, local cities, towns, and villages, with the responsibility to comply with the Help America Vote Act, have requested the Winnebago County Clerk to assist them by requesting Winnebago County to aggregately apply for grant funds and

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the County Clerk to accept the State grant funds for the purchase of voting machines in an amount not to exceed \$288,000, and to appropriate that amount to the capital outlay account of the County Clerk's office for the purpose of purchasing said voting machines and applicable software, subject to each participating municipality entering into a memorandum of understanding with Winnebago County whereby any grant proceeds would be retained by Winnebago County.

BE IT FURTHER RESOLVED, by the Winnebago County Board of Supervisors that Winnebago County shall use said grant to buy any brand or model of voting machine which a municipality may request the County to purchase, provided that such a machine has been approved the Wisconsin Elections Board as meeting the requirements of the State Funding Grant and the requirements of the Help America Vote Act.

Fiscal note: Like most grant funded programs, this grant is a reimbursement type grant. The County must first spend the funds. After a report is filed with the state it takes between 60-90 days to receive reimbursement. The grant funds cover all costs of the equipment and software. There may be some in-kind contribution of labor on the part of the County to set up the equipment and coordinate with other government units who will be receiving the equipment. Annual maintenance contract on the equipment will be around \$1,800 per year payable by the County.

Vote on Supervisor Eisen's amended resolution: Ayes: 19 – Weber, Hotynski, Pollnow, Widener, Lauson, Thompson, Lohry, Farrell, Hall, Norton, Robl, Schmuhl, Kline, Locke, Eisen, Brennand, Ellis, Rengstorf and O'Brien, Nays: 19 – Barker, Griesbach, Ramos, Maehl, Koziczkowski, Albrecht, Anderson, Lennon, Wingren, Jacobson, Warnke, Spanbauer, Schaidler, Finch, Farrey, Sievert, Arne, Diakoff and Egan. LOST.

Vote on allowing an amendment (Amended Resolution No. 29-52006) to Resolution No. 29-52006 – Ayes: 27. Nays: 11 – Ramos, Pollnow, Anderson, Thompson, Lohry, Lennon, Farrell, Wingren, Norton, Warnke and Robl. CARRIED.

AMENDED

RESOLUTION NO. 29-52006: Authorize Acceptance of a Grant of up to \$288,000 for the Purchase of 50 New Voting Machines for County and Municipal Use and Appropriate Funds to Capital Outlay Account in the County Clerk's 2006 Budget for that Purpose.

WHEREAS, The Federal Help America Vote Act has mandated that governments purchase new electronic voting machines which allow impaired persons to vote without assistance; and

WHEREAS, the State has made available funds to local governments to purchase such new voting machines; and

WHEREAS, local cities, towns and villages have requested the Winnebago County Clerk to assist them by requesting Winnebago County to aggregately apply for grant funds; and

WHEREAS, the grant funds will pay all costs of acquiring the machines.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the County Clerk to accept the State grant funds for the purchase of voting machines in an amount not to exceed \$288,000, and to appropriate that amount to the capital outlay account of the County Clerk's office for the purpose of purchasing said voting machines and applicable software, subject to each participating municipality entering into a memorandum of understanding with Winnebago County whereby any grant proceeds would be retained by Winnebago County.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that Winnebago County shall use said grant to buy any brand or model of voting machine which a municipality may request the County to purchase, provided that such a machine has been approved by the Wisconsin Elections Board as meeting the requirements of the State Funding Grant and the requirements of the Help America Vote Act.

Amendment submitted by:
JOHN SCHAIDLER, DIST. #28
COUNTY BOARD SUPERVISOR

Motion by Supervisor Ramos and seconded to postpone action on Amended Resolution No. 29-52006. Ayes: 9 – Griesbach, Ramos, Anderson, Thompson, Lohry, Farrell, Hall, Wingren and Norton. Nays: 29. LOST.

Vote on Amended Resolution No. 29-52006: Ayes: 28. Nays: 10 – Ramos, Pollnow, Anderson, Lohry, Lennon, Farrell, Hall, Wingren, Norton and Warnke. CARRIED.

Chairman Albrecht announced that Supervisor Lauson has made a donation to the Scholarship Fund.

At approximately 8:45 p.m., Chairman Albrecht called for a brief recess of the Board. The Board reconvened at approximately 9:00 p.m.

RESOLUTION NO. 35-62006: Commendation for Sally A. Gehrke

WHEREAS, Sally Gehrke has been employed with Park View Health Center, for the past thirty-six years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Sally Gehrke has now retired from those duties, and it is appropriate for the Winnebago County Board of Supervisors to acknowledge her years of service.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that sincere appreciation and commendation be and it hereby is extended to Sally Gehrke for the fine services she has rendered to Winnebago County.

BE IT FURTHER RESOLVED, that the County Clerk send a copy of this Resolution to Sally Gehrke.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO 36-62006: Commendation for Sally J. Viertel

WHEREAS, Sally Viertel has been employed with Park View Health Center, for the past twenty-nine years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Sally Viertel has now retired from those duties, and it is appropriate for the Winnebago County Board of Supervisors to acknowledge her years of service.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that sincere appreciation and commendation be and it hereby is extended to Sally Viertel for the fine services she has rendered to Winnebago County.

BE IT FURTHER RESOLVED, that the County Clerk send a copy of this Resolution to Sally Viertel.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 37-62006: Amendment to County Board Rule Section 24.4

WHEREAS, changes made by the Wisconsin Legislature in statutory language and in the numbering of certain statutes requires the amendment of Section 24.4 of the rules of the Winnebago County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that its rules shall be amended as follows:

Section 24.4 of the Rules of the Winnebago County Board of Supervisors shall be amended to read:

County Planning and Zoning Committee. The Committee shall be composed of five (5) county board supervisors and shall be the "county zoning agency" as referred to in Section 59.69(2)(a)(1), Wisconsin Statutes. Committee members shall include at least one, but not more than two, county board supervisors from the incorporated area. All members shall be appointed by the County Board. As provided in Section 59.69(2)(bm),

Statutes, the county zoning agency shall be a policy-making body determining the broad outlines and principles governing the administrative powers and duties specified in Section 59.69, Wisconsin Statutes and shall be a quasi-judicial body with decision-making power, including but not limited to conditional use, planned unit development and rezoning.

In addition, the Committee's responsibilities shall be as follows:

- (1) Responsibility for all matters of procedure relating to the Winnebago County Zoning Ordinance (this would include basic zoning provisions, floodplains/shoreland provisions and airport zoning provisions), except those designated to the jurisdiction of the Winnebago County Board of Adjustment.
- (2) Creation and maintenance of the County Comprehensive Plan.
- (3) Committee of jurisdiction for the County Planning Department.

The Committee shall review policy issues relating to the County Zoning Department and County Planning Department and shall advise and recommend appropriate policy goals and legislative action to be taken by the County Board.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Finch. Absent: 2 – Lauson and Schmuhl. CARRIED.

RESOLUTION NO. 38-62006: Authorize Creation of Park View Health Center Construction Project Fund with Oshkosh Area Community Foundation

WHEREAS, your undersigned Committees believe that it would benefit Park View Health Center, in relationship to the construction of the new nursing home facility at Park View Health Center, to create a special construction project fund with the Oshkosh Area Community Foundation, to which persons desiring to contribute to the construction at Park View Health Center could donate funds which could be used for the improvement of the facility or the purchase of items to benefit residents at the facility, wherein such improvements were not included in the construction budget for said facility; and

WHEREAS, your undersigned Committees believe that the creation of such a fund would be in the best interest of Park View Health Center and the residents at Park View Health Center.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the creation of a Park View Health Center Construction Project Fund with the Oshkosh Area Community Foundation.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the attached Agreement to create such a fund with the Oshkosh Area Community Foundation.

Submitted by:
PARK VIEW HEALTH CENTER COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 35. Nays: 0. Excused: 1 – Finch. Absent: 2 – Lauson and Schmuhl. CARRIED.

RESOLUTION NO. 39-62006: Authorize Creation of Park View Health Center Endowment Fund

WHEREAS, your undersigned Committees believe that it would be in the best interest of Park View Health Center to create an endowment fund with the Oshkosh Area Community Foundation; and

WHEREAS, the purpose of such a fund would be to create a permanent endowment whereby donors could make gifts to benefit patients at Park View Health Center; and

WHEREAS, the interest from such an endowment fund would be used to fund care needs of patients both in the aggregate and individually who are residents of Park View Health Center; and

WHEREAS, the endowment fund would not be used to supplement the operating budget of Park View Health Center; and

WHEREAS, your undersigned Committees believe that the creation of such a fund would encourage persons to make donations on behalf of themselves and in memory of those who had received care at Park View Health

Center on behalf of Park View Health Center and would insure said donors that said money would be used in relationship to that facility.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the creation of an endowment fund on behalf of Park View Health Center with the Oshkosh Area Community Foundation.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the attached agreement for the creation of such an endowment fund with the Oshkosh Area Community Foundation .

Submitted by:
PARK VIEW HEALTH CENTER COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 36. Nays: 0. Excused: 1 – Finch. Absent: 1 – Schmuhl. CARRIED.

ORDINANCE NO. 40-62006: Amend Section 5.07(5)(d)(a) of the General Code of Winnebago County (Daily Jail Fee)

WHEREAS, the Judiciary and Public Safety Committee, upon the recommendation of the Winnebago County Sheriff, believe that a higher daily per person jail rate should be established for expenses incurred by the County in relationship to those persons sentenced to be incarcerated in the Winnebago County Jail; and

WHEREAS, your undersigned Committee, based upon the recommendation of the Winnebago County Sheriff, is of the opinion that said daily per person jail rate should be raised from \$12.00 per day to \$47.00 per person for the first day and \$22.00 per person per day for each subsequent day.

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

That Section 5.07(5)(d)(a) of the General Code of Winnebago County shall be amended to read as follows:

5.07(5)(d) DAILY JAIL FEE. (a) For expenses incurred by the County in relation to the crime for which a person was sentenced to a county jail, or for which the person was placed on probation and confined in jail, the County Board hereby sets a daily per person jail rate of \$47.00 per person for the first day and \$22.00 per day per person for each subsequent day.

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

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 28. Nays: 9 – Weber, Widener, Thompson, Lohry, Farrell, Hall, Warnke, Farrey and Arne. Excused: 1 – Finch. CARRIED.

RESOLUTION NO. 54-62006: Authorize Appropriation of \$400,000 for the First Phase of the Radio System Upgrade in the Sheriff's Department.

WHEREAS, currently law enforcement relies heavily on portable radios for communication with E-911 and fellow officers; and

WHEREAS, due to current weaknesses in the County's current system, officers only a few miles away are at times unable to hear officer transmissions from the portable radios; and

WHEREAS, the FCC has issued a ruling requiring all public safety frequencies to be narrow band by the year 2011. Narrow band will result in decreasing the distance of radio transmissions; and

WHEREAS, the project to upgrade the current Winnebago County radio system to simulcast and digital which will result in a better county wide system being broadcast at one time; and

WHEREAS, the first phase of this project is primarily to cover the engineering and design cost.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$400,000 to replace the current Winnebago County radio system.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for said project are hereby appropriated from the General Fund of Winnebago County, with said fund being reimbursed from a subsequent bond issue of \$400,000.

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

Motion by Supervisor Rengstorf and seconded to adopt. Motion by Supervisor Eisen to refer back to the Judiciary & Public Safety Committee. No second to Supervisor Eisen's motion to refer.

Vote on resolution - Ayes: 35. Nays: 2 – Maehl and Eisen. Excused: 1 – Finch. CARRIED.

RESOLUTION NO. 41-62006: Amend the Circuit Courts' Table of Organization

WHEREAS, the current Table of Organization for the Circuit Courts identifies five (5) full-time Judicial Assistant positions and two (2) part-time positions; and

WHEREAS, the newly elected Branch 4 Circuit Court Judge wants to appoint a full-time Judicial Assistant and not utilize two (2) part-time employees; and

WHEREAS, appointment to these positions is made by the Circuit Court Judge and employees are considered to be "at will" employees; and

WHEREAS, there is a potential fringe benefit cost savings utilizing a full-time versus two (2) part-time positions.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Table of Organization for the Circuit Courts is amended by adding a full-time position of Judicial Assistant and deleting two (2) part-time positions.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 31. Nays: 6 – Kozickowski, Anderson, Lennon, Farrell, Farrey and Sievert. Excused: 1 – Finch. CARRIED.

RESOLUTION NO. 42-62006: Amendment to the Department of Human Services' Table of Organization

WHEREAS, the current Table of Organization for the Department of Human Services lists a funded but vacant position of Psychiatric Nurse in the Oshkosh Community Support Program Office which is no longer needed by the Department; and

WHEREAS, there is a need to create a Safe Streets Case Manager position in the Safe Streets Program section of the Department; and

WHEREAS, the two positions, Psychiatric Nurse and Safe Streets Case Manager, are in the same pay range; and

WHEREAS, there will be no fiscal increase in the Department's budget.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the Table of Organization for the Department of Human Services be amended by deleting one (1) position of Psychiatric Nurse and adding one (1) position of Safe Streets Case Manager.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 36. Nays: 1 – Pollnow. Excused: 1 – Finch. CARRIED.

RESOLUTION NO. 43-62006: Authorize Payment for Excess Committee Days (April 1, 2005 thru April 17, 2006)

WHEREAS, Section 59.13(2)(b), Statutes, allows that in counties with a population of 25,000 persons or more, the Board of Supervisors, may by a two-thirds vote of the members present, increase the number of days for compensation and mileage that may be paid in any year and fix the compensation for each additional day; and

WHEREAS, your undersigned Committee recommends that a per diem payment be made for those committee members who have committee days in excess of 30 days for the period between April 1, 2005 and April 17, 2006.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves a per diem compensation for persons serving on committees for more than 30 days as is shown in the attached report, which is hereby made a part of this resolution, for the period between April 1, 2005 and April 17, 2006.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 36. Nays: 1 – Hall. Excused: 1 – Finch.
CARRIED.

RESOLUTION NO. 44-62006: Disallow Claim of Barbara J. Schatz and Christian Schatz

WHEREAS, your Personnel and Finance Committee has had the claim of Barbara J. Schatz and Christian Schatz 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 Barbara J. Schatz and Christian Schatz dated February 1, 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. 45-62006: Disallow Claim of John Koslowski

WHEREAS, your Personnel and Finance Committee has had the claim of John Koslowski 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 John Koslowski dated May 12, 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. 46-62006: Disallow Claim of C. Doe

WHEREAS, your Personnel and Finance Committee has had the claim of C. Doe 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 C. Doe dated May 9, 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. 47-62006: Disallow Claim of B. Doe

WHEREAS, your Personnel and Finance Committee has had the claim of B. Doe 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 B. Doe dated May 9, 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.

ORDINANCE NO. 48-62006: Create Section 2.04 of the General Code of Winnebago County (County Veteran Service Commission)

WHEREAS, the Wisconsin Legislature recently amended Section 45.81, Wisconsin Statutes (formerly Section 45.12, Wisconsin Statutes), so as to allow counties to create a Veteran's Service Commission with membership in excess of three residents; and

WHEREAS, the Judiciary and Public Safety Committee of the Winnebago County Board of Supervisors recommends that the County Veteran's Service Commission of Winnebago County consist of at least five residents, two of whom may be county board supervisors; and

WHEREAS, it would appear to be in the best interest of Winnebago County that an Ordinance be adopted establishing the membership of said Board.

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

The creation of Section 2.04 of the General Code of Winnebago County, which shall read as follows:

2.04 WINNEBAGO COUNTY VETERAN'S SERVICE COMMISSION.

(1) This Ordinance is adopted pursuant to that authority provided in Section 45.81, Wisconsin Statutes.

(2) The Winnebago County Veteran's Service Commission is created pursuant to Section 45.81(1), Wisconsin Statutes. Said Commission shall consist of five (5) residents of Winnebago County who are veterans as that term is defined in Chapter 45, Wisconsin Statutes. No more than two (2) members of the Commission may be County Board members who are veterans.

(3) APPOINTMENT. Appointment to the Commission shall be made by the Winnebago County Executive pursuant to Section 45.81(2), Wisconsin Statutes.

(4) TERM. Appointments to the Commission shall be for a term of three (3) years except as to those persons appointed immediately subsequent to the adoption of this Ordinance to increase the membership on the Commission from three (3) members to five (5) members. Of those persons appointed as a result of the adoption of this Ordinance, one member's term shall expire on December 31, 2007 and the second member's term shall expire on December 31, 2008. Of the three (3) remaining members of the Commission, the term of one member shall be through December 31, 2006; the term of the second member shall be through December 31, 2007; and the term of the third member shall be through December 31, 2008. Appointments for expired terms shall be made annually, on or before the second Monday in December.

(5) The County Veteran's Service Commission shall operate pursuant to those provisions of Chapter 45, Wisconsin Statutes.

(6) EFFECTIVE DATE. This Ordinance shall be effective as of July 15, 2006.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 36. Nays: 1 – Albrecht. Excused: 1 – Finch. CARRIED.

RESOLUTION NO. 49-62006: Authorize Appropriation of \$164,000 to Resurface the Parking Lot for the Courthouse and Orrin King Building.

WHEREAS, the parking lot for the courthouse and Orrin King building is in need of resurfacing due to age and deterioration; and

WHEREAS, this project was approved in the five-year capital improvements program and is scheduled for 2006 and 2007; and

WHEREAS, the department and Facility & Property Management committee believe that it would be more cost effective to complete both phases of the project in one year; and

WHEREAS, the County's Highway department will be doing the engineering and construction; and

WHEREAS, if the parking lot is not resurfaced in the current year, further deterioration of the surface will continue to happen so that continual patching and repair will need to be done at an ever increasing cost.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby transfers \$55,000 from the capital outlay accounts of the Facilities Department to the Utility accounts to cover part of the overage.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for said project are hereby appropriated from the General Fund of Winnebago County, with said fund being reimbursed from a subsequent bond issue of \$164,000.

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

Motion by Supervisor Egan and seconded to adopt. Ayes: 37. Nays: 0. Excused: 1 – Finch. CARRIED.

RESOLUTION NO. 50-62006: Authorize Appropriation of \$262,000 to Replace the Roof at the Orrin King Building

WHEREAS, the roof of the Orrin King Administration Building is a single ply mechanically attached membrane; and

WHEREAS, the Facility and Property Department employees have reviewed the condition of the current roof on the Orrin King Building and have found it to be in need of replacement; and

WHEREAS, if the roof on the Orrin King Building is not replaced, further deterioration will allow 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 \$262,000 to replace the roof at the Winnebago County Orrin King Building in Oshkosh.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that funds to pay for said project are hereby appropriated from the General Fund of Winnebago County, with said fund being reimbursed from a subsequent bond issue of \$262,000.

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

Motion by Supervisor Egan and seconded to adopt. Ayes: 37. Nays: 0. Excused: 1 – Finch. CARRIED.

RESOLUTION NO. 51-62006: Authorize a Transfer of \$72,000 from the Highway Department Fund and \$8,000 from the Planning Department Professional Services Fund to the County Road Maintenance Cost Center for an Interchange Study.

WHEREAS, both the City of Neenah and Winnebago County are presently contemplating a cost study for the construction of an interchange at intersection of County Highway G and U.S. Highway 41; and

WHEREAS, the estimated cost of the study is approximately \$160,000; and,

WHEREAS, the City of Neenah has agreed to contribute \$80,000 for the proposed study; and

WHEREAS, the Highway Department presently has \$72,000 in unexpended revenue available from the sale of the county highway garage in Winchester which could be appropriated for said study; and

WHEREAS, the Planning Department has \$8,000 budgeted to its Professional Services Account which it does not contemplate using presently; and

WHEREAS, the study is consistent with the goals and objectives of the County's Comprehensive Plan's transportation element; and

WHEREAS, the study will provide the Planning Department valuable information regarding the potential future course of land use activity in the area of said proposed interchange.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$72,000 from the Highway Department fund to the County Road Maintenance cost center to be used for the cost of the interchange study relating to County Highway G and U.S. Highway 41.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$8,000 from the Winnebago County Planning Department to the County Road Maintenance Cost Center to be used for that same interchange study.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL & FINANCE COMMITTEE
PLANNING & ZONING COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 37. Nays: 0. Absent: 1- Finch. CARRIED.

RESOLUTION NO. 52-62006: Authorize Acceptance of a Donation of \$100,000 and Appropriation of Said Money for the Courtyard Garden and Paved Wheelchair Path at the New Park View Health Center Facility

WHEREAS, the J.J. Keller Foundation has offered to donate \$100,000 to the Park View Health Center for the purpose of constructing a courtyard garden and paved wheelchair path to the existing courtyard gardens at the Pavillion; and

WHEREAS, the Park View Health Center Committee has recommended that said money be accepted and appropriated for said purpose.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the acceptance of a donation from J.J. Keller Foundation of \$100,000.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said donation proceeds be appropriated within the Park View Health Center fund budget for the installation of a courtyard garden and paved wheelchair path once the new Park View Health Center is completed.

Submitted by:
PARK VIEW HEALTH CENTER COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Arne and seconded to adopt. Ayes: 36. Nays: 0. Abstain: 1 – Hall. Excused: 1 – Finch. CARRIED.

RESOLUTION NO. 53-62006: Approve Industrial Development Board Loan - Village of Winneconne

WHEREAS, on May 16, 2006, the Village of Winneconne Board of Trustees approved a resolution authorizing the Village to petition the Winnebago County Industrial Development Board for a loan of \$566,000 for the purpose of allowing the construction of an archery range by Critter's Wolf River Sports; 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 for the purpose of making such loans; and

WHEREAS, the Village of Winneconne 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; and WHEREAS, the Winnebago County Solid Waste Management Board has also approved said loan.

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 \$566,000 shall be made available to the Village of Winneconne from the Winnebago County Solid Waste Management Board through the Winnebago County Industrial Development Board with such loan agreement to be for a period of five (5) years at an interest rate equal to the rate of return on Winnebago County's Pool Investment Fund plus .25% on the date that the loan is made. Said interest rate shall be adjusted as of January 1 of each year to the average rate of return on Winnebago County's Pool Investment Fund for the previous year plus .25%. Interest shall be due on the 31st day of December of every year on said loan and the principal of said loan plus any remaining interest 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 County officers are authorized to execute an agreement between the Winnebago County Industrial Development Board and the Village of Winneconne for the project and for said loan.

Submitted by:
INDUSTRIAL DEVELOPMENT BOARD
SOLID WASTE MANAGEMENT BOARD

Motion by Supervisor Lauson and seconded to adopt Ayes: 29. Nays: 8 – Hotynski, Ramos, Maehl, Albrecht, Wingren, Jacobson, Norton and Warnke. Excused: 1- Finch. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, July 18, 2006. CARRIED BY VOICE VOTE.

The meeting was adjourned at 9:40 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 June 20, 2006.

Susan T. Ertmer
Winnebago County Clerk