

**ADJOURNED SESSION
WINNEBAGO COUNTY BOARD MEETING
TUESDAY, AUGUST 21, 2007**

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 Chairman Albrecht.

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

Motion by Supervisor Robl and seconded to adopt tonight's agenda. CARRIED BY VOICE VOTE.

COMMUNICATIONS, PETITIONS, ETC.

Notice of Claim from Michelle K. Angell for damage to her car caused by rocks falling out of a county dump truck was referred to the Personnel & Finance Committee.

Petition for zoning amendment from Al Bleser, Town of Winneconne, for zoning change for tax parcel no. 030-0366-01-01 from B-3 to R-1 for a single-family residence was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Ron Tenpas, Town of Algoma, for zoning change for tax parcel nos. 002-0185 and 002-0186 from A-1 to R-2 and R-5 for single family and planned residential for future residential development was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Thomas J. Barr, Town of Nekimi, for zoning change for tax parcel no. 012-0280-02 from B-3 to M-2 for climate-controlled self-storage was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Robert L. Van Lyssel, Town of Wolf River, for zoning change for tax parcel no. 032-0650-07 from R-1 to R-5 for residential purposes was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Craig Clark, Town of Clayton Administrator; Town of Clayton, for zoning change for tax parcel nos. 006-0391(p) and 006-0391-01(p) from A-2 to R-1 and R-1 to A-2 for residential purposes and additional town property along County Road II was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Shirley Jacob, Town of Clayton, for zoning change for tax parcel no. 006-0187-01-01 from A-2 to R-1 for residential purposes was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Brian Wilke, Town of Omro, for zoning change for tax parcel no. 016-0307-02 (p) from A-2 to R-1 for a single-family residence was referred to the Planning & Zoning Committee.

Petition for zoning amendment from George Dearborn, Town of Menasha, for amendment to various portions of Secs. 17.13-A and 17.13-B of the Winnebago County Town/County Zoning Ordinance was referred to the Planning & Zoning Committee.

The following resolutions were received from other counties and forwarded to the appropriate committees:

- Douglas County, Resolution No. 51-07 - "Subject: Wisconsin Counties Association Membership and Voting" was referred to the Legislative Committee
- Douglas County, Resolution No. 52-07 - "Subject: Wisconsin Counties Association Voting Procedures" was referred to the Legislative Committee
- Polk County, "Resolution Supporting Change for Returning Federal Funds from Certified Public Expenditures of County Nursing Homes" was referred to the Park View Health Center Committee

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Barker reported that the Legislative Committee will meet on Monday, August 27. The agenda for the meeting has been placed on the committee members' desks.

Supervisor Rengstorf asked the Board to read the memo he placed on their desks. It is a memo from Rob Way to Tom Egan of the Winnebago County Fair Association about the Association's costs for tree damage at the county fairgrounds. Supervisor Rengstorf feels the cost is too high and would like the Parks & Recreation Committee to look into this situation.

Supervisor Lohry reported that she attended the WCA's International Trade, Business and Economic Development Council conference on August 7 & 8. She obtained various pieces of literature about Lake Winnebago and the surrounding areas. She complimented the people who were responsible for publishing this helpful information.

Motion by Supervisor Hotynski and seconded to approve the July 10 & 24, 2007 Board proceedings. CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris reported that 2.6% is the preliminary new construction number for Winnebago County, which is the amount that the levy can be increased for the 2008 budget. Mr. Harris explained that the levy is only about 1/3 of the county's total revenue, so the county's total expenditures can only be increased by less than 1%.

Executive Harris asked for the Board's support of the following resolutions: Ordinance No. 262-82007: Amend Section 8.02(5)(a) of the General Code of Winnebago County; Resolution No. 268-82007: Authorize Acceptance of Donation from Oshkosh Community Foundation and Transfer of \$130,000 to Small Equipment Fund - Park View Health Center (Purchase Flat Screen Televisions); and Resolution No. 271-82007: Support the Transit System Flexibility Protection Act of 2007.

COUNTY EXECUTIVE'S APPOINTMENTS

Director of Human Resources - Karon Kraft

Executive Harris asked for approval of his appointment of Karon Kraft as the Director of Human Resources effective September 10, 2007. Motion by Supervisor O'Brien and seconded to adopt. CARRIED BY VOICE VOTE.

Director of Human Services - Dr. L. William Topel

Executive Harris asked for approval of his appointment of Dr. L. William Topel as Director of the Human Services Department effective September 10. Motion by Supervisor O'Brien and seconded to adopt. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported that Supervisors Lennon, Egan and Brennand are excused from tonight's meeting. Chairman Albrecht read a note from Supervisor Brennand thanking everyone for their prayers and the cards they have been sending while he is recovering from his illness.

Chairman Albrecht read thank you notes from Logan Shea and Daniel Barker thanking the Board for the 2007 Winnebago County scholarships that they received in June.

Chairman Albrecht reported that the Board's 2008 budget has been submitted to the County Executive and it is within an acceptable increase range.

Chairman Albrecht also asked that Board members, as well as citizen committee and commission members to submit their per diem sheets to him in a more timely manner.

PUBLIC HEARING

Atty. Jeff Olson, Madison, Wisconsin, spoke in opposition to Report No. 003 and Amendatory Ordinance #08/03/07 regarding the Adult Entertainment Overlay District.

Bill Roh, 575 Riford Road, Neenah, spoke in support of Report No. 003 and Amendatory Ordinance #08/03/07 regarding the Adult Entertainment Overlay District.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Lawrence Kriescher and property owner Erik Lindstedt, Town of Winneconne, for zoning change to R-2 for tax parcel no. 030-0091-20. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-01-07. A requested zoning change from R-1 (Single Family non-subdivided) to R-2 (Single Family subdivided). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 24, 2007)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Dylan's Doggie Day Camp and Boarding, Sue Hooyman; and property owner Omro Land Company LLC, Town of Omro, for zoning change to A-2 for tax parcel no. 016-0414-03. Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-02-07. A requested zoning change from A-2/B-2 (General Farming/Community Business) to A-2 (General Farming). Motion by Supervisor Schaidler and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 24, 2007)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested text amendment to delete and recreate Section 17.13(6) of the Zoning Ordinance, Adult Entertainment Overlay District (AEO). Motion by Supervisor Schaidler and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 08-03-07. A text amendment to delete and recreate Section 17.13(6) of the Zoning Ordinance, Adult Entertainment Overlay District (AEO). A complete copy of the text is on file in the County Zoning Office. Motion by Supervisor Schaidler and seconded to adopt. Ayes: 31. Nays: 3 - Pollnow, Norton and Arne. Abstain: 1 - Ramos. CARRIED. (Effective date: August 24, 2007)

AMENDATORY ORDINANCE 4. A requested zoning change from Town of Poygan on behalf of Paul & Johanna Zellner for zoning change from General Agriculture to Rural Residential for tax parcel no. 020-0233-01-01. Motion by Supervisor Rengstorf and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: August 24, 2007)

RESOLUTIONS & ORDINANCES

RESOLUTION NO. 261-82007: Authorize Funding Needed to Begin the Roadway Design for the CTH A Project from Indian Point Road to the City of Neenah.

WHEREAS, the Winnebago County Board of Supervisors supports the design and reconstruction of CTH A from Indian Point Road to the City of Neenah; and

WHEREAS, the project will begin at the intersection of INDIAN POINT ROAD and continue north to City of Neenah limits at South Park Street, a distance of approximately 4 miles; and

WHEREAS, the project is included in the Winnebago County Five year Capital Improvement Plan; and

WHEREAS, the design project will include a bike/pedestrian path, the possibility of constructing a proposed roundabout at the intersection of CTH GG, an intersection improvement at CTH G, roadway alignments and drainage improvements throughout the project limits; and

WHEREAS, the completed design of CTH A will allow Winnebago County to secure and protect all of the right of way that will be needed for the reconstruction of CTH A in the future; and

WHEREAS, the completed design will allow the Winnebago County Highway Commission time to plan, apply and secure funding from state and federal sources for the eventual reconstruction of CTH A; and

WHEREAS, the estimated cost of the design work is \$340,000; and

WHEREAS, the total estimated project cost is roughly \$4,540,000, however it is difficult to estimate because the year of construction has not yet been determined.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates the sum of \$340,000 from the General Fund of Winnebago County for the purpose of paying said costs.

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

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Motion by Supervisor Lohry and seconded to amend Line 17 by adding, "two-lane rural highway and a" after the word "include". CARRIED BY VOICE VOTE.

Vote on Resolution as amended - Ayes: 34. Nays: 1 - Widener. Excused: 3 - Lennon, Egan and Brennand. CARRIED.

ORDINANCE NO. 262-82007: Amend Section 8.02(5)(a) of the General Code of Winnebago County

WHEREAS, the Winnebago County Highway Committee has recommended that Section 8.02(5)(a) of the General Code of Winnebago County be amended so as to clarify that ordinance and allow that ordinance to be interpreted consistently in relationship to all municipalities within Winnebago County.

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

Section 8.02(5)(a) of the General Code of Winnebago County be amended to read as follows:

8.02 URBAN TYPE CONSTRUCTION ON COUNTY TRUNK HIGHWAY UNDER COUNTY MAINTENANCE JURISDICTION: POLICY. ...

(5) OTHER PROVISIONS. (a) Mainline storm sewer, including all engineering thereon, sidewalks and bike trails, including any right-of-way for the same, shall be funded entirely by the local unit of government. The local unit of government, however, shall not be responsible for any costs associated with the construction of the actual roadway. Winnebago County shall fund 100% of all costs of the project related to the construction of the actual roadway, unless, for undetermined reasons or extenuating circumstances, all parties agree to an alternative funding mechanism. Sidewalks or bike trails constructed near or adjacent to said roadway projects shall be located in such a manner so as to provide ample terrace for storage of snow.

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

Submitted by:
HIGHWAY COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 33. Nays: 2 - Finch and Farrey. Excused: 3 - Lennon, Egan and Brennand. CARRIED.

RESOLUTION NO. 263-82007: Authorize Payment for Excess Committee Days (April 18, 2006 thru April 30, 2007)

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 18, 2006 through April 30, 2007.

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 18, 2006 and April 30, 2007.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 33. Nays: 2 - Hall and Wingren. Excused: 3 - Lennon, Egan and Brennand. CARRIED.

RESOLUTION NO. 264-82007: Commendation for Lois (Loe) J. Meisel

WHEREAS, Loe Meisel has been employed with the Winnebago County Department of Human Services, for the past twenty-seven years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Loe Meisel 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 Loe Meisel 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 Loe Meisel.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 265-82007: Commendation for Cora L. Fleck

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

WHEREAS, Cora Fleck 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 Cora Fleck 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 Cora Fleck.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 266-82007: Adopt Amendments to the 2007 Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING APPOINTED NON-REPRESENTED EMPLOYEES

BE IT RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County HANDBOOK OF EMPLOYMENT POLICIES COVERING APPOINTED NON-REPRESENTED EMPLOYEES be amended under Chapter 14, SICK LEAVE, SECTION B, DEFINITION, and Chapter 22, FRINGE BENEFITS, SECTION H, LONG TERM DISABILITY INSURANCE, as set forth and described in the documents attached hereto.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 35. Nays: 0. Excused: 3 - Lennon, Egan and Brennand. CARRIED.

RESOLUTION NO. 267-82007: Authorize Transfer of \$11,578.00 from Grant Revenue Fund to Medical Supplies Fund at Park View Health Center

WHEREAS, a grant of \$11,578 was recently received by Park View Health Center from the Regional Hospital Emergency Preparedness Board; and

WHEREAS, Park View Health Center desires that said grant revenue be expended to purchase personal protective equipment for its staff; and

WHEREAS, the undersigned Committees recommend approval of said budget transfer.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$11,578 from the Grant Revenue Fund to the Medical Supplies Fund of Park View Health Center's 2007 Budget for the purpose of purchasing personal protective equipment.

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

Motion by Supervisor Arne and seconded to adopt. Ayes: 35. Nays: 0. Excused: 3 - Lennon, Egan and Brennand. CARRIED.

RESOLUTION NO. 268-82007: Authorize Acceptance of Donation from Oshkosh Community Foundation and Transfer of \$130,000 to Small Equipment Fund - Park View Health Center (Purchase Flat Screen Televisions)

WHEREAS, the Oshkosh Area Community Foundation desires to donate \$130,000 to Park View Health Center for the purpose of purchasing 168 flat screen televisions for patient rooms at the new Park View Health Center facilities; and

WHEREAS, the installation of said flat screen televisions in patient rooms at Park View Health Center allows for more space in each patient's room; and

WHEREAS, your undersigned Committees recommend the acceptance of said grant and the purchase of said televisions.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the acceptance of the \$130,000 donation from the Oshkosh Area Community Foundation for the purpose of purchasing 168 flat screen televisions at Park View Health Center and further authorizes the appropriation of \$130,000 from the Donations Account to the Small Equipment Account at Park View Health Center within Park View Health Center's 2007 Budget to facilitate the purchase of said televisions.

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

Motion by Supervisor Arne and seconded to adopt. Ayes: 35. Nays: 0. Excused: 3 - Lennon, Egan and Brennand. CARRIED.

RESOLUTION NO. 269-82007: Authorize Transfer of \$375,000 from the Radio System Upgrade Capital Project to the E911 Upgrade Capital Project Fund (Sheriff's Department)

WHEREAS, Winnebago County borrowed \$400,000 in 2006 for the Radio System Upgrade Capital Project; and

WHEREAS, due to design issues, the project has been delayed and only \$25,000 of the funds which the County borrowed are currently needed for this project during the present budget year; and

WHEREAS, the Winnebago County Sheriff has commenced an upgrade of the E911 System and funding is presently needed for that project; and

WHEREAS, the bonding resolution and documentation in relationship thereto allows funds to be moved between these projects; and

WHEREAS, it would be in the best interest of the County that said borrowed funds be appropriated at this time for the E911 Upgrade Capital Project Fund.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$375,000 from the Winnebago County Sheriff's Department Radio Systems Upgrade Capital Project Fund to the Winnebago County Sheriff's Department E911 Upgrade Capital Project Fund.

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

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 34. Nays: 0. Excused: 3 - Lennon, Egan and Brennand. Absent: 1 - Finch. CARRIED.

RESOLUTION NO. 270-82007: Authorize Transfer of \$4,365 from the Donation Fund to the Small Equipment Fund, Winnebago County Sheriff's Department

WHEREAS, Winnebago County has received a portion of a Justice Assistance Grant from the City of Oshkosh; and

WHEREAS, the Winnebago County Sheriff desires to use the proceeds from the grant to purchase one LTI 20-20 laser device, which is used to detect the speed of vehicles on highways, at a cost of \$3,200, and to purchase 3 blood alcohol testing devices at a total cost of \$1,200; and

WHEREAS, your undersigned Committees have approved and recommended that the budget transfer be approved by the full Winnebago County Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the transfer of \$4,365 from the Donation Fund to the Small Equipment Fund of the Winnebago County Sheriff's Department for the purpose of purchasing 1 laser vehicle speed detection device and 3 blood alcohol testing devices.

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

Motion by Supervisor Griesbach and seconded to adopt. Ayes: 31. Nays: 0. Excused: 3 - Lennon, Egan and Brennand. Absent: 4 - Maehl, Schmuhl, Locke and Finch. CARRIED.

At approximately 8:10 p.m., Chairman Albrecht called for a brief recess. The Board reconvened at 8:20 p.m.

RESOLUTION NO. 271-82007: Support the Transit System Flexibility Protection Act of 2007

WHEREAS, the Valley Transit System serves the northern end of Winnebago County; and

WHEREAS, the service population of Valley Transit is expected to exceed 200,000 persons on or before January 1, 2010; and

WHEREAS, current Federal Law restricts the use of federal funding for transit systems with population bases of over 200,000 persons in their service area to capital expenditures; and

WHEREAS, Valley Transit has used federal funds in the past to subsidize operations to maintain affordable fares and has not limited the use of said funds to capital expenditures; and

WHEREAS, the Transit System Flexibility Protection Act of 2007, which is more specifically identified in Congress as HR 734 and S407, would allow transit systems operating with less than 100 peak buses continued flexibility with regard to the use of federal funding resources which those systems receive.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby expresses its support for the passage of the Transit System Flexibility Protection Act of 2007.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby directs the Winnebago County Clerk to transmit a copy of this resolution to all U.S. Senators and Representatives representing

Wisconsin residents in Congress; to the Mayors and City Councils of the Cities of Appleton, Neenah and Menasha; to the Outagamie County Executive and the Outagamie County Board of Supervisors; and to the Chief Operating Officer of Valley Transit.

Submitted by:
LEGISLATIVE COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Ayes: 31. Nays: 1 - Pollnow. Excused: 3 - Lennon, Egan and Brennand. Absent: 3 - Maehl, Schmuhl and Finch. CARRIED.

RESOLUTION NO. 272-82007: RESOLUTION AUTHORIZING THE BORROWING OF NOT TO EXCEED \$4,195,000; AND PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION PROMISSORY NOTES THEREFOR

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

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

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

WHEREAS, the County Board of Supervisors of the County hereby finds and determines that general obligation promissory notes in the aggregate amount of not to exceed \$4,195,000 should be issued, and it is now necessary and desirable to authorize their issuance and sale.

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

Section 1. Authorization of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, a principal sum not to exceed FOUR MILLION ONE HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$4,195,000) from a purchaser or purchasers to be determined by competitive sale (the "Purchaser").

Section 2. Sale of the Notes. To evidence such indebtedness, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, general obligation promissory notes aggregating a principal amount not to exceed FOUR MILLION ONE HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$4,195,000) (the "Notes"). There be and there hereby is levied on all the taxable property in the County a direct, annual tax in such years and in such amounts as are sufficient to pay when due the principal and interest on the Notes.

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

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

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

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

Adopted and recorded this 21st day of August, 2007.

Submitted by
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 32. Nays: 0. Excused: 3 - Lennon, Egan and Brennand. Absent: 3 - Maehl, Schmuhl and Finch. CARRIED.

RESOLUTION NO. 273-82007:

Approve Industrial Development Board Loan - City of Omro

WHEREAS, on July 17, 2007 the City of Omro Common Council approved a resolution authorizing the City to petition the Winnebago County Industrial Development Board for a loan of \$671,850 for the purpose of allowing the purchase and renovation of an existing vacant manufacturing facility for Oshkosh Tool; 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 City of Omro projects that assisting said project will retain existing jobs and generate new jobs and create additional new tax base within that community and within Winnebago County; and

WHEREAS, on July 26, 2007 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, On August 1, 2007 the Winnebago County Solid Waste Management Board 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 \$671,850 shall be made available to the City of Omro 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 City of Omro for the project and for said loan.

Submitted by:
INDUSTRIAL DEVELOPMENT BOARD
SOLID WASTE MANAGEMENT BOARD

Motion by Supervisor Kline and seconded to adopt. Ayes: 34. Nays: 0. Excused: 3 - Lennon, Egan and Brennand. Absent: 1 - Finch. CARRIED.

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, September 4, 2007. CARRIED BY VOICE VOTE.

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

Respectfully submitted,
Susan T. Ertmer
Winnebago County Clerk

State of Wisconsin)
County of Winnebago) ss

I, Susan T. Ertmer, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their regular meeting held August 21, 2007.

Susan T. Ertmer
Winnebago County Clerk