

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, SEPTEMBER 16, 2008**

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 Locke.

The following Supervisors were present: Konetzke, Barker, Griesbach, Eisen, Roh, Koziczowski, Smith, Widener, Hamblin, Albrecht, Gabert, Riste, Thompson, Hall, Wingren, Jacobson, Norton, Warnke, Robl, Wright, Kline, Locke, Nelson, Finch, Sievert, Farrey, Diakoff, Brennand, Egan, Ellis, Rengstorf and Reinert. Excused: Ramos, Lennon and Schmuhl. Absent: Gilchrist.

Motion by Supervisor Robl and seconded to adopt tonight's agenda with the change of order of the resolutions so that Resolution No. 72-92008 and No. 87-92008 will be acted on before No. 63-92008. CARRIED BY VOICE VOTE.

PUBLIC HEARING

No one addressed the Board.

COMMUNICATIONS, PETITIONS, ETC.

The following resolutions were received from various counties:

- Walworth County, No. 36-09/09 – Supporting a Change in State Legislature Permitting Register of Deeds Recording Fees To Be Changed from “Per Page” Fees to “Flat” Fees – referred to Judiciary & Public Safety Committee
- LaCrosse County, No. 45-8/08 – Funding for Wireless Emergency 911 Surcharges – referred to Judiciary & Public Safety Committee
- Portage County, No. 52-2008-2010 – Resolution requesting the State of Wisconsin to continue Wireless 911 surcharges beyond November 30, 2009 – referred to Judiciary & Public Safety Committee
- Clark County, Resolution #23-6-08 – Allowing Application for Homeland Security Interoperability Equipment Grant – referred to Judiciary & Public Safety Committee
- Oconto County, Resolution #44-08 – Opposition to the Forest-wide Travel Management Project Plan in the Chequamegon-Nicolet National Forest as Proposed by the United States Forest Service – referred to the Land Conservation Committee
- Outagamie County – Resolution No. 30—2008-09 – regarding a budget amendment of \$1,950,000 to complete the single-stream recycling material recovery facility project – referred to the Solid Waste Management Board
- Waushara County, No. 42-08-08 – Support of a Change in the Register of Deeds Recording Fees from A “Per Page” Fees to A “Flat” Fees – referred to Judiciary & Public Safety Committee

Petition for zoning amendment from Robert Buser, Town of Winchester, for zoning change for tax parcel no. 028-0449(p) from A-1 to R-1 for a new home was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Michael K. Krohn, Town of Nekimi, for zoning change for tax parcel nos. 012-0631-01 & 012-0631-01-01 from A-1 to A-2 for a residential/hobby farm was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Frederick Marohn, Town of Utica, for zoning change for tax parcel no. 028-0607(p) from A-1 to A-2 for a single-family residence was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Richard Kohl and Donavon True, Town of Black Wolf, for zoning change for tax parcel nos. 004-0369-01, 004-0369-02 & 004-0369-14 from R-2 to R-1 & R-3 to add to an existing adjoining property was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Alan P. Fisher, Town of Oshkosh, for zoning change for tax parcel no. 018-0361 from B-2 to B-3 for a bar/restaurant/ballroom and an auto sales/repair facility was referred to the Planning & Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Barker thanked those that attended UW-Fox Valley's 75th anniversary celebration on September 6. She reported that she gave four presentations on the history of UW-Fox Valley that day and has that information available to anyone that would like a copy.

Supervisor Finch reported that the Park Department's annual Autumn Festival was held last Saturday and had over 600 people in attendance.

Supervisor Kline reported that there will be a Legislative Committee meeting on Monday, September 22. An agenda will be mailed out tomorrow.

Supervisor Koziczowski reported that after much study, the Human Services Department has decided to form a long-term care district named Lakeland with Manitowoc and Fond du Lac Counties. Supervisor Koziczowski explained that this long-term care district will help to eliminate waiting lists throughout the state. The proposed plan for this district will be presented to the county board in January 2009.

Supervisor Koziczowski then reported that at a meeting of the Wisconsin Counties Human Services Association he received an outstanding public service award that recognized Winnebago County, its department heads, staff and County Board Supervisors for their actions in assuring public safety in the wake of the recent flooding. Dr. Topel, Human Services Director, presented the plaque to Chairman Albrecht.

Supervisor Jacobson reported that he is passing around pictures he took at Park View Health Center's Fall Festival that was held last week. The weather was perfect and the event was very successful.

Motion by Supervisor Robl and seconded to approve the August 19, 2008 County Board proceedings.
CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris stated that he will be making his state of the county report at the Board's October meeting.

Executive Harris reported that the budget is just about completed and will be ready to be printed shortly. He stated that he anticipates the equalized tax rate to remain "roughly flat" over last year's rate.

Executive Harris asked for the Board's support of the following resolutions: No. 63-72008, "Authorize Wittman Airport to Purchase Property Adjacent to the Airport at a Cost of \$195,000" and No. 87-92008, "State Mandated Revenue Restriction and Public Safety Impacts".

COUNTY EXECUTIVE'S APPOINTMENTS

Highway Safety Commissioner

Executive Harris asked for the Board's approval of his appointment of Robert Doemel, 1005 Marway Court, Oshkosh, to the Highway Safety Commission. Mr. Doemel will replace Mark Frank, who has retired from the commission. Motion by Supervisor Robl and seconded to approve. CARRIED BY VOICE VOTE.

Local Emergency Planning Commission

Executive Harris asked for the Board's approval of his appointment of Steve Clements, Utica Energy, 4995 State Road 91, Oshkosh, to the Local Emergency Planning Commission. Mr. Doemel will replace Todd Forester, whose term will expire on December 31, 2008. Motion by Supervisor Wright and seconded to approve. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht asked that everyone continue to keep Supervisor Lennon in their prayers. He also reported that Supervisor Ramos is in Texas helping the hurricane evacuees. Supervisor Schmuhl is also excused from tonight's meeting.

Chairman Albrecht stated that the county's 2009 budget books should be available to the Supervisors on October 13 so they can prepare for the annual budget session coming up later in October.

Chairman Albrecht reported that the Board's November meeting has been changed from November 11 to November 12 because November 11 is Veterans' Day and state law doesn't allow the Board to meet that day.

WINNEBAGO COUNTY COMPREHENSIVE PLAN MEMORANDUM OF UNDERSTANDING (MOU) – SUPERVISOR PATRICK BRENNAND, CHAIRMAN OF THE PLANNING & ZONING COMMITTEE

Supervisor Patrick Brennand, Chairman of the Planning & Zoning Committee, reported that the County Board adopted the Memorandum of Understanding to the county's Comprehensive Plan in March 2006. Supervisor Brennand explained that the purpose of the MOU is to, "establish the dispute resolution process between the county and any towns that adopted and signed the MOU." He further explained that the concept of the MOU came from representatives of the towns and that they incorporated various statutory provisions related to the comprehensive planning law in the MOU.

Supervisor Brennand stated that in the MOU, the county agrees to incorporate any initial town plan into the county's initial comprehensive plan up until December 31, 2009. The County also agrees to review each town's initial plan without applying the framework policies identified in the county's comprehensive plan thru December 31,

2009. He also explained that the county's 16 townships received a copy of the MOU for review and adoption and that at this point only seven townships have adopted the MOU. Supervisor Brennand stated that even though only seven towns have adopted the MOU, the county is applying the principles of the MOU to all the county's towns.

In April 2008, the towns meet at their quarterly meeting and drafted a resolution regarding the MOUs that was forward to the Planning & Zoning Committee by the Winnebago County Clerk. The Planning & Zoning Committee placed the town's resolution on the agenda for their July 11, 2008 meeting where it was explained by the Planning & Zoning Departments staff. Following this explanation and discussion, the Planning & Zoning Committee took no action on the towns' resolution regarding the MOUs.

Supervisor Brennand took questions from the Board.

EAST CENTRAL WISCONSIN REGIONAL PLANNING COMMISSION ANNUAL REPORT – WALT RAITH, ASSISTANT DIRECTOR

Walt Raith, Assistant Director of East Central Wisconsin Regional Planning Commission (ECWRPC) distributed and explained their annual report. Mr. Raith explained that the counties developed regional planning commissions in the 1970s because they realized that many county functions and issues—transportation facilities, environmental facilities, watersheds and streams, etc.—don't stop at the county line and need to be addressed jointly. Regional planning commissions help counties work together and "take a look at the big picture" and make sure there is consistency in their plans.

Mr. Raith explained ECWRPC's various program areas and how they impact various levels of government

- Public Information Program
- Regional Comprehensive Plan Program
- A-95 Clearinghouse Review Program
- State Data Center Affiliate Program
- Sewer Service Area Planning Program
- EDA Economic Development Program
- Regional Transportation Planning Program (including Fox Cities and Oshkosh MPOs)
- WDNR Wood Products & Timber Utilization Program
- Regional Open Space & Recreation Program
- Regional NR-135 Non-Metallic Mining Reclamation Program
- Environmental Management Program
- Geographic Information Systems Program
- Local Assistance Program

Mr. Raith stated that some of their ongoing and recent activities include:

- 2008 Comprehensive Economic Development Strategy (CEDS)
- 2008 Transportation Improvement Program (TIP)
- NR-135 Mine Reclamation program administration
- Fox-Wisconsin Rivers Heritage Parkway Plan Update
- Town of Clayton Land Use/WWTF Planning Issues
- 2010 Aerial Photography Program
- Staff Services Contract with Valley Transit
- Zoning Ordinance Update Assistance

Mr. Raith reported that Winnebago County's portion of the EWCRPC's 2009 budget levy is down \$1,939 or 0.85% from last year, for a total of \$225,268.

Mr. Raith then took questions from the Board.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners Jason and Donna Bellis, Town of Winchester, for zoning change to A-2 for tax parcel no. 028-0302(p). Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 09-01-08. A requested zoning change from A-1 (Agri-Business) to A-2 (General Farming). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: September 23, 2008)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Jim Sehloff, Davel Engineering; and property owners Gregory & Jane Freer and Kevin Dieck, Town of Wolf River, for zoning change to R-2 for tax parcel nos. 032-0678(p), 032-0679 & 032-0679-06. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 09-02-08. A requested zoning change from A-2 (General Farming) to R-2 (Single Family Sub-divided). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: September 23, 2008)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Travis Luce and property owner Donald Schneider, Town of Vinland, for zoning change to R-1 for tax parcel no. 026-0209(p). Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 09-03-08. A requested zoning change from A-2 (General Farming) to R-1 (Single Family Non-subdivided). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: September 23, 2008)

RESOLUTION NO. 72-92008: RESOLUTION AWARDING THE SALE OF \$6,500,000 GENERAL OBLIGATION PROMISSORY NOTES

WHEREAS, on August 19, 2008, the County Board of Supervisors of Winnebago County, Wisconsin (the "County") adopted a resolution entitled: "Resolution Authorizing the Borrowing of Not to Exceed \$6,500,000; and Providing for the Issuance and Sale of General Obligation Promissory Notes Therefor" (the "Authorizing Resolution") authorizing the issuance and sale of general obligation promissory notes for public purposes, consisting of paying the cost of constructing, extending and improving roads and highways; runway reconstruction; paying the County's share of construction and improvement projects at the University of Wisconsin-Fox Valley; and acquiring equipment, furnishings and fixtures (the "Project");

WHEREAS, pursuant to the Authorizing Resolution, the County Board of Supervisors heretofore has directed its financial advisor, Robert W. Baird & Co. Incorporated, Milwaukee, Wisconsin ("Baird") to take the steps necessary to sell General Obligation Promissory Notes in the principal amount of \$6,500,000 (the "Notes") to pay costs of the Project;

WHEREAS, none of the proceeds of the Notes shall be used to fund the operating expenses of the general fund of the County or to fund the operating expenses of any special revenue fund of the County that is supported by property taxes;

WHEREAS, the County has duly received bids for the Notes as described on the bid tabulation attached hereto as Exhibit A and incorporated herein by this reference;

WHEREAS, it has been determined that the best bid received was that submitted by the bidder (the "Purchaser") whose bid is attached hereto as Exhibit B and incorporated herein by this reference (the "Proposal"); and

WHEREAS, the County Board of Supervisors now deems it to be necessary, desirable and in the best interest of the County to award the sale of the Notes to the Purchaser.

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

Section 1. Sale of the Notes. For the purpose of paying costs of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of SIX MILLION FIVE HUNDRED THOUSAND DOLLARS (\$6,500,000) from the Purchaser in accordance with the terms and conditions of the Proposal which is hereby accepted and the appropriate officers of the County are authorized and directed to execute an acceptance of the Proposal on behalf of the County. The good faith deposit of the Purchaser shall be retained by the County Treasurer until the closing of the note issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. To evidence the obligation of the County, 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, the Notes aggregating the principal amount of SIX MILLION FIVE HUNDRED THOUSAND DOLLARS (\$6,500,000) for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes"; shall be dated October 1, 2008; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; shall bear interest at the rates per annum; and shall mature on April 1 of each year, in the years and principal amounts as set forth on the schedule attached hereto as Exhibit C and incorporated herein by this reference (the "Schedule"). Interest is payable semi-annually on April 1 and October 1 of each year commencing on April 1, 2009. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

Section 3. Redemption Provisions. The Notes maturing on April 1, 2016 and thereafter shall be subject to redemption prior to maturity, at the option of the County, on April 1, 2015 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit D and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2008 through 2017 for the payments due in the years 2009 through 2018 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the County shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the County and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the County then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund and Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the County, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the County may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$6,500,000 General Obligation Promissory Notes, dated October 1, 2008" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The County Treasurer shall deposit in such Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the County above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the County, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the County, unless the County Board of Supervisors directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the County and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes. In no event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general fund of the County or of any special revenue fund of the County that is supported by property taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within

the meaning of Section 148 of the Code or the Regulations and an officer of the County, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The County represents and covenants that the projects financed by the Notes and their ownership, management and use will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The County further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the County certifying that the County can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The County also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the County will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Notes are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Notes; Closing. The Notes shall be issued in printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by its fiscal agent, if any, sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the County has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing.

Section 12. Payment of the Notes. The principal of and interest on the Notes shall be paid in lawful money of the United States of America by the County Clerk or County Treasurer.

Section 13. Persons Treated as Owners; Transfer of Notes. The County shall keep books for the registration and for the transfer of the Notes. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the County Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the County Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Clerk shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 14. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 16. Official Statement. The County Board of Supervisors hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" for purposes of SEC

Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the County in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate County official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The County Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the County to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 18. Record Book. The County Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 19. Bond Insurance. If the Purchaser of the Notes determines to obtain municipal bond insurance with respect to the Notes, the officers of the County are authorized to take all actions necessary to obtain such municipal bond insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Chairperson and County Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Bradley Viegut, Director with Robert W. Baird, presented the Final Pricing Summary for the sale of these notes. Mr. Viegut reported that the bid was awarded to UMB Bank N.A. with their true interest cost bid of 3.405790%. Vote on resolution – Ayes: 32. Nays: 0. Excused: 3 - Ramos, Lennon and Schmuhl. Absent: 1 - Gilchrist. CARRIED.

RESOLUTION NO. 87-92008: State Mandated Revenue Restriction and Public Safety Impacts

WHEREAS, the State of Wisconsin has imposed revenue restrictions on local county and municipal governments; and

WHEREAS, these restrictions limit the amount of money a municipal government has to provide service to residents and visitors; and

WHEREAS, the federal government nor the State of Wisconsin has not offset these restrictions with an increase in revenue shared with the municipal governments; and

WHEREAS, these limits combined with no revenue offset has left the municipal governments facing budget deliberations that may make it impossible to finance essential services required; and

WHEREAS, the imposed 2% increase limit in municipal governments is applied only on the property tax they raise, which is only a portion of the total funding method for the municipal government. In many instances this limit means that the government will be limited to an increase of less than 1% in actual total revenue; and

WHEREAS, the price of fuel for sheriff and police protection, waste collection, maintenance, meal delivery and all other services provided by municipal governments has increased according to the U.S. Department of Energy July 8th, 2008 release; and

Regular-grade motor gasoline retail prices, which averaged \$2.81 per gallon in 2007, are projected to rise to an average of \$3.84 per gallon this year and \$4.06 per gallon in 2009. These prices hit a record of \$4.10 per gallon on June 30. For the remainder of 2008, pump prices are projected to remain well above \$4.00 per gallon.

WHEREAS, insurance costs for employees has also risen by wide margins and are expected to increase;
and

WHEREAS, these municipal governments are headed by elected officials individually responsible to their voters for their funding and expenditure decisions.

NOW, THEREFORE, BE IT RESOLVED that the Winnebago County Board of Supervisors requests the State of Wisconsin to lift these revenue restrictions or provide an offsetting increase in shared revenue to ensure that the municipal governments will be able to continue to provide public safety, crisis management, human services and other critical services to their citizens.

BE IT FURTHER RESOLVED that at a minimum, the Winnebago County Board of Supervisors requests the State of Wisconsin to lift the levy restrictions or provide an offsetting increase in shared revenue for the key areas involved with public safety; policing, corrections and crisis management.

BE IT FURTHER RESOLVED that the Winnebago County Board of Supervisors recognizes that without the proper funding levels, we will not be able to provide critical services for our citizens and visitors.

BE IT FURTHER RESOLVED that the Winnebago County Board of Supervisors, as an elected board with the responsibility to oversee and approve the budget of the county government believes that government at the local level is best equipped to make these revenue gathering decisions and will be the most responsive to the needs of our citizens. We further believe that if municipal government fails in this responsibility, they will be answerable to voters for any revenue and allocation decisions made.

BE IT FURTHER RESOLVED that the Winnebago County Board of Supervisors wishes a copy of this resolution be sent to each of the municipalities in Winnebago County, each of Wisconsin's 72 counties and all state and federal representatives for Winnebago County, as well as the governor of the State of Wisconsin.

Submitted by:
LEGISLATIVE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. CARRIED BY VOICE VOTE. (Supervisory Farrey voted no.)

WISCONSIN COUNTY MUTUAL INSURANCE CORPORATION – GENERAL OPERATIONS REPORT – JOHN DIRSKE

John Dirske gave a brief history of Wisconsin County Mutual Insurance Corporation explaining that the financial difficulties counties were facing in the mid 1980s inspired them to form the corporation to address their risk management needs. In 1988, twenty-four counties formed Wisconsin County Mutual Insurance Corporation; and today fifty-three of Wisconsin's seventy-two counties are participating in the corporation.

Mr. Dirske explained that Wisconsin County Mutual Insurance Corporation has paid back the member counties \$5.6 Million of the original capital contributions they made at the time the corporation was formed. Participating counties receive insurance coverage "substantially at cost", as well as annual dividends.

Mr. Dirske stated that Wisconsin County Mutual Insurance Corporation has almost \$50 Million in assets and that the company is functioning well.

Mr. Dirske took questions from the Board.

RESOLUTION NO. 63-72008: Authorize Wittman Airport to Purchase Property Adjacent to the Airport at a Cost of \$195,000.

WHEREAS, a property has become available on the open market located at 4016 S. Knapp Street; and

WHEREAS, this property is adjacent to Wittman Airport and consists of 20.24 acres; and

WHEREAS, the Airport Master Plan calls for purchasing property adjacent to the airport as it becomes available and it would be advantageous for Wittman Airport to purchase the property at this time.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$195,000 from Wittman Airport's undesignated fund balance to the purchase of the property at 4016 S. Knapp Street.

Submitted by:
AVIATION COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt.

Motion by Supervisor Wingren and seconded to refer back to committee. Ayes: 13 – Konetzke, Barker, Eisen, Roh, Thompson, Wingren, Jacobson, Warnke, Sievert, Farrey, Diakoff, Egan and Ellis. Nays: 19. Excused: 3 - Ramos, Lennon and Schmuhl. Absent: 1 - Gilchrist. LOST.

Motion by Supervisor Rengstorf and seconded to allow County Executive Harris to speak on this resolution and answer questions from the Board. Ayes: 25. Nays: 7 – Albrecht, Wingren, Jacobson, Finch, Diakoff, Brennand and Reinert. CARRIED.

Vote on Resolution as presented – Ayes: 20. Nays: 11 – Barker, Eisen, Roh, Smith, Wingren, Jacobson, Finch, Farrey, Diakoff, Egan and Reinert. Abstained: 1 – Brennand. Excused: 3 - Ramos, Lennon and Schmuhl. Absent: 1 - Gilchrist. LOST.

At this point in the meeting, Chairman Albrecht called for a recess.

RESOLUTION NO. 73-92008: Appropriate \$40,000 for Engineering and Design Work Associated with Replacement of the CTY K Bridge Over the Fox River in Eureka

WHEREAS, the CTY K bridge over the Fox River in Eureka is old and in a very deteriorated state; and WHEREAS, the bridge is in need of replacement and this project has been included in the Executive Capital Improvements Plan; and

WHEREAS, the Winnebago County Board supports the proper maintenance of County roads and bridges; and

WHEREAS, the current estimated cost to replace the bridge is \$1,400,000; and

WHEREAS, it would be prudent at this time to replace this bridge.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$40,000 to the Engineering and Design Account of a capital project fund to be set up to account for said project costs.

BE IT FURTHER RESOLVED that funds to pay for said project costs be transferred from the General Fund of Winnebago County to the CTH K Bridge Capital Project fund with the General 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 Farrey and seconded to refer back to committee so that wording can be added that addresses the historic and unique design of this bridge. Supervisor Farrey withdrew his motion to refer.

Motion by Supervisor Farrey and seconded to amend the resolution by inserting the following language on Line 21: BE IT FURTHER RESOLVED that the engineers will consider the historical nature and preservation in the design of the bridge. CARRIED BY VOICE VOTE.

Vote on Resolution as amended – Ayes: 31. Nays: 1 – Thompson. Excused: 3 - Ramos, Lennon and Schmuhl. Absent: 1 - Gilchrist. CARRIED.

RESOLUTION NO. 74-92008: Appropriate an Additional \$100,000 to the Engineering and Design Account of the CTH Y Capital Project Fund for Additional Design Work Needed on the CTH Y Road Resurfacing Project.

WHEREAS, the Winnebago County Board of Supervisors supports the reconstruction of CTH Y from CTH A to STH 76 and has already appropriated \$120,000 for engineering and design of the road project; and

WHEREAS, due to complexities that have arisen with the project, an additional \$100,000 will be needed for design work; and

WHEREAS, there is outside funding the County will receive for the project of roughly \$1,044,000; and

WHEREAS, it would be prudent for Winnebago County to continue the project at this time.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates an additional \$100,000 to the Engineering and Design Account of the CTH Y Capital Project Fund for the purpose of paying additional engineering and design costs.

BE IT FURTHER RESOLVED that funds to pay for said engineering and design work be transferred from the General Fund of Winnebago County to the CTH Y Capital Project Fund with the General Fund being reimbursed from a subsequent bond issue.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 32. Nays: 0. Excused: 3 - Ramos, Lennon and Schmuhl. Absent: 1 - Gilchrist. CARRIED.

RESOLUTION NO. 75-92008: Authorize the County Health Department to Accept a Grant of \$124,198 and Apply Funds to Costs Associated with a Program to Prevent Youth Substance Abuse.

WHEREAS, drug use and abuse continues to be a problem in today's society; and
WHEREAS, a grant of \$124,198 has become available to the Winnebago County Public Health Department to set up a substance abuse prevention program; and
WHEREAS, this grant will support the Winnebago County Drug-Free Communities Coalition activities to reduce drug use and abuse; and
WHEREAS, this will be achieved through education, cessation, collaboration, advocacy and social and environmental factors; and
WHEREAS, the grant will allow the Coalition to address tobacco, alcohol, prescription and other youth substance abuse; and
WHEREAS, this is a 5-year renewable grant opportunity for a total grant award of up to \$625,000
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Public Health Department to accept a grant of \$124,198 and appropriates the funds to costs associated with carrying out a drug use and abuse program.

Submitted by:
BOARD OF HEALTH
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Sievert and seconded to adopt. Ayes: 31. Nays: 1 – Gabert. Excused: 3 - Ramos, Lennon and Schmuhl. Absent: 1 - Gilchrist. CARRIED.

RESOLUTION NO. 76-92008: Appropriate \$17,958 to Labor Accounts of Corporation Counsel's 2008 Budget to Cover Projected Cost Overruns for 2008.

WHEREAS, although not over budget at this time, Corporation Counsel's Office is anticipating that it will exceed budget in labor costs by a total of \$17,958 for 2008; and
WHEREAS, the overage will be the result of the following occurrences: additional pay to hourly staff at straight time rates representing the difference between 37.5 and 40 hours per week which was missed in the budget process; vacation payouts due to some vacation not being used during 2007 and paid in 2008; and a higher pay rate for new employee that replaced the Assistant Corporation Counsel who left in July; and
WHEREAS, part of the overage in the fringe benefit area will be the result of the new employee taking County health insurance, whereas the person leaving the position did not take County health insurance resulting in additional County fringe benefit of roughly \$5,000 for the remainder of 2008.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates an additional \$17,958 to the labor cost accounts of Corporation Counsel's 2008 budget.
BE IT FURTHER RESOLVED that funds to pay for said projected overage will be transferred from accounts as follows: \$9,664 from the Salary Contingency Fund, and \$8,294 from General Fund Undesignated Fund Balance.

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

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 32. Nays: 0. Excused: 3 - Ramos, Lennon and Schmuhl. Absent: 1 - Gilchrist. CARRIED.

RESOLUTION NO. 77-92008: Appropriate \$110,000 to Improve the Air-Conditioning in the Electronics Equipment Room in the County Jail Complex.

WHEREAS, the existing air conditioning equipment in the electronics equipment room in the County Jail Complex is inadequate to properly maintain electronic equipment at proper temperature levels; and
WHEREAS, this causes the temperature to rise above the operating range placing additional wear on the electronics and could cause equipment to overheat and fail; and
WHEREAS, it would be prudent to upgrade the cooling systems in the room to prevent the overheating and pre-mature aging of the equipment.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$110,000 to a Capital Project Fund to upgrade and improve the air conditioning equipment in the Jail Complex equipment room.

BE IT FURTHER RESOLVED that funds to pay for said improvements be transferred from the General Fund of Winnebago County to the Air-Conditioning Equipment Capital Project fund with the General Fund being reimbursed from a subsequent bond issue.

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

Motion by Supervisor Griesbach and seconded to adopt. Ayes: 32. Nays: 0. Excused: 3 - Ramos, Lennon and Schmuhl. Absent: 1 - Gilchrist. CARRIED.

RESOLUTION NO. 78-92008: Expand Scholarship Essay Contest to 10 Awards

WHEREAS, the Winnebago County Board scholarship program has established a successful scholarship program to promote good citizenship and an awareness and understanding of County Government for seniors planning to attend a post secondary education institution; and

WHEREAS, the current program annually grants nine scholarships, one scholarship per high school at Menasha, Neenah, Omro, Oshkosh North, Oshkosh West, Winneconne, St. Mary Central (Neenah), Lourdes (Oshkosh), and Christian School/Valley Christian High School (Oshkosh) to graduating seniors, who will be full time students taking 12 credits at a post secondary educational institution; and

WHEREAS, this designation of scholarships by high school does not allow for the application and granting of a scholarship to Winnebago County high school seniors attending a school in another county, at an alternative high school, charter school, other private school or being home schooled.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that a 10th scholarship be established for a Winnebago County resident who does not attend one of the nine high schools historically receiving scholarships.

Submitted by:
UNIVERSITY OF WISCONSIN EDUCATION, EXTENSION &
AGRICULTURE COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Widener and seconded to adopt.

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

- eliminate Christian School/Valley Christian High School (Oshkosh) from the second "WHEREAS" paragraph. They would be included in the type of schools listed in the third "WHEREAS" paragraph.
- change "10" in Lines 4 and 22 to "9"
- remove the fiscal note from the resolution
- Add the following paragraph: NOW THEREFORE BE IT RESOLVED, by the Winnebago County Board of Supervisors that the 9 scholarships presently awarded be modified so the first 8 schools listed above continue to receive a scholarship, but the 9th scholarship be awarded on an at-large basis."

Vote on amendments – Ayes: 13 – Barker, Eisen, Roh, Widener, Hamblin, Albrecht, Hall, Wingren, Robl, Kline, Locke, Farrey and Brennand. Nays: 19. Excused: 3 - Ramos, Lennon and Schmuhl. Absent: 1 - Gilchrist. LOST.

Motion by Supervisor Finch and seconded to refer back to committee. Ayes: 20. Nays: 12 – Widener, Albrecht, Thompson, Hall, Jacobson, Warnke, Locke, Nelson, Farrey, Egan, Rengstorf and Reinert. Excused: 3 - Ramos, Lennon and Schmuhl. Absent: 1 - Gilchrist. CARRIED.

RESOLUTION NO. 79-92008: Disallow Claim of Robert Dorschner

WHEREAS, your Personnel and Finance Committee has had the claim of Robert Dorschner 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 Robert Dorschner dated July 31, 2008, 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. 80-92008: Establish September as Juror Appreciation Month

WHEREAS, the right to have a trial by a fair and representative jury is an essential safeguard protected by both the United States and Wisconsin Constitutions; and

WHEREAS, service as a juror in Winnebago County Circuit Court is, along with voting, one of the most important responsibilities of citizenship; and

WHEREAS, the Wisconsin State Court System, partnering with the State Bar of Wisconsin, has established September as Juror Appreciation Month, a time to publicly recognize the contribution of those who are summoned and serve.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby supports the goals of Juror Appreciation Month to:

- Educate the public about jury duty and the importance of jury service; and
- Applaud the efforts of jurors who fulfill their civic duty; and
- Ensure that all jurors are treated with respect and that their service is not unduly burdensome.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it hereby extends its sincere thanks and appreciation to all employers who pay employees their normal wages while allowing them to serve as jurors, preventing financial hardship and fostering community strength.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that it honors the service and commitment of citizens who perform jury duty, who by participating in the judicial process aid those elected to serve the citizens of Winnebago County by preserving the rule of law, the basis for a free society.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

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

RESOLUTION NO. 81-92008: Support Enactment of Legislation to Reinstate Passport Acceptance Fees to \$30 for Counties

WHEREAS, the recently enacted Federal budget enacted by the United States Congress, reduced the previous \$30 per applicant county fee for Passport Acceptance Fees from \$30 to \$25, which is the amount currently collected by the Clerk of Courts and retained as Winnebago County's portion of the total fee and further, the State portion of the Passport Acceptance Fees was increased from \$67 to \$75 by the Budget Act; and

WHEREAS, the reduction in the County's portion of the Passport Acceptance Fees will negatively affect County revenue for the same service provided by the office of the County Clerk to applicants requesting passports from the Clerk of Court's office and the cost of providing the same passport issuance service by the Clerk of Court's office will increase in the next biennium and Winnebago County's revenue loss in 2008 could be approximately \$8,500; and

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby requests that legislation be introduced and enacted to reinstate the County's portion of the Passport Acceptance Fees to \$30 per applicant in order to offset the actual costs incurred by County government to provide the passport issuance services by the Clerk of Court's office; and

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Winnebago County Clerk shall provide a copy of this resolution to members of the United States Congress representing Wisconsin, State Legislators representing Winnebago County and the Wisconsin Counties Association and other Wisconsin counties.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

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

RESOLUTION NO. 82-92008: Transfer \$200,000 from the Human Services Department Fund Balance to the Specialty Hospitals Account in the Human Services Department to Cover the Cost of Additional Utilization of These Facilities During 2008.

WHEREAS, the Department of Human Services will incur more expenses than originally anticipated in the 2008 Budget for psychiatric specialty inpatient hospitals and health centers; and
WHEREAS, the Department incurred more placements this year than anticipated as a result of emergency psychiatric detentions detained by law enforcement and court ordered to Winnebago Mental Health Institute, Brown and Fond du Lac County Mental Health Centers, and the Trempealeau County Institute of Mental Disease.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$200,000 from the Human Services Department fund balance to the Contracted Services – Specialty Hospitals account to cover the cost of additional utilization of these facilities for mental health services.

Submitted by:
HUMAN SERVICES BOARD
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Koziczkowski and seconded to adopt. Ayes: 32. Nays: 0. Excused: 3 - Ramos, Lennon and Schmuhl. Absent: 1 - Gilchrist. CARRIED.

RESOLUTION NO. 83-92008: Apply \$884,000 Unanticipated Intergovernmental Revenue to the Cost of Additional Community Residential Services in the Human Services Department

WHEREAS, the Department of Human Services by its Long Term Support Division will incur more expenses and revenue than originally anticipated in the 2008 Budget for community residential care services; and
WHEREAS, the additional expenditures are covered by additional federal revenues so there is no funding being requested from the County's General Fund; and
WHEREAS, the adult physically disabled persons and elderly persons are served by the Federal Medical Assistance Waiver Program which is titled CIP II Nursing Home Relocation and Diversion Programs; and
WHEREAS, it is projected that 64 eligible adult physically disabled and elderly persons will be served this year by that program.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$884,000 of additional inter-governmental revenue to the cost of additional Community Residential Services in the Human Services 2008 budget.

Submitted by:
HUMAN SERVICES BOARD
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Koziczkowski and seconded to adopt. Ayes: 32. Nays: 0. Excused: 3 - Ramos, Lennon and Schmuhl. Absent: 1 - Gilchrist. CARRIED.

RESOLUTION NO. 84-92008: Hire the Accounting Firm of Schenck Government & Not-for-Profit Solutions to Audit Winnebago County's Financial Statements for the Years Ended December 31, 2008, 2009 and 2010.

WHEREAS, the accounting firm of Virchow Krause has been auditing the County's financial records for the past fourteen years and has done an excellent job; and
WHEREAS, a quote from Virchow Krause to continue as the County's auditor had a price increase in excess of 10%; and
WHEREAS, it was prudent at this point in time to seek requests for proposals for the purpose of auditing the County's financial records; and
WHEREAS, a team of five people evaluated and rated proposals from three accounting firms that responded to the requests for proposals; and
WHEREAS, the firm of Schenck Government & Not-for-Profit Solutions was selected as the firm to do the Winnebago County audit for calendar years ending December 31, 2008, 2009 and 2010.
NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the entering into a three year contract with Schenck Government & Not-for-Profit Solutions to perform auditing services for Winnebago County for the years ending December 31, 2008, 2009 and 2010.

BE IT FURTHER RESOLVED that funds to pay for each year of the contract be included in the budget of the Winnebago County Finance Department.

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 32. Nays: 0. Excused: 3 - Ramos, Lennon and Schmuhl. Absent: 1 - Gilchrist. CARRIED.

RESOLUTION NO. 85-92008: Establish Compensation Plan For County Executive to be Elected in Spring, 2009

WHEREAS, the compensation for the position of County Executive must be set by the County Board prior to the first date for the circulation of nomination papers for election to fill the position for the upcoming term; and

WHEREAS, the first date for the circulation of nomination papers for election to the position of County Executive for the term of office commencing in April of 2009 is December 1, 2008.

NOW THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that the salary established for the position of County Executive for the term commencing the third Tuesday in April, 2009 shall be as follows:

ANNUAL

First Full Year of Term (4/09 – 4/10).....	\$ 90,000
Second Full Year of Term (4/10 – 4/11).....	\$ 92,700
Third Full Year of Term (4/11 – 4/12).....	\$ 95,481
Fourth Full Year of Term (4/12 – 4/13).....	\$ 98,345

BE IT FURTHER RESOLVED, that insurance fringe benefits be provided to the position in accordance with County policy for Winnebago County Department Heads.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

Supervisor Kline deferred this resolution to Chairman Albrecht, because Supervisor Kline is the campaign treasurer for the current Winnebago County Executive and he felt it wouldn't be appropriate for him to present this resolution to the Board.

Motion by Supervisor Albrecht and seconded to adopt.

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

- Line 22 – change \$92,700 to \$97,850; Line 23 – change \$95,481 to \$100,786; Line 24 – change \$98,345 to \$103,809
- Fiscal Note section – in the year 2010 add an additional \$5,000

Vote on amendment – Ayes: 12 – Konezke, Roh, Widener, Albrecht, Thompson, Hall, Jacobson, Robl, Wright, Kline, Locke and Brennand. Nays: 20. Excused: 3 - Ramos, Lennon and Schmuhl. Absent: 1 - Gilchrist. LOST.

Vote on Resolution as presented: Ayes: 27. Nays: 5 – Gabert, Wingren, Jacobson, Ellis and Rengstorf. Excused: 3 - Ramos, Lennon and Schmuhl. Absent: 1 - Gilchrist. CARRIED.

RESOLUTION NO. 86-92008: Supplemental Payment/Certified Public Expenditure Program for County Nursing Homes

WHEREAS, the Supplemental Payment Program, formerly known as the intergovernmental transfer program, generates federal matching funds based on actual operating losses incurred by governmental nursing homes; and

WHEREAS, the amount of revenue that may be generated is capped by the federal government (Medicare Upper Limit); and

WHEREAS, all revenue generated from county nursing home losses is deposited in the state of Wisconsin's Medical Assistance Trust Fund; and

WHEREAS, the 2007-09 state biennial budget anticipates Medicaid deficits for county and municipal nursing homes of \$140,040,600 in FY 08 and \$136,858,800 in FY 09; and

WHEREAS, payments to counties from the federal match paid on county losses are capped at \$37.1 million each year, and the state anticipates utilizing \$40,000,000 in FY 08 and \$37,000,000 in FY 09 in federal matching funds for its Medicaid programs; and

WHEREAS, under current state law, total supplemental payments to county and municipal homes may not exceed \$37.1 million per year; and

WHEREAS, counties have never received less than \$37.1 million in payments annually; and

WHEREAS, county nursing homes generate significant losses as many county homes serve individuals with high acuity levels and intense behavioral needs; and

WHEREAS, the Medical Assistance rates paid to county nursing homes is insufficient to cover the cost of care for patients with significant care needs; and

WHEREAS, over the years, the number of county nursing homes has declined; and

WHEREAS, many counties can no longer afford to allocate property tax dollars to the operation of a county home, yet county homes provide a valuable public service; and

WHEREAS, if more counties sell or close their county nursing homes, county nursing home losses decrease, generating fewer dollars under the certified public expenditure program for county and state use; and

WHEREAS, as the \$37.1 million referenced in statute represents a cap on payments to counties, the state has the ability to provide payments to county and municipal homes in an amount less than \$37.1 million.

NOW, THEREFORE, BE IT RESOLVED that the Winnebago County Board of Supervisors supports a legislative change requiring the State of Wisconsin to pay county and municipal nursing homes at least \$37.1 million annually under the supplemental payment program; and

BE IT FURTHER RESOLVED that the Wisconsin Counties Association and the Wisconsin Association of County Homes work in cooperation with the Department of Health Services to develop a plan to return all revenue generated from county nursing home losses to counties over a five-year period.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to DHS Secretary Karen Timberlake, DOA Secretary Michael Morgan, Governor Jim Doyle, all area legislators and the Wisconsin Counties Association.

Submitted by:
LEGISLATIVE COMMITTEE

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

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, October 21, 2008.
CARRIED BY VOICE VOTE.

The meeting was adjourned at 10:00 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 September 16, 2008.

Susan T. Ertmer
Winnebago County Clerk