

**WINNEBAGO COUNTY BOARD MEETING
TUESDAY, NOVEMBER 12, 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, Wingren, Jacobson, Norton, Warnke, Robl, Wright, Kline, Locke, Nelson, Finch, Sievert, Farrey, Diakoff, Brennand, Egan, Ellis, Rengstorf, Ramos, Schmuhl and Reinert. Excused: Hall and Lennon. Absent: Gilchrist.

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

COMMUNICATIONS, PETITIONS, ETC.

Notice of Claim from Vickie Frank, Mark Salzwedel and Quentin Salzwedel for losses incurred during their Living Green Wisconsin Expo at the county's Expo Center in September, 2008 was referred to the Personnel & Finance Committee.

Notice of Claim from Melissa Burdick, Special Administrator for the Estate of Brenda M. Larsen for negligence, wrongful death and constitutional/civil rights violation in the death of Brenda Larsen was referred to the Personnel & Finance Committee.

Petition for zoning amendment from Terry Tebo, Town of Wolf River, for zoning change for tax parcel nos. 032-0297-02-01(p) and 032-0297-03 from A-2 to R-1 for additional yard space was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Duane Howard, Town of Winchester, for zoning change for tax parcel no. 028-0134(p) from A-1 to A-2 for agriculture was referred to the Planning & Zoning Committee.

Petition for zoning amendment from Cary A. Rowe, Zoning Administrator, for changes to sections of the Winnebago County Construction Site Erosion Control and Stormwater Management Ordinance was referred to the Planning & Zoning Committee.

REPORTS FROM COMMITTEES, COMMISSIONS AND BOARDS

Supervisor Norton asked supervisors to look at a handout on their desks regarding MedOne Healthcare Systems. He hoped a representative of this company could make a presentation at an upcoming County Board meeting.

Supervisor Barker reported she attended the "Topping Out Ceremony" for the UW Fox Valley Communication Arts Center. Each committee member signed their names on the last piece of steel. She said the building is to be completed by June 1, 2009.

Supervisor Sievert wanted to congratulate two employees of the Public Health Department. Jeff Phillips, Environmental Health Supervisor, received the Environmental Health Professional of the Year from the Environmental Health Association. Sue Ashton, Public Health nurse, received the Lillian Mood Award for spearheading the proper dispensing of medications.

Supervisor Eisen reported he attended the annual conference of the Wisconsin Library Association on November 6 as a Trustee of the Menasha Library. The Menasha Library won the Library of the Year award for Wisconsin. Supervisor Eisen also noted he had attended the Veterans Day service on the steps of the Courthouse. Although he thought it was an impressive event, he thought it was distracting because of the "marginal condition" of the outside of the building. He requested Mike Elder, Facilities Director, be informed of the issue and put it on a list of things to do.

Supervisor Robl reported on October 31 he attended an East Central Wisconsin Regional Planning Commission meeting. He said Charley Weeth, Executive Director for Citizens for a Scenic Wisconsin gave a presentation, which showed Wisconsin ranked 5th in the nation with the number of billboards along the highway.

Supervisor Kline asked members of the Legislative Committee to note the agenda and attachments for the Monday, November 24 meeting had been placed on their desks.

PUBLIC HEARING

Jay Schroeder, 1295 Lake Street, Neenah, spoke regarding the County Executive's veto of Ordinance no. 92-102008.

Motion by Supervisor Robl and seconded to approve the October 21, 2008 County Board and October 27, 28 & 29, 2008 Budget proceedings. Supervisor Kline noted a changed to be made on Page 104 for Amendment 3.

On line 15 of Amendment 3, Page "163" should be changed to Page "469". Supervisor Eisen noted a change on page 105. In the submitted by section, the name of Patrick Brennand should be changed to Robert Warnke. Vote on minutes with changes: CARRIED BY VOICE VOTE.

COUNTY EXECUTIVE'S REPORT

Executive Harris wanted to bring the Board's attention to recent news stories regarding the increasing difficulties with the State budget. He said the estimate of the Budget Deficit is now closer to \$5 billion rather than \$3 billion. He noted it appears none of the major expenditures in the Budget will be exempt from potential cuts. Although the County will not know the impact of the cuts until July, Executive Harris indicated he would be looking at potential ways of reacting to those cuts if necessary.

Executive Harris spoke on Resolution 100-112008 "Authorize the Appropriation of \$1,062,553 of General Fund Undesignated Fund Balance to the Sheriff Department's 2008 Budget to Cover a Shortfall in Revenue from Boarding of Prisoners". He indicated that although some revenue was recovered from housing State prisoners, the main shortfall was caused by a loss of revenue due to a nonrenewal of the contract with Dane County to house prisoners. Executive noted an error on line 23 of the resolution. The correct amount should be \$1,062,553.

Executive Harris wanted to address a newspaper article this week regarding changes in Winnebago County reserve investments. Due to the economy, he is hoping to move investments to an even more cautious position. He indicated the County only makes investments with companies that are in the top three rating categories of a nine-tier system that rates financial institutions. Normally this would be perceived as taking very little risk; however, with the current economy, he is hoping to institute a policy of having all amounts exceeding the FDIC and State provided insurance collateralized. Chuck Orenstein is looking into the impact that would have on the yield received. For the past year, Winnebago County has been drawing down one of its major investments, the Dana Account, which holds adjustable rates mortgages where the principal and interest payments are guaranteed by various agencies such as Jenny Mae, Federal Home Loan Bank and Fanny Mae.

COUNTY EXECUTIVE'S APPOINTMENTS

Winnefox Library System Board of Trustees

Executive Harris asked for the Board's approval of his re-appointment of Christopher Kunz, 707 Congress Place, Neenah; Tom Widener, 129 Richard Avenue, Neenah and James Reiland, 309 9th Street, Menasha to the Winnefox Library System Board of Trustees. These are three year terms which will expire December 31, 2011. Motion by Supervisor Robl and seconded to approve. CARRIED BY VOICE VOTE.

COUNTY BOARD CHAIRMAN'S REPORT

Chairman Albrecht reported Supervisors Hall and Lennon asked to be excused this evening.

ZONING REPORTS & ORDINANCES

REPORT NO. 001. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Gene Young and property owner Petermann Family Trust-Brian Russell, Town of Winneconne, for zoning change to R-1 for tax parcel no. 030-0102-01(p). Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11-01-08. 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: November 24, 2008)

REPORT NO. 002. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant and property owner Frederick Marohn, Town of Utica, for zoning change to A-2 for tax parcel no. 024-0607(p). Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11-02-08. A requested zoning change from A-1 (Exclusive Ag) to A-2 (General Farming). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: November 24, 2008)

REPORT NO. 003. A report from the Planning & Zoning Committee regarding a requested zoning change from applicants and property owners Steve Sturtevant/Michael Fredrick, Town of Clayton, for zoning change to R-2 for tax parcel no. 006-0598-11. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11-03-08. A requested zoning change from R-1 (Single Family non-subdivided) to R-2 (Single Family subdivided). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: November 24, 2008)

REPORT NO. 004. A report from the Planning & Zoning Committee regarding a requested zoning change from applicant Bechard Investments-Dennis Jochman and property owners American Court Offices and Town of Menasha, Town of Menasha, for zoning change to B-5 for tax parcel no. 008-0249-01. Motion by Supervisor Brennand and seconded to accept. CARRIED BY VOICE VOTE.

AMENDATORY ORDINANCE NO. 11-04-08. A requested zoning change from B-3 (General Business) to B-5 (Planned Commercial Park). Motion by Supervisor Brennand and seconded to adopt. CARRIED BY VOICE VOTE. (Effective date: November 24, 2008)

RESOLUTIONS AND ORDINANCES

MOTION TO RECONSIDER ORDINANCE #92-102008

Your undersigned Supervisor who voted on the prevailing side of Ordinance #92-102008, hereby moves the Board to reconsider said Ordinance.

Submitted by:
STAN KLINE, DIST. #25
COUNTY BOARD SUPERVISOR

Motion by Supervisor Kline and seconded to adopt. Ayes: 31. Nays: 2 – Thompson and Warnke. Excused: 2 – Hall and Lennon. Absent: 1 – Gilchrist. CARRIED.

VETO MESSAGE FOR ORDINANCE #92-102008

Pursuant to Section 59.17(6), I have decided to exercise my veto of Ordinance #92-102008.

I do not object to the recovery of the opportunity cost associated with shelters that can not be rented because of a major event in the County Park. I do however object to the open-ended fee that this Ordinance would allow Parks to charge major events in the park. It is my hope that the County Board will support my veto and that the Parks Committee will bring back an Ordinance that caps the shelter fee at \$130.00 for groups over 300 and eliminate the negotiated fee for groups over 1,000.

Dated this 4th day of November, 2008.

Mark L. Harris
Winnebago County Executive

ORDINANCE NO. 92-102008: Amend Section 19.24(2)(a) of the General Code of Winnebago County to Reflect an Increase of \$10.00 in Each Category of the Community Park Shelter Rental Fees and to Eliminate Past Practice of Exempting Tournament & Festival Sponsors from Payment of Said Fees

WHEREAS, for six years there has been no increase in the Community Park Shelter Rental Fees while at the same time the cost of maintaining the shelters and the services related to the program have continued to rise; and

WHEREAS, a comparison of the fees applied to similar facilities and services located at other municipalities demonstrates the appropriateness of instituting a \$10.00 increase in each fee category; and

WHEREAS, there is a growing need for the County to compensate for increasing maintenance costs and to avoid the loss of revenue tied to the shelter fee exemption given non-profit organizations that use the shelters in support of tournament and/or festival activities; and

WHEREAS, along with these fee changes it is desirable to create another shelter rental category making it possible for small groups to reserve any one of three Community Park 16' X 20' open air shelters.

NOW, THEREFORE, BE IT RESOLVED, that the County Board of Supervisors of the County of Winnebago does ordain as follows:

That effective January 1, 2009, Section 19.24 (2) (a) of the General Code of Winnebago County be amended to reflect an increase of \$10.00 for each of the fees included in the Community Park Shelter Rental Fee Schedule and that Section 19.24 (2) (a) shall subsequently read as follows:

19.24 FEES AND CHARGES.

(2)(a) COMMUNITY PARK SHELTER RENTAL FEE SCHEDULE

Shelters	Group Size	Weekday Charge	Weekend Charge
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#1 & #2	Up to 150	\$40.00	\$50.00
	151 – 300	\$70.00	\$70.00
	301 – 1000	\$130.00	\$130.00
	Over 1000	Negotiated (minimum \$210)	Negotiated (minimum \$210)
#3 & #4	Up to 50	\$30.00	\$35.00
	*Groups greater than 50 persons will pay at the same rates as Community Park Shelters #1 & #2.		
Open Air Shelters	Max of 50	\$10.00	\$10.00

BE IT FURTHER RESOLVED that the practice of exempting non-profit organizations from payment of shelter rental fees while they are engaged in tournament or festival activities in the Community Park, shall henceforth be discontinued.

Submitted by:
PARKS & RECREATION COMMITTEE

Motion by Supervisor Finch and seconded to amend the resolution by changing lines 49 and 50 by deleting "Negotiated (minimum)" under Weekday Charge and Weekend Charge to leaving \$210 under each column. Vote on amendment - Ayes: 31. Nays: 2 – Griesbach and Warnke. Excused: 2 – Hall and Lennon. Absent: 1 – Gilchrist. CARRIED. Vote on ordinance as amended – Ayes: 31. Nays: 2 – Griesbach and Warnke. Excused: 2 – Hall and Lennon. Absent: 1 – Gilchrist. CARRIED.

**RESOLUTION NO. 97-112008: Authorize Five Year Cooperative Service Agreement
Between Winnebago County and Wisconsin Department of Natural Resources (WDNR) and United States Department of Agriculture (USDA), Animal Plant Health Inspection Service, Wildlife Services (APHIS WS)**

WHEREAS, the Black Bear, Canada Goose, White-tailed Deer and Wild turkey populations in portions of Winnebago County are at levels that may cause damage to agricultural and forest crops; and

WHEREAS, the producer's costs of production of agricultural and forest crops have increased substantially over time; and

WHEREAS, Wis. Stats., 29.889 and Wis. Adm. Code NR12 provides a State funded Wildlife Damage Abatement and Claims Program (WDACP) to reimburse participating producers for crop losses caused by certain wildlife; and

WHEREAS, administrative participation is required of Winnebago County to make its land eligible for the WDACP; and

WHEREAS, Winnebago County will be reimbursed by WDNR for all associated costs incurred in the administration and implementation of the WDACP; and

WHEREAS, Winnebago County may through formal agreement, cooperate with APHIS WS and WDNR to make the WDACP available to eligible producers.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that the Land and Water Conservation Department/Land Conservation Committee are hereby authorized to enter into a five year Cooperative Service Agreement with WDNR and USDA, APHIS WS for the Administration and Implementation of the WDACP. Said Agreement is incorporated into this resolution by reference (a copy of the Agreement may be obtained upon request from the Land and Water Conservation Department or the Office of Corporation Counsel).

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the Revenue and Expenses associated with this program continue to be included within the appropriate accounts in the land and Water Conservation Department Annual Budget.

Submitted by:
LAND CONSERVATION COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Ayes: 31. Nays: 2 – Widener and Gabert. Excused: 2 – Hall and Lennon. Absent: 1 – Gilchrist. CARRIED.

RESOLUTION NO. 98-112008: Authorize acceptance of additional Funding of \$900,000 from the State of Wisconsin for the CTH AP Project and Appropriate the

Funds.

WHEREAS, the Winnebago County Highway Department has the opportunity to secure \$900,000 of additional funding from the State of Wisconsin for construction costs related to the CTH AP Project; and

WHEREAS, these funds will be used to offset construction costs for the CTH AP project, which will reduce the overall cost of the project to Winnebago County; and

WHEREAS, it is estimated that approximately \$520,000 of the \$900,000 will be used to offset additional needed construction costs attributed to Winnebago County; and

WHEREAS, the balance of \$380,000 will be returned to the debt service fund to offset future levy costs to retire some of the debt.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves accepting \$900,000 of additional funds from the State of Wisconsin in order to offset the additional CTH AP Project construction costs with the remainder being transferred to the debt service fund to offset future levy costs to retire some of the debt.

Submitted by:
HIGHWAY COMMITTEE
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Robl and seconded to adopt. Ayes: 33. Nays: 0. Excused: 2 – Hall and Lennon. Absent: 1 – Gilchrist. CARRIED.

ORDINANCE NO. 99-112008: Amend Section 25.04(4)(a)(10) Of the General Code of Winnebago County (Citation Method of Enforcement)

WHEREAS, it is well documented and widely recognized that nutrients and organic matter from mismanaged or misapplied livestock waste contributes to water quality degradation in the streams, rivers and lakes throughout Wisconsin, including those in Winnebago County; and

WHEREAS, it is also documented that sediment eroded from excavated or exposed land surfaces negatively effects water quality in streams, rivers and lakes; and

WHEREAS, the degradation of the water resources in Winnebago County poses a threat to the environment, health and economic welfare of the citizens of the county; and

WHEREAS, the Winnebago County Land Conservation Committee and Land and Water Conservation Department, in an effort to safeguard the water resources of Winnebago County, through enforcement of the ordinances created to protect them, must periodically revise and update referenced State Statutes, technical standards, definitions, and other wording within the applicable Winnebago County General Code.

NOW, THEREFORE, BE IT ORDAINED by the County Board of Supervisors, that Section 25.04(4) (a) (10) of the General Code of Winnebago County be amended to read as follows:

25.04 PENALTY PROVISIONS....

(4) CITATION METHOD OF ENFORCEMENT

(a) The issuance of citations is expressly limited to the following County officials and employees except as otherwise herein stated, and the authority delegated to a County official or employee or city or village, or town law enforcement officer to issue such citations may only be granted or revoked by the County Board:

1. The County Zoning Administrator and such subordinates as he may delegate.
2. Any County law enforcement officer.
3. Landfill Superintendent and Scale Operator(s).
4. As to violations of Chapters 9 (Public Peace and Good Order) and Chapter 19 (Parks and Waters) of the Winnebago County General Code, by any duly appointed city, village or town law enforcement Officer of the municipality or town within Winnebago County wherein a violation of a Winnebago County ordinance occurs.
5. A designation of the offense in such manner as can readily be understood by a person making a reasonable effort to do so.
6. The time at which the alleged violator may appear in court.
7. A statement which in essence informs the alleged violator.
 - a. that a cash deposit based on the schedule established by the County Board from time to time and on file in the Office of the County Clerk may be made which shall be delivered or mailed to the Clerk of Circuit Court

- Branch V prior to the time of the scheduled court Appearance.
- b. That if a deposit is made, no appearance in court is necessary unless he is subsequently summoned.
 - c. That if a cash deposit is made and the alleged violator does not appear in court, he will be deemed to have entered a plea of no contest, or, if the court does not accept the plea of no contest, a summons will be issued commanding him to appear in court to answer the complaint.
 - d. That if no cash deposit is made and the alleged violator does not appear in court at the time specified, an action may be commenced to collect the forfeiture.
- 8. A direction that if the alleged violator elects to make a cash deposit, the statement which accompanies the citation shall be signed to indicate that the statement required above has been read. Such statement shall be sent or brought with the cash deposit.
 - 9. Such other information as the county deems necessary.
 - (b) Sec. 66.119(3), Wisconsin Statutes, relating to violators' options and procedure on default is adopted and incorporated herein by reference.
 - (c) Adoption of this section does not preclude the County Board from adopting any other ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matters.

10. The Director of the Land and Water Conservation Department and such subordinates as he may delegate for the purpose of enforcement of Chapter 13 and Sections 15.52 and 17.31 of this Code.

Submitted by:
LAND CONSERVATION COMMITTEE

Motion by Supervisor Barker and seconded to adopt. Supervisor Barker announced the committee vote was 7-0. Ayes: 32. Nays: 1 – Albrecht. Excused: 2 – Hall and Lennon. Absent: 1 – Gilchrist. CARRIED.

RESOLUTION NO. 100-112008: Authorize the Appropriation of \$1,062,553 of General Fund Undesignated Fund Balance to the Sheriff Department's 2008 Budget to Cover a Shortfall in Revenue from Boarding of Prisoners.

WHEREAS, the Winnebago County Sheriff Departments 2008 budget included \$1,368,750 of revenues for the boarding of prisoners from Dane County; and
 WHEREAS, because Dane County cancelled their contract with Winnebago County, the Sheriff Department will realize a revenue shortfall; and
 WHEREAS, the Sheriff Department was unable to secure a contract with other parties to make up for the shortfall; and
 WHEREAS, this revenue from Dane County was needed to balance the Sheriff Department's 2008 budget; and
 WHEREAS, additional funds will be needed from the General Fund Undesignated Fund balance to make up for the shortfall.
 NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby appropriates \$1,368,750 from the General Fund Undesignated Fund Balance of Winnebago County to the Sheriff Department's 2008 Budget to cover the revenue shortfall that is projected for 2008.

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

Motion by Supervisor Rengstorf and seconded to adopt. Supervisor Rengstorf noted an error on line 23. "\$1,368,750" should be changed to "\$1,062,553". Ayes: 32. Nays: 1 – Reinert. Excused: 2 – Hall and Lennon. Absent: 1 – Gilchrist. CARRIED.

ORDINANCE NO. 101-112008: Amend Section 5.01(4) and (5) of the General Code of Winnebago County (Huber Law Prisoners)

WHEREAS, the Winnebago County Board of Supervisors recently amended Section 5.01 of the General Code of Winnebago County in relationship to Huber Law prisoners; and

WHEREAS, subsequent to the amendment of said Ordinance, it became apparent that there was some redundancy with regard to the wording of said ordinance which necessitated clarification.

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

That Section 5.01 of the General Code of Winnebago County be amended to read as follows:

5.01 HUBER LAW PRISONERS. ...

(4) ELECTRONIC MONITORING FEE.

Inmates placed in the electronic monitoring program pursuant to Section 302.425, Wisconsin Statutes shall pay a fee established at a rate equal to the daily Huber Fee and an additional one-time set up fee of \$45.00 plus any actual costs in relationship to the Global Positioning System with regard to the use of said device and the tracking of said prisoner. The Sheriff may require prepayment of expenses set-forth herein as a requirement for participation in said program.

(5) DAY REPORTING FEE. All Huber Law Prisoners who are assigned to the Winnebago County Sheriff's Day Reporting Program shall be charged a fee established at a rate equal to the Huber Fee per day. No fees for meals shall be charged to Day Reporting prisoners.

BE IT FURTHER ORDAINED by the County Board of Supervisors of the County of Winnebago that Section 5.01(5)(a) and (b) of the General Code of Winnebago County are hereby rescinded.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 33. Nays: 0. Excused: 2 – Hall and Lennon. Absent: 1 – Gilchrist. CARRIED.

RESOLUTION NO. 102-112008: Commendation for Joel R. Rasmussen

WHEREAS, Joel Rasmussen has been employed with the Winnebago County Highway Department, for the past thirty years, and during that time has been a most conscientious and devoted County employee; and

WHEREAS, Joel Rasmussen has now retired from those duties, and it is appropriate for the Winnebago County Board of Supervisors to acknowledge his 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 Joel Rasmussen for the fine services he has rendered to Winnebago County.

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

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

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

RESOLUTION NO. 103-112008: Disallow Claim of Raymond Arellano

WHEREAS, your Personnel and Finance Committee has had the claim of Raymond Arellano 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 Raymond Arellano dated September 19, 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. 104-112008: Disallow Claim of Jennifer Kraemer

WHEREAS, your Personnel and Finance Committee has had the claim of Jennifer Kraemer 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 Jennifer Kraemer dated September 27, 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

Supervisor Kline withdrew this resolution. He indicated this has been settled.

RESOLUTION NO. 105-112008: Adopt Revisions to the Winnebago County Administrative Salary Schedule

WHEREAS, the salaries of Winnebago County's non-represented employees have not kept pace with unionized employees of Winnebago County in recent years; and

WHEREAS, it is in the best interest of Winnebago County that the salaries of non-represented employees keep pace with that of unionized employees in order to attract and maintain qualified managerial and supervisory employees throughout Winnebago County departments; and

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that it hereby authorizes the Winnebago County Administrative Salary Schedule to be amended so as to increase the wages of covered employees having continuing satisfactory job performance by 3%, across-the-board, effective January 1, 2009.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that the base salary of all covered non-represented employees shall be increased by \$.15 based on scheduled hours subsequent to the implementation of said cost-of-living increase.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that direct deposit of all biweekly payroll checks of covered non-represented employees shall be required effective as of January 1, 2009.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that said amendments to the Winnebago County Administrative Salary Schedule shall become effective as of January 1, 2009.

Submitted by:
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 28. Nays: 5 – Konezke, Eisen, Gabert, Ellis and Reinert. Excused: 2 – Hall and Lennon. Absent: 1 – Gilchrist. CARRIED.

AMENDED RESOLUTION NO. 106-112008: Approval of Appraisal of Tax Deeded Property

WHEREAS, Section 3.03(1)(a), General Code of Winnebago County requires that all tax deeded lands have their appraisal prices determined by the Personnel and Finance committee of the Winnebago County Board of Supervisors and approved by the County Board of Supervisors; and

WHEREAS, appraisals of tax deeded properties acquired as a result of delinquent real estate taxes as a consequence of an In Rem action have been made; and

WHEREAS, the parcel numbers, legal descriptions and the appraised value of said tax deeded properties are as follows:

Parcel No. 903-0329
45 W 10th Ave, Oshkosh WI 54902
LOT 2 BLK 21
PLAT OF ORIGINAL 3RD WARD
CITY OF OSHKOSH
\$12,500.00

Parcel No. 008-5566
High Plain Meadows LLC
OUTLOT 1

1ST ADDITION TO HIGH PLAIN MEADOWS PLAT
TOWN OF MENASHA
\$500.00

WHEREAS, the appraised value of said properties as provided by the treasurer has been approved by the committee as is required by Section 3.03(1)(a) of the General Code of Winnebago County and is herewith submitted to the Winnebago County Board of Supervisors for approval.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby approves the appraisal of the parcels of property listed above, which was acquired by the Winnebago County Treasurer for tax delinquency pursuant to an In Rem judgment. The report for each parcel shall be incorporated as a part of this resolution. (A copy of the report can be viewed in the Treasurer's Office).

Submitted by:
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 32. Nays: 1 – Warnke. Excused: 2 – Hall and Lennon. Absent: 1 – Gilchrist. CARRIED.

RESOLUTION NO. 107-112008: Approve Five-year Contract with Outagamie County for (8) Eight Slots in the Outagamie County Juvenile Detention Facility.

WHEREAS, Winnebago County desires to place certain of its resident juveniles in the Outagamie County Secure Detention Facility to make use of secure bed space; and

WHEREAS, Outagamie County has sufficient space to honor this request; and

WHEREAS, Outagamie County has agreed to enter an agreement to provide Winnebago County with (8) guaranteed slots for a five-year period at a starting rate of \$135 per bed per day for the first year of the contract; and

WHEREAS, Winnebago County has had agreements in past years with Outagamie for secure juvenile detention and wishes to continue this practice.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Human Services Department to enter into a five-year agreement with Outagamie County for the secure detention of Winnebago County Juvenile Offenders. Said contract is incorporated herein by reference. (A copy thereof may be obtained from the Department of Human Services.)

BE IT FURTHER RESOLVED that funds to pay for said agreement shall be included in the Human Services Budget of each year covered by the contract.

Submitted by:
HUMAN SERVICES BOARD
PERSONNEL & FINANCE COMMITTEE

Motion by Supervisor Koziczkowski and seconded to adopt. Ayes: 33. Nays: 0. Excused: 2 – Hall and Lennon. Absent: 1 – Gilchrist. CARRIED.

RESOLUTION NO. 108-112008: Create Position of Drug Free Communities Grant Coordinator in the Winnebago County Public Health Department

WHEREAS, the Winnebago County Public Health Department has received a Drug Free Communities Grant, which is renewable for five years on a non-competitive basis; and

WHEREAS, there is the need for a Drug Free Communities Grant Coordinator position in the Winnebago County Public Health Department; and

WHEREAS, this position will be added to the Administrative Pay Plan in Salary Range 5 and will exist as long as grant funds continue to cover the costs of the position.

NOW, THEREFORE, BE IT RESOLVED, by the Winnebago County Board of Supervisors, that a position of Drug Free Communities Grant Coordinator be, and hereby is created within the Winnebago County Department of Public Health.

BE IT FURTHER RESOLVED, that funds to cover the cost of this new position will be fully covered by the grant.

Submitted by,
PERSONNEL AND FINANCE COMMITTEE

Motion by Supervisor Kline and seconded to adopt. Ayes: 32. Nays: 1 – Roh. Excused: 2 – Hall and Lennon. Absent: 1 – Gilchrist. CARRIED.

RESOLUTION NO. 109-112008: Authorize Intergovernmental Agreement Between Winnebago County, Calumet County and Outagamie County (Regional Jail Study)

WHEREAS, the Winnebago County Board of Supervisors has previously expressed interest in studying the possibility of constructing and operating a regional jail with Outagamie and/or Calumet Counties; and

WHEREAS, Section 66.0301, et al Wisconsin Statutes, provides governmental entities with the authority to enter into intergovernmental agreements relating to areas of joint interests; and

WHEREAS, Winnebago County, Outagamie County and Calumet County have indicated a desire to retain a consulting firm for the purpose of making a recommendation as to the feasibility of such a regional jail project.

NOW, THEREFORE, BE IT RESOLVED by the Winnebago County Board of Supervisors that it hereby authorizes the Winnebago County Executive, Winnebago County Board Chairman and Winnebago County Clerk to enter into an intergovernmental agreement regarding the possibility of retaining a consultant for the purpose of conducting a regional jail study. The tentative draft of said agreement is herewith attached.

BE IT FURTHER RESOLVED by the Winnebago County Board of Supervisors that amendments to said draft agreement are hereby authorized pursuant to the consent of the Winnebago County Corporation Counsel.

Submitted by:
JUDICIARY & PUBLIC SAFETY COMMITTEE

Motion by Supervisor Rengstorf and seconded to adopt. Ayes: 32. Nays: 1 – Reinert. Excused: 2 – Hall and Lennon. Absent: 1 – Gilchrist.

Motion by Supervisor Robl and seconded to adjourn until 6:00 p.m. on Tuesday, December 16, 2008. CARRIED BY VOICE VOTE.

The meeting was adjourned at 7:25 p.m.

Respectfully submitted,
Patricia Rabe, Deputy
Winnebago County Clerk

State of Wisconsin)
County of Winnebago) ss

I, Patricia Rabe, do hereby certify that the foregoing is a true and correct copy of the Journal of the Winnebago County Board of Supervisors for their regular meeting held November 12, 2008.

Patricia Rabe, Deputy
Winnebago County Clerk